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When Laws and Representation Are Not Enough: Enduring Impunity and Post-Conflict Sexual Violence in Liberia and Sierra Leone

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WHEN LAWS AND REPRESENTATION ARE NOT ENOUGH:
ENDURING IMPUNITY AND POST-CONFLICT SEXUAL VIOLENCE IN LIBERIA
AND SIERRA LEONE

A thesis submitted in partial fulfillment of the
requirements for the degree of
Master of Arts

By

ASHLEY DANIELLE KITCHEN
B.A., Wright State University, 2010

2012
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I HEREBY RECOMMEND THAT THE THESIS PREPARED UNDER MY SUPERVISION BY Ashley Danielle Kitchen ENTITLED When Laws and Representation are Not Enough: Enduring Impunity and Post-Conflict Sexual Violence in Liberia and Sierra Leone BE ACCEPTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF Master of Arts.

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ABSTRACT

Kitchen, Danielle Ashley. M.A. Department of Political Science, Wright State University, 2012. Whens Laws and Representation are Not Enough: Enduring Impunity and Post-Conflict Sexual Violence in Liberia and Sierra Leone.

Throughout the course of history, literature and examination on the impact of civil war has focused little on women, especially in the cases of wartime rape. While the factors which sustain wartime rape are examined with frequency, using gender as an analytical lens, the analysis regarding post-conflict sexual violence and rape is studied far less, leading to the question: what factors are correlated with the continuance of widespread acts of rape even after the cessation of official conflict? Liberia and Sierra Leone suffered high levels of both wartime rape and also post-conflict sexual violence. This comparative case study, using process tracing and the congruence method tests the hypothesis that governments in which there are high levels of female representation will be associated with lower levels of impunity for sexual assault and this will result in lower levels of sexual violence. This study finds that the presence of a female head of state in Liberia does not simply equate to lower levels of sexual violence. The existence of a female president does not necessarily reflect (or translate into) changed gender relations. The passing of laws and the implementation of these laws, such as those in Sierra Leone, will affect women’s lives more positively.

Key Words: wartime rape, post-conflict sexual violence, domestic violence, civil war, gender, impunity, female representation, Liberia, Sierra Leone
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LIST OF ACRONYMS

AFELL: Association of Female Lawyers of Liberia
AFRC: Armed Forces Revolutionary Council
AMA: American Medical Association
APC: All Peoples Congress
ART: Antiretroviral Therapy
CAR: Central African Republic
CAST: Consolidated African Selection Trust
CCC: Concerned Christian Community
CDF: Civil Defense Force
DDR: Disarmament, Demobilization, and Reintegration
DHS: Demographic and Health Survey
DRC: Democratic Republic of the Congo
ECOMOG: Economic Community of West African States Monitoring Group
ECOWAS: Economic Community of West African States
EO: Economic Outcomes
FOSI: Foundation Open Society Initiative
FSU: Family Support Unit
GBV: Gender-Based Violence
GEMS: Grassroots Empowerment for Self Reliance

GPI: Global Peace Index

HRD: Diamond High Council

ICC: International Criminal Court

ICTR: International Criminal Tribunal for Rwanda

ICTY: International Criminal Tribunal for the former Yugoslavia

IDP: Internally displaced persons

IMC: International Medical Corps

IRC: International Rescue Committee

ISN: International Relations and Security Network

ISU: Internal Security Unit

LDHS: Liberian Demographic and Health Survey

LURD: Liberians United for Reconciliation and Democracy

LWI: Liberian Women Initiative

MODEL: Movement for Democracy in Liberia

MSF: Médecins Sans Frontières

NDMC: National Diamond Mining Company

NPFL: National Patriotic Front of Liberia

NPP: National Patriotic Party

NPRC: National Provisional Ruling Council

NTGL: National Transitional Government of Liberia

OHCHR: United Nations Office of the High Commissioner for Human Rights

OTI: Office of Transition Initiatives
PHR: Physicians for Human Rights
PRB: Population Reference Bureau
RUF: Revolutionary United Front
SARC: Sexual Assault Referral Centers
SCSL: Special Court for Sierra Leone
SIGI: Social Institutions and Gender Index
SLA: Sierra Leone Army
SLAUW: Sierra Leone Association of University Women
SLPP: Sierra Leone Peoples Party
SLST: Sierra Leone Selection Trust Ltd
SLWMP: Sierra Leonean Women’s Movement for Peace
STD: Sexually transmitted disease
TRC: Truth and Reconciliation Commission
ULIMO: United Liberation Movement of Liberia for Democracy
UN: United Nations
UNAMSIL: United Nations Mission in Sierra Leone
UNDP: United Nations Development Programme
UNFPA: United Nations Population Fund
UNIOSIL: United Nations Integrated Office for Sierra Leone
UNMIL: United Nations Mission in Liberia
UNOL: United Nations Peace-Building Support Office in Liberia
UNOMIL: United Nations Observer Mission in Liberia
UNOMSIL: United Nations Observer Mission in Sierra Leone
USAID: United States Agency for International Development
WANEP: West Africa Network for Peace building
WCI: Women’s Campaign International
WHO: World Health Organization
WILL: Women in Liberian Liberty
WIPNET: Women in Peace Building Network
WISS-SL: Women in Security Sector-Sierra Leone
WOMEN: Women Organised for a Morally Enlightened Nation
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I. INTRODUCTION

In 1998, the Rome Statute (establishing the International Criminal Court [ICC]) expanded international law to include rape, forced pregnancy, sexual slavery, enforced sterilization, or any other form of sexual assault as a crime against humanity.¹ Prior to the Rome Statute, international war crimes mostly included murder, torture, etc. and did not specifically focus on gendered war crimes. Because wartime rape has been experienced in many, if not most, conflicts around the world, it is oftentimes regarded as a “byproduct” of war, and because of this, little legal action has been taken historically. Throughout this study, it is important to understand that rape as a weapon of war is not specific to any particular society or country; it has occurred globally throughout time. For example, prior to 1998, “Neither the 1945–46 International Military Tribunals in Nuremberg nor the 1946–48 International Military Tribunals for the Far East explicitly enumerated war crimes involving rape, despite evidence that rape and other sexually violent crimes were systematically used during World War II.”²

In addition to rape and sexual violence during war, post-conflict sexual violence and rape is mostly unexplained, leading to the question: what factors are correlated with the continuation of widespread acts of wartime rape even after the cessation of formal conflict, specifically in the cases Sierra Leone and Liberia?

Today, unfortunately, sexual violence and rape during wartime continues to be under-prosecuted and systematic, where high levels of wartime sexual violence continue to be reported and observed in various places around the world… even after the perceived cessation of violence and peace initiatives are in place. As UN Women agency states, “With regard to trials of sexual violence as a war crime, crime against humanity, crime associated with genocide, and use in torture, sexual violence has been the ‘least condemned war crime.’”

More recently, however, it has been theorized by scholars as well as the UN that women’s participation in the political process, including the rising numbers of women in parliament, has increased the response to women’s policy concerns, as well as in establishing governmental and institutional legitimacy. As Daniel Stockemer states, “…Women have pushed for female-friendly policies in education, health care and equal rights in diverse countries including South Africa, Rwanda and Uganda… [Where] the share of parliamentary seats held by women in Africa has increased substantially from around 7 per cent in 1990 to around 18 per cent in December 2008.”

This study will seek to determine whether governments in which there are high levels of female representation have made a significant difference for women in terms of levels of gender violence within the country. Given the expectation regarding female politicians, this study hypothesizes that governments with high levels of female representation will be associated with lower levels of impunity for sexual assault and this will result in lower levels of sexual violence.

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5 Ibid, 693.
Today, more and more initiatives are being passed in regards to wartime sexual violence. It was not until 50 years later that the United Nations (UN) adopted Resolution 1820 (in 2008), which primarily focuses on ending rape and sexual violence as a weapon of war by armed groups during conflict. During those 50 years, however, the efforts of ad-hoc tribunals and special courts, helped bring some perpetrators to justice, specifically in cases of war and genocide. The creation of these courts show that various “masterminds” of war crimes are no longer going unpunished, according to the Global Policy Forum, with Daniele Archibugi stating “As preventive instruments, they might hopefully deter genocides in other parts of the world…” \(^6\)

Since the 1998 Rome Statute, and because of ad-hoc tribunals and special courts, and Resolution 1820, the idea of wartime sexual violence being an inescapable outcome of war is slowly being abandoned.\(^7\) However, as stated by the agency UN Women, formerly UNIFEM, “Out of 300 peace agreements for 45 conflict situations in the 20 years since the end of the Cold War, 18 have addressed sexual violence in 10 conflict situations (Burundi, Aceh, DRC, Nuba Mountains, Sudan/Darfur, Philippines, Nepal, Uganda, Guatemala, and Chiapas).”\(^8\)

Liberia and Sierra Leone are two of the places where post-conflict gender-based violence and impunity for gender-based violence exists. Both countries are signatories to the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which seeks to eliminate gender-based discrimination in all aspects of

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\(^7\) Dallman, “Prosecuting Conflict-Related Sexual Violence,” 3.

\(^8\) UN Women, “Facts & Figures on Peace & Security.”
women’s lives, but women’s status in both places remain tremendously low. For example, Sierra Leone has one of the highest maternal mortality rates in the world, where 50-74% of births are not attended by a medical professional or midwife. Furthermore, female genital mutilation (FGM) is almost universal in the country even though the elimination of FGM is recommended in the CEDAW treaty.

When writing about gender-based violence, it is imperative to look at the big picture and therefore, the colonial history and civil war period for both Liberia and Sierra Leone must be detailed. For Liberia, a civil war began in 1989, lasting until April 1996, after Charles Taylor and the National Patriotic Front of Liberia (NPFL) overthrew the government of Samuel Doe. Various peacekeeping forces, interim governments, and ceasefires were established throughout the period in attempts to end the fighting. Over seven different groups were engaged in the conflict until Charles Taylor was elected president in early 1997, when a second civil war began, which ran until 2003. Therefore, the period examined in this study will include both civil wars, from 1989-2003. Both civil wars in Liberia were well-known for high levels of displacement, civilian casualties, and widespread sexual and gender-based violence. In addition to systemic sexual violence during the war, post-conflict gender-based violence has remained prevalent in the country.

From 1991 to early 2002, Sierra Leone was engaged in a civil war as part of a spillover from a civil war occurring in neighboring Liberia. As the United Nations

10 Ibid, 40.
11 Ibid, 55.
13 Ibid, 625.
Mission in Sierra Leone (UNAMSIL) details, fighters from the Revolutionary United Front (RUF) with support of the Military Observer Group (ECOMOG) of the Economic Community of West African States (ECOWAS) attempted to overthrow the government of Joseph Momoh in March 1991. Other actors included the Armed Forces Revolutionary Council (AFRC) and a faction of the Sierra Leone Army (SLA), the Civil Defense Force (CDF). The war in Sierra Leone is known for the recruitment of child soldiers, in addition to sexual violence and rape, where it is estimated that over 50,000 people were killed over the course of the war. Since the end of the war, sexual violence against women and children has remained widespread as well.

While Sierra Leone and Liberia possess many similar characteristics, one visible difference is their respective heads of state. Liberia voted in the first female head of state in Africa, President Ellen Johnson Sirleaf, while Sierra Leone has a male president, Ernest Bai Koroma, elected in 2007. Sirleaf was elected in 2005 and was successfully re-elected in 2011. In addition, Sirleaf won the 2011 Nobel Peace Prize, along with two other women, becoming the first women to win the prize since 2004.

Although these atrocities have taken place in almost every major conflict around the world, their virtual silence, especially outside of the academic world, has contributed to my interest in studying them. Perhaps even more than wartime rape during conflict, post-conflict rape is invisible. One of the first articles pointing to post-conflict sexual

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15 Lansana Gberie, A Dirty War in West Africa: The RUF and the Destruction of Sierra Leone (Bloomington: Indiana University Press, 2005), 103.
violence was by *New York Times* columnist Nicholas Kristof in 2009.¹⁷ Rape as a weapon of war is a peace and security issue and an impediment to national and international re-establishment.¹⁸ If peace is to be maintained, women must fully participate in post-conflict reconstruction and reconciliation.¹⁹ Therefore, post-conflict sexual violence most definitely poses an overall security issue. It is an obstacle to women’s participation and the country’s development and must be examined.

**LITERATURE REVIEW**

Post-conflict sexual violence is not widely studied within the literature on rape as a weapon of war. Aside from news articles, few scholarly articles or books focus on the issue, making it essential to explore. Scholars writing on the subject of “rape as a weapon of war” have attempted to present answers to questions such as: What causes rape as a weapon of war to be used so systematically in cases of armed conflict? Why are more men the victims of torture or murder while women and children make up the majority of sexual violence victims? And would the international response be more swift if the victims were mostly men?

Historical explanations of why rape as a weapon of war occurs, sometimes referred to as *c’est la guerre*, include the idea that rapes, much like other casualties, are a simple byproduct of conflict. Rape has certainly been a component of war prior to World War II, dating back to accounts in the Torah, the rape of the Sabine women during early

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Roman history, as well as Genghis Khan in the 13th century. Much of the current writing challenges the notion that it is merely a byproduct of war. Such a view of rape only perpetuates its use.

With history focusing little on wars’ impact on women, the literature on rape as a weapon of war is somewhat new. Studies that focus on civil war mostly emphasize what Michele Leiby calls “general human security issues,” namely deaths and disappearances, and less on examining the experiences of men and women during wartime as being different and complex.

Different scholars define and operationalize the term “rape” in various ways. It is important to understand what is meant by the term as it applies to wartime violence. Cassandra Clifford defines rape as “…Forced vaginal, anal, or oral sex, of either a male or a female with either a person or an object.” Wartime rape is often combined with the “traditional” definition of rape, while including “…Single and multiple instances of rape, gang rape, forced prostitution, forced impregnation and sexual slavery.” Many scholars use standardized definitions such as the ones provided by Clifford and often use “sexual violence,” “sexual assault,” and “rape” as something interchangeable, such as Kathryn Farr, because all forms and situations are unwanted and often coerced. Furthermore, Doris Buss asserts, “‘Rape as a weapon of war’ thus refers to sexual violence as having a

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21 Ibid, 4.
24 Ibid, 4.
systematic, pervasive, or officially orchestrated aspect, emphasizing that rapes ‘…Are not random acts, but appear to be carried out as deliberate policy.’”

Throughout the remainder of this work, Clifford’s definition of rape as well as wartime rape will be used, in addition to Buss’.

Prior to the sexual violence in Bosnia-Herzegovina and Rwanda in the 1990s, rape as a weapon of war was a fairly new subject within the comparative politics field. Because of this, much of the literature can tend to be explanatory where authors focus their writing on explaining or creating new theories surrounding why wartime rape occurs. Much of the literature is examined through case study research, using either comparative cases or single cases. Other literature has focused on a particular aspect of wartime violence, such as violence perpetrated by armed “soldiers,” using hegemonic masculinity and the concept of a “military culture” as a unit of analysis. The emphasis placed around soldiers is essential in cases such as these because oftentimes, the perpetrators are pseudo-soldiers. They may not have been formally trained into a national branch of the military but instead are members of a group, simply fighting with weapons.

Another theme that pertains to my study is impunity, especially as it pertains to wartime rape and sexual violence. As stated, other themes within the literature exist, such as examining wartime rape against males, but for purposes of this specific research, theory, the soldiered aspect of the literature, and impunity are explored further.

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Theory

Theories on wartime rape have developed steadily over time and the four major “schools,” or theories surrounding wartime rape are 1) feminist theories, 2) the cultural pathology theory, 3) the strategic rape theory, and 4) the biosocial theory. These four theories are important to explore because they show the division that persists within the subject as well as what is explained within each school and what is still missing.

Susan Brownmiller in 1975 was the first to raise consciousness and systematically research rape as a weapon of war. Scholars such as Anne Llewellyn Barstow, Indai Lourdes Sajor, and Alexandra Stiglmayer followed her lead, asserting that rape in general, whether in war or peace, is a crime rooted in misogyny that perpetuate a patriarchal structure within society, where men declare their dominance over women, and is systemic in the sense that, in general, all men are empowered while all women are subordinated.

Within the feminist theories, there is the growing assumption that simply adding more women to positions of power is adding to gender equality around the world. For example, writers Theo-Ben Gurirab and Pia Cayetano of the UN Chronicle state that with women’s increasing participation in political systems around the world that issues concerning women, such as gender-based violence, have been brought to light and have

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27 Gottschall, “Explaining Wartime Rape.”
been given more attention than ever. There is also the assumption that adding more women into these positions will bring women’s issues and feminist policies to the forefront. While this may be true, simply adding more women to male-dominated political systems does not mean that inequality will be eradicated. This assumption views women as a homogenous group, meaning that their sole concern is women’s issues, simply because they are women.

The cultural pathology theory uses sociocultural factors and cultural psychoanalysis in attempts to explain why sexual violence occurs at such high levels during wartime. This theory looks at a nation or society’s history as a means of explanation, such as Iris Chang’s study conducted on the rape of Nanking. Some within this school use culture as a level of analysis while others such as Madeline Morris and Catherine MacKinnon use military structure as a way to analyze across societies. While helpful for specific cases, it does not help explain the occurrences as a whole, across societies. There have been some attempts at generalizations, however, including a cross-cultural study by Peggy Reeves Sanday in 1981 where she analyzes various societies around the world in order to categorize them as either “rape free” or “rape prone.” Sanday found that in societies where resources were scarce and “…Females

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[were] perceived as objects to be controlled as men struggle to retain or to gain control of their environment.”\(^\text{35}\) However, her study does not explain rape outside of those, which she labels “tribal societies.” While she studies societies from around the world, rape most certainly occurs outside of these so-called tribal societies, for which no explanations are presented.

The strategic rape theory is a widely accepted notion of why widespread wartime rape occurs. Beginning with Susan Brownmiller in 1975, this theory explains that rape during wartime is another weapon that militaries and civilians can use against their enemies, particularly women, and that it serves “larger strategic objectives.”\(^\text{36}\) As detailed by Jonathan Gottschall, “It is credited with spreading debilitating terror, diminishing the resistance of civilians, and demoralizing, humiliating, and emasculating enemy soldiers who are thereby shown to have failed in their most elemental protective duties.”\(^\text{37}\)

For example, within the strategic rape theory, countless scholars point to the psychological, physical, and social consequences of sexual violence, as experienced mostly by women. Furthermore, authors such as Michele Leiby and December Green look at wartime rape as being a symbolic, political, and social act.\(^\text{38}\) Because wartime rape was traditionally regarded as inevitable, any responsibility was taken off of the perpetrators and all culpability was placed in the hands of the victim.

The fourth contending theory is the biosocial, or the biology-based theory, used to explain wartime rape. This is commonly referred to as the “pressure-cooker” theory that

\(^{35}\) Ibid, 25.


view men as possessing sexual aggression instincts that are heightened under the conditions of wartime. The “pressure-cooker” theory is based on the aggression model pioneered by Sigmund Freud and ethologists such as Konrad Lorenz. The biosocial theory, however, does not use sociocultural factors, such as power and strategy, to explain any behavior other than “sexual aggression.” One of the major problems of this theory is the inability to explain post-conflict sexual violence. In addition, a great deal of variation exists among conflicts, in terms of the reported levels of wartime rape and sexual. This leads to the question, why don’t all soldiers engage in wartime rape?

The feminist theories, cultural pathology theory, strategic rape theory, and biosocial theory help to contextualize the work that has been done regarding sexual violence and how it has been used as a weapon of war throughout history. It is important to understand the theories as well as their evolution over time. The remainder of this literature review will address two recurring themes, the soldiered aspect and impunity, and how theory fits within each.

*The Soldiered Aspect*

Much of the literature focuses on the role of militaries and paramilitaries in how sexual violence is perpetrated. The reason many scholars choose to focus on this aspect of sexual violence is because often times, armed combatants, whether part of a formal or

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41 Gottschall, “Explaining Wartime Rape,” 134.
42 Ibid, 134.
informal military structure, comprise the largest proportion of perpetrators. Scholars such as Maria Erikkson Baaz and Maria Stern, Lisa Price, and Julianne Kippenberg use various testimonies from armed combatants, in attempts to understand why rape and sexual violence persist as a method of violence during wartime. For example, Baaz and Stern focuses on soldier testimonies in an effort to examine the ways in which the soldiers themselves understand their crimes. As Baaz and Stern state, “Rape in this sense is seen as serving a triple purpose: it represents the “spoils” of war, and it is a symbolic message of dominance to the conquered (men) and to all women.” Scholars such as Christopher Butler, Tali Gluch, and Neil Mitchell have also pointed to the lack of accountability for perpetrators, to be addressed below.

The majority of the scholars presented here, including Price, have pointed to the “strategic purposes” that wartime rape has, i.e. the strategic rape theory, while authors such as Butler, Gluch, and Mitchell question whether there are more reasons that soldiers commit these acts of violence. According to Butler et al., “…Women are vulnerable during armed conflicts and wartime, but also more vulnerable in countries where there is a low level of control over public officials. Security forces are not all alike and differ in levels of discipline…Even warfare is not an equal hell.” This coincides with Green’s idea that all rapes are different but not completely incomparable.

43 Ibid, 5.
49 Green, Gender Violence in Africa, 87.
Many scholars such as Green, as well as Baaz and Stern point out problems with the “biological make-up” theory and the “sexual urge” explanation that is sometimes used to explain soldiers’ tendency to commit rape during wartime. 50 Researchers often use testimonies of soldiers to “debunk” the biological differences argument and often point to military socialization as a reason for increased levels of rape during wartime. As illustrated by Baaz and Stern, “Instead of seeing the military as a venue through which boys can achieve their natural potential as men, research underscores how men/boys (and women/girls) learn to be “masculine” and violent in the military through methods specifically designed to create soldiers who are able (and willing) to kill to protect the state/nation.” 51 Through testimonies, scholars such as Baaz and Stern and Kippenberg point out how wartime rape is “normalized” but yet “wrong” at the same time. 52

The inequalities faced by women are used as a way to uphold a social structure, specifically a patriarchal structure where women are perceived of as “wealth” in need of security and protection where the rapist, whether soldier or civilian, symbolically takes the wealth of another man. 53 As Bülent Diken and Carsten Bagge Lausten explain, “Strategic rape attacks not only the victim but also aims to dissolve the social structure of the attacked group…In war, the abuse of the enemy’s women is considered to be the ultimate humiliation, a stamp of total conquest.” 54 Authors such as Green and Leiby agree with Buss, where she states “…Women are, in effect, the “symbolic representations” of the body politic, to be protected during war as the very nation itself. Women thus become

52 Ibid, 512.
54 Ibid, 117-118.
the embodied boundaries of the nation-state, and as such, are targets for violence directed against a national collectivity."\textsuperscript{55}

Authors such as Green and organizations such as Amnesty International agree that sexual violence during wartime is indeed a political act where women are seen as the booty for opposing soldiers and are raped as property where “The tendency to consider mass rape as a crime against the family or nation is rooted in a near universal understanding of rape as a crime of property.”\textsuperscript{56} According to Green, this understanding ignores that women are also the enemy and instead only views mass rape as the rape of “the enemy’s women” and simply reflects the inequalities that women face in their daily lives.\textsuperscript{57} For example in the DR Congo, women’s low status in society has come under examination as a reason for the consistent violence perpetrated against them. Human Rights Watch author Joanne Csete states, “The law as well as social norms defined the role of women and girls as subordinate to men. Although women are often a major—if not the only—source of support for the family, the Congolese Family Code requires them to obey their husbands who are recognized as the head of the household.”\textsuperscript{58}

Furthermore, authors such as Baaz and Stern as well as Ngwarsungu Chiwengo point out the media attention, or lack thereof, that explore the “intentions” of the soldiers and paints them as different.\textsuperscript{59} This process is seen as “othering,” where specifically African wars appear as primitive, where soldiers are projected as “…Brutal vengeful

\textsuperscript{55} Buss, “Rethinking,” 148; Green; Leiby.
\textsuperscript{56} Green, \textit{Gender Violence}, 95.
killers and rapists who mutilate and eat their victims."60 Chiwengo argues that the media coverage on the Congo “foregrounds the brutality and violence” that echoes the disinterest in and disregard for African politics, similar to the “othering” described by Baaz and Stern.61 For instance, this “othering” that the media engages in, allows for those outside of Africa to distance themselves from the atrocities and blame it on “African societies.”

The understanding and exploration of why soldiers commit acts of rape and sexual violence are long studied. However, it is imperative to understand the conditions under which these acts are committed and how they contribute to the continuation of abuse long after the formal cessation of hostilities, as described below.

**Impunity and Wartime Rape**

Impunity and wartime rape go hand-in-hand, both during and after war. The lack of accountability for rape, in effect cultural permission for it, is often one of the biggest impediments to eliminating wartime sexual violence, as well as other human rights offenses. Firstly, the United Nations Commission on Human Rights defines impunity as “…The impossibility, de jure or de facto, of bringing the perpetrators of violations to account - whether in criminal, civil, administrative or disciplinary proceedings…” [emphasis added].62 Many analysts and anti-violence activists recognize that ending impunity is one of the means to ending wartime sexual violence. According to Margot

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60 Ibid, 58-59.
Wallström, the Secretary-General’s Special Representative on Sexual Violence in Conflict, “Women have no rights, if those who violate their rights go unpunished…” with impunity being the “…rule rather than the exception.”

Authors such as Buss argue against the view long held by (mostly male) historians that rape is a simple byproduct of war, and that it has happened in virtually every armed conflict around the world and will continue to be a result of future conflicts. As stated by Buss, “…Rape was a weapon used against women by men in both ‘peace’ and ‘war’ times. But in wartime, she argued, rape is both an attack on women (as women) and part of an attack against ‘the enemy’.” This “byproduct” notion that Buss argues against is central to the issue because it not only historically accepts that wartime rape has happened, it also acknowledges that it will continue to be experienced. Essentially, without the reversal of the “byproduct” notion, wartime rape will continue in the future, because little action will be taken to stop it.

Roland Littlewood, Elvan Isikozlu, Baaz and Stern, and Kippenberg all touch upon the issue of soldiers experiencing “total impunity at all levels,” including the community level. In the case of the DRC, Kippenberg points out the fact that the lack of security and political will to combat sexual violence leads to the lack of prosecution and rampant freedom. Littlewood points to the anonymity and opportunity (and impunity)

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64 Buss, “Rethinking,” 145.
65 Ibid, 148.
as causes for why soldiers commit these acts, with Isikozlu indicating that the liberty leads to “opportunistic rape.”

The ICC designated rape as a crime against humanity in 2008, yet as of October 2011, only twelve of the 26 arrest warrants and summonses from the ICC related to charges of rape and/or sexual slavery, showing that the ICC is unlikely to work as a deterrent. However, the first major trial to focus on rape as a weapon of war, is that of a former Vice President, Jean-Pierre Bemba (from the DRC), for hundreds of rapes perpetrated by militias he commanded in the Central African Republic (CAR) in 2002.

The mandate of the ICC is to punish perpetrators for the most serious crimes committed during conflict around the world. Unfortunately, due to limited resources, the ICC is often unable to prosecute all the individuals, where domestic courts often come into play and “low level suspects” are handed over to them. In regards to the ICC mandate as it pertains to rape as a weapon of war, the intellectual architects of policy, or “big fish,” are often those that are sought for prosecution. In 2008, the ICC introduced a new initiative to continue with the investigations of these “low level suspects” and then turn the evidence over to local judges in hopes of eliminating immunity and also increasing responsibility.

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71 International Criminal Court, “About the Court,” http://www.icc-cpi.int/Menus/ICC/About+the+Court/.
73 Ibid, 14.
To summarize, the literature on rape as a weapon of war is diverse. Many of the authors discussed here focus on issues concerning why these crimes occur (on a theoretical level), the motives behind them, military and non-military use, and continued impunity for the offenses. Gaps remain within the literature but one of the main gaps is the study of rape and sexual violence after formal conflict has ended. For example, many of the post-conflict studies or articles look at the reintegration of these victims into society, psychological support, peace negotiations, and tribunals but few focus on the sexual violence that continues after the war is over.

RESEARCH DESIGN

Using Liberia and Sierra Leone, a comparative case study explores the research question of what factors are correlated with the continuance of widespread acts of wartime rape even after the cessation of official conflict. The comparative case study tests the hypotheses that governments in which there are high levels of female representation will be associated with lower levels of impunity for sexual assault and this will result in lower levels of sexual violence.

For the two respective cases, a longitudinal analysis of both the civil war and post-conflict periods are conducted to establish the levels of sexual violence during and after war. For Liberia, this constitutes the fourteen years from 1989-2003 to be categorized as the period of civil war and 2003 to the present to be categorized as the post-conflict period. For Sierra Leone, the years from 1991-2002 are understood as the conflict period with 2002 to the present serving as the post-conflict period under review.
As described by Alexander George and Andrew Bennett, case studies in general examine a feature of a historical episode or event and attempt to test current theories surrounding the event or develop new explanations that could be used to help describe other events or phenomena. As George and Bennett explain, “A single study cannot address all the interesting aspects of a historical event. It is important to recognize that a single event can be relevant for research on a variety of theoretical topics.” This is important to remember throughout the exploration of post-conflict sexual violence, because while the outcome may not provide a new theory, it helps in the development of future theories, especially in “deviant cases” such as in Sierra Leone and Liberia, which existing theories do not adequately explain.

The method of process tracing is used in order to “trace” links between the cases in attempts to “…See whether the causal process a theory hypothesizes or implies in a case in fact evident in the sequence and values of the intervening variables…” In both of these cases, high levels of post-conflict sexual violence has occurred and for that reason, both serve as distinct examples to use.

In addition to process tracing, the congruence method is used for hypothesis testing as well as theory development. For George and Bennett, “The essential characteristic of the congruence method is that the investigator begins with a theory and then attempts to assess its ability to explain or predict the outcome in a particular case.” For case study research, the congruence method is appealing to use because a large

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75 Ibid, 70.
76 Ibid, 215.
77 Ibid, 6.
78 Ibid, 181.
proportion of data is not necessary.\textsuperscript{79} This is important to my research because gathering reliable and accurate data in regards to sexual violence is largely impossible. As George and Bennett state, the congruence method is then combined with the method of process-tracing to identify the causal chain of how the independent variable indicates the result of the dependent variable.\textsuperscript{80} For example, in this study, the congruence method combined with process-tracing shows how levels of post-conflict sexual violence (the dependent variable) are affected by the independent variables listed below. Furthermore, while George and Bennett speak of identifying a causal chain, this study aims to identify correlated factors, as a definite causal chain cannot be determined given the nature of my independent and dependent variables.

Furthermore, the combination of the congruence method and process-tracing address the problem of a “lack of controlled comparison.”\textsuperscript{81} Controlled comparison requires the ability to find cases that are similar in every aspect except one, a difficult requirement to fulfill.\textsuperscript{82} But as George and Bennett state, this is not necessary if both process-tracing and the congruence method are used together because they “…can be compared by drawing them together within a common theoretical framework without having to find two or more cases that are similar in every respect but one.”\textsuperscript{83}

**VARIABLES**

Using the original research question asking what factors are correlated with the continuance of widespread acts of wartime rape even after the cessation of official

\textsuperscript{79} Ibid, 182.
\textsuperscript{80} Ibid, 183.
\textsuperscript{81} Ibid, 214.
\textsuperscript{82} Ibid, 214.
\textsuperscript{83} Ibid, 179.
conflict, the dependent variable is post-conflict sexual violence, using official, state-declared dates demarcating the cessation of war (2003 for Liberia and 2002 for Sierra Leone). The independent variables observed for each case are (1) the levels of impunity, or freedom to commit sexual violence acts, within both countries as experienced before, during conflict and after, and (2) female representation in government. Therefore, this study will examine: (1) levels of impunity for rape before, during war and after, (2) levels of rape during and after war, and (3) female representation in government.

Measuring wartime rape is especially difficult. In cases such as these, it is important to understand the underreporting of rape and sexual violence. A variety of problems cast doubt on the reliability of the data on sexual violence. Some women in the Democratic Republic of the Congo (DRC) have reported that they have been assaulted on more than one occasion, in turn, how would this be accounted for and how does it change the measurement? As addressed by Leiby, “In war-torn countries the necessary social services and infrastructure may be lacking, preventing victims who otherwise would report the crime from doing so. Moreover, many victims are reluctant to report sexual crimes under any circumstance.” This inability can be attributed to the fact that peacekeepers and aid workers are sometimes not allowed in the country, cannot reach certain areas of the conflict zone, or are the perpetrators themselves.

Also, numbers can be politicized and used as a reason to continue the conflict. As ICC analyst Xabier Agirre Aranburu describes, “...Rape has been widely reported and highlighted for reasons of political expediency or ‘atrocity propaganda’ in a number of cases...” including in the DRC during the time of independence in the late 1950s and

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early 1960s and the alleged rape of white women by Native Americans in the United States during the 19th century. Because of the stigma of being assaulted and raped in addition to the lack of basic infrastructure needs and access, hospital admission numbers are not considered a reliable source for estimates regarding the levels of sexual violence. Various estimates have been made in regards to both cases. For example, Physicians for Human Rights (PHR) surveyed in 2001 that one in eight households in Sierra Leone (13%) reported incidents of wartime sexual violence, ranging from 50,000-64,000 women. Keeping these difficulties in mind, as much reliable data will be gathered as possible. Fortunately, both Sierra Leone and Liberia have a Truth and Reconciliation Commission (TRC). Liberia’s was established in 2005 and Sierra Leone’s was established in 2002. Both will be used for data collection in regards to sexual violence during and after the conflict.

Furthermore, there have been numerous studies conducted in regards to sexual violence during war, including research by Amnesty International, Human Rights Watch, and the United Nations, among others. Because the research question focuses on post-conflict sexual violence, it will be important to gather as much post-conflict data as possible, as well as during each conflict.

The two independent variables, impunity and a female-headed government, are examined using various sources. Firstly, to view the various levels of impunity associated with rape, armed actors, official or unofficial, pro and anti-government, those that have been prosecuted for wartime rape or sexual violence within either official conflict are

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examined. Levels of impunity can be measured in various ways. One way is to research the number of prosecutions in regards to sexual violence during the war, and also after. A second way is to examine laws or policies passed by either Sierra Leone or Liberia that address the sexual violence atrocities. Also, this study examines whether or not wide-scale acts of sexual violence are government supported. “Government supported” does not only mean acts of commission in that government actors are urging and taking part in the rape women and children. In this study, “government supported,” i.e. acts of omission, will be understood to mean denial or ignorance in prevention or action against those that have committed the sexual violence.

Secondly, female representation in governments are measured by gathering data on the percentage of women who serve on the local, state, and national levels, including the heads of state. Government websites and organizations are used to gather this information. The Global Peace Index, the Inter-Parliamentary Union, and Liberian and Sierra Leonean government websites are used for various measurements parliamentary numbers.

To conclude, this study uses a combination of both process-tracing and the congruence method to test the hypothesis that governments in which there are high levels of female representation will be associated with lower levels of impunity for sexual assault and this will result in lower levels of sexual violence. The study seeks to contribute to the development of theory on rape as a weapon of war and sexual violence in post-conflict societies so as to better understand the problem and draw attention to it.
II. HISTORY OF CONFLICT IN LIBERIA AND SIERRA LEONE

This chapter will discuss the roots of conflict and provide an overview of the civil wars in Sierra Leone (1991-2002) and Liberia (1989-2003). It will also serve as a foundation to the research question: what factors are correlated with the continuance of widespread acts of rape even after the cessation of official conflict? The origins of each conflict, including descriptions of their colonial histories will serve as the background against which the struggles began. An account of both civil wars, in addition to the pre-war status of women in Liberia and Sierra Leone, will then be included to serve as a contextual basis for understanding the sexual violence that occurred and the sexual violence that persists post-conflict, both to be discussed in later chapters.

ROOTS OF CONFLICT: LIBERIA

Unlike Sierra Leone, Liberia is regarded as one of the only countries in Africa that was not directly colonized, with the exception of Ethiopia. However, it was in many ways informally colonized by the U.S. and because of the United States’ influence in the country, it is seen as America’s colony in Africa. Prior to the pseudo-American colonization, many different ethnic groups and people lived in Liberia. Among the first groups to settle in the territory included the Bassa, Kru, Gola, Kissi, and the Deys. It is believed that inhabitants have lived in present-day Liberia for more than 700 years, prior

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Many inhabitants migrated after instability in well-known empires such as in Mali, where “These earliest immigrants to pre-Liberia brought with them the skills of cotton spinning, cloth weaving, iron smelting, rice cultivation, and models of social and political institutions.”

Similar to the way in which freed slaves resettled in Sierra Leone towards the end of the 1780s, 80 former slaves did the same in Liberia in 1822 with the help of the U.S. government and the American Colonization Society (ACS) and by 1900, over 16,000 African Americans had settled in Liberia. Predictably, the original class of settlers from America, called Americo-Liberians, often had clashes with the indigenous Africans; as their way of life was different, ranging from religion to language, and was even denied citizenship until 1904. As stated by Monday Abasiattai, “Both the Sierra Leonean and Liberian repatriates emigrated primarily from a desire for unfettered freedom from White oppression and an opportunity to develop in all spheres of human endeavor, including, in Liberia’s case the building of a great independent Black nation.” Many of the settlers were viewed as having an American outlook and orientation and Liberia’s political system was modeled on the U.S. system.

When the former slaves migrated to Liberia from the United States in 1822, they most certainly expected more rights than they enjoyed in the U.S. as blacks. With them

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89 Ibid, 3.
90 Ibid, 6.
they brought a constitution for the territory, drawn up by the ACS, which allocated a centralization of power to a governor, typically a white ACS member, although Liberians (and African-Americans) themselves were accorded all rights that were allocated to white American citizens at the time.\textsuperscript{95} The ACS, however, gave up its power in 1841 as the last governor, Thomas Buchanan, died.\textsuperscript{96} Similar to the way in which other territories of Africa were regarded as a “white man’s grave,” so too was Liberia, as all of the other governors had died, and soon the ACS lost interest in governing the country.\textsuperscript{97}

During 19\textsuperscript{th} century, Liberia engaged in trade in natural resources and agriculture such as iron ore, rubber, coffee, and cocoa. This trade aided in establishing a wealthy class of Americo-Liberians, who soon took political power and requested formal independence from the ACS.\textsuperscript{98} The country was officially granted independence in July of 1847 and Joseph Roberts was elected Liberia’s first president in 1848.\textsuperscript{99} While Liberia elected its first president in 1848, women were not able to vote, nor were men that were not categorized as “Americo-Liberians,” therefore it can be concluded that only one portion of society was represented in this presidential election and it was hardly democratic.\textsuperscript{100} While the ACS gave up its power in Liberia, it would not be the end of U.S. influence in the country. The governments of Liberia following independence continued to show a pro-Western attitude in regards to political systems, U.S. investment and influence, and other foreign investment, to be discussed later.

\textsuperscript{95} Abasiattai, “The Search for Independence,” 112.
\textsuperscript{96} Akpan, “Black Imperialism,” 218.
\textsuperscript{97} Ibid, 218.
\textsuperscript{99} U.S. Department of State, “Background Note: Liberia.”
After independence, the central government, dominated by Americo-Liberians, began to expand, annex territory, and sign formal treaties. The national system of government soon took precedence over “tribal” systems.101 During this time, the Liberian national government would provide some form of education, schools, and protection in exchange for Africans’ acceptance of national sovereignty over the tribal systems.102 Under this “agreement,” national laws took precedence over traditional forms of law and rules. This instituted what Dr. M. B. Akpan calls the “sphere of influence.” Prior to independence, the central government mostly operated in the capital city of Monrovia and surrounding areas. The rural areas were mostly controlled by tribal systems and had little to do with the central government. Under Roberts, however, the government began expanding, therefore extending the sphere of influence that the government had. For example, in the 1850s the Roberts government began seizing the mineral and resource rich hinterlands, although some of their annexed territory soon became property of the British and French after the “scramble for Africa” at the Berlin Conference of 1884.103

Also during this time, the central government in Liberia in the 19th and 20th centuries used what became known as “colorism.” Colorism set up a hierarchy, based on skin color and had originated in the U.S. plantation system and was later adopted in Liberia during this time to establish a stratified social system. This caste system was mostly comprised of four distinctions, with Americo-Liberians of lighter complexion resting at the top of the hierarchy and were often those with the most political and social power. The two middle classes were comprised mostly of darker skinned Americo-

102 Ibid, 221.
103 Ibid, 223.
Liberians and small farmers, with the indigenous Africans encompassing the lowest level of the social hierarchy.\textsuperscript{104} Like all other societies with caste systems, the highest of the hierarchy, in this case the Americo-Liberians, held the most power and were afforded the most opportunities.

The animosity caused by colorism and various struggles over power and resources between the different ethnic groups and classes can be seen as the underlying cause to the civil war beginning in the 1990s. With a population of 3.5 million, it is estimated that 18 different ethnic groups resided within the country during the time of colonial settlement in the 19\textsuperscript{th} century, but the primary cleavage was between Americo-Liberians (three percent of the population) and indigenous Liberians (97 percent of the population).\textsuperscript{105} As Robin Dunn-Marcos et al. detail:

The Americo-Liberian settlers, representing Western culture, considered it their Christian duty to replace the “barbarous” customs, religion, and political institutions of indigenous Liberians with their own “superior” values, practices, and institutions. Indigenous Liberians in turn viewed the Americo-Liberians as liberated slaves, who should occupy a lower status in society than themselves.\textsuperscript{106}

Similar to the ways in which the small wealthy “white” population ruled the majority impoverished black population in South Africa, so too was the case in Liberia. The exception was that the ruling class in Liberia was also black. Their “native policy” involved two aspects: assimilation and indirect rule. Assimilation mostly involved replacing non-Americo-Liberian customs, religion, and political institutions. The policies were implemented inconsistently due to a lack of funds and because of its essential failure, the use of indirect rule became the official government policy beginning in

\textsuperscript{104} Dunn-Marcos et. al, “Liberians,” 11.
\textsuperscript{105} Ibid, 2.
\textsuperscript{106} Ibid, 3.
For many observers, the majority population of Liberia was being largely victimized by the minority Americo-Liberians, similar to the way the British and French ran their colonies. Because of this, Liberia’s sovereignty was questioned by the League of Nations in 1930. After selected international pressure was placed on the Americo-Liberian government, President William Tubman adopted a “unification policy” and cultural assimilation and indirect rule was abandoned in 1960, 30 years after the country’s sovereignty was questioned by the League of Nations, Britain, France, and Germany. More so than in the past, indigenous Africans were encouraged to join the political process where the government allowed more indigenous representatives in the legislature. The government also initiated a “Policy of Integration” where indigenous Liberians were able to administer their affairs, manage their own courts, and were raised to citizen status in 1960. These policies provided a psychological improvement for the Liberians as they were able to take more pride in their cultural identities and were no longer considered second class citizens by the government.

In the 1950s and 1960s, the president pursued what he called an “open door policy” and encouraged foreign investment throughout the country, particularly in the iron ore and rubber industries. For example, over 300 million USD was invested

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110 Akpan, “Black Imperialism, 235, 236
111 Ibid, 235, 236.
during this time in iron-ore mining alone.\textsuperscript{114} Despite the façade of economic accomplishments, Tubman ruled through an economic patronage system and suppressed the opposition to stay in power.\textsuperscript{115} Despite this, Liberia became an ally and military source for the U.S. during the height of the Cold War. Liberia often sided with the U.S. at the UN and also supported the U.S. in Vietnam.\textsuperscript{116} Because of Tubman’s pro-U.S. stance, the U.S. often looked the other way in regards to his dictatorial leadership. As Reed Kramer writes, “…Liberia steered a decidedly pro-American course as the Cold War engulfed the globe. The United States set up a permanent mission to train the Liberian military and began bringing Liberian officers to American institutions for further training. In 1959, Liberia concluded a mutual defense pact with the United States.”\textsuperscript{117}

While in office, Tubman died in 1971 after 27 years as president. His vice president, William Tolbert, finished Tubman’s term as “provisional president” and in 1972, he was inaugurated as president, and began his four-year term.\textsuperscript{118} After Tolbert was installed as president, he pursued an innovative foreign policy, relaxed the political system, and emphasized a system that was based more on merit than patronage, making it more inclusive to the Liberian Africans (although he continued to represent the interests of the Americo-Liberian elite).\textsuperscript{119} These inclusions were significant because it helped decrease the amount of disparity between the Liberian Africans and the Americo-

\textsuperscript{114} Ibid, 571.
\textsuperscript{115} Dunn-Marcos et. al, “Liberians,” 15.
\textsuperscript{117} Ibid.
\textsuperscript{119} Dunn-Marcos et. al, “Liberians,” 15-16.
Liberians, although general inequality persisted in the realms of education and employment opportunities.\textsuperscript{120} For example, as Robert Rinehart details:

\ldots Liberian remained essentially the province of a tightly knit oligarchy. For all the attempted liberalization of the previous two decades, the upper levels of government and the economy were still controlled by about a dozen interrelated Americo-Liberian families\ldots By questionable methods, family members obtained monopolies in the fishing, transportation, and food catering industries and on sale of charcoal used by the urban poor for cooking and heating\ldots In addition to unbridled nepotism, the Tolbert administration failed to bring corruption under control.\textsuperscript{121}

In addition to these problems, Tolbert did not have as much control as Tubman in regards to his True Whig Party, and often had to \textquotedblleft bargain\textquotedblright with older members of the party, despite the fact that much of Tolbert\textquoteright s extended family were members of his government.\textsuperscript{122} Also, unlike Tubman, Tolbert took a more \textquotedblleft nonaligned\textquotedblright stance in regards to the Cold War where he established relations with Eastern bloc countries such as the Soviet Union and also severed ties with Israel.\textsuperscript{123} Because of this, relations between the U.S. and Liberia were strained during Tolbert\textquoteright s presidency.

During Tolbert\textquoteright s second term as president, the administration attempted to raise the price of rice, the country\textquoteright s main staple, to encourage locally grown rice and avoid the influx of people moving into Monrovia.\textsuperscript{124} During this time, many people were travelling from rural areas into the capital in hopes of finding jobs; because of this, Monrovia was becoming overpopulated.\textsuperscript{125} For many observers, however, there were motives other than

\begin{itemize}
  \item \textsuperscript{120} Ibid, 15.
  \item \textsuperscript{121} Rinehart, \textquotedblleft Historical Setting\textquotedblright, 62.
  \item \textsuperscript{122} Ibid, 63.
  \item \textsuperscript{123} PBS, \textquoteleft Events: 1971-2000\textquoteright, last modified 2000,
  \item \textsuperscript{124} Jerry M\textquoteright barlee Locula, \textquoteleft The Politics of Rice and Elections in Liberia: A Dangerous Political Seed, a Medium for Corruption and Bullet for the Demise of Governments\textquoteright, last modified July 4, 2011,
  http://www.monitor.upeace.org/innerpg.cfm?id_article=808.
  \item \textsuperscript{125} Ibid.
\end{itemize}
just overpopulation of the capital. The Minister of Agriculture, Florence Chenoweth, and the Tolbert family were rice farmers, and the increased price in rice most certainly profited them. Because of the increased prices, the 1979 Rice Riots began, where over $40 million worth of damage accumulated, and on April 12, 1980, a coup d’état under the leadership of Master Sergeant Samuel Doe resulted in the assassination of Tolbert.

Under Doe, Liberian-Africans received a “first-time bias” where the government “...began promoting members of Doe's Krahn ethnic group, who soon dominated political and military life in Liberia. This raised ethnic tension and caused frequent hostilities between the politically and militarily dominant Krahns and other ethnic groups in the country.” Because of the promotion practices described above, Doe instituted a new tribalism, in effect replacing the Americo-Liberians, where the Krahn, (a minority ethnic group making up four percent of the population), was controlling the government, army, and resources.

Because of the coup, the country subsequently faced a financial crisis. Much of Liberia’s foreign investment was from the U.S., and in turn, Doe rejected socialism and communism in hopes of gaining back U.S investment and aid in 1981. At the time, the U.S. and European countries were the main destinations of Liberian exports and the U.S.

128 U.S. Department of State, “Background Note: Liberia.”
supplied the largest percentage of Liberia’s imports. Furthermore, Doe received more U.S. aid than any other previous leader combined, and visited the U.S. as a guest of Reagan. For example, “Aid levels rose…for a total of $402 million between 1981 and 1985, more than the country received during the entire previous century. Ties with the Liberian army were strengthened; the military component of the aid package for this period was about $15 million, which was used for a greatly enlarged training program, barracks construction and equipment.” This rise in aid levels was simply another sign of how close the ties between the U.S. and Liberia were during this time.

After human rights abuses occurred under Doe’s dictatorial regime, the international community placed pressure on Doe and elections were held in 1985. However, the elections were likely rigged as certain political parties were banned and Doe allegedly changed his age on his birth certificate to meet the age requirement. Shortly after in 1990, Doe was captured, tortured, and murdered by Chief Training Officer, Prince Yormie Johnson, of the rebel group National Patriotic Front of Liberia (NPFL) and the government subsequently collapsed, giving way to the NPFL.

Although Prince Johnson ended the Doe regime, the NPFL was founded and controlled by another Liberian: Charles Taylor. Taylor was born near Monrovia in 1948 during the Tubman administration to a Golan mother and anAmerico-Liberian father. Taylor was educated in the U.S. and led demonstrations against the Tolbert

administration when Tolbert made a presidential visit to the country.\footnote{Ibid.} Taylor returned to Liberia after college and was given a key position within the Doe administration because of his education and training background.\footnote{Ibid.} Under Doe, Taylor had been a procurement chief, and after allegations that he stole funds from the government, Taylor began to plot his retaliation while in exile in the U.S. during the 1980s.\footnote{Jonathan Paye-Layleh, “Grim Legacy of Liberia’s Most Isolated Town,” \textit{BBC News}, last modified December 24, 2009, http://news.bbc.co.uk/2/hi/africa/8429962.stm.}

Taylor founded the NPFL with the major goal of ousting Doe from power and replacing him. As author Lydia Polgreen details, “In part, Mr. Taylor was adept at using and even creating the language of his times. He blended a militant pan-Africanism that called for bloody revolutions against neo-colonialism with a muscular vernacular in which might was unapologetically right. The new pose fit well with the region's mood.”\footnote{Lydia Polgreen, “A Master Plan Drawn in Blood,” \textit{The New York Times}, last modified April 2, 2006, http://www.nytimes.com/2006/04/02/weekinreview/02polgreen.html?pagewanted=all.} During this time, he was able to recruit soldiers from ethnic groups excluded under Doe’s regime, (such as the Gio and Mano), living in exile in neighboring countries such as Ivory Coast.\footnote{Paye-Layleh, “Grim Legacy of Liberia’s Most Isolated Town.”} Many of the rebels within the group were also Libyan-trained, as was Taylor. In addition to removing Doe out of power, Taylor desperately wanted to regain a position within the government, mainly the presidency. Taylor and the NPFL were initially described as a “…Network of armed dissidents than a political party or a guerrilla army…united by little except their dislike of Samuel Doe…”\footnote{Stephen Ellis, \textit{The Mask of Anarchy: The Destruction of Liberia and the Religious Dimensions of an African Civil War} (New York: New York University Press, 1999), 74.} Taylor was able to gain support for the NPFL by using the media and maintaining that they had popular
support from the people of Liberia. After Taylor and the NPFL were assembled, they began their fourteen year infiltration into Liberia.

ROOTS OF CONFLICT: SIERRA LEONE

After being settled by a group of British businessmen in 1787, Sierra Leone was used as a colony for freed slaves under the “protection” of the British government. Prior to being settled by the British however, the dominant ethnic groups that inhabited the territory were the Mende, Temne, and the Limba. Over the course of 2,000 years, over 14 ethnic groups occupied the country and because of this, each group had close cultural ties to each other, drawing influences from the Mali empire, as well as cultures from present-day Guinea and Senegal.

In regards to the British settlement, “…It was to be a self-governing state with ‘a constitution, bound by social contract, rooted in history, [and] in the institutions of Anglo-Saxon monarchy…” In the beginning, British settlers and freed slaves who emigrated to Sierra Leone fell victim to diseases and shortages of food, causing the British government to establish it as the first Crown Colony in West Africa in 1808. Sierra Leone became one of the first British “civilizing missions” in Africa.

During this time, the Crown Colony constituted mostly the capital, Freetown, where the rest of the territory was seen as a “protectorate” that had its own traditions,

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146 Ibid, 22.
147 Gberie, A Dirty War in West Africa, 18.
languages, and systems. As Lansana Gberie details, “The British did not encourage the development of a single unitary state and a sense of nation, describing the protectorate as ‘foreign countries adjoining the colony’; they justified its annexation as ‘in the interest of the people.’” The colonial administration often promoted Western ideals of religion, commerce, and customs and projected the notion that traditional religions and customs were inferior. This in turn undermined relationships between indigenous groups that had co-existed for centuries. The colonizers in Freetown, constituting only about 60,000 people, were considered “non-natives” while the remaining territory, or the protectorate, comprised about two million people and were considered “natives.” As to how they were treated, non-natives received profits from resources, were able to own land, had better access to education, hospitals, and clean water. In 1924, the British attempted to unite the protectorate with the colony through a constitution; however, the British colonial administration maintained most of the control and was mostly viewed as a failure where little change occurred for the Africans.

During this transition, diamonds were discovered, most likely by British colonizers. The commercial diamond market in Sierra Leone began in 1931. Various private companies such as the Consolidated African Selection Trust (CAST) and De Beers, one of the largest diamond companies in the world at the time (and today), headed

150 Gberie, A Dirty War in West Africa, 19.
152 Ibid, 6.
153 Ibid, 7.
154 Ibid, 7-15.
the “operation.” During this time, British colonial powers gave exclusive rights to the mines to a section of CAST, the Sierra Leone Selection Trust Ltd (SLST), for 99 years. In 1937, six years after the beginning of the commercial diamond trade, Sierra Leone was mining over one million carats worth of diamonds. While the country’s mines were under direct control of the SLST and Africans had little to no mineral rights, as many as 75,000 illegal miners emerged by the mid-1950s. During this period, known as the “Great Diamond Rush,” rice, one of Sierra Leone’s major exports, became an import of the country because so many men had abandoned the rice fields to search for diamonds and also because of the colonial economic policy.

Prior to the discovery of diamonds in 1930, the country’s main economic sectors were agricultural (almost half of the country’s two million people were employed as cash crop farmers producing palm oil, ginger, and palm kernels). As Lansana Gberie details, “...Diamonds soon came to dominate the economy, alone accounting for three-fifths of the country’s export earnings by the time of independence. So Sierra Leone’s economy, like almost all colonial economies, was a wholly extractive one, producing raw materials for the metropolitan economy in Europe.”

Because so much of the production in Sierra Leone was for export, the colony was barely able to sustain itself, and the consequences include what many scholars such

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156 Ibid, 22.
160 Ibid, 23.
as Walter Rodney label “underdevelopment.”\footnote{Ibid, 23; Walter Rodney, \textit{How Europe Underdeveloped Africa} (London: Bogle-L'Ouverture Publications, 1973).} Underdevelopment most often occurs when a country’s economy is centered around the production of goods for export, and thus becomes dependent on other countries to import everything else. Because these export-dependent economies produce mostly simple and cheap goods to sell to other countries, they are unable to earn enough to sustain their own country, and many characterize this as a form of exploitation.\footnote{Rodney, \textit{How Europe Underdeveloped Africa}.} In addition, this underdevelopment in Sierra Leone helped cultivate a class of opportunistic colonial officials, and after independence many politicians and prime ministers continued to blur the line between good governance and corruption.\footnote{Gberie, \textit{A Dirty War in West Africa}, 23; Rodney, \textit{How Europe Underdeveloped Africa}.}

Inhabitants of Sierra Leone were not passive participants in the oppression that they endured, however. “Anticolonial sentiment” and protest of British control began near the beginning of the colonial period in 1787 and lasted until independence.\footnote{Hirsch, \textit{Sierra Leone: Diamonds and the Struggle for Democracy}, 23.} Protests against British taxation, especially the Hut Tax, was one of the biggest objections that the Africans had and would often revolt along trade routes, Christian missions, and construction areas where railroads were being built.\footnote{The concept of a Hut Tax was introduced by British colonial powers which would tax individuals for each “hut” that they owned as a way for colonies to pay for the British operations (so that the British did not have to invest to support the colony) and to drive the Sierra Leonean people into the formal economy because they had to make money to pay their taxes (BBC World Service, “Tax Wars,” \textit{BBC News}, http://www.bbc.co.uk/worldservice/africa/features/storyofafrica/11chapter10.shtml); Hirsch, \textit{Sierra Leone: Diamonds and the Struggle for Democracy}, 24.} This anticolonial sentiment would eventually grow where formal political parties would begin to emerge.

After decades of colonial rule, powerful political parties surfaced in Sierra Leone, including the Sierra Leone Peoples’ Party (SLPP), which eventually pushed for
protectorate majority control through the 1951 constitution. The leader of that party, Dr. Milton Margai, was elected prime minister in 1957, although at that time, women and men that did not own property were unable to vote. While some local political positions were allocated to the people of Sierra Leone during this time, the colony did not receive independence until April 1961. During his time as prime minister, Margai attempted to unite the country as one, although he changed few policies that the British installed during the colonial period, and ultimately died in 1964. After Margai’s death, his brother Albert assumed power and “…The pattern of corrupt politics began and accelerated…[and] By all accounts saw the state not as a stewardship in the public interest but as the power base for personal gain and aggrandizement.” While Milton did not necessarily use a patronage system, Albert did and the SLPP transitioned into more of an ethnic party, attracting mostly members of the Mende group (one of the largest ethnic groups in Sierra Leone).

During the time Albert was in power, ironworker and trade unionist Siaka Stevens gained support from the other majority group in Sierra Leone, the Temnes, as well as the Limba, Loko, Mandingo, and the Susu. Initially, Stevens was made Minister of Mines under Milton Margai but lost his parliamentary seat, denounced the SLPP and formed the

166 The Sierra Leone People’s Party (SLPP) is one of the two major political parties within the country, in addition to the All People’s Congress (APC). The SLPP is categorized as a social democratic party advocating “…the enhancement of the quality of life of all Sierra Leoneans, the provision of healthcare, education for the impoverished and demonstrated a strong commitment to regional development and the rule of law” (Sierra Leone People’s Party, “About the SLPP,” http://www.slpp.ws/browse.asp?page=385). After the takeover of Albert Margai in 1964, however, the party became synonymous with power politics and corruption; Sierra Leone Truth and Reconciliation Commission, “Report of the Sierra Leone Truth and Reconciliation Commission: Volume 3A,” 16.
167 Gberie, A Dirty War in West Africa, 20.
169 Hirsch, Sierra Leone: Diamonds and the Struggle for Democracy, 28.
170 Ibid, 28.
171 Ibid, 28.
often violent, All People’s Congress (APC) in 1960. After being arrested and jailed, Stevens ran in the general election of 1967 after Margai’s death but was not sworn in as the new prime minister due to his arrest by Margai protégé, Brigadier David Lansana. A coup was staged against Lansana and a temporary government, the National Reformation Council (NRC), was established. Because the APC had won more seats in the general election of 1967, they were handed power by the NRC and Stevens was installed as prime minister in 1968. After being instated into power, Stevens ordered Lansana’s execution in “…One of the first official state killings in Sierra Leone since the colonial authorities hanged over eighty anti-colonial rebels in 1898.” The Stevens-ordered execution of Lansana helped kick-start the state-sponsored violence that would haunt Sierra Leone for decades to come.

Soon after, Stevens declared himself “executive president” in 1971. As John L. Hirsch states, Stevens entered into a multi-party political system installed by the British and by the time he left office seventeen years later, he was seen as a “master of manipulation” that had transformed Sierra Leone into a one-party state, eliminating all political opposition. Like many other dictatorial rulers, “Stevens created extra-legal institutions and channels which came to supersede the formal state institutions and fatally

175 Ibid, 25.
undermined them.¹⁷⁸ Fearing the army, Stevens created the Internal Security Unit (ISU), a “shadow army,” that was comprised mostly of citizens from the poorer parts of Freetown and became known for its criminal interests.¹⁷⁹ Both William Reno and Gberie agree that for Stevens, the diamond mines became the foundation for his patrimony and it became illicit and abusive.¹⁸⁰ Stevens recognized the voting power that the illegal miners possessed and thus turned on the SLST by forming a government company, the National Diamond Mining Company (NDMC).¹⁸¹ The NDMC held twelve of 51 percent of shares, where more diamonds were being smuggled to neighboring Liberia than were actually being sold during that time.¹⁸² Subsequently, the diamond problem would become a much larger impediment decades later when they were being used to fuel both the civil wars in Sierra Leone and in neighboring Liberia.

In 1985, Stevens resigned as president due to old age and handed over power to Major General and APC member Joseph Momoh.¹⁸³ Throughout Stevens’ presidency, Momoh was fiercely loyal to the president and was ultimately chosen as his successor.¹⁸⁴ At the time that Momoh took office the country was virtually bankrupt, despite its mineral wealth.¹⁸⁵ As Hirsch details, Stevens emptied the state treasury, started expensive projects such as extravagant hotels and apartment complexes, and took funds from

¹⁷⁸ Gberie, A Dirty War in West Africa, 29.
¹⁷⁹ Ibid, 29.
¹⁸² Ibid 32; Ibid, 92.
¹⁸⁴ Hirsch, Sierra Leone: Diamonds and the Struggle for Democracy, 30.
universities and put them into his own pocket. Momoh’s cabinet and policies remained virtually the same as Stevens’ and he too was taken out of office after seven years in power by a coup in 1992 due to the country’s bankruptcy and virtual collapse.

For these rulers, politics, winning elections, patronage, and personal gain was their focus, not economic and social affairs that would benefit society, and because of this, the country continued to suffer. The economy was in decline, leaving Sierra Leone as one of the poorest countries in Africa, where the country itself ranked the lowest on the United Nations Human Development Index out of 160 countries for 1991. For example, Sierra Leone had one of the world’s worst life expectancy rates, literacy rates, and access to health services, safe water, and sanitation. In addition, the majority of the population in Sierra Leone was considered rural (69 percent), where less than ten percent of the rural population had access to clean water and health services. Because of this, the disparity between the urban and rural population of Sierra Leone was one of the worst in the world as well.

CIVIL WAR: LIBERIA

The First Liberian Civil War officially began on Christmas Eve of 1989 when Taylor and the NPFL attacked Nimba County from neighboring Ivory Coast, killing mostly government officials and soldiers at the onset. At times, the NPFL would spare certain ethnic groups whereas in other instances they would kill indiscriminately.

186 Ibid, 29.
187 Gberie, A Dirty War in West Africa, 34.
191 Ibid, 142.
However, they especially targeted those having real or perceived ties to the Doe regime. Because Doe promoted patronage based on his own ethnic group, the Krahn, Taylor (an ethnic Americo-Liberian and Gola) would primarily target the Krahn, but also had no hesitation to kill or capture others.\textsuperscript{192} Similar to the way in which the RUF was initially dismissed in Sierra Leone, so too was Taylor and the NPFL; however, the single goal of ousting Doe from power soon became a civil war that would last for years to come, even after Doe was out of power.\textsuperscript{193}

After fighting had reached the capital city of Monrovia in July of 1990, the West African fighting force, ECOMOG, intervened in an attempt to quell the violence, in hopes that the entire region would not become destabilized.\textsuperscript{194} However, the force was accused of widespread theft and looting and was unable to stop the NPFL. At this time, Taylor and the NPFL controlled over 90 percent of the country, and it was necessary to establish a ceasefire.\textsuperscript{195} As a result, a new peace accord was negotiated. The Yamoussoukro IV Accord was negotiated under the leadership of Ivory Coast’s then-President, Felix Houphouet-Boigny.\textsuperscript{196} The accord was signed in October of 1991 and reiterated most of the terms of previous accords including: a ceasefire, a elections within six months, the disarmament of ECOMOG, and a “buffer zone” across the Sierra

\textsuperscript{193} Sesay, “Civil War and Collective Intervention in Liberia,” 37.
\textsuperscript{194} ECOMOG is a regional peacekeeping force established by ECOWAS which helped combat the NPFL (Uppsala Conflict Data Program, “Liberia,” http://www.ucdp.uu.se/gpdatabase/gpcountry.php?id=94&regionSelect=2-Southern_Africa#); Hoffman, \textit{The War Machines}, 31.
\textsuperscript{195} Sesay, “Civil War and Collective Intervention in Liberia,” 37.
\textsuperscript{196} Ibid, 37.
Leonean-Liberian border (to avoid more spillover into Sierra Leone).\textsuperscript{197} Because of the accord, the fighting was able to be diverted from Monrovia, but Taylor continued the fighting in the rural areas.\textsuperscript{198}

The end of the Yamoussoukro Peace Accord came in October of 1992 after a surprise attack on Monrovia by Taylor and the NPFL, coined “Operation Octopus.”\textsuperscript{199} The operation lasted through October and November and created an enormous surge of violence in the capital and massively affected the civilian population. ECOMOG was able to push the NPFL from the city because of bombing raids.\textsuperscript{200} Following the attack on Monrovia, another round of peace talks began. In July 1993, the Cotonou Accord:

\begin{quote}
\ldots provided for encampment, disarmament and demobilisation and laid down the procedures for the conduct of general elections. By this time, however, it was now clear that Taylor's decision to sign cease-fire agreements was not an expression of his sincere commitment to a negotiated solution. He took advantage of the lull in the fighting to re-arm and relaunch his attacks and negotiated only under intense military and diplomatic pressure.\textsuperscript{201}
\end{quote}

In addition, the fighting had already spilled over into Sierra Leone, with Taylor's help. Because he controlled almost 90 percent of Liberia’s territory, he was able to easily sell and smuggle goods such as diamonds, timber, and iron ore.\textsuperscript{202} With this, he aided Foday Sankoh and the RUF in exchange for diamonds.\textsuperscript{203} Both wars shared similar characteristics including casualties, refugees and displaced citizens, the annihilation of

\begin{itemize}
\item[197] Uppsala Conflict Data Program, “Liberia,”
http://www.ucdp.uu.se/gpdatabase/gpcountry.php?id=94&regionSelect=2-Southern_Africa#.
\item[198] Hoffman, \textit{The War Machines}, 36.
\item[201] Ibid, 38.
\item[202] Uppsala Conflict Data Program, “Liberia,”
http://www.ucdp.uu.se/gpdatabase/gpcountry.php?id=94&regionSelect=2-Southern_Africa#.
\item[203] Ibid.
\end{itemize}
both economic and governmental infrastructure, and the complete lack of rule of law, equaling complete state collapse.\textsuperscript{204}

By 1994, all efforts to end the war remained inadequate. Because Taylor’s initial goal was to oust Doe from power, ending the war was the next step for Taylor. Essentially, the parties were willing to participate in the peace talks in hopes of being part of the power-sharing measures that were being negotiated.\textsuperscript{205} Because of the continued fighting, the UN and other peacekeeping forces had threatened to leave the country if there were not efforts to end the fighting. These threats led to the signing of the Abuja Accord in Nigeria by all leaders of the warring factions.\textsuperscript{206} However, elections that were supposed to take place in November 1995 were postponed because of discrepancies and fighting, and the conflict continued.\textsuperscript{207} By this time, it is estimated that over 200,000 people had died in the conflict, half of the population was displaced, and six prominent groups were fighting within the country.\textsuperscript{208}

One condition of the Abuja Accord included elections that were to take place in July of 1997. By this time, Taylor had made the NPFL into a political party, the National Patriotic Party (NPP), and gained the majority in the parliament. Taylor was voted

\textsuperscript{205} Uppsala Conflict Data Program, “Liberia,” http://www.ucdp.uu.se/gpdata/gpcountry.php?id=94&regionSelect=2-Southern_Africa#.
\textsuperscript{206} Ibid; The signatories to the accord included Charles Taylor (NPFL), Ltg. Alhaji G. V. Kromah (ULIMO), Dr. G. E. Saigbe Boley Sr. (LPC), Ltg. J. Hezekiah Bowen (Armed Forces of Liberia), Major-General Roosevelt Johnson (ULIMO-J), Francois Massaquoi (LDF), Jucontee Thomas Woewiyu (NPFL-CRC), and Chea Chea (LNC) (Third parties included ECOWAS, Nigeria, the OAU, and the UN).
\textsuperscript{207} Sesay, “Civil War and Collective Intervention in Liberia,” 38.
\textsuperscript{208} The six prominent groups at this time included: 1) the National Patriotic Front of Liberia (NPFL), 2) the United Liberation Movement of Liberia for Democracy (ULIMO) (two factions), 3) the Independent National Patriotic Front (INPFL), 4) the Liberian Peace Council (LPC), 5) the Lofa Defense Force (LDF), 6) the Armed Forces of Liberia (AFL).
In regards to the elections, Quentin Outram states, “That the head of a warring faction, credibly accused of fighting a war that became ‘near genocidal’ in 1990, and of numerous serious human rights abuses since, should have been overwhelmingly elected to the presidency surprised many outside observers.”

To secure his win in the election, Taylor used rhetoric emphasizing human rights, good governance, national reconciliation, and economic renovation in his campaign; however, Taylor continued his exploitation of the country’s resources. Taylor knew that the country was economically, politically, and socially broke. He understood that by tugging at the “heartstrings” of those affected most by the war and that using progressive rhetoric would help him gain a certain amount of legitimacy. However, Taylor’s victory was mostly attributed to the fear of returning to war if he had lost, and the extortion of the Liberian people, although the elections were observed as free and fair.

In addition to the six groups mentioned, a new rebel group had emerged in Liberia by 2000, the Liberians United for Reconciliation and Democracy (LURD). LURD was created with the single goal of ousting Taylor from power and was led by politician, rebel leader, and Taylor opponent Sekou Conneh. Interestingly, “Both LURD and Charles Taylor recruited heavily from among Sierra Leonean ex-combatants, some of whom had just finished the Disarmament, Demobilization, and Rehabilitation (DDR) Program in Sierra Leone, a process meant to ensure that these fighters did not return to the bush.”

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212 Ibid.

213 Ibid.

Furthermore, a second rebel group had also emerged, the Movement for Democracy in Liberia (MODEL), with the similar goal of ousting Taylor from power. All parties to the conflict used child soldiers and committed numerous war crimes.\(^\text{215}\) Both of these groups were formed in similar fashion to the way that the NPFL was formed: out of hostility against the sitting president.\(^\text{216}\) Once formed, the groups, particularly LURD, began carrying out small-scale attacks in various rural villages, using the same “hit-and-run” strategy as the RUF in Sierra Leone.\(^\text{217}\) Afterward, LURD launched an attack on Monrovia in June of 2003 and remained in the capital until ECOWAS peacekeepers arrived.\(^\text{218}\)

Once ECOWAS peacekeepers arrived to intervene and quash the fighting, the Accra Agreement was authorized after all parties, including LURD, MODEL, and Taylor, agreed to sign. As part of the Accra Agreement of 2003, all perpetrators were granted amnesty and in August of that year, Taylor left for Nigeria following an asylum offer.\(^\text{219}\) Taylor accepted the offer and stepped down as president because during this time, the Special Court for Sierra Leone (SCSL) issued an indictment for Taylor that included charges such as war crimes and crimes against humanity.\(^\text{220}\) Taylor most likely agreed to sign because he knew he could not stay in power following the SCSL indictment, and instead accepted the asylum offer, thinking he could live in Nigeria versus the alternative: stand trial in Sierra Leone. Taylor spent the next three years in Nigeria and was


\(^{217}\) Ibid, 50.


\(^{219}\) Ibid, 506.

\(^{220}\) Hoffman, *The War Machines*, 52.
transferred to the SCSL in March of 2006.\textsuperscript{221} Following the departure of Taylor, an interim government (the National Transitional Government of Liberia (NTGL)) was established and inaugurated on October 14, 2003.\textsuperscript{222} The creation of the NTGL, the exit of Taylor, and the establishment of the United Nations Mission in Liberia (UNMIL) marked the end of the fourteen year civil war in Liberia.

Soon after the initiation of the peace agreement, elections took place in October 2005 and Africa’s first female president, Ellen Johnson-Sirleaf, was elected.\textsuperscript{223} In the election, Johnson-Sirleaf, an Americo-Liberian, faced former footballer, George Weah, an ethnic Kru. Because neither candidate received over 50 percent of the vote, they engaged in a run-off election.\textsuperscript{224} Both candidates attracted various groups of voters. Because Weah was a celebrity and not a career politician, many young people, as well as ethnic Kru, were enthusiastic to vote for him. Johnson-Sirleaf was a Harvard graduate and had previously worked for the World Bank, and was also a political activist for over 30 years. She worked as the Assistant Minister of Finance in the Tolbert administration and after he was assassinated, she briefly worked in the Doe administration as President of the Liberian Bank for Development and Investment, but left after publicly criticizing Doe.\textsuperscript{225} After this criticism, Johnson-Sirleaf was convicted to ten years in prison and after serving a partial sentence, she returned to the U.S. She returned to Liberia when she

\textsuperscript{221} Ibid, 53.
\textsuperscript{222} Moran and Pitcher, “The 'Basket Case' and the 'Poster Child',” 506.
\textsuperscript{223} Uppsala Conflict Data Program, “Liberia,” http://www.ucdp.uu.se/gpdatabase/gpcountry.php?id=94&regionSelect=2-Southern_Africa#.
began work as an economist for the World Bank and Citibank. After unsuccessfully running for president against Charles Taylor in 1997, she found herself running for the presidency once again in 2005.\(^{226}\)

Many reasons were attributed to Johnson-Sirleaf's eventual victory. Because of his lack of education, Weah was often attacked for his suggested inability to lead the country, if elected.\(^{227}\) In regards to the election, David Fickling writes, “More than half of Liberia's registered voters are women, and analysts said Ms. Johnson-Sirleaf's gender may have played a key role in attracting support from people tired of the confrontational and headstrong style of the men who have ruled Liberia since its founding in 1847.”\(^ {228}\)

After the run-off election, Johnson-Sirleaf was victorious.\(^ {229}\) Expectedly, the results were controversial, as Weah and his supporters claimed there were voting irregularities and an electoral commission looked into the allegations. International onlookers declared that the elections were free and fair and the electoral commission in Liberia officially confirmed her presidential victory after the close of the elections.\(^ {230}\) Her inauguration was most notably supported by the U.S. and her inauguration ceremony was attended by notable figures such as First Lady Laura Bush and Secretary of State Condoleezza Rice.\(^ {231}\)

\(^{230}\) Fickling, “Johnson-Sirleaf Declared Liberian President.”
Although elections took place, the needs of the country continued to be substantial. After the war, Liberia was not only one of the poorest countries in Africa, but one of the poorest in the world. Following Johnson-Sirleaf’s election, Liberians seemed genuinely optimistic that peace and security could be reached and that a democratic transition could be achieved. When the new president entered office, she initiated free education through sixth grade, a new, comprehensive rape law, and was able to write-off nearly five billion dollars of foreign debt. The democratic transition, however, has not been completely progressive. Because many of Taylor’s former advisors and supporters remained in positions within the government, claims of corruption have arose and basic services, such as electricity, have been difficult to obtain.

The presidency of Johnson-Sirleaf, as well as the establishment of the Liberian Truth and Reconciliation Commission in 2008 will be examined in further detail in Chapters 3 and 4. In regards to Taylor, he became the first African head of state to be indicted for war crimes when his trial began in June 2009. Taylor was not directly arrested; he spent three years in exile in neighboring Nigeria until he was transferred to Freetown and given to the UN Special Court for Sierra Leone (SCSL). Although he was initially given amnesty by earlier peace agreements, the crimes he committed were against international law and therefore he was able to be charged by an international body.

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His charges included 11 counts of war crimes and other crimes against humanity. As recently as February 1, 2012, Taylor’s defense requested to reopen his defense but was denied on February 10, 2012. It was announced on May 30, 2012 that Taylor would serve 50 years for his charges; however, an appeal is expected to be filed. In regards to the verdict and subsequent sentence of Taylor, Marlise Simons of The New York Times writes, “In what was viewed as a watershed case for modern human rights law, Mr. Taylor was the first former head of state convicted by an international tribunal since the Nuremberg trials in Germany after World War II.”

While the Truth and Reconciliation Commission (TRC) will be discussed further in Chapters 3 and 4, it is important to disclose their findings about the conflict. The TRC’s final report, released on July 1, 2009, recorded violations that occurred from January 1979 to October 2003. The TRC identified 169,676 violations, with the highest number of violations being reported in 1990, then in 2003, and 1994. The TRC recorded 23 different types of violations, including forced displacement, killings, assault, abduction, forced labor, torture, forced recruitment, mutilation, rape, gang rape, sexual slavery, and multiple rape. The NPFL rebels and LURD troops comprised the highest number of registered perpetrators, with forced displacement representing almost one third of the violations. Rape and other forms of sexual violence recorded 0.6 percent to 1.5

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240 Ibid, 30.
percent of all violations. Rape and other forms of sexual violence will be discussed and examined further in Chapter 3.

CIVIL WAR: SIERRA LEONE

Given its colonial and post-colonial history, all of the conditions necessary for a civil war were present in Sierra Leone. These circumstances included societal dissent over the political and economic situations and extreme poverty and disparity between the ruling class and the general population. The war in Sierra Leone can be divided into three phases: 1) conventional “target” warfare (1991-November 1993); 2) “guerilla” warfare (1993-March 1997); and 3) power struggles and peace efforts (1997-present). The following section will describe each of these phases, as well as the consequences suffered by the Sierra Leonean population.

Between 1987 and 1988, a group of Sierra Leonean men, including former Sierra Leonean army corporal Foday Saybanah Sankoh (an ethnic Temne from the Tonkolili district), travelled to Libya to receive insurgency training under the Muammar al-Gaddafi

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241 Ibid, 29; Leiby, “Wartime Sexual Violence in Guatemala and Peru,” 451. As stated in Chapter 1, measuring and documenting rape and sexual violence during wartime is especially difficult. For example, rape and sexual violence is vastly underreported. For countries engaged in war, gathering data is difficult because of the lack of infrastructure or social services needed to document the crimes. Furthermore, the stigma attached to being sexually assaulted or raped is oftentimes unbearable, and rather than be shunned from society, the victims do not come forward. Therefore, it is often believed that estimation are much less than the actual number of victims during wartime. In regards to the recorded sexual violence numbers, however, the TRC details: “What these statistics indicate is that given that more than half of the statements taken were from women, it is clear that an analysis of only direct sexual violence perpetrated against women does not reveal the full extent of the human rights violations that women experienced directly and indirectly. While men comprise a larger category of victims than women overall, it is not accurate to assume that this means that women were less affected” (Republic of Liberia Truth and Reconciliation Commission, “Women and the Conflict,” 30).

regime.\textsuperscript{243} While in Libya, Sankoh met Liberia’s Charles Taylor and the two soon became allies. Gaddafi was able to give them training, money, and arms.\textsuperscript{244} Sankoh later founded the Revolutionary United Front (RUF), the major rebel group responsible for the eleven year civil war in Sierra Leone. The RUF claimed its aims were to “...Overthrow Sierra Leone’s ‘corrupt’ rulers, ‘liberate’ the country’s derelict peasantry and the dispossessed, and institute ‘genuine democracy.’”\textsuperscript{245} Soon, the RUF’s goals were overshadowed by the war and its atrocities. Prior to the invasion of Sierra Leone, many RUF members were recruited by coercion but others joined, mostly young men, because of grievances with the Momoh government.\textsuperscript{246} The group was generally formed out of desperation and the disparities caused by colonialism and continued under independent governments.\textsuperscript{247}

In early 1991, Sankoh led the RUF, with help of Taylor, into Sierra Leone. Because of their history together in Libya, Taylor provided aid in the form of weapons and ammunition and also soldiers in exchange for gems, later labeled as “blood diamonds” or “conflict diamonds.”\textsuperscript{248} Since the diamond rush of the 1950s when diamonds were

\begin{table}
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\begin{tabular}{|c|c|}
\hline
\textbf{Meter} & \textbf{Value} \\
\hline
1 & 0.033 \\
2 & 0.066 \\
3 & 0.099 \\
4 & 0.132 \\
5 & 0.165 \\
\hline
\end{tabular}
\end{table}

\textsuperscript{243} START: National Consortium for the Study of Terrorism and Responses to Terrorism, “Revolutionary United Front (RUF), http://www.start.umd.edu/start/data_collections/tops/terrorist_organization_profile.asp?id=4247. \\
\textsuperscript{244} Hirsch, \textit{Sierra Leone: Diamonds and the Struggle for Democracy}, 31. \\
\textsuperscript{245} Gberie, \textit{A Dirty War in West Africa}, 6. \\
\textsuperscript{246} David Keen, “Liberalization and Conflict,” \textit{International Political Science Review} (2005): 74. \\
\textsuperscript{247} START, “Revolutionary United Front (RUF).” \\
\textsuperscript{248} Peter Penfold, “Faith in Resolving Sierra Leone’s Bloody Conflict,” \textit{The Round Table} (2005): 550; These stones are labeled conflict diamonds when they are used specifically to fund insurgency and war. One of the first recognitions of diamonds being used for this purpose was contained within the passing of UN Resolution 1173 and after a report by Global Witness exposed the use of blood diamonds in Angola in 1998 (United Nations, “United Nations General Assembly,” last modified January 29, 2001, http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N00/562/75/PDF/N0056275.pdf?OpenElement; Global Witness, “A Rough Trade: The Role of Companies and Governments in the Angolan Conflict,” (1998)).
being smuggled out of Sierra Leone and in to Liberia, Liberia has been a problem for the
governments of Sierra Leone, especially in playing the role of mentor for the RUF.  

After its formation in 1991, the RUF first began its attacks in the Kailahun
District along the eastern border of Liberia, and the fighting quickly spread to other areas
including the Pujehun, Kono, Kambia, Moyamba, Bo, and Tonkolili districts. These
districts were located throughout the country and many were populated mostly by the
Mende ethnic group, as well as the Temne in the Tonkolili and Kambia district.
Government troops soon began a counter-attack. Despite their attempts to defend the area,
the Kailahun District fell to the RUF within a month. After taking an area, the rebels
focused on terrorizing civilians in attempts to show how the country’s army could not
protect its citizens. According to Alfred Zack-Williams, by early 2002 over 10,000
people had been killed by the RUF while close to one million citizens were either
displaced in refugee camps or across enemy lines.

In addition, much of the money being spent to combat the RUF was not being
allocated to the soldiers but was instead being stolen by senior officers. Consequently, a
faction of soldiers formed a junta and ousted Momoh from power. Captain Valentine
Strasser (of Creole descent), assumed the role of the country’s new leader and established
the National Provisional Ruling Council (NPRC), made up of members of the military

\[^{249}\text{Ndumbe, “Diamonds, Ethnicity, and Power,” 98; For example, over a four-year period from 1994-1998, }\]
\[^{250}\text{Liberia’s diamond mining capacity was 150,000 carats while somehow, the country exported more than 31}
\]^\[^{251}\text{million carats to Belgium during the same period. Clearly, Sierra Leone was being looted to pay for arms}
\]^\[^{252}\text{and soldiers (Ndumbe, “Diamonds, Ethnicity, and Power,” 98).}\]
\[^{253}\text{Gberie, A Dirty War in West Africa, 60.}\]
\[^{254}\text{Ndumbe, “Diamonds, Ethnicity, and Power,” 94.}\]
\]^\[^{256}\text{Quarterly (1999): 149.}\]
\[^{257}\text{Gberie, A Dirty War in West Africa, 68; Abdul Karim Koroma, Sierra Leone: The Agony of a Nation}
\]^\[^{258}\text{(Freetown: Afrembali Productions, 1996), 149.}\]
junta, through which he promised to end the war and repair the country. Similar to Sankoh and the RUF, Strasser and his advisors, mostly men from the national army, lacked a cohesive ideology. Their initial goal was to oust Momoh from power and from there, their political ideology was not a cohesive one. Initially, Strasser received financial support from the World Bank and International Monetary Fund (IMF) because of their commitment to a “transparent administration.”\textsuperscript{254} As part of their commitment, thirty of Momoh’s officials were charged with abuse of office and were placed on house arrest, only later to be executed.\textsuperscript{255} Initially, citizens of Sierra Leone welcomed Strasser and the NPRC because of the former corrupt Momoh government; however, the NPRC suspended the Constitution and endorsed a “rule-by-decree”\textsuperscript{256} program as the war continued to intensify.\textsuperscript{257}

During this time in 1992, the RUF became more destructive and damaging.\textsuperscript{258} RUF leaders were recruiting members of the SLA regarded as “sobels” (soldiers also working with the rebels). These sobels were frustrated with their positions and found it easier to work with the rebels, than against them.\textsuperscript{259} They were used to loot and gain intelligence and weapons.\textsuperscript{260} During the RUF’s tactics, Strasser was engaged in his own recruitment drive for the national army and it resulted in the reliance on unskilled and

\textsuperscript{254} Hirsch, \textit{Sierra Leone: Diamonds and the Struggle for Democracy}, 35.  
\textsuperscript{255} Ibid, 35.  
\textsuperscript{256} A rule-by-decree policy is a policy in which the leader of a country is able to make laws without legislative checks and balances.  
\textsuperscript{258} Gberie, \textit{A Dirty War in West Africa}, 69.  
\textsuperscript{259} Hirsch, \textit{Sierra Leone: Diamonds and the Struggle for Democracy}, 36.  
undisciplined soldiers, sometimes as young as seven years old.\textsuperscript{261} Meanwhile, the RUF continued seizing the country’s diamond mines, mainly positioned in the eastern portion of the country, and in June 1992, the RUF seized the country’s main diamond center, Koidu, located in the eastern Kono district.\textsuperscript{262} Following a back and forth between the RUF and the SLA over the diamond center and other fighting, a unilateral ceasefire was announced in December of 1993, by Strasser.\textsuperscript{263} There is speculation as to why Strasser declared a ceasefire at this time, as the RUF was not completely defeated. The Sierra Leone Truth and Reconciliation Commission found that he most likely wanted to gain international recognition as being a successful leader and bringing the war to an end. Regardless, the RUF used this time as a chance to regroup and try new tactics, discussed below, and ultimately restarted the war. Regardless of Strasser’s motives, the ceasefire of 1993, lasting until early 1994, marked the end of the first phase of the conflict.\textsuperscript{264}

Following the ceasefire of 1993, the second phase of the civil war, lasting until 1997, was initiated after the RUF was able to regroup. At this time, the RUF became a “guerilla” movement and spread into smaller units into the forest in attempts to avoid defeat.\textsuperscript{265} The RUF then set up checkpoints along the highways, looted and burned towns and villages and also took various hostages.\textsuperscript{266} Prior to this phase of the conflict, the RUF had specific targets that were fueling their attacks, such as government officials and the

\begin{footnotesize}
\begin{enumerate}
\item Gberie, \textit{A Dirty War in West Africa}, 77; Koroma, \textit{Sierra Leone}, 180-182.
\item Gberie, \textit{A Dirty War in West Africa}, 80.
\item Ibid, 180.
\item Gberie, \textit{A Dirty War in West Africa}, 80.
\end{enumerate}
\end{footnotesize}
national military; however, this phase ushered in more sporadic attacks with few calculated targets, categorizing it as guerilla warfare.\textsuperscript{267}

During this time, the war continued to escalate and in 1995, the country’s army hired a South African security force, Executive Outcomes (EO).\textsuperscript{268} EO, mercenaries whom had been members of the apartheid government military, soon began retaking key diamond areas and territories because of their air capability and skills.\textsuperscript{269} They were able to use monitoring technology to trace the RUF’s movements and were able to use helicopters to execute raids.\textsuperscript{270} This added help brought the RUF to a standstill.

Meanwhile, Strasser was under pressure from the Economic Community of West African States (ECOWAS)\textsuperscript{271} and international donors, including the British, to hold elections. While Sierra Leone had been receiving aid during the war, it was conditional under the circumstances that the country return to civilian rule as soon as possible.\textsuperscript{272}

The above conditions ushered in elections in 1996 and Ahmed Tejan Kabbah, leader of the SLPP, was elected president.\textsuperscript{273} While the SLPP was traditionally a party driven by the Mende group, Kabbah was a Mandingo from the Kailahun District, which had traditionally aligned with the APC.\textsuperscript{274} Prior to being elected president, Kabbah had

\textsuperscript{268} Penfold, “Faith in Resolving,” 550.
\textsuperscript{269} Hirsch, \textit{Sierra Leone: Diamonds and the Struggle for Democracy}, 39.
\textsuperscript{271} ECOWAS is a regional group promoting economic integration among its members: Benin, Burkina Faso, Cape Verde, Côte d’Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, and Togo (Economic Community of West African States, “ECOWAS Member States,” last modified April 8, 2012, http://www.ecowas.int/).
\textsuperscript{272} Keen, “Liberalization and Conflict,” 83.
\textsuperscript{274} Hirsch, \textit{Sierra Leone: Diamonds and the Struggle for Democracy}, 28.
been a district commissioner and held a high position within the Ministry of Trade and Industry, and also joined the United Nations Development Programme as deputy chief.\textsuperscript{275}

Given the short amount of time to organize the elections, it is notable that they were recognized by international observers as relatively free and fair.\textsuperscript{276} After the elections, Kabbah became the first Muslim to be inaugurated president of Sierra Leone and also the first leader of the country to belong to the Mandingo ethnic group.\textsuperscript{277} The new president attempted to reconstruct, reconcile, and rehabilitate the country by ending the war, professionalizing the armed forces, and combatting corruption.\textsuperscript{278} In attempts to increase security and quash the violence, Kabbah used the Civil Defense Forces (CDF), a force created to combat RUF attacks in rural areas.\textsuperscript{279} As stated by the International League for Human Rights, “The CDF was commonly referred to as the \textit{Kamajors} (a Mende term for “local hunters”) because it recruited local farmers who were familiar with the countryside and could more successfully maintain its security.”\textsuperscript{280} In addition to increased security, Kabbah tried to make peace with the RUF in hopes of ending the war. Kabbah and Sankoh subsequently signed the Abidjan Peace Accord in November 1996.\textsuperscript{281} The peace accord called for an amnesty for all soldiers, for the RUF to give up arms and transition into a political party, and for the withdrawal of EO mercenaries.\textsuperscript{282}

\begin{itemize}
\item \textsuperscript{275} Lans Gberie, “Tejan Kabbah: This is my Life,” \textit{New African}, February 2012, 33.
\item \textsuperscript{276} Because the constitution specifies that candidates must be 40 years of age, and Strasser was 31, he was unable to run for president (Sierra Leone Truth and Reconciliation Commission, “Report of the Sierra Leone Truth and Reconciliation Commission: Volume 3A,” 222).
\item \textsuperscript{277} Gberie, “Tejan Kabbah: This is my Life,” 33.
\item \textsuperscript{278} Zack-Williams, “Sierra Leone: The Political Economy of Civil War,” 149.
\item \textsuperscript{279} Karima et al. “‘Killer’ Bills and Decrees.”
\item \textsuperscript{280} Ibid.
\item \textsuperscript{281} Uppsala Conflict Data Program, Sierra Leone,”
http://www.ucdp.uu.se/gpdatabase/gpcountry.php?id=136&regionSelect=2-Southern_Africa#.
\item \textsuperscript{282} Ibid; Ndumbe, “Diamonds, Ethnicity, and Power,” 96.
\end{itemize}
The election of Kabbah and the signing of the Abidjan Peace Accord helped usher in the third and final official phase of the conflict. According to the Sierra Leone Truth and Reconciliation Commission, this period is best understood as a power struggle stage marked by random fighting, coups, and regime changes.\footnote{Sierra Leone Truth and Reconciliation Commission, “Report of the Sierra Leone Truth and Reconciliation Commission: Volume 3A,” 229.} At the start of this phase, in May 1997, a coup ensued, in which Major Johnny Paul Koroma and his Armed Forces Revolutionary Council (AFRC; mostly made up of ex-SLA members) assumed power. Koroma cited various reasons for the coup, including the cutback of the army by Kabbah and the failure to implement the peace agreement.\footnote{Human Rights Watch, “‘We’ll Kill You if You Cry’,” 11.} As described by Ndumbe, “The 1997 coup led to a total breakdown in the institutions, structures, and operation of government. Conspiracy and force replaced the rule of law, and serious human rights violations by the RUF and government forces were pervasive.”\footnote{Ndumbe, “Diamonds, Ethnicity, and Power,” 96.} After the coup, Kabbah went into exile in Nigeria, but was not completely ousted from power. While in Nigeria, he began the necessary plans to reinstate himself. With the help of the Economic Community of West African States Cease-Fire Monitoring Group (ECOMOG) and their increased military presence in the country, Kabbah was restored to power as president in March 1998 (he continued to serve until 2007).\footnote{Ndumbe, “Diamonds, Ethnicity, and Power,” 97.}

Throughout this period, the UN attempted to resolve the conflict by sending envoys to the country, as well as instituting arms and oil embargos.\footnote{Ndumbe, “Diamonds, Ethnicity, and Power,” 97.} In July of 1998, the UN Security Council created the UN Observers Mission in Sierra Leone (UNOMSIL), initially allowing 70 military observers access to the country. Many countries sent
uniformed officials to aid in the process.\textsuperscript{288} The mission was specifically designed to disarm and demobilize combatants and also train the national police force but unfortunately, the fighting continued.\textsuperscript{289} The rebels once again invaded Freetown where it is estimated that over 7,000 people were killed in a matter of three weeks and tens of thousands of people were injured, dismembered, abducted, or sexually assaulted.\textsuperscript{290} Because of the continued fighting, UNOMSIL’s original six month mandate was extended into 1999.

At this time, President Kabbah proposed a peace agreement, with help from the UN and ECOWAS.\textsuperscript{291} In July of 1999, Kabbah and Sankoh traveled to Lomé, the capital of Togo, and established the Lomé Peace Accord.\textsuperscript{292} As detailed by Dennis Bright, “The Lomé Agreement was intended to be a plan of action. It proposed a schedule for the cessation of hostilities and a series of measures related to governance, political, humanitarian, socio-economic as well as military and security issues. These were to be implemented by a range of institutions established under the agreement.”\textsuperscript{293} The Lomé Agreement granted blanket amnesty to all parties and combatants involved and members of the RUF were given positions in the transitional government, with Sankoh acquiring the vice presidency. The agreement was signed by all major parties involved, including

\textsuperscript{288} The contributors included Bangladesh, Bolivia, China, Croatia, The Czech Republic, Denmark, Egypt, France, Gambia, India, Indonesia, Jordan, Kenya, Kyrgyzstan, Malaysia, Namibia, Nepal, New Zealand, Norway, Pakistan, Russia, Slovakia, Sweden, Thailand, United Kingdom, Tanzania, Uruguay and Zambia; Uppsala Conflict Data Program, “Sierra Leone,” http://www.ucdp.uu.se/gpdatabase/gpcountry.php?id=136&regionSelect=2-Southern_Africa#.
\textsuperscript{289} Ndumbe, “Diamonds, Ethnicity, and Power,” 97.
\textsuperscript{290} Penfold, “Faith in Resolving,” 550.
\textsuperscript{291} Uppsala Conflict Data Program, “Sierra Leone,” http://www.ucdp.uu.se/gpdatabase/gpcountry.php?id=136&regionSelect=2-Southern_Africa#.
\textsuperscript{292} Ibid., 555.
President Kabbah and Sankoh. The agreement was eventually supported by ECOWAS, the OAU, the UN and various West African states.\textsuperscript{294}

One of the most controversial elements of the peace agreement was the blanket amnesty that was given to all perpetrators. Initially, the United Nations High Commissioner for Human Rights and the rest of the human rights community objected to this because of the problems associated with impunity, it was believed that it would be impediment to establishing a Truth and Reconciliation Commission if perpetrators were not able to be prosecuted.\textsuperscript{295} After this issue was raised, the agreement specifically left out “…Acts of genocide, crimes against humanity, war crimes, and other serious violations of international humanitarian law” so that perpetrators could be prosecuted later by the United Nations or other international tribunals, to be discussed later.\textsuperscript{296} In addition, Western influence has also come under fire concerning the peace agreement, as “peace on the cheap.” While initially having little interest in the conflict, it has been hypothesized that international advisors “…Simply did not understand the rebels or the war, and that they strong-armed Tejan Kabbah into signing the agreement.”\textsuperscript{297}

Also during this time in 1999, the UN Security Council passed Resolution 1270, expanding the UNOMSIL mandate into a new peacekeeping mission named the United Nations Mission in Sierra Leone (UNAMSIL).\textsuperscript{298} Unlike the previous mission, UNAMSIL significantly increased the number of military and police personnel and military observers. At the height of the mission, there were over 17,000 military

\textsuperscript{294} Uppsala Conflict Data Program, “Sierra Leone,” http://www.ucdp.uu.se/gpdatabase/gpcountry.php?id=136&regionSelect=2-Southern_Africa#.
\textsuperscript{295} Hirsch, \textit{Sierra Leone: Diamonds and the Struggle for Democracy}, 84.
\textsuperscript{296} Ibid, 84.
\textsuperscript{297} Hoffman, \textit{The War Machines}, 49.
\textsuperscript{298} United Nations, “Sierra Leone - UNAMSIL – Background.”
personnel and 87 UN police officers. The peacekeeping mission helped and assisted members of the Sierra Leonean government disarm fighters, hold elections, and helped to restore government infrastructure.

Although all combatants were given full amnesty, RUF soldiers continued to violate the orders of the peace accord and ceasefire by refusing to disarm and demobilize, partly because they wanted to retain in control of various diamond mines. While Sankoh appeared to accept the terms of the peace agreement, Sam Bockarie (second-in-command for the RUF), removed himself from the RUF and would not accept the conditions. Further violations occurred in May 2000 when RUF soldiers captured around 500 peacekeeping troops (who were later released). Following this attack, thousands of protestors were demonstrating outside of Vice President Sankoh’s compound when RUF guards shot into the crowd, killing 16 people. Consequently, Sankoh was handed over to the UN and taken to a secret location, for fear of his safety because of the hostile crowd outside. Issa Sesay was installed as the interim RUF commander and the disarmament proceeded when in 2002, President Kabbah declared


300 United Nations, “Sierra Leone - UNAMSIL – Background.”
301 Gberie, A Dirty War in West Africa, 158.
302 Hoffman, The War Machines, 50.
304 Ibid.
the war was finally over.\textsuperscript{306} As stated by Gberie, “By January 2002 72,490 combatants, both RUF and CDF, had been disarmed and a total of 42,000 weapons and 1.2 million rounds of ammunition collected.”\textsuperscript{307} This is largely viewed as a success given that just three years prior in December 1999, less than 10,000 combatants had been disarmed at demobilization centers (mostly from the SLA).\textsuperscript{308}

Over the course of the war and after, countless authors such as Human Rights Watch, David Keen, Peter Penfold, and Gberie have studied the causes and consequences of the conflict. What these authors recognize is the central role that diamond mining played in the endurance of the war. According to a report by the United States Agency for International Development (USAID) Office of Transition Initiatives (OTI), the diamonds in Sierra Leone helped to facilitate, but did not cause the war. The wrecked economy and social inequality were the root causes. In 1999, towards the end of the war, almost $70 million worth of diamond exports had been smuggled, mostly into neighboring Liberia (the exact percentage is unknown).\textsuperscript{309}

Other analysts point to different but related causes of war. Corruption and bad governance were found to be the main contributors to the violence, where after independence, “Instead of implementing positive and progressive policies, each regime perpetuated the ills and self-serving machinations left behind by its predecessor.”\textsuperscript{310}

\textsuperscript{306} Penfold, “Faith in Resolving,” 555.
\textsuperscript{307} Gberie, \textit{A Dirty War in West Africa}, 172.
\textsuperscript{308} Hirsch, \textit{Sierra Leone: Diamonds and the Struggle for Democracy}, 85.
Because of the bad governance and corruption, not much was needed to provoke the conflict in Sierra Leone and the RUF provided the catalyst.311

By all accounts, the RUF did not have a distinct political ideology. At the onset of the conflict, leaders of the rebel group claimed its goals were to overthrow the corrupt government of Sierra Leone and install democracy; however, the majority of deaths and human rights abuses were among civilians. Furthermore, even after many RUF members were given positions within the government, rebels continued to violate terms of all of the peace agreements, and instead displayed that the RUF wanted to rule the country, not bring peace to it. Because many members of the RUF were considered marginalized by society, as described above, they were willing to take drastic measures to ensure power.312 These ills allowed the war to continue for over a decade, resulting in the deaths of tens of thousands. Thousands more were abused, tortured, amputated and sexually assaulted. Despite the mineral wealth of the country, by the end of the war Sierra Leone was one of the poorest countries in the world.313

Because of the wide-scale brutality and destruction of the war, a Truth and Reconciliation Commission and Special Court were established (to be discussed in a later chapter) to evaluate the war and bring the largest perpetrators to justice. In addition to the Truth and Reconciliation Commission and Special Court, elections were held soon after the end of the war in May 2002, when President Kabbah was elected to a second term.314 Although the RUF had been converted into a political party, the Revolutionary United

311 Ibid, 10.
Front Party (RUFP), it did not receive any seats in parliament.\textsuperscript{315} The Carter Center and UN representatives observed the election, and very few violations were reported, and the election was seen as a success for Sierra Leone.\textsuperscript{316} President Kabbah continued to serve until 2007 when Ernest Bai Koroma, member of the APC, was elected in a run-off election determined again to be free and fair, where half of the country’s five million citizens were registered to vote.\textsuperscript{317} The country of Sierra Leone continues to struggle today in almost all areas of society, but the conditions have undoubtedly improved from the conditions present during the eleven year civil war. The post-conflict and current political situations will be discussed in more detail in Chapter 4.

To summarize, the civil wars in Sierra Leone and Liberia include both similarities and differences. Both countries shared a colonial history that propelled the class and ethnic divides in society, and both had dictatorships propped up by the West until the end of the Cold War, when these wars began. Most scholars agree that the conflicts were driven mostly by ethnic tension, power politics, and a struggle over resources. The conflict in Sierra Leone, however, was brought to a head by the spillover from Liberia and the lucrative diamond trade. In regards to the conflict, author Morten Bøås writes:

\begin{itemize}
\item \textsuperscript{315} Ibid.
\item \textsuperscript{316} The Carter Center is an elections monitoring program founded by former United States President Jimmy Carter. The center has observed over 90 elections in 36 countries and is seen as a premier monitor of elections (The Carter Center, “The Carter Center: Waging Peace Through Elections,” last modified February 2012, http://www.cartercenter.org/peace/democracy/observed.html); Austin Merrill, “President Kabbah Predicts Landslide Victory,” last modified May 15, 2002, http://ipsnews.org/note_award.asp?idnews=92358.
\end{itemize}
…The most basic reasons for these two wars are to be found in the extreme version of neopatrimonial politics that was developed in Liberia and Sierra Leone. Neopatrimonialism is not unique to these two countries, nor to Africa. However; the historical experience of the two countries suggests that Liberia and Sierra Leone developed an extreme version of neopatrimonial politics built on the need to secure the self through self-categorisation into self and other…Neither country is likely to achieve sustainable peace if warlike conditions still exist in the other country.318

Because the spillover from Liberia helped drive the conflict in Sierra Leone, one cannot say for sure whether the war in Sierra Leone would have happened or not, if not for the conflict in Liberia. Most specifically for this study, both countries experienced high levels of human rights abuses and sexual violence during and after the war, where in Liberia it was estimated that between 60 and 70 percent of the population was sexually abused or raped and in Sierra Leone it was assessed that as many as 250,000 females were raped over the course the war.319

In seeking to identify what factors are correlated with the continuance of widespread acts of wartime rape even after the cessation of official conflict, it will be important to see if having a female head of state, makes any difference in terms of the sexual violence that occurs after the war was over. This difference is crucial in testing the hypothesis that governments with high levels of female representation will be associated with lower levels of impunity for sexual assault and this will result in lower levels of sexual violence. It is to these questions that we turn in Chapter 4.

PRE-WAR STATUS OF WOMEN: LIBERIA

Because Liberian women experienced extremely high levels of war crimes, sexual violence and assault during the war and after, it is important to understand women’s position within the country before the war. Their subordination and the discrimination that women in Liberia faced prior to the conflict may help explain why they experienced such high levels of abuses during the war and after. Like most other societies around the world, society across Liberia is patrilineal (based on the male blood line) and in most cultures male dominance has been the common ideology, in which women are mostly assigned to the private sphere. The following information is important to present because it offers a small glimpse into the period prior to the war and provides a contextual understanding into some aspects of Liberian society during that time.

Also, women comprised only 30 percent of the workforce in 1988, despite making up half of the country’s population. Contrary to other aspects of women’s lives, their labor was considered very valuable. The Liberian Truth and Reconciliation Commission points out, “…The sexual division of labor in indigenous agriculture afforded women a measure of power, if not formal authority. Women’s labor was extremely valuable, as seen in the institution of bride-wealth that accompanied marriage.” While there were divisions of labor that negatively affected women, for example, Americo-Liberian

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320 It is difficult to find detailed information regarding the pre-war status of women in Sierra Leone. Many agencies, such as the United Nations Office of the High Commissioner for Human Rights (OHCHR), the World Health Organization (WHO), the U.S. Department of State, the United Nations Population Fund (UNFPA), and the Population Reference Bureau (PRB) did not start issuing world reports and providing data useful for this study until the late 1990s and early 2000s. For example, the most popular measures of gender inequality, the Gender-related Development Index (GDI) and the Gender Empowerment Measure (GEM) were not created by the United Nations Development Programme (UNDP) until 1995.


women were relegated to the private sphere and often did not work outside the home, however, for indigenous women, they held power in the agriculture sector, and were esteemed as agriculturalists.\textsuperscript{324}

For over a century society has been stratified according to social class, ethnicity, and differences between genders. The “settlers” and the Americo-Liberian women were often those afforded the ability to own property, and were treated as a higher class, while poor “settler” women and indigenous women were afforded few rights and existed at the bottom rungs of society. Even when they had rights by law, they were unable to enjoy these rights in practice. For example, women were given the right to vote in 1946, however, women were only allowed to vote if they owned property and very few women actually did. In Liberia, there was a system of laws, the Hinterland Laws, which “...Denied women certain basic rights such as owning property, holding major discussions with men, participating in decision making processes, and doing certain jobs despite being able to do them like working in a mine or driving a vehicle.”\textsuperscript{325} The same rules applied for men as well. It was not until the 1950s when this requirement was changed and all Liberians were able to participate in the political process.\textsuperscript{326}

According to the UNDP, just before the war, in the 1980’s, the average life expectancy for both men and women in Liberia was 55 years of age in 1987 with 39 percent of the population having access to health services and only 55 percent having access to clean water.\textsuperscript{327} Liberia had one of the world’s highest maternal mortality rates with 1,100 deaths per 100,000 live births, with only Sierra Leone, Laos, Mali, Niger,

\textsuperscript{324} Ibid, 8.
\textsuperscript{325} Ibid, 9.
\textsuperscript{326} Ibid, 5; In addition, most of the Hinterland Laws have been repealed as well.
Guinea, Guinea-Bissau, Chad, Burundi, and Afghanistan having higher rates. In addition to high maternal mortality rates, Liberia also struggled with high infant mortality rates. The Liberian Demographic and Health Survey (DHS) found that in 1986 one in five children in Liberia died before their fifth birthday. The infant mortality rate was 44 deaths per 1,000 live births, with high-risk pregnancies and lack of maternity care listed as leading causes of death. Part of high maternal mortality rates is likely due to the fact that the practice of abortion was (and is) highly restricted in Liberia where it is illegal unless the woman or fetus is at risk.

In the period prior to the war Liberian women had few basic rights and access to few privileges independent of the men in their lives. Females had little access to education and therefore had low literacy rates, very few property rights, and they faced discrimination in other legal and social aspects of their lives as well. For example, in 1985, 47 percent of males were literate, compared to 23 percent of females. In regards to primary school, males had a higher attendance rate, similar to Sierra Leone and other developing countries around the world during this time. For every 82 men enrolled in primary school, there were only 50 females. Furthermore, women had no legal right to their children if they divorced or if their spouse died, and while the law prohibited the act of polygamy, 30 percent of the female population lived in a polygamous marriage prior to the conflict. According to the UNDP, these inequalities “…could be said to have laid

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330 Seager, Women in the World, 39.
331 Ibid, 136.
332 Ibid, 152.
333 Ibid, 8.
the foundation for the extreme violations perpetrated against women during wartime because men had already been socialized to violate women with impunity.”

One would hardly predict a woman to be elected president of Liberia, given its historic gender relations. However, Ellen Johnson Sirleaf was elected president of Liberia in 2005 and again in 2011. In Chapter 4, Liberian women’s lives immediately after the war will be discussed in more detail, as will their current status.

PRE-WAR STATUS OF WOMEN: SIERRA LEONE

Up to this point, the goal has been to summarize the history of Sierra Leone, centered on the civil war that took place from 1991-2002. Very little focus has been placed on women’s experience versus men’s experience within the country. Like most countries around the world, the men and women of Sierra Leone no doubt have distinct experiences, before, during, and after the war. In order to establish a more detailed background to the sexual violence that took place during the war and after, a pre-war status of women report will attempt to provide a glimpse into the lives of the women living in the country.

Although most women did not receive an education and were unable to participate in politics, some women did hold traditional forms of power. Prior to colonization, Sierra Leone had a long history of women becoming paramount chiefs, especially Mende and Sherbro women. However many of Sierra Leone’s indigenous leaders lost their power under colonialism. As author Filomena Chioma Steady explains, “The participation of

334 Ibid, 10.
traditional rulers in parliamentary deliberations and in the electoral process was crucial in legislation, in formulating policies, and in getting out the vote in their constituencies.\textsuperscript{336}

Prior to the war both culture and tradition prevented rural and urban women from obtaining education and women were often relinquished to the sidelines in terms of work and politics.\textsuperscript{337} In addition, women did not enjoy the same legal status as men, even though the 1991 constitution granted equal rights to everyone, women were first subordinate to their fathers and remained subordinate when they were married. For example, women did the majority of the agricultural work necessary to sustain the family, yet by law were barred from owning land and property, and therefore lacked any economic power or means.\textsuperscript{338}

The 1991 Sierra Leonean Constitution called for equal rights between men and women; however, legal and social discrimination against women existed, especially in the areas of marriage, divorce, and inheritance.\textsuperscript{339} For example, “Customary law, which is largely unwritten and applies to the majority of the population, also discriminates against women, precluding them from enjoying equal status or rights with men.”\textsuperscript{340} This can be seen in the Family Code, which determined that men are primarily the head-of-household and must give their authorization for anyone in their family to marry before the age of 21.\textsuperscript{341} In some systems of traditional law in Sierra Leone, the wife is part of the husband’s

\textsuperscript{336} Ibid, 167.
\textsuperscript{338} Ibid, 98.
\textsuperscript{339} Ibid, 98.
\textsuperscript{340} Ibid, 98.
property and upon his death she became “chattel” and part of the inheritance. In regards to property rights, women have rarely had the right to own property although they have historically been the largest group of agricultural workers. If, for instance, their husbands died, their land would be lost, contributing to their lack of economic power or rights to land ownership.

In addition, women comprised 33.1 percent of the total workforce in 1988, despite women making up over half of the population. Similar to other places around the world, women in Sierra Leone during this time experienced many economic disadvantages. For example, according to the Sierra Leonean TRC:

Women before the war constituted the majority of the rural labour force. They made vital contributions to the economy. They have always played a substantial role in the sustenance of the family. Women provided more than 60% of farm labour for food production, processing and distribution…It is indeed telling that while women were engaged in subsistence farming and provided the labour force for cash crop production, men had greater access to ownership and control of cash crop production.

In addition to comprising most of the rural labor force, women also constituted most of the traders. Between 1988 and 1989, women made up 69 percent of the country’s trading force, however, they did not accumulate any sort of economic power because of their lack of education, lack of access to credit, and lack of general skills.

Just prior to the outbreak of war, in 1987 Sierra Leone had one of the world’s worst life expectancies at just 42 years of age, in addition to having one of the world’s

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342 Ibid.
343 Ibid.
346 Ibid, 100.
347 Ibid, 100.
highest infant mortality rates (153 deaths per 1,000 live births).\textsuperscript{348} In regard to maternal mortality rates, Sierra Leone had one of the worst rates in the world in 1990, falling only behind Niger and Afghanistan.\textsuperscript{349} During this time, less than half of the population of Sierra Leone had access to health services due to the fact that it was either too expensive or simply unavailable in some rural areas.\textsuperscript{350}

Furthermore, the British Offences Against the Person Act of 1861 is still law in Sierra Leone. Under this law, obtaining an abortion is punishable by imprisonment for both the physician as well as the consenting female.\textsuperscript{351} There have been few adjustments to the law; however, abortions were allowed in cases where the mother or the fetus was at risk.\textsuperscript{352} Although many of these laws are current, they were installed since the country’s independence and must be taken into account when considering the environment for women prior to 1991 (when the war began).

Prior to 1991, in terms of literacy, for Sierra Leone, the rates were much lower than the world average. In the late 1980s, female literacy rates were 21 percent compared to 38 percent for men.\textsuperscript{353} From 1986-1988, for every 68 males enrolled in primary school there were only 48 females, and for every 23 males enrolled in secondary school there were 11 females enrolled.\textsuperscript{354} According to the Sierra Leonean TRC, the high levels of illiteracy and lack of schooling that women and girls experienced in Sierra Leone have “…Implications at a political level, where women and women’s issues have generally

\textsuperscript{348} Ibid, 19, 20.
\textsuperscript{354} Ibid, 152.
been relegated to the back burner. There has always been a great lack of awareness of the need for women to participate in issues affecting their lives, even among women themselves. Because of these difficulties, there have been many impediments to women’s progress in regards to breaking down traditional barriers.

In regards to rape and other gender-based violence crimes prior to the conflict, Sierra Leonean women had little recourse to justice, regardless of ethnic group. These crimes were typically handled within the community and formal legal action was rarely taken. Different forms of retribution were taken including beating the perpetrator, paying a fine, forcing marriage between the perpetrator and victim, and performing purification rites. Community intervention only happened if a victim reported it and because of stigmatization and shame, and a “culture of silence” discouraged women and girls from coming forward. In addition, only the rape a virgin was generally considered a serious crime.

Therefore, prior to the wars, women in Sierra Leone and Liberia experienced many levels of discrimination and were denied rights in many aspects of their lives. Colonial and sometimes traditional customs and laws reinforced their subordinated status having lost the traditional rights and protections some women enjoyed prior to colonialism. In the next chapter, we turn to the sexual violence that occurred during both the Sierra Leonean and Liberian conflict.

356 Ibid, 98.
357 Ibid, 104.
358 Nowrojee, “Post-Conflict Justice for Sierra Leone’s Rape Victims,” 88.
III. WARTIME SEXUAL VIOLENCE IN LIBERIA AND SIERRA LEONE

This chapter will focus on the widespread sexual violence and rape that occurred over the course of the Liberian and Sierra Leonean civil wars. As the UN Sub-Commission on the Promotion and Protection of Human Rights states, “Conflicts are increasingly affecting civil populations and systematic rape is often being used to humiliate civilians and military personnel, to destroy the society and diminish prospects for a peaceful resolution of the conflict. The first victims of these crimes are women and girls.”\(^{359}\) While the research question asks what factors are correlated with the continuance of widespread acts of wartime rape even after the cessation of official conflict, it is important to review the atrocities committed during the war as a contextual foundation for understanding the sexual violence and rape that continued after.

WARTIME SEXUAL VIOLENCE: LIBERIA

As discussed in Chapter 1, wartime rape did not gain widespread international visibility until the 1990s in Bosnia and Rwanda, although it has occurred throughout much of history, and continues to be one of the least prosecuted war crimes around the world. The Liberian Truth and Reconciliation Commission (TRC) explains that while conflicts are changing, where civilians are the majority of casualties.\(^{360}\)


The violence that women experienced specifically in Liberia was related to the inequality that they experienced prior to conflict where a report for the United Nations detailed “…The violence women experience during armed conflict ‘does not arise solely out of the conditions of war; it is directly related to the violence that exists in women’s lives during peacetime. Throughout the world, women experience violence because they are women, and often because they do not have the same rights or autonomy that men do.’”

In 1998, during the first five years of the conflict, the American Medical Association (AMA) interviewed and surveyed 205 Liberian women and girls about their experiences during the war. Of the 205 women participating, 49 percent of those reported encountering at least one act of sexual violence, which included rape or attempted rape. As the AMA detailed, “Women who were accused of belonging to a particular ethnic group or fighting faction or who were forced to cook for a soldier or fighter were at increased risk for physical and sexual violence.” In addition, 14 percent of women experienced more than one act of sexual violence and 42 percent reported witnessing a rape or killing. While this study was conducted during the first five years of the civil war, its results are relevant to the years after, as it is reported that sexual violence levels remained the same or increased in the last years of the war.

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362 Shana Swiss et al., “Violence Against Women During the Liberian Civil Conflict,” 625.
363 Ibid, 627.
364 Ibid, 627; One of the limitations that was reported by the authors of the study included the decision to only interview women in the capital, Monrovia. They acknowledge that levels of sexual assault in the rural areas were probably higher because of the lack of peacekeeping forces outside of Monrovia.
by the World Health Organization (WHO) estimated that of displaced women (500,000), one-third (168,000) were raped during the war.\textsuperscript{365}

In regards to sexual violence abuses, women and girls between 15-19 years old were the majority age group at risk.\textsuperscript{366} A study conducted by the WHO in 2005 found that the majority of those sexually assaulted in the sample (1,216 women and girls) were of the Bassa (22.2 percent), Mano (20.6 percent), Lorma (19.9 percent), and Krahn (19.7 percent) ethnic groups.\textsuperscript{367} As mentioned earlier, prior to the war in Liberia, women of all ethnicities lived under patriarchal constraints. During conflict, these constraints intensified. For example, some men used their positions of power and authority over women and coerced them into having sexual relations.\textsuperscript{368}

Although women and girls were sexually assaulted or raped regardless of their ethnicity, the majority of registered crimes of sexual violence occurred within seven districts, spread throughout the country’s 15 districts: Montserrado, Bong, Nimba, Lofa, Bomi, Gbarpolu, and Grand Bassa, where the majority of fighting occurred.\textsuperscript{369} In addition, because there were so many various fighting factions in the country, every ethnic group was targeted in some way or another. For example, those belonging to the Mandingo were targeted by rebels, specifically the NPFL, for their association with the Samuel Doe administration or their wealth.\textsuperscript{370} The Mandingo, Krahn, Gio, and Mano, were hit particularly hard because of their real or perceived association with the Doe

\textsuperscript{370} The Advocates for Human Rights, “A House with Two Rooms,” 135.
administration. Others (the Kru, Sarpo, Loma, and Bassa) also reported being targeted for human rights abuses.\footnote{Ibid, 136.} However, Advocates for Human Rights, a United States-based NGO states, “Statement givers described perpetrators selecting civilians for torture based on very tenuous evidence of the victims’ affiliation with a targeted group, evidence that statements revealed was often incorrect. As a result, virtually no one was safe because the risk of being mistaken as the enemy of any combatant was so high.”\footnote{Ibid, 136.} Therefore, anyone (male or female) was in danger of being identified as an enemy collaborator.

Women were often selected based on their real or perceived group status but also simply because they were women. For example, as the war intensified, so too did the sexual violence and rape that women experienced because of the fact that women are seen as the gatekeepers and symbols of their communities.\footnote{Ibid, 235.} Other evidence provided by Amnesty International shows that women and girls were targeted regardless of their ethnic background and were taken for sexual slavery, gang rape, public rape, and rape with foreign objects.\footnote{Amnesty International, “Liberia: No Impunity for Rape – A Crime Against Humanity and a War Crime,” (2004).}

In 2004, a Liberian relief organization, the Concerned Christian Community (CCC), collected information detailing rape and other sexual violence claims and found that out of 3,004 cases reported, over half (1,556) were committed by former government troops, and 1,104 cases were perpetrated by LURD forces, and very few (11) were committed by MODEL forces.\footnote{In another 333 cases, victims were unable to identify which group their attacker belonged.} Interestingly, the organization stated that the low...
numbers of attacks by MODEL forces was not because they committed fewer acts, but because the MODEL troops were situated mostly in counties in the east and south of Liberia, including the Grand Bassa, Grand Kru, and Nimba counties, among others, where the CCC did not collect data.\footnote{376} In regards to MODEL forces, Amnesty International reported more attacks by MODEL forces the Grand Bassa, Grand Kru, and Nimba counties, where they detailed, “Much of the violence appeared to be ethnically motivated, with attacks by predominantly Krahn MODEL fighters against civilians from the Mano and Gio ethnic groups who were perceived to have supported former president Charles Taylor.”\footnote{377}

In Liberia, government troops as well as rebel armies (comprised of both civilians and soldiers) were responsible for the majority of the sexual violence. Charles Taylor’s rebel group, the National Patriotic Front of Liberia (NPFL), (and once in office his government troops), used rape as a weapon of war, as did Liberians United for Reconciliation and Democracy (LURD) and the United Liberation Movement of Liberia for Democracy (ULIMO).\footnote{378} Virtually all sides committed atrocities. However, the Liberian Truth and Reconciliation Commission found that Taylor’s NPFL was responsible for more than three times the number of violations than any other group involved in the conflict, including LURD troops.\footnote{379}

Human Rights Watch identified a pattern that the government groups often followed. Government troops would clear LURD troops out of the area and rape, torture,
and kill men, women, and children they thought were supporting the rebel group.\textsuperscript{380} According to some accounts, LURD troops sometimes attempted to minimize civilian casualties by directing mostly members of their own ethnic groups to a safe place or allowing them to leave before the government assault. Furthermore, troops within the rebel group were briefed by commanders to respect human rights, including rape.\textsuperscript{381} Witnesses reported commanders stepping in to stop rapes from happening.\textsuperscript{382} Over the course of the war, instances like this would no doubt happen within other groups; however, LURD troops were the ones documented protecting civilians. Despite this documentation, abuses were still committed by LURD rebels against other ethnic groups.

In summary, women and girls suffered immensely during the conflict in Liberia. It is possible that between 60 and 70 percent of women and girls in Liberia were sexually abused or raped during the conflict, lasting from 1989-2003.\textsuperscript{383} As the Liberian TRC found: “Women often constitute more than 50% of a population. In spite of this, their contribution, as well as important dimensions of their particular experiences which shape both conflict and peace, are underestimated and overlooked.” This remains especially true in Liberia where women experienced violence prior to the war, during, and after it.

**WARTIME SEXUAL VIOLENCE: SIERRA LEONE**

Similar to the war in Liberia, the war in Sierra Leone from 1991-2002 had terrible effects on females of all ages. Women and girls were raped and sexually assaulted indiscriminately regardless of their religion, age, or ethnicity. As Binaifer Nowrojee

\textsuperscript{380} Nowrojee, “Back to the Brink,” 4.
\textsuperscript{381} Ibid, 8.
\textsuperscript{382} Ibid, 8.
states, “Indiscriminate killings, amputations, rapes, and abductions characterized Sierra Leone’s decade-long conflict. The crimes of sexual violence committed against thousands of women and girls were extraordinarily brutal and were often accompanied by other egregious abuses of the victim and her family.”\(^{384}\) The sexual violence was widespread across the country, especially in diamond areas, and was prevalent throughout the conflict. Shockingly, a UN report released in 2002 estimated that 72 percent of Sierra Leonean females encountered some form of human rights abuses and that 50 percent experienced sexual violence abuses.\(^{385}\)

Physicians for Human Rights (PHR) discovered that of 991 households surveyed after the war containing internally displaced persons (IDPs), 94 percent reported that they had encountered some form of human rights abuse.\(^{386}\) Of the 94 percent, one in eight IDPs (9 percent) reported being victim to wartime sexual violence.\(^{387}\) Using this prevalence rate of 9 percent, PHR estimates that between 50,000 and 64,000 displaced women and girls may have undergone some form of human rights abuse and deduced that as many as 215,000-257,000 females in Sierra Leone may have been sexually assaulted during the course of the war.\(^{388}\) The types of sexual abuse crimes included rape (89 percent of victims), forced undressing (37 percent), gang rape (33 percent), abduction (33 percent), sexual slavery (15 percent), molestation (14 percent), forced marriage (9 percent).
percent), and rape by a foreign object (4 percent). Although certainly not all women in Sierra Leone were sexually abused, the human rights violations that women endured were prevalent and violent. In addition some women were forced to participate in the violence as perpetrators of it. Testimonies given to PHR show that some women were shot if they refused to commit acts of violence against others, including amputations, and would be forced to watch others commit violent acts such as forced abortions. Survivors of sexual violence reported not only being sexually assaulted, but testimony from PHR showed that they were often gang-raped, or raped in front of other women. Rebels reportedly extorted their victims, demanding ludicrous amounts of money. When they were unable to pay, girls and women were often raped as consolation and the women and girls expressed continued shame, regret, and fear.

These abuses were committed by all sides involved in the conflict. While all groups bear some responsibility for sexual violence, it was estimated that the Revolutionary United Front (RUF) was responsible for the overwhelming majority (95 percent) of these crimes. The Sierra Leone military and the Civil Defense Forces (CDF) are believed to have perpetrated the other 5 percent.

Women and girls, aged ten to 18, belonging to every ethnic group and every social class were targeted for sexual abuse. These abuses, especially those committed against pre-pubescent girls, broke virtually every cultural taboo surrounding sexual

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390 Reis et al., “War-Related Sexual Violence in Sierra Leone,” 5-6.
391 Ibid, 6-7.
392 Ibid, 7.
relations.\textsuperscript{394} This, however, was the rebels and other troops’ intent. According to the Truth and Reconciliation Commission (TRC) for Sierra Leone, these groups “…Deliberately set out to violate every norm and custom of the society to which they belonged…with the intention of sowing terror amongst the population, violating women and girls and breaking down every norm and custom of traditional society.”\textsuperscript{395} In addition to violating every norm of the society, the TRC found that females were humiliated and dehumanized based on the fact that they were simply female, causing lifelong effects such as depression, various fistulas, incontinence, family abandonment.\textsuperscript{396} Furthermore, the risk of contracting sexually transmitted diseases (STDs), including HIV/AIDS, remained extremely high for victims of sexual violence. It is reported that rates of STDs among soldiers and military in Sierra Leone were two to five times higher than rates for civilian populations and may have been up to fifty times higher during the conflict.\textsuperscript{397}

One of the unique characteristics of the sexual violence that occurred during the civil war in Sierra Leone was the indiscriminate targeting of females. As described above, all ages, social classes, and ethnic groups were attacked. This was unique because no specific type of woman, based on religion or group membership, was targeted, unlike the wars in both Bosnia-Herzegovina and Rwanda during the 1990s. For example, at the beginning of the conflict in 1991, the RUF and their base was in the Pujehun District (mostly home to the Mende ethnic group) in the south of the country, although the RUF did not identify as a specific ethnic group. Instead, its main focus was to overthrow the

\textsuperscript{394} Ibid, 158.
\textsuperscript{395} Ibid, 162.
\textsuperscript{396} Ibid, 168; In addition, many women were unable to seek medical and psychological treatment because of the lack of facilities and infrastructure to help them (Human Rights Watch, “We’ll Kill You if You Cry,” 50). In 2002 there were only six obstetricians and gynecologists in the entire country (Human Rights Watch, “We’ll Kill You if You Cry,” 51).
\textsuperscript{397} Human Rights Watch, “We’ll Kill You if You Cry,” 50-51.
government of Joseph Momoh. Afterward, the RUF moved into the Bo (Mende) and Moyamba Districts.\textsuperscript{398} By 1995, however, the RUF had a significant presence in all 12 districts of the country and committed atrocities against females in all regions.\textsuperscript{399}

The widespread presence of the RUF made the sexual violence and human rights abuses even harder to combat because there was no specific target, even some men were raped; however, the overwhelming majority of victims of sexual violence were women. While the Sierra Leonean TRC found that women were targeted simply because they were women, rape and sexual violence was also part of the larger terrorism against entire communities. UNIFEM states, “In many contexts, sexual violence is not merely the action of rogue soldiers, but a deliberate tactic of warfare. It displaces, terrorizes and destroys individuals, families and entire communities, reaching unthinkable levels of cruelty against women of all ages from infants to grandmothers.”\textsuperscript{400}

Further human rights abuses included amputations, abductions, beatings, and torture. These abuses would often precede or follow the sexual crime, or would be committed against family members in front of the victims, as a form of torture and humiliation.\textsuperscript{401} Human Rights Watch found that if females resisted, they would often be raped so badly they would lose control of their bladders and bowels, and would often be raped by using objects such as burning wood, hot oil, or weapons.\textsuperscript{402}

One of the well-documented instances of sexual violence during the war was the 1999 RUF invasion of Freetown. On this occasion, \textit{Médecins Sans Frontières} (MSF)

\begin{itemize}
  \item \textsuperscript{398} Ibid, 171.
  \item \textsuperscript{399} Ibid, 42.
  \item \textsuperscript{400} UNIFEM, “Ending Violence against Women and Girls: UNIFEM Strategy and Information Kit.”
  \item \textsuperscript{401} Chen et al., “War-Related Sexual Violence in Sierra Leone,” 1.
  \item \textsuperscript{402} Human Rights Watch, “We’ll Kill You if You Cry,” 33-35.
\end{itemize}
provided treatment to almost 2,000 women that had been sexual assaulted and raped, where over half reported being gang raped and 200 were impregnated. During this same invasion, 2,000 civilians were killed and thousands of children were captured by the RUF and made to become soldiers. It is estimated that over 10,000 boys and girls were forced to fight over the course of the war.

During the war in Sierra Leone, many females were subject to sexual slavery, defined by the 1926 Slavery Convention and the 1953 Protocol as “…[T]he status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised, including sexual access through rape or other forms of sexual violence.” Girls and women were assigned to “rebel husbands” and forced into sexual slavery for long periods of time, and were even forced to birth their “husbands” children. In many reports on Sierra Leone, such as those by Human Rights Watch, there were few distinctions between “bush wives” and women abducted for sexual slavery; they are sometimes used interchangeably. For example, a 2001 survey by PHR found that 33 percent of respondents had been abducted, and 15 percent of those respondents were used for sexual slavery. Some testimonies by women that had been taken as “bush wives” revealed a certain sense of security in being a “bush wife” versus

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403 Ibid, 27.
405 Human Rights Watch, “We’ll Kill You if You Cry,” 2; Women and girls in Liberia were undoubtedly subjected to sexual slavery yet, in Sierra Leone it was more prevalent and must be discussed.
406 Ibid, 3.
being “unattached.” Bush wives did not have to go out on abduction attacks and were sometimes protected from sexual abuse from other soldiers. They were not, however, protected against sexual abuse from their own “husbands” and they often lived in fear of being killed. To deter their escape, soldiers would often tattoo these women or mark them with knives, knowing the stigma that would follow them.

In addition to crimes of sexual violence, hand, arm, and leg amputations were also common. The Sierra Leonean TRC found that amputations were used mostly to keep citizens, especially women, scared and obedient to rebels’ demands. According to the TRC, amputations amounted to “…The mutilation and physical and psychological torture of those upon whom it was inflicted. The Commission finds the RUF and the AFRC to have pursued a deliberate strategy of amputations with the intention of torturing them and sowing terror throughout the civilian population.”

There were many reasons for why the RUF would perform amputations, but the most prevalent remained the strategy that it would instill fear into citizens and in turn they would be compliant and not fight the rebels. In addition, amputations were used to discourage citizens from voting, especially for then-President Tejan Kabbah, as the RUF was adamant in ensuring that Kabbah would not be re-elected. Furthermore, President Kabbah had asked Sierra Leoneans to “join hands for the future” and this instigated the

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Because of this political statement by the RUF, amputations became one of the most well-known aspects of the war. While the number of amputees is unknown, the United Nations Mission in Sierra Leone (UNAMSIL) and the Norwegian Refugee Council estimate that more than 40 percent of amputee survivors in Sierra Leone are women. It was also used against men to emasculate them and make them dependent. In addition, the amputations, especially the amputations of females, created an aura of shame and stigma. Amputations were just one form of violence that men, women, boys, and girls were subjugated to during the course of the war.

If the women and girls survived rape, sexual slavery, or amputations, the consequences remained dire. Because of the stigma discussed in Chapter 1, some did not report this specific kind of torture regardless of their condition afterward. However, for women amputees, it is impossible to hide and therefore the stigma associated with amputation is different than the stigma related to sexual violence; yet shame is attached to both crimes. For example, prior to and during the war, women have no rights in regards to divorce and if they came forward claiming they were raped, their husbands could leave them, rendering them helpless.

In summary, in terms of the sexual violence that women and girls experienced over the course of the war from 1991-2002, the Sierra Leonean TRC found that:

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Women and girls became particular targets of malice and violence during the conflict. They suffered abduction and exploitation at the hands of the various perpetrator factions. Their vulnerability was deliberately exploited in order to dehumanise them and perpetrate against them the most gross of violations. They were raped, forced into sexual slavery and endured acts of great sexual violence.414

Not only were women and girls targeted as individuals, they were purposely abused as females in general. It is estimated that 275,000 women in Sierra Leone were victims, when in reality, the number could even be much higher given the near-universal underreporting of rape in peacetime and wartime.415

To conclude, women and girls in Sierra Leone and Liberia experienced unprecedented violence over the course of their respective conflicts. In Liberia, between 60 and 70 percent of the female population experienced some form of sexual violence and in Sierra Leone, an estimated 50 percent of women and girls endured sexual violence. Compared to the conflict in Bosnia-Herzegovina where it is estimated that 20,000-50,000 women were raped, the 200,000 estimated to have been sexually assaulted in the Democratic Republic of the Congo (DRC), and the 250,000-500,000 in Rwanda, the percentage of women victimized in Sierra Leone and Liberia is higher than all of the other major conflicts where sexual violence has been a key aspect to the war.416

Furthermore, in Liberia and Sierra Leone, sexual violence was used to humiliate citizens and send a message to society as a whole, where the targets of these crimes were most often women and children, of all ethnicities and ages. In addition, the sexual violence women and girls experienced in both Liberia and Sierra Leone were tied to the

415 Ibid, 86.
416 These are UN estimates and the numbers may be higher than the actual ones provided (UN Women, “Conflict-Related Sexual Violence,” http://www.womenwarpeace.org/).
inequality that they experienced prior to war. All sides committed human rights violations, although rebel groups were the main perpetrators in both countries. In Sierra Leone, amputations In terms of sexual slavery and “bush wives,” occurrences happened in Liberia and Sierra Leone, but was publicized and written about more frequently in Sierra Leone, for reasons unknown.

Around the world, women and children have historically been left out of the reconstruction process. In Sierra Leone and Liberia, this continues to be the case. Because of the widespread militarization of both societies during conflict, just because the wars are over does not mean the violence is over.\footnote{Republic of Liberia Truth and Reconciliation Commission, “Women and the Conflict,” 51.} In the next chapter, we turn to the post-conflict period to assess the rate of progress in terms of society, specifically gender-based policies and see if having a female-led government has made a difference.
IV. POST-CONFLICT SOCIETY AND SEXUAL VIOLENCE IN LIBERIA AND SIERRA LEONE

This chapter will focus on the post-conflict situations in both Sierra Leone and Liberia. It will provide an overview of society and government since the wars ended, and an assessment of the post-war status of women and post-conflict sexual violence in both countries.

RESPONSES TO WARTIME SEXUAL VIOLENCE: LIBERIA

As in other countries experiencing civil wars over the past few decades, institutions were established in the post-war period in hopes of prosecuting those responsible for war crimes as well as providing redress to the many victims of human rights abuses. After the war in Liberia was over, the country began its reconstruction process. The United Nations Observer Mission in Liberia (UNOMIL) (1993-1997) and the United Nations Peace-building Support Office in Liberia (UNOL) transitioned into the United Nations Mission in Liberia (UNMIL) in 2003. According to the United Nations, UNMIL “...Would be a multidimensional operation composed of political, military, police, criminal justice, civil affairs, human rights, gender, child protection, disarmament, demobilization and reintegration, public information and support

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418 For Sierra Leone, the post-conflict period will be defined as 2003 to 2012. The post-conflict period examined for Liberia will be 2002 to 2012.
419 The original mandate of UNMIL was to last until 2005.
components, as well as an electoral component in due course. The operation was mandated to support the implementation of the 2003 Accra Peace Accord, which protected and supported staff, humanitarian assistance, and security reform. At the start of the mission in 2003, there were over 15,000 military personnel and over 1,000 police officers authorized to the country, and as time progressed, and the conflict subsided, the number of military and police personnel also decreased.

In terms of transitional justice, a Truth and Reconciliation Commission (TRC) was mandated by the Accra Peace Accord, and in 2005 the Liberian Legislative Assembly approved the Truth and Reconciliation Commission Act, establishing the Liberian Truth and Reconciliation Commission. The commission investigated and heard statements concerning the period in Liberia from 1979-2003. Prior to its establishment, the Chairman of the National Transitional Government of Liberia (NTGL), Charles Bryant, first appointed the seven commissioners, and in 2005 they were

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inaugurated and approved by President Ellen Johnson-Sirleaf.\textsuperscript{425} The individuals serving on the Commission included five men and four women (all of whom were Liberian).\textsuperscript{426} All of the commissioners were from diverse backgrounds and locations within Liberia; however, most had previous experience with human rights activism and civil society.\textsuperscript{427} As we will see, it is similar to the Sierra Leonean TRC; the Liberian TRC was not mandated to prosecute individuals but was established to uncover the truth of the past.\textsuperscript{428} In regards to the commission’s purpose, analyst William Long specifies that “…It opens up a public space for reconciliation by allowing a formerly taboo subject to become amenable to the action of political bodies and future policies.”\textsuperscript{429} By the end of the final TRC report in 2009, the commission had recorded 163,615 violations from accounts of 93,322 victims, with forced displacement representing 36 percent of the reported violations, making it the most commonly reported violation. In addition, the report found that Charles Taylor’s National Patriotic Front of Liberia (NPFL) was responsible for the majority (39 percent) of all violations.\textsuperscript{430}

One of the main foci of the TRC mandate was gender, specifically women’s experiences during the conflict. The TRC created the TRC Gender Committee in 2006. Organizations that aided with the Gender Committee included the UNDP, UNIFEM, the

\begin{footnotesize}
\begin{itemize}
\item\textsuperscript{426} The Truth and Reconciliation Commission of Liberia, “Meet the Commissioners,” http://trcofliberia.org/about/commissioners.
\item\textsuperscript{427} Ibid.
\item\textsuperscript{429} Ibid, 2.
\end{itemize}
\end{footnotesize}
Ministry of Gender and Development, and other Liberian organizations. As detailed by the TRC, “…A gender committee was established to design and undertake projects that focused exclusively on engaging women in the TRC process; and the mainstreaming of women, women’s experiences, and women’s roles in other core functions of the TRC.”

Out of the Gender Committee, a Gender Unit was created and involved various outreach programs including meetings, conferences, and follow up services including counseling and medical care. Much of the funding was again provided by international organizations such as the Foundation Open Society Initiative (FOSI), the Women’s Campaign International (WCI), UNDP, and UNIFEM. The Gender Unit was able to bring together 12 organizations and cover all of Liberia’s 15 counties to establish projects that involved women and focused on their experiences. These activities included providing psychosocial support, engaging with traditional leaders, promoting ongoing awareness regarding gender issues, providing referrals for healthcare and trauma counseling. As the TRC report states, “The main medical and psychological issues that presented were internal problems from the sexual violence, depression and suicidal ideation.” All of these activities were created to raise awareness about and help prevent further acts of gender violence.

In addition, the TRC attempted to get women involved in all aspects of the Commission’s work. For example, women were heavily recruited as “statement takers,”

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432 Ibid, 11.
433 Ibid, 11.
434 Ibid, 12.
435 Ibid, 16.
436 Ibid, 16-20.
437 Ibid, 17.
438 Ibid, 15.
and when the TRC began gathering testimonials, 100 of the 198 statement takers were women and because of this, women were more involved in the Liberian TRC than women from previous truth commissions around the world had been.\textsuperscript{439}

The gender policy, proposed and created by the TRC’s Gender Unit and Gender Committee in 2006, specifically stressed gender equality and focused on women’s participation in all aspects of life. Advancing women’s rights was also key to the gender policy, including the right to knowledge, the equal right to inherit, the right to work, the right to education, and the right to housing. It also sought to promote a strong civil society and ensure women’s full participation and economic empowerment.\textsuperscript{440} The TRC’s mandate included the investigation of gross human rights violations of all types, and because rape and other forms of gender-based violence were some of the most reported crimes over the course of the war, the TRC was obligated, by its own mandate, to investigate these accusations.\textsuperscript{441}

The gender policy recommended gender-sensitive provisions, including promoting gender equity within the overall TRC structure, equal representation of women in TRC reports, and equal opportunity and access to TRC programs.\textsuperscript{442} The gender policy exclusively “…Accentuated the references made to gender in the TRC Act, stressing that a common understanding of gender equality and equity was key to a thorough investigation into the truth about Liberia’s past.”\textsuperscript{443} This approach would be important in rural areas of Liberia, discussion of sexual relations and sexual abuse have been regarded

\textsuperscript{439} Ibid, 13-14.
\textsuperscript{440} Ibid, 21-23.
as taboo and because of this, rural women have often remained silent about their suffering.\footnote{Ibid, 16.}

The TRC report did not simply focus on the sexual violence committed against women and girls. The commission detailed the disarmament, demobilization, and reintegration (DDR) process and also the forced recruitment of women and girls in combat. After the war, over 100,000 ex-combatants partook in the DDR process, with 68,952 men, 22,020 females, 8,704 male children, and 2,517 female children participating.\footnote{Irma Specht, “Red Shoes: Experiences of Girl-Combatants in Liberia,” (2006): 82.} Another report by the International Relations and Security Network (ISN) estimated that women and girls made up between 30-40 percent (25,000-30,000) of all Liberian fighting forces.\footnote{Abu Sherif, “Reintegration of Female War-Affected and Ex-Combatants in Liberia,” \textit{Conflict Trends} (2008): 28.} Because of the high numbers of children that were recruited as soldiers during the conflict, President Sirleaf enacted the Children’s Law of Liberia in February 2012. According to UNICEF, “…The law is one of the most comprehensive pieces of children’s rights legislation in the continent and is largely based on the UN Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child, ratified by Liberia in 1993 and 1992 respectively.”\footnote{United Nations Childrens Fund (UNICEF), “President Sirleaf Launches Children’s Law of Liberia,” last modified February 4, 2012, http://www.unicef.org/media/media_61579.html.} This law seeks to protect the rights of children in areas such as health, education, and freedom from abuse and violence.\footnote{Ibid.}

Interestingly, the 300 women participants in the DDR who did give their statements to the TRC did not want to categorize themselves as combatants but rather as
victims.\textsuperscript{449} Such a characterization makes sense, since the TRC revealed that 75 percent of the disarmed girls experienced sexual abuse, where rape occurred before, during, and after their recruitment.\textsuperscript{450} Many women and girls who lacked access or were unable to participate in the DDR process were prevented from claiming the benefits of the DDR process, including programs which reintegrated them back into their societies.\textsuperscript{451}

Although women were highly victimized over the course of the war, they were not solely victims. Liberian women assembled for peace during the course of the war. In 1994, women created organizations such as the Liberian Women Initiative (LWI), the Women Peace Initiative, the Women in Liberian Liberty (WILL), and the Women in Peace Building Network (WIPNET). LWI specifically wanted to place pressure upon all factions fighting within the conflict in hopes of ending the war.\textsuperscript{452} In addition, these organizations were key in creating and promoting food aid, rallies, demonstrations, and calling for disarmament and peace.\textsuperscript{453} Regardless of these women’s attempts at involvement, the Liberian Truth and Reconciliation Commission detailed:

…The contributions of women in Africa, from Somalia to South Africa, have gone largely unnoticed. Dismissed by governments and rebel movements who consider making war and peace to be men’s work – and often relegated to the role of “victim” by well-intentioned diplomats and aid agencies – women have had to fight their own battles for a seat at the peace table.\textsuperscript{454}

\textsuperscript{449} Specht, “Red Shoes,” 41-42. \\
\textsuperscript{450} Ibid, 16. \\
\textsuperscript{451} Ibid, 13. \\
\textsuperscript{452} Ibid, 45. \\
Because women are oftentimes viewed solely as victims, and are not largely visible in the political sphere, as we will see below, they are often dismissed in regards to peace processes and in turn, their voices are not heard and their experiences are not understood.

In Liberia, the Sirleaf government and organizations did attempt to curtail the violence that endured during the 14-year conflict. During the war, all sides committed general human rights abuses and extreme levels of sexual violence. By creating the TRC, the Liberian leadership attempted to reconcile the atrocities that were perpetrated on specific groups of society: women and children. This response, as well as other, will be examined later in this chapter.

RESPONSES TO WARTIME SEXUAL VIOLENCE: SIERRA LEONE

As in Liberia, following the conflict in Sierra Leone, because of the systemic nature of the attacks, efforts were made in hopes of combatting the human rights abuses and GBV, helping those who suffered, and bringing the perpetrators to justice.

After the war in Sierra Leone, the country was focused on rebuilding and reconstructing the government infrastructure, and local and national elections were held, including presidential elections, in 2002. Then-President Ahmed Tejan Kabbah was elected to a second term and the military, police force, and judiciary were reformed. As the United Nations Mission in Sierra Leone (UNAMSIL) mandate ended, the United Nations (UN) created the United Nations Integrated Office in Sierra Leone (UNIOSIL)

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through Resolution 1620 in 2005.\textsuperscript{456} UNIOSIL was instrumental in improving the institutions of the state, developing a plan for establishing a commission on human rights, promoting good governance, encouraging free and fair elections, and increasing initiatives regarding the safety and security of women and children.\textsuperscript{457} In addition to UNIOSIL, new institutions were created, including the Special Court for Sierra Leone (SCSL) (created in 2002), and the Truth and Reconciliation Commission (TRC), which began its operation in 2002 and ended in 2004. In regards to the gender-based violence that occurred during the conflict, the SCSL and the TRC have been seen as important contributors to gender-sensitive transitional justice.\textsuperscript{458}

In August 2000, the government of Sierra Leone and the United Nations Security Council (under UNSC Resolution 1315) established the SCSL, a hybrid court similar to the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), in order to prosecute the main perpetrators, or offenders, of the conflict.\textsuperscript{459} The court began operation in 2002 and is scheduled to finish after the conclusion of the Charles Taylor appeal sometime in 2013. The court has two trial chambers and an appeals chamber, with justices, male and female, from countries all over the world, including Sierra Leone.\textsuperscript{460} Aside from the Charles Taylor trial, which was moved to The Hague because of fears that it would provoke


\textsuperscript{457} Ibid.


\textsuperscript{459} A hybrid court combines international criminal bodies, complete with independent judges, with national law standards (Project on International Courts and Tribunals, “Hybrid Courts,” \url{http://www.pict-pcti.org/courts/hybrid.html}).

\textsuperscript{460} Special Court for Sierra Leone (SCSL), “Court Organization,” last modified 2011, \url{http://www.scsl.org/ABOUT/CourtOrganization/tabid/78/Default.aspx}. 
instability and political unrest, the SCSL trials were held within Sierra Leone, in hopes of combatting impunity and allowing for the community to see perpetrators punished for their crimes.\(^{461}\) The court was authorized to try individuals responsible for crimes against humanity and war crimes, which include sexual violence and rape, committed from November 1996-2002.\(^{462}\) While the Lomé Peace Agreement, signed in 1999, granted amnesty to all parties involved in the war, the UN refused to recognize the amnesties due to the fact that war crimes and crimes against humanity are accountable under international law.\(^{463}\)

In regards to the SCSL’s role, analyst Valerie Oosterveld details, “While the primary role of the Special Court for Sierra Leone and other similar tribunals is to consider the culpability of individuals for serious international crimes, they also have important secondary roles, including the provision of justice for victims.”\(^{464}\) In cases where the human rights violations were so widespread and resources were so limited, (as in the conflict in Sierra Leone), it is impossible to punish each perpetrator.\(^{465}\) Therefore, courts such as the SCSL and the TRC compensate for this failure by attempting to reveal experiences of the victims and establish a “social peace” in hopes that the atrocities do not happen again in the future.\(^{466}\) As mentioned earlier, the mandate of the TRC was to address impunity, respond to the necessities of the victims affected, reconcile society, and


\(^{462}\) Keih, Jr., “State-Building in Post-Civil War Sierra Leone,” 172.

\(^{463}\) Nowrojee, “Making the Invisible War Crime Visible,” 97.

\(^{464}\) Oosterveld, “The Special Court for Sierra Leone’s Consideration of Gender-Based Violence,” 75.


ensure that the abuses could occur in the future.\textsuperscript{467} The TRC was widely regarded as an important step in transitional justice and an alternative to judicial proceedings.

As of August 2012, the SCSL had indicted 21 individuals and ten of those indictments included sexual violence charges.\textsuperscript{468} Of the ten defendants with sexual violence charges against them, seven have been convicted, with the remaining three either deceased or still on trial. This includes Charles Taylor. Although Taylor played a large part in the civil war in Liberia and was president of Liberia for a period of time, he was charged and indicted in March 2003 by the SCSL for his role in the Sierra Leonean war.\textsuperscript{469} Taylor’s 11 counts include charges of rape, rape, sexual slavery, physical violence, enslavement, acts of terrorism, and pillage, among others.\textsuperscript{470} While Taylor was not accused of personally committing some of these offenses, he was charged with the crimes and was found to bear “culpable responsibility” because of his complicity and direct knowledge that these events were occurring.\textsuperscript{471} One of the more serious charges against him involves his membership in a “joint criminal enterprise.” Analyst Gill Wigglesworth explains:

Not only is Taylor alleged to have directly ordered crimes and to have aided and abetted them, he is also alleged to have participated in a joint criminal enterprise, the consequence of which was that many of the atrocities committed against the civilian population were either actions within the joint criminal enterprise or a reasonably foreseeable consequence of the joint criminal enterprise.\textsuperscript{472}

\textsuperscript{467} Nowrojee, “Making the Invisible War Crime Visible,” 92.
\textsuperscript{469} The Open Society Justice Initiative, “Trial Background.”
\textsuperscript{470} Wigglesworth, The End of Impunity?,” 817.
\textsuperscript{471} Turack, “Ending Impunity in Africa,” 193.
\textsuperscript{472} Wigglesworth, The End of Impunity?,” 817.
His trial, which began in January 2008, lasted for over four years. Taylor was found guilty on April 26, 2012 and his conviction has been seen as a victory for international and gender justice because it represented the first time a former president has been held responsible for wartime sexual violence and GBV. Following his conviction in 2012, Taylor was sentenced to 50 years in prison, to be served in the United Kingdom (as agreed upon by the SCSL and the International Criminal Court (ICC)). This conviction of a former political leader is remarkable; it is next to impossible to prosecute for rape in such cases because the burden of proof is difficult to establish. However, as Binaifer Nowrojee states, “…The experience of the Special Court illustrates that sexual crimes can be effectively addressed if the appropriate political will exists. Despite having significantly fewer resources and staff at his disposal than the ad hoc tribunals possess, Prosecutor David Crane has made a concerted effort to deliver justice to Sierra Leonean victims of sexual violence.”

As opposed to international criminal courts, which focus on the intellectual architects and major perpetrators of the war, truth commissions focus mostly on the victims. The commission in Sierra Leone dealt with crimes committed in that country from 1991-1999. As detailed by the TRC, “The Commission did not make findings on questions of innocence or guilt. It made factual findings in relation to responsibility and accountability.” Just as importantly, the TRC aims to provide a historical record of the

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474 Simons, “Ex-Liberian Leader Gets 50 Years for War Crimes.”
conflict. The TRC was active from November 2002 until October 2004, when it finished its final report and submitted it to the United Nations Security Council.

As part of its work, in May 2003, the TRC dedicated three days of hearings specific to the crimes committed against women during the civil war. The goals regarding these three days included: having women’s voices heard, erasing the stigma surrounding rape, and restoring victims’ dignity. The victims were able to choose whether to give their testimonies publicly or privately and only female commissioners questioned the victims, in attempts to make them more comfortable and more willing to give their testimony.

In its final report submitted in 2004, the TRC detailed that the war in Sierra Leone was mostly a war of Sierra Leoneans fighting other Sierra Leoneans and all fighting groups targeted civilians with indiscriminate violence and human rights abuses in which the war broke all societal traditions. The TRC released a 1,500 page report complete with a 3,500 page annex. The report focused on every aspect of the war, including the roots and causes of the conflict, the conflict period itself, and the human rights abuses that occurred.

Over 40,000 violations were reported to the commission. The commission identified and heard testimony from over 10,000 victims, with 33.5 percent being

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480 Ibid, 94.
female. The TRC found that the casualties were mostly male but that women and children were singled out for some of the worst abuses seen in any conflict, including child victims/soldiers, sexual violence, and displacement. Forced displacement accounted for the largest proportion of violations with almost 8,000 counts being reported, while 1,303 counts of rape, sexual slavery, and sexual abuse were reported to the commission (which is a small fraction of the estimated total partly due to the unwillingness of many victims to come forward). Many Sierra Leonean refugees (mostly women and children) sought exile in Guinea. However, many of these refugees experienced violence at the hands of the Guinean military. In addition to the mentioned crimes, other crimes committed largely against women included forced recruitment, forced sterilization, mutilation, forced detention, forced displacement, and forced drugging. Furthermore, the commission found that over half (60.5 percent) of the total violations from 1991 to 1999/2000 were committed by the RUF, and that the RUF committed the most violations during the entire conflict period in general.

While the exact number is unknown, it has been estimated that ten to 50 percent of combatants in various armed forces groups in Sierra Leone were women. There are estimates that rebel groups such as the RUF recruited or coerced girls into becoming

488 Ibid, 38.
child soldiers, and these girls comprised one-third of their forces (as both wives and soldiers). While the number of females that actually fought is unknown, one estimate by the TRC claimed that 44 percent of the girls interviewed had weapons training and knowledge of fighting tactics; if this is any indication, the number of girls who fought in combat could be very high. Yet female combatants received very little help after the war. For example, only eight percent of individuals helped by the disarmament, demobilization, and reintegration (DDR) plan established after the war were women. As analyst Marda Mustapha points out, the DDR focused exclusively on male combatants and “...Was a clear manifestation of the continued marginalization of and insensitivity towards women even in time of peace.” Interestingly, in regards to females as perpetrators of violence and combatants, the TRC found that these women and girls suffered a “double victimization.” The Sierra Leonean TRC found that in most cases, they were forced to fight against their will and secondly, are stigmatized by society because of their involvement in the war. After the war women who performed these roles were often resented and shunned for violating traditional gender roles which promote female subordination and enforce male domination.

After its investigation, the TRC issued a report making various recommendations to the government of Sierra Leone and suggesting various ways to improve conditions in the country. Although the largest portion of the report dealt with corruption, a section was

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493 Ibid, 104.
devoted to women, titled “Women and Armed Conflict.” Specific recommendations included the removal of structural inequality, making medical services available to females, and legislative protection for women and girls. One of the major recommendations was the amending of certain customary laws. This included reversing the law that required rape victims to marry their offenders, and reversing discrimination in regards to inheritance, political participation, property ownership, and divorce. In 2007, the Sierra Leonean parliament passed laws banning domestic violence and forced marriage, and now allows women to own property and have rights in terms of divorce and child custody.

While women were targeted indiscriminately during the conflict, they were not simple bystanders to the violence. Many women’s groups, including the Sierra Leone Association of University Women (SLAUW) and Women Organised for a Morally Enlightened Nation (WOMEN), were active in campaigning for peace. These organizations campaigned for peace and also usher in a democratic government. Specifically, SLAUW was instrumental in creating the Sierra Leone Women’s Forum that encompassed over 50 women’s organizations within the country and encouraged the peace process in 1994. The Women’s Forum and WOMEN encouraged the peace process by organizing conferences, demonstrations, debates, and rallies in order to gain support and increase knowledge about the peace process and the 1996 elections. Their promotion of the peace process and democratization was to no avail at times, as there

494 United States Institute of Peace, “Truth Commission: Sierra Leone.”
496 Ibid, 171-172.
were no women invited to participate in the Abidjan Peace Accord; instead only men associated with major parties of the Sierra Leonean government, and the RUF, the president of Côte d'Ivoire, and various other organizations were included in the meetings. 499

However, more organizations arose because of women’s increased participation and little by little, women in Sierra Leone became known as leaders in civil society, not only as victims. 500 As stated by the TRC, “Women played a major role in the peace process that led to the end of the conflict. After enduring years of destruction and chaos, women began to assume constructive roles as mediators and peacemakers.” 501 Many of the organizations that were started during this time focused on specifically on human and gender rights, including gender and sexual violence, such as the Campaign for Good Governance, Current Evangelism Ministries (Women at Risk Program), Grassroots Empowerment for Self Reliance (GEMS), Mano River Women's Peace Network, Sierra Leone Women Development Movement, The Mother's Union, Young Women's Christian Association of Sierra Leone, and Youth Wing/Women's Wing. 502

To summarize, the wars in both Sierra Leone and Liberia contributed to a large number of casualties and human rights abuses. In both conflicts, civilians were deliberate targets. In Sierra Leone it is estimated that over 50,000 were killed (0.01 percent of the population) and over six times as many people (300,000) were killed over the course of the war in Liberia (1 percent of the population). In Sierra Leone it has been estimated that

499 Ibid, 38; It has proved difficult to find information regarding each of the specific women’s organizations.
500 Badmus, “Explaining Women’s Roles in the West African Tragic Triplet,” 826.
as much as 72 percent of the female population encountered some form of human rights abuse and 50 percent were victims of sexual abuse over the course of the war.\textsuperscript{503} In Liberia, a similar proportion has been estimated where between 60 and 70 percent of women and girls experienced some form of sexual violence or rape.\textsuperscript{504} In addition, over 600,000 Liberians were displaced, with 80 percent being women and children.\textsuperscript{505} In Sierra Leone, far fewer people, close to 10,000 citizens were displaced, with over 36 percent being women and children.\textsuperscript{506} However, this is a relatively low percentage, where approximately half of refugee populations around the world are women.\textsuperscript{507}

In both Liberia and Sierra Leone, not only were women and children most often targeted for human rights abuses. Women and children in both conflicts experienced mass sexual assault, forced displacement, mutilation, torture, and abduction; neither case was worse or better for women or the population in general. No specific ethnic group was targeted in either country; human rights violations and killings were more generalized to the entire population. In the way that the RUF was primarily responsible for the destruction and fighting in Sierra Leone, the NPFL was primarily responsible in Liberia for most of the fighting; however, all parties committed human rights abuses and engaged in combat. Both societies experienced widespread destruction. In addition, both

\textsuperscript{503} Nowrojee, “Making the Invisible War Crime Visible,” 86.
\textsuperscript{504} Gross, “Arizona Girl’s Attack Sheds Light on Rape in Liberia.”; Men in both Sierra Leone and Liberia were also sexually assaulted but rates are unknown.
\textsuperscript{505} Republic of Liberia Truth and Reconciliation Commission, “Women and the Conflict,” 34.
eventually ended their respective wars with help from the international community. But just because the wars are over does not mean the violence is over.\(^{508}\)

**POST-CONFLICT SITUATION: LIBERIA**

At the cessation of the conflict in 2003, nearly 40 percent of Liberia’s population was considered undernourished, and adult life expectancy was only 41 years old.\(^{509}\) After a fourteen year conflict, as one might expect, the country was destroyed. All aspects of life were affected, as documented by the Liberian TRC. Given these circumstances analyst Mike McGovern questions what it would, or will continue to take, for Liberia to fully achieve reconstruction and peace building. He states, “There may not be a ‘one-size-fits-all’ approach to this. In Liberia, it will require a much longer term commitment to the country than is typically imagined…It will also require long-term engagement with the security sector, and a new look at issues of governance, [and] corruption…”\(^{510}\) This long-term engagement is necessary and crucial to the post-conflict period because, as McGovern details, the destruction of the country and its people were deliberate (which is common with most wars), and because of the tumultuous history of Liberia, its citizens cannot “look back” to a better time period, they must look forward instead.\(^{511}\) In 2012, nine years after the conflict, Liberia remains relatively “unpeaceful,” as evaluated on the Global Peace Index (GPI), ranking 96 out of 153 countries.\(^{512}\)


\(^{511}\) Ibid, 761.

How has the country fared with a female-led government? On the one hand, overall in regards to the rule of law in Liberia, the country outperforms most of Sub-Saharan Africa in terms of government accountability and security and fundamental rights. But it remains level with the rest of sub-Saharan Africa in the areas of open government and regulatory enforcement and access to justice. After being elected president of Liberia in the first post-conflict vote in 2005, Ellen Johnson-Sirleaf made the reconstruction of the country her top priority. For some analysts, such as Emily Stanger and Molly Kinder, the election of President Sirleaf was not only symbolic, it potentially shattered a long-standing glass ceiling for women politicians and women in general, where President Sirleaf called women her “greatest constituency.” As Stanger and Kinder detail, “In recognition of the centrality of women in her election, President Sirleaf declared in her inaugural address that she would ‘endeavor to give Liberian women prominence in all affairs of our country’ and to ‘try to provide economic programs that enable Liberian women…” Much of the international community has agreed. In 2006, President Sirleaf was named one of Forbes’ most powerful women in the world, and in 2010 Time magazine called her one of the top ten female leaders in world. In addition,

513 The World Justice Project, “Rule of Law Index 2011,” (2011): 77; “Accountable government” is described by the World Justice Project in a number of ways, including limited government powers, transitions of power and the absence of corruption. “Security and fundamental rights” are described as equal treatment and the absence of discrimination, right to life and security, due process of law, freedom of belief, expression, opinion, and religion, and labor rights.
515 Ibid, 3.
President Sirleaf, along with two other women (one Liberian), won the 2011 Nobel Peace Prize.\textsuperscript{517}

Steady explains how Sirleaf’s presidential election win in 2005 is considered a landmark election not only for women, but also for men where “Women saw this as a major advance for women and men saw this as breaking a taboo, which would make it easier for women to serve as heads of state.”\textsuperscript{518} In 2005, President Sirleaf received close to 60 percent of the votes, and in 2011, she received over 90 percent of the vote for president.\textsuperscript{519} Given that women in Liberia constitute half of the population, it can be assumed that indeed men voted for Sirleaf in 2005 and 2011, though in 2011 only 37 percent of registered voters in Liberia actually voted.\textsuperscript{520} The low voter turnout was not the only problem associated with the 2011 election. Her opponent, Liberian diplomat Winston Tubman, boycotted the second round of elections after claiming voter fraud; however, international observers from 31 countries found little evidence to support his claims, and her administration is largely viewed by Liberians and the international community as legitimate.\textsuperscript{521}

Yet, other analysts, such as Gwynn Thomas and Melinda Adams question whether women have actually broken the glass ceiling of national leadership or whether gendered cultural beliefs continue to ring true in regards to national political

\textsuperscript{517} Cowell et al., Nobel Peace Prize Awarded to Three Activist Women.”
\textsuperscript{518} Steady, \textit{Women and Leadership in West}, 232.
leadership. Thomas and Adams state that the election of Johnson-Sirleaf was unique for many reasons. Not only is she one of the few women in the world elected to national presidency without powerful familial political connections, she won the presidency in Liberia through the popular vote and was also elected president in a country with historic political instability, including high levels of gender violence. Her election is remarkable; however, having a woman president, or prime minister, does not simply equate to a national government that is dominated by women, nor does it equate to feminist or female-friendly policies.

As Thomas and Adams detail, women’s political representation in Liberia is actually below West African averages, where women hold on average 12.5 percent of the seats in lower houses and 16.7 percent of seats in the upper houses; these numbers in Liberia have doubled since 1997 when women held less than six percent of the lower house seats. Still, it is interesting to note that while the Liberian National Elections Commission adopted a law in 2005 that sought to ensure that at least 30 percent of candidates running for office should be women, the quota is not enforced. In order for women to increase their political participation, however, the executive leadership must be more willing to push for women’s inclusion in politics, specifically in the more powerful cabinet positions.

523 Ibid, 107; The other woman is Chile’s president, Michelle Bachelet, who served from 2006-2010.
Furthermore, the Liberian parliament continues to fall behind other post-conflict African countries in regards to female representation.\textsuperscript{526} For example, women in Rwanda comprise more than 50 percent of their national parliament, and more than 40 percent of South Africa’s members of parliament are women.

While the gender quota is hardly enforced, analyst Veronika Fuest explains how women’s roles and opportunities have shifted as a result of the conflict. For example, since the war, women have been able to embrace more leadership roles in different sectors of Liberian society, including religious, political, and civil divisions, due to vacancies left because of the war and government shakeups. Although women have taken up new responsibilities after the war, they have not been able to exercise the power that usually comes with those responsibilities and positions. For example, women have made political gains in terms of appointments yet have not amassed the power to enact gender reform. Have these changing roles and opportunities changed women’s status and current rights in Liberia? In addition to more female representation in the upper and lower house of the Liberian legislature, the first female chief of the police force was nominated by President Sirleaf, and 22 percent of President Sirleaf’s cabinet members were female in 2008.\textsuperscript{527} As of 2012, 28.5 percent of her cabinet were women, a slight increase from 2008. Other leadership positions occupied by women include mayors (33 percent of the country’s mayors were women in 2011) and Supreme Court judges (two of the five judges were women).\textsuperscript{528} These appointments are signs that women are gaining more leadership within society, but are these women the exception rather than the rule? Or

\textsuperscript{526} Thomas and Adams, “Breaking the Final Glass Ceiling,” 113; The other post-conflict African countries with high female representation in parliament include Rwanda (48.8 percent), Mozambique (30.4 percent), South Africa (32.8 percent), Burundi (30.5 percent), and Uganda (29.8 percent).
\textsuperscript{527} Ibid, 203.
\textsuperscript{528} Steady, \textit{Women and Leadership in West},” 103.
have these advancements infiltrated other levels of Liberian society and are they changing the culture concerning women?

Historically and presently, women have encompassed the majority of Liberia’s work force, making up more than 50 percent of informal and formal workers. However, they continue to occupy the least profitable sectors of the economy. As detailed by Stanger and Kinder, “A striking 90 percent of working women are employed in the informal sector or in agriculture, compared to 75 percent of working men. In contrast, men are more than three times as likely to be employed by the civil service, nongovernmental organizations, international organizations, or public corporations.”

Because of these employment differences, men are much more likely to be paid for their work, or paid more for their work, versus women who are most often clustered into the lowest paying of the informal sectors of the economy and associated with their occupations, men are also more likely to have higher skills and education. For example, the top occupations for women, other than agriculture, are petty trading or street vending whereas men occupy mostly professional or clerical jobs, requiring higher skill levels and receiving higher pay. This disparity is present despite the fact that women in Liberia make important and substantial contributions to their family’s household incomes and also to the Liberian economy as a whole.

Other aspects of women’s lives remain determined by their gender as well. According to the Social Institutions and Gender Index (SIGI), which rates countries

529 Stanger and Kinder, “Fulfilling President Sirleaf’s Mandate,” 5-6.
530 Ibid, 6.
531 Ibid, 6.
532 Ibid, 7.
based on women’s status and rights, Liberia ranks in the lower third (62 out of 89).\textsuperscript{533} Not only does Liberia rank low in terms of general human development, Liberia continues to rank low in terms of gender equality, explained by a discriminatory family code, restricted physical integrity, restricted civil liberties, and high levels of maternal mortality.\textsuperscript{534}

However, Liberia’s maternal mortality rate improved from 1990 when 1,100 deaths occurred per 100,000 live births to 2008 when the level was 990 deaths per 100,000 live births.\textsuperscript{535} On the other hand, to illustrate the large disparity between Liberia and other parts of the world, Liberia’s maternal mortality rate in 2011 was relative to Sweden’s maternal mortality rate in the 17th century.\textsuperscript{536} Furthermore, women’s life expectancy remains low, at 58 years old, and only ten percent of married women use contraception.\textsuperscript{537} Women also comprise the majority (over 50 percent) of adults in Liberia living with HIV/AIDS.\textsuperscript{538} The rate of HIV positive pregnant women receiving antiretrovirals has increased doubly since 2003 and the number of new infections among infants has steadily declined since 2003.\textsuperscript{539}

When it comes to education, Liberia continues to have lower female enrollment rates in regards to both primary and secondary schooling, where 85 percent of boys attend primary school whereas only 60 percent of girls are enrolled. Following this trend, in 2011, 25 percent of school-aged boys are enrolled in secondary school in Liberia.

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\textsuperscript{533} OECD, “Liberia.”
\textsuperscript{534} Ibid.
\textsuperscript{539} Ibid.
whereas only 14 percent of school-aged girls attend secondary school. Despite this disparity, however, it is interesting to note that 80 percent of girls aged 15-24 are literate (compared to 70 percent of boys).\textsuperscript{540} In terms of the overall adult literacy rate, however, only 53 percent of women compared to 63 percent of men are considered literate.\textsuperscript{541} On the other hand, this is an increase from 1970 when female literacy rates in Liberia were eight percent and from 1985 when female literacy rates were 23 percent.\textsuperscript{542} These numbers reflect a generational shift that shows females (despite disadvantages in access to education) to be catching up and surpassing males.

It is evident from the information presented above that progress for women in general has been slow since the conflict ended in Liberia. At her inauguration, President Sirleaf promised to provide “quick and visible progress” grouped under four major pillars: Security, Economic Revitalization, Basic Services and Infrastructure, and Good Governance.\textsuperscript{543} As an economist, economic revitalization and swift action against corruption has been at the forefront of President Sirleaf’s agenda. In post-conflict situations, economic revitalization and corruption often receive the most attention, and other issues, such as the persistence of violence, especially gender violence, receive much less attention. This is no different, even with a female executive. According to analyst Bruce Baker, as far as crime and policing:

\textsuperscript{541} United Nations Department of Economic and Social Affairs, “The World’s Women 2010,” 189.
Like many African countries, Liberia is seeking to make policing provision the sole prerogative of the state. Here is a police service with few radios, vehicles, and skills; and yet the government assures the public that by achieving its recruitment target of 3500 police officers it is going to be able to provide crime protection and investigation for a population of 3 million.\footnote{Bruce Baker, “Resource Constraint and Policy in Liberia’s Post-Conflict Policing,” \textit{Police Practice and Research} (2010): 189.}

In terms of other aspects of the rule of law, Liberia continues to fare poorly, according to organizations such as the World Justice Project, Transparency International, and Freedom House. For example, the World Justice Project ranked Liberia last in the region in areas such as open government, effective regulatory enforcement, effective civil justice, and effective criminal justice.\footnote{The World Justice Project, “Liberia,” last modified 2012, http://worldjusticeproject.org/country/liberia.} In particular, Liberia ranks exceptionally low in terms of law stability and comprehensibility, and due process.\footnote{Ibid.} Given this information, it is not surprising then that Liberia has many persisting post-conflict problems with violence. According to the 2012 Global Peace Index, Liberia ranks “less peaceful” on a spectrum in areas such as perceived criminality in society, homicides, access to weapons, security officers and police, violence crime, and political instability.\footnote{Vision of Humanity, “2012 Global Peace Index,” http://www.visionofhumanity.org/gpi-data/#/2012/DIST.}

One of the most prevalent, long-standing issues in Liberia today, and a central focus to this study, is the widespread sexual violence that has continued since the cessation of formal conflict. Because the sexual violence in Liberia was such a pervasive part of the conflict, President Sirleaf and her government enacted a gender-based violence National Plan of Action in 2005, shortly after her election. Institutional and legislative reforms were made to the Liberian system, specifically concerning rape and sexual violence. In 2008, a new sex-crimes court, Criminal Court E, dedicated to
prosecuting rape and other sexual violence acts was created by the Liberian government and began functioning in February 2009.\textsuperscript{548} For example, according to a new law, if convicted, a perpetrator could receive life in prison for first degree rape, or ten years imprisonment for second degree rape. However, often a more punishing sentence actually means that fewer rapists are tried and/or found guilty because members of society and law enforcement are often hesitant to impose stiff sentences. Given this information, very few perpetrators have been prosecuted for rape or sexual violence since the passing of this new law and court.

While the new law and court are important initiatives, Cummings reveals, “…Actual indicators show that sexual violence remains prevalent, and that six years after Liberia’s peace settlement and nearly four years after the passage of its new rape law and President Sirleaf’s election, key reforms have yet to take hold in a way that appreciably deters the problem of rape and gender-based violence.”\textsuperscript{549} For example, in one hospital in Monrovia in 2008, \textit{Médecins Sans Frontières} (MSF) treated 771 rape victims and only four of their cases were pursued in court.\textsuperscript{550} Also in 2008, 780 rape cases were reported to the Liberian National Police and less than 25 percent of those cases went to court, perceivably due to lack of evidence or the cases being settled privately.\textsuperscript{551} For example, the UN found that between April 2010 and March 2011, only 38 of the reported 903 rape cases reached trial, and only 17 resulted in convictions.\textsuperscript{552}

\textsuperscript{549} Ibid, 242.
\textsuperscript{550} Ibid, 242.
\textsuperscript{551} Ibid, 243.
In addition, the definition of rape itself was changed to include penetration with any object, where this had previously been left out, and anyone under the age of 18 is unable to consent to sexual acts, whereas previously there was no age of consent.\textsuperscript{553} In addition, rape is no longer a bail able offense, whereas prior to 2006, a suspect could be arrested and released the next day.\textsuperscript{554} Regardless of these legislative changes, analyst Sara Kuipers Cummings points out that these initiatives mean little because rape prosecutions “…Require effective police forces, operating judicial institutions, and the additional infrastructure of functioning and accessible health clinics.”\textsuperscript{555} In addition to only having 3,500 police officers for the entire country, the police force had three functioning patrol cars in 2003 and the force continues to only be ten percent female, as opposed to the TRC recommended 20 percent.\textsuperscript{556}

In addition to an inadequate police force, only three of the 130 magistrates in Liberia had law degrees in 2006, and half of the 300 justices of the peace were illiterate.\textsuperscript{557} Furthermore, some villages and towns in Liberia do not have functioning courts, making access to justice almost impossible. In other places with operative courts, some only function 42 days out of the year.\textsuperscript{558}

But even if these legal reforms were implemented, it is easier to change a law than a culture.\textsuperscript{559} Since the war, rape continues to be the most reported crime in the country

\textsuperscript{553} Cummings, “Liberia’s ‘New War’,” 236.
\textsuperscript{555} Cummings, “Liberia’s ‘New War’,” 237.
\textsuperscript{556} Ibid, 237.
\textsuperscript{557} Ibid, 238.
\textsuperscript{558} Bruthus, “Zero Tolerance for Liberian Rapists,” 35; We must allow that Liberia is a rather poor country, emerging from a 14-year conflict, and has many pressing needs.
\textsuperscript{559} By referencing “culture” I am not referring to Liberian culture, and I am not trying to demonize or stigmatize the culture this way. “Culture” in this sense is defined as the rape culture that was brought by the conflict, which militarized society and tore at the social fabric.
According to police statistics, and as UNICEF states, “Sexual violence occurs across all socio-economic and cultural backgrounds; women may be socialized to accept, tolerate or rationalize it. A weak justice system, the lingering violence of the war and an unwillingness to report instances compound the situation. No one is safe from assault.”

Higher reporting rates may be attributed to Liberia’s National Plan of Action and Criminal Court E, both of which have increased women and girls’ access to justice. In terms of the permeation of a culture of sexual violence, The New York Times columnist Nicholas Kristof describes the rape of a seven-year-old girl in Liberia, where many of the victims are younger than 13 years old. Kristof details “…Somehow mass rape survived the end of the war; it has been easier to get men to relinquish their guns than their sense of sexual entitlement.”

This is just one example of observers taking note of this trend in Liberia. Others include UNICEF, UNIFEM, IRIN, the International Rescue Committee (IRC), the West Africa Network for Peacebuilding (WANEP), and the Association of Female Lawyers of Liberia (AFELL), among others.

A government survey for the period of 2005/2006 found that 92 percent of the 1,600 women and girls interviewed said they had been raped or endured some other form of sexual violence since the war ended. From October-December 2006, 164 cases of GBV were reported to the IRC in Lofa County alone. In 2007, four years after the war, the IRC found that 12 percent of girls 17 years old and under had been sexually assaulted in the last year and a half. In a similar study in 2007, the Liberian Demographic and

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561 Kristof, “After Wars, Mass Rapes Persist.”
563 Ibid.
564 Kristof, “After Wars, Mass Rapes Persist.”
Health Survey (LDHS) found that 45 percent of women ranging from 15-49 years of age had experienced some form of physical violence and 20 percent had been sexually assaulted since the war has ended.\textsuperscript{565} From January-April 2009, Doctors without Borders treated 275 sexual violence victims in Liberia, and 28 percent were younger than four and 33 percent were between the ages of five and 12.\textsuperscript{566} Indeed, police and clinical reports show that over 60 per cent of rape victims in recent years in Liberia are girls of less than 18 years.\textsuperscript{567} As the country demobilizes, the perpetrators are no longer soldiers; they are more likely to be teachers, husbands, and other family members.\textsuperscript{568}

In fact, according to the IRC, domestic violence, which is not illegal in Liberia, has also become increasingly common (both during conflict and after).\textsuperscript{569} The domestic abuse that women face in Liberia does not only affect women’s lives, but it prevents the country as a whole from moving forward from the conflict and should be seen as a humanitarian issue.\textsuperscript{570} According IRC President Robert Rupp, “Domestic violence is often considered a private matter, minimised as a cultural practice or seen as an issue that can be addressed only after peace and development take hold.”\textsuperscript{571} But, a 2008 WANEP study found that while the intensity of the sexual violence, such as sexual slavery and/or gang rape, has decreased since the height of the conflict, women continue to be exposed

\begin{footnotes}
\item[566] Kristof, “After Wars, Mass Rapes Persist.”
\item[568] Golakeh, “Liberia Becoming Leader in Eradicating Sexual and Gender-Based Violence.”
\item[570] Ibid.
\item[571] Ibid.
\end{footnotes}
to “survival sex” (such as prostitution), sexual harassment and domestic violence. As analyst Babatunde Ahonsi details, “This is because intimate relations have become more militarised, a legacy of the normalisation or tolerance of sexual violence that developed during the long years of open warfare. Unlike the special rape law, which was instituted in Liberia after the war and banned rape for the first time in the country’s history, there is no push for law or legislation regarding domestic violence; instead, it is viewed primarily as a private family matter.

Clearly, the post-conflict sexual violence continues ten years after the wars’ end. Because the war broke virtually every societal taboo concerning sexual and gender violence, rape and sexual abuse have continued at high levels, despite the cessation of conflict. AFELL states that even today they receive reports of at least six rape cases each day. Because the conflict has ceased, it is no longer possible to simply say that soldiers are the perpetrators. It is more difficult to point out the offenders because soldiers and rebels have began to reintegrate back into society and now include teachers, religious leaders, and male family members. However, as seen above, even when women and girls do come forward, they still receive little recourse. In regards to the connection between sexual violence and domestic violence, there will be no progress against one until the other is also dealt with.

\[\text{Footnotes:} \]

573 International Rescue Committee, “Let Me Not Die Before My Time: Domestic Violence in West Africa,” (2012): 20; Prior to the rape law, only gang rape was viewed as a serious crime.
574 Kristof, After Wars, Mass Rapes Persist.”
576 Ibid, 35.
POST-CONFLICT SITUATION: SIERRA LEONE

The civil war in Sierra Leone that lasted from 1991-2002 nearly destroyed Sierra Leonean society. Coming out of the war, in 2002, Sierra Leone ranked last (173 out of 173) on the United Nations Development Programme’s (UNDP) Human Development Report on civil liberties, political rights, press freedom, rule of law, corruption, and political stability.577 In addition, in 2002 when the conflict was over, Sierra Leone ranked last (173 out of 173) in regards to life expectancy (38.9 years of age), adult literacy rate (36 percent), and GDP per capita ($490 U.S. dollars).578

Today, in regards to health and healthcare in Sierra Leone, both women and men have some of the lowest life expectancies in the world in 2009, with 49 years of age for women and 46 years of age for men.579 Over half of the people living with HIV/AIDS in the country are women (55 percent), with only 18 percent of the overall population able to receive antiretroviral therapy (ART) treatment for advanced HIV infection.580

Similar to Liberia, Sierra Leone had a long tumultuous journey ahead in order to achieve some sort of reconciliation and healing. As mentioned earlier, the first post-conflict presidential elections (held in 2007) ushered in democratically elected President Ernest Bai Koroma of the All People’s Congress (APC). This was a surprising development, according to the International Crisis Group, “The APC victory climaxed a remarkable turnaround in the fortunes of a party whose reputation had seemed irredeemably tarnished by association with the corrupt pre-war oligarchies led by Siaka

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578 Ibid, 152.
Stevens and J.S. Momoh. But President Koroma appealed to the voters by promising to battle corruption and patronage that has historically caused problems for the country, and also to lower poverty rates and deal with other societal problems, such as violence against women.

Specifically regarding women, Koroma stated that gender equality is critical in achieving good governance in Sierra Leone. In a compilation of various speeches, President Koroma has called women in Sierra Leone as “everything,” and has stated that their roles in society must be appreciated. He appears to have lived up to his word as the Koroma administration apologized on behalf of the government for the atrocities that women and girls faced throughout the course of the civil war, a recommendation made by the Truth and Reconciliation Commission (TRC). President Koroma has not been without criticism, however; much of this criticism has come from citizens wanting more improvement fighting poverty. Women’s organizations in Sierra Leone, such as Women in Security Sector-Sierra Leone (WISS-SL), have thanked him for putting women’s issues on the forefront of his administration, specifically for his appointment of Naasu Fofanah to Gender Specialist in the Office of the President in July 2012. In addition, a columnist for Newstime Africa writes, “The international community has reaffirmed its support and commitment to the Koroma-led administration. The amount of assistance

582 Ibid.
584 Ibid.
flowing into the country is a clear manifestation of the confidence stakeholders have on the President Ernest Bai Koroma and his government."

In Sierra Leone, as of 2012, women hold 12.5 percent of the seats in parliament. This is below world averages, but is a significant increase from 1995 when females comprised only 6.25 percent members of parliament, holding five out of 80 seats. In addition to their improved representation in the legislature, President Koroma appointed three women in 2002 to ministerial positions (Minister for Social Welfare, Gender and Children’s Affairs, Minister of Trade and Industry, and Minister of Health). Since the 2007 elections, the president appointed two more women to ministerial positions including Minister of Foreign Affairs and International Cooperation and Minister of Energy and Power. This is significant given that trade and industry and energy and power are not fields traditionally left to women. In 2008, the president appointed Her Ladyship Umu Hawa Tejan-Jalloh as the first female Chief Justice and Kestoria Kabia, the country’s first female Brigadier. Most recently, in September 2012, the Sierra Leonean Minister of Health and Sanitation, Zainab Hawa Bangura, a key advisor to President Koroma in matters such as foreign affairs and international cooperation, was appointed as the United Nations Special Representative on Sexual Violence in Conflict.

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588 Steady, Women and Leadership in West Africa, 177.
589 Ibid, 178.
590 Ibid, 179.
While Liberia is the only country in Africa to have a female head of state, it is not the only country to have a female run for president. For example, in Sierra Leone in 2002, Zainab Bangura (the current Special Representative of the United Nations Secretary General on Sexual Violence in Conflict) ran for president, but only received 0.6 percent of the vote, tying for sixth place. Bangura is not a lifelong politician and only first emerged as a political figure in 2002. Prior to running for president in 2002, she founded Women Organized for a Morally Enlightened Nation (W.O.M.E.N.) and was a civil society activist.\footnote{Africa Confidential, “Zainab Hawa Bangura,” http://www.africa-confidential.com/whos-who-profile/id/2274.} Interestingly, her presidential loss has been attributed to her stance on instituting age restrictions on female genital cutting (FGC) in Sierra Leone (where nearly 90 percent of girls have had the procedure).\footnote{Ibid.} Bangura lost to Ahmed Tejan Kabbah, who won 70 percent of the vote, and was re-elected president by avoiding such controversies such as FGC and by focusing on disarmament and building unity after the war.

As women increase their visibility in the political sphere, there will undoubtedly be more female candidates for president to come.\footnote{NEC, “2011 Presidential and Legislative Elections.”} However, in 2012, opposition presidential candidate Julius Maada Bio stated that running more women on the ticket would be “political suicide.”\footnote{Public Radio International, “Women in Sierra Leone Face High Barriers to Participation in Politics,” last modified November 16, 2012, http://www.pri.org/stories/world/africa/women-in-sierra-leone-face-high-barriers-to-participation-in-politics-12120.html.} Interestingly, however, Bio selected Kadi Sesay, a woman, as his running mate (and had he won, she would have been the country’s first female vice president).\footnote{Ibid.} His decision to choose Dr. Sesay has been seen as a strategy to
garner votes in the north of country, given that she is from the north (as is President Koroma), and also to acquire female votes in general.597 But, evidently there are limits on how far they were willing to pursue the female voter, perhaps out of fear that it would alienate men. Arguing that it would cause them to lose, Bio and Sesay only endorsed 10 women from their party for parliament.

In the 2012 Sierra Leonean elections, only 38 women ran for parliamentary positions, compared to 548 men.598 Furthermore, only 337 women ran in local elections, out of 1,283 candidates.599 In terms of the parliamentary election results, President Koroma’s All People’s Congress (APC) held the majority, winning 67 of the 124 seats in parliament and gaining eight seats.600 More women were willing to run in the 2012 elections than in 2002 and 2007. Of the candidates running for parliament, women won 16 total seats, eight from the APC, and eight from the Sierra Leone People’s Party (SLPP); the same number as in 2007.601 This continued gender gap can be attributed to many things including a lack of education and employment opportunities.

In regards to women and leadership positions in Sierra Leone, Steady points out, “The overall progress for women in political leadership is slow, but women are

advocating for increased participation, becoming more organized, and presenting candidates for election.\textsuperscript{602} Regardless of this perceived progress, women only make up ten percent of the national cabinet and 11 percent of elected councilors at the local level.\textsuperscript{603} As mentioned earlier, although a quota requiring parties to have 30 percent women was recommended by the TRC in 2004, no such quota has been installed in Sierra Leone. As we have seen, however, the existence of a quota does not necessarily mean results; in Liberia a 30 percent quota for women on party lists has done little in regards to women elected to parliament and other offices. Still, women in Sierra Leone continue to push for it. The Sierra Leonean TRC, the CEDAW convention, the UN Beijing Platform for Action, and the African Charter on Human Rights and Peoples’ Rights continue to support quotas for women on party lists.\textsuperscript{604}

In regards to the Sierra Leonean workforce, women comprise 51 percent of the labor force; however, women overwhelmingly work in the agricultural sector (71 percent) and less in the services sector (26 percent), and are almost non-existent in the country’s industrial sector (3 percent).\textsuperscript{605} While women continue to participate less in the formal economy of the country, they provide wages and resources for the household. Moreover, women and girls are overwhelmingly responsible for the collection of water and firewood; both essential for the survival of rural families.\textsuperscript{606}

\textsuperscript{602} Steady, \textit{Women and Leadership in West Africa}, 178.
\textsuperscript{603} Ibid, 181.
\textsuperscript{606} Ibid, 143, 145.
In 2012, the World Bank estimated that one in 25 women in Sierra Leone die from either childbirth or complications relating to pregnancy.\textsuperscript{607} To this note, Sierra Leone has the sixth highest maternal mortality rate (970 out of 100,000 live births) in sub-Saharan Africa, following only behind Chad, Somalia, Guinea-Bissau, Liberia, and Burundi.\textsuperscript{608} However, in attempts to reduce the country’s high maternal mortality rate, the Koroma administration issued free health care services in 2010 for mothers, pregnant women, children under five, and mothers who are nursing.\textsuperscript{609} These free services were established to help over 230,000 pregnant women and one million children.\textsuperscript{610} One criticism of the program remains the fact that these free health care services are not accessible for some women because they were unable to travel to the clinics, and that victims of sexual and domestic violence are not specifically covered, unless they are mothers or are pregnant.\textsuperscript{611} Such reforms to healthcare however, are needed; Sierra Leone is ranked by the World Bank as one of the worst places in the world for girls because of its high infant mortality rate, especially for girl babies.\textsuperscript{612}

In regards to education, for women aged 25 years and older, fewer than 30 percent are literate, compared with 52 percent of men. Fewer than 46 percent of girls aged 15-24 are literate, compared with 66 percent of boys the same age.\textsuperscript{613} For secondary school enrollment, 27 percent of boys attend school versus 19 percent of girls.\textsuperscript{614} While the

\textsuperscript{610} Ibid.
\textsuperscript{613} United Nations Department of Economic and Social Affairs, “The World’s Women 2010,” 190.
\textsuperscript{614} Ibid, 196.
literacy rates both women and men are low, they have steadily increased since the 1970s, when rates were eight percent and 18 percent, respectively.\footnote{UNDP, “Human Development Report 1990,” 136.}

It is evident from the information presented above that women in Sierra Leone continue to struggle, partly based on their gender. For example, the Sierra Leonean constitution, amended in 2001, recognizes customary law, even though some laws are discriminatory towards women and girls.\footnote{The World Bank, “World Development Report 2012,” 166.} However, in 2007, the government passed laws to prohibit domestic violence and forced marriage, and also granted women the right to own and inherit property.\footnote{Freedom House, “Freedom in the World: Sierra Leone,”} These laws were pushed for by various women’s groups within the country. Despite the mentioned changes to the law, traditional and societal discrimination continues to exist, as will be discussed below.

As in Liberia, rape continues to be a problem and the rapists are now more likely to include teachers and family members.\footnote{Johannes John-Langba, “HIV, Sexual Violence and Exploitation during Post-Conflict Transitions: The Case of Sierra Leone,” (2008): 5.} This fact makes rape even harder to gauge and combat. Similar to the situation in Liberia, all community and societal sexual taboos were broken during the war in Sierra Leone. The act of rape was so widespread it was trivialized by assailants. Since the war, rape continues to be a pastime for some. In 2010, over 65 rapes were reported each day in the city of Makeni, and similar numbers are recorded in both the Kono and Kailahun districts.\footnote{Richard B. Bockarie, “Domestic Violence Rocks Salone,” last modified February 24, 2010, http://www.sierraexpressmedia.com/archives/6074.} In an attempt to deal with the problem, on August 24, 2012, Sierra Leone’s House of Parliament passed the Sexual Offenses Act, which increases jail time for perpetrators of sexual violence and sets penalties for forced marriage, where before, there were no punishments for forced and/or
underage marriage. The law is not without opponents, however, with members of parliament claiming that the penalties are too harsh. This opposition reinforces the traditional idea that sexual violence and domestic violence is not serious crime but a private matter that should not go through formal courts.

To improve reporting rates, in 2003, the government created the Family Support Unit (FSU), with help of the United Nations Development Programme (UNDP) and the Sierra Leonean Police Force. The FSU attempts to combat sexual violence, rape, and domestic violence. Since the creation of the FSU, reports of abuse and rape have increased due to the fact that women and girls now have a greater access to report these crimes. This is remarkable in a country where rape has historically been seen has a societal “norm” rather than a criminal offense. As the U.S. Department of State details:

During the year [2008] the FSU recorded 1,186 cases of sexual assault. In these cases, 437 perpetrators were charged, while 555 were still under investigation. The International Rescue Committee (IRC) reported that at least 25 cases resulted in convictions, with perpetrators receiving sentences between 18 months and seven years. Rape cases frequently were settled out of court or did not make it to trial because of inefficiencies in the judicial system.

Most recently, from January to June 2011, the FSU recorded 95 cases of sexual assault, down from 1,186 in 2008. As the U.S. Department of State explains, data for convictions was not known, but few perpetrators were even charged. In addition, very

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621 Ibid.
623 Ibid; While perpetrators in Liberia can receive the death penalty for first degree rape, no one has received the death penalty in a rape case. Only 10 people have been convicted since the rape court was set up (Fran Blandy, “Liberia’s Women Still Stalked by Rape,” last modified November 24, 2008, http://mg.co.za/article/2011-11-24-liberia-women-still-stalked-by-rape).
few of the legal advisors in charge of these cases were qualified. For example, some advisors and prosecutors only had three weeks of training.\textsuperscript{625} As recently as February 2011, however, special courts known as “Saturday Courts” were founded in an attempt to speed up the process and deal with backed up case logs.\textsuperscript{626} Regardless of this improvement, gathering evidence in regards to sexual abuse and violence remains difficult. According to a UN report, in the western area of the country there is only one doctor and only 12 doctors in the entire country who can provide exams documenting evidence of sexual abuse.\textsuperscript{627} For example, the Saturday Courts have increased the number of cases (more than 600) and have also decreased the time it takes to hear these cases; prior to the Saturday Courts, the trial process for sexual violence victims could take up to three years, but now can take only three weeks.\textsuperscript{628}

In addition to the FSU and Saturday Courts, in 2007, the IRC combined with the Sierra Leonean government to create Sexual Assault Referral Centers (SARC) in the cities of Freetown, Kinema, and Kono. All services, including psychological support, counseling, medical exams, food, clothes, and legal support, are free. In these three centers alone, over 1,500 sexual assault survivors were helped between March 2003 and September 2005. In addition, clinics and doctors are reporting higher levels of rape and sexual violence against young girls and children. In 2011, the IRC reported that 26 percent of its rape patients were under 11 years old, where some were as young as ten.

\textsuperscript{625} Blandy, “Liberia’s Women Still Stalked by Rape.”
\textsuperscript{627} Ibid, 19.
months old.\(^{629}\) In 2006, the FSU reported that 65 percent of reported rape victims were under 18 years of age.\(^{630}\)

The SARC reform however, is significant as analyst Amie-Tejan Kellah details, “Singled out by UNHCR in 2004 as one of seven ‘best practice’ GBV programmes worldwide, the SARC project has taken a multi-disciplinary approach to sexual assault. Since no single agency or organisation has the mandate or the capacity to address GBV alone, SARC has worked with a range of government and nongovernment stakeholders.”\(^{631}\) But because so many women and girls in Sierra Leone need assistance, it is difficult and nearly impossible to help everyone who needs it.

As mentioned earlier, in terms of domestic violence, in 2007 Sierra Leone passed the Domestic Violence Act, making it a criminal offense for the first time in the country’s history.\(^{632}\) During 2009, the FSU received 2,738 domestic violence reports. Out of these reports charges were filed in only 360 cases.\(^{633}\) In 2011, the FSU received 999 reports of domestic violence but charges were filed in only 133 cases, and there were seven convictions.\(^{634}\) While the number of reports declined, this does not necessarily mean a decline in rates of domestic violence. It is possible that because of the rarity of convictions in domestic violence cases, women no longer bother to report these crimes, because more than likely no charges will be filed.


\(^{631}\) Ibid, 53.

\(^{632}\) Freedom House, “Freedom in the World: Sierra Leone.”


Another reason why few cases end in conviction is that many women in Sierra Leone are dependent upon their husbands for money, and because of their financial dependence, they may be less willing to press charges. But, more women are coming forward, possibly because of the Domestic Violence Act. It is mostly urban women who report rape and domestic violence. Rural women are far from police stations and because they are more vulnerable to familial pressures to not report, rural women are more likely to suffer in silence. Another reason some women choose not to come forward is because the police will not take her charge seriously, as seen in a testimony given to the IRC, “Some of the police, they can say, ‘It’s because of your ways that your husband beat you.’ Sometimes in your presence they will say, ‘Okay, I’m going to jail this man for beating you,’ then as soon as you leave, they’ll set him free. Sometimes the men bribe the police.”

While Sierra Leone is one of the few countries in West Africa to criminalize domestic violence, the country has only 50 social workers, and the Ministry of Social Welfare, Gender and Children’s Affairs (the ministry that supervises the Domestic Violence Act) receives only 1 percent of the national budget. This figure is exceptionally low, but not unusual. The Ministry of Defense receives 18.2 percent of the national budget, while the Ministry of Education, Youths, and Sports receives only 14.6 percent, and the Ministry of Health and Sanitation receives less than 7 percent of annual

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638 Ibid, 21.
Again, while the 1 percent allocated to the Ministry of Social Welfare, this is an increase from 0.4 percent of the national budget in 2010.

For these women and girls, the same problems that contributed to wartime rape are associated with the high levels of domestic and intimate partner violence. According to the IRC, domestic violence is the “…Most urgent, pervasive and significant protection issue for women in West Africa.” The IRC has called on the international community to draw attention to the problem and increase aid in order to help combat it. The problem, they point out, is that the international community is now willing to draw attention to wartime rape, but is reluctant to do the same for post-conflict domestic violence. They explain, “If the humanitarian community ignores what has been considered a ‘private matter’, it will fail to confront one of the most significant public health crises and primary obstacles to women's empowerment in post-war societies.”

Furthermore, as the IRC contends, domestic violence is not specific to only countries that have recently experienced war; it exists in virtually every country of the world; however, conflict makes violence more common and post-conflict situations make women even more vulnerable. Domestic violence in this context is described by the IRC as “…An acute and pervasive problem that endangers, isolates and disenfranchises countless

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640 Ibid.
642 Ibid.
643 Ibid.
women and hinders recovery and development in their communities." In 2011 for example, the IRC reported that 60 percent of the women receiving services, such as medical or psychological support, were at the IRC’s clinics because of domestic violence. In addition, 53 percent required medical attention and 70 percent had experienced violence by the same partner previously. It is apparent that the post-war period is marked by new manifestations of violence.

Yet, sexual violence and domestic violence are not problems just for women and girls, but for the entire country. As analysts Rashida Manjoo and Calleigh McRaith explain, sexual violence following conflict severely undermines the reconstruction processes of countries. In addition, sexual and domestic violence may become more widespread post conflict. According to Manjoo and McRaith, “The post-conflict rise in incidents of domestic violence, for example, has led to speculation of a relationship between these forms of [gender-based violence] GBV and the availability of small arms, an increased tolerance of violence within society, and the head of households having been engaged in military violence during the conflict.” Health workers within the country have said that levels of sexual violence post conflict have actually been higher than levels experienced during the conflict. These increased levels of sexual violence and GBV have been seen in the aftermath of war all over the world, including the Democratic Republic of the Congo (DRC), Guatemala, Northern Ireland, Sierra Leone, and Liberia.

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V. POST-CONFLICT LIBERIA AND SIERRA LEONE: ANALYSIS, CONCLUSION, AND LOOKING FORWARD

As we have seen in the previous chapter, there is no easy explanation for the high levels of post-conflict sexual violence in Liberia and Sierra Leone. Thus, we return to the research question: what factors are correlated with the continuation of widespread acts of rape even after the cessation of formal conflict, specifically in the cases of Liberia and Sierra Leone? I have hypothesized that governments in which there are higher levels of female leadership and representation will be associated with lower levels of impunity for sexual assault and this will result in lower levels of sexual violence. The thesis has tested the hypothesis and this chapter sums up its findings as to the relationship between the dependent variable (post-conflict sexual violence) and the independent variables (impunity and female representation in government) in Liberia and Sierra Leone.

To reiterate, the civil war in Liberia lasted from 1989-2003, beginning after Charles Taylor of the National Patriotic Front of Liberia (NPFL) began a rebellion against the government of Samuel Doe. Over the course of the war close to half of the country’s population of 4.5 million was displaced and an estimated 300,000 Liberians of all ethnicities were killed, many more than in Sierra Leone. In addition, between 60 and 70 percent of the female population, women and girls, were subjected to some form of sexual violence. The war in Sierra Leone, lasting from 1991 to 2002, was highly

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650 Shana Swiss et al., “Violence Against Women During the Liberian Civil Conflict,” 625.
651 Gross, “Arizona Girl’s Attacks Sheds Light on Rape in Liberia.”
interwoven with the war in Liberia. Charles Taylor and the NPFL supported the rebel movement led by Foday Sankoh, and his Revolutionary United Front (RUF) was able to overthrow the Sierra Leonean government and subsequently gain control over large areas of the country, especially the country’s diamond mines. At least 50,000 Sierra Leoneans were killed over the course of the war, over 2.6 million people were displaced (similar to the number in Liberia) and an estimated 72 percent of women and girls endured some form of human rights abuse and 50 percent (an astonishing figure, but not as high as in Liberia) suffered some form of sexual violence. During the war in Liberia, women and girls of every ethnic group were targeted for acts of sexual violence and these acts have aided in the destruction of society. In Sierra Leone, Binaifer Nowrojee describes how “Indiscriminate killings, amputations, rapes, and abductions characterized Sierra Leone’s decade-long conflict. The crimes of sexual violence committed against thousands of women and girls were extraordinarily brutal and were often accompanied by other egregious abuses of the victim and her family.”

In terms of women and war, Africana analyst Filomina Chioma Steady details, “Women are among the most affected victims of war and are also vulnerable to sexual crimes. In addition, they are responsible for taking care of other victims of war. Although women undergo great trauma, they tend to show courage and tenacity and a desire to

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move on." After their respective wars ended, both Liberia and Sierra Leone entered a period of reconstruction and peace building, in the hopes that they could move on from the conflicts and not revisit them in the future. As we saw in the previous chapter, Liberia created a Truth and Reconciliation Commission (TRC) in an attempt to promote societal reconciliation and Sierra Leone created both a TRC and the Special Court for Sierra Leone (SCSL), in conjunction with the United Nations. In terms of their respective commissions, both released reports stating that the wars had caused tremendous damage to civil society and their entire countries. Both detailed how all armed groups deliberately exploited civilians, especially women and children, and that neither rebel movement was ideological rather, they terrorized their populations simply to acquire economic and political power.

Because of this deliberate exploitation of women and children, the Sierra Leonean TRC and the Liberian TRC focused on the experiences of women and children and suggested recommendations for the future. Truth and Reconciliation Commissions are beneficial for truth telling, narratives, and explanations, but perhaps less beneficial in terms of dealing with impunity and prevention, as seen in the case of Liberia and Sierra Leone. As described in Chapter 4, the Liberian TRC was able to record 163,615 violations from 93,322 victims and in Sierra Leone, their TRC gathered far fewer testimonials of over 40,000 violations from more than 10,000 victims. These numbers are consistent with the number of Liberians versus Sierra Leoneans that reported human rights abuses and also those that were killed (300,000 in Liberia (one percent of the population) versus 50,000 in Sierra Leone (0.01 percent of the population)).

656 Steady, Women and Leadership in West Africa," 220.
Both wars were associated with high levels of human rights abuses, especially sexual violence, and the levels of gender-based violence (GBV) have not been curbed simply because the wars are technically over. The question is: how do countries heal and move forward? Leslie Vinjamuri and Jack Snyder explain that advocates of the reconciliation approach propose a method that focuses on the survivors and victims of conflict, rather than reprisal for the perpetrators. Furthermore, they argue that this “cathartic truth telling” improves civil society as well as compensating victims psychologically.658 However, Liberia has embraced a reconciliation approach over a retributive approach but has not benefited from it. The specific reason for this is unclear; however, a lack of political will/public support (on the part of Liberians politicians and the international community) has been the standard reason for why one was not established.659 Ultimately, the Liberian political elite came down against establishing such a court, fearing that the retributive approach could destabilize the country and the region.660

Sierra Leone, on the other hand, has had the opportunity to punish perpetrators through the Special Court for Sierra Leone (SCSL). Some of those responsible for atrocities during the war have faced indictments and charges, although this is the exception rather than the rule. As stated in Chapter 4, the SCSL has only indicted 21 individuals, the intellectual architects of the war, such as Charles Taylor and Issa Sesay.

660 This was a fear in Sierra Leone as well, and to reconcile the anxiety regarding the special court, the United Nations and the Sierra Leonean government agreed to hold trials, at the International Criminal Court (ICC) headquarters at The Hague.
The significance of these indictments are seen as strikes against impunity; however, the majority of rapists in Sierra Leone were never held accountable and never will be. Because for the war’s low level offenders, impunity is the norm, sexual violence persists. But the situation is even worse in Liberia. Without a sanctioned special court in Liberia, virtually no one was held accountable and post-war GBV continues unabated.

Since the wars, the situation for women in Liberia and Sierra Leone is similar. Women continue to face a variety of problems besides GBV. They constitute half of the work force but are relegated to the least productive sectors, limiting their autonomy and salaries. Although they provide essential resources for their families and the informal sector, in Sierra Leone and Liberia, women comprise more than half of the country’s workforce, yet women make up 70 percent of the workers in the agricultural sector where wages are irregular, although they provide essential resources for their families.

Furthermore, in terms of health and education, women in both Liberia and Sierra Leone have some of the world’s lowest life expectancies and highest rates of maternal mortality. In addition, female literacy rates in both Liberia and Sierra Leone are low, in conjunction with girls’ low enrollment rates in primary and secondary school.

In terms of gender equality post-conflict, women and girls in Liberia and Sierra Leone continue to be discriminated against, by both law and practice. Today, in many ways women in Liberia and Sierra Leone have second-class citizen status. However, it was not always this way. In the pre-colonial era, women in both countries played leadership roles. They even served as chiefs and paramount chiefs, but Steady details how colonialism wedged these women out of the political sphere. She states:

661 Stanger and Kinder, “Fulfilling President Sirleaf’s Mandate,” 8.
“Colonialism had a generally negative impact on indigenous female leadership and eliminate or demoted many women leaders.”[663] Women are now just beginning to reenter these positions after the war.[664] This is not to say that indigenous societies were matriarchies, or that female leaders were the rule; but it is important to note that their mistreatment during the war and their relatively low status over the last 50 years is not “traditional.”

The most notable difference between Liberia and Sierra Leone today in terms of female leadership is that Liberia is led by a female executive, President Ellen Johnson-Sirleaf, who was elected in 2005 and again in 2011. President Sirleaf has championed herself as a feminist, and has appointed more women to leadership positions within her government than previous administrations. For example, President Sirleaf has appointed 15 Deputy Ministers and 16 Assistant Ministers.[665] Prior to her administration, in the six decades from 1948-2006 a total of only seven female Deputy Ministers were appointed to office.[666] Today, however, women only comprise 30 percent of President Sirleaf’s cabinet.[667]

In 2007, Ernest Bai Koroma was elected Sierra Leone’s president. No female candidate ran for president that year, and Koroma was most recently elected to a second term in November 2012, receiving more than 50 percent of the votes in an election that was viewed as free and fair by observers.[668] As described in Chapter 4, Koroma is

663 Steady, Women and Leadership in West, 221.
664 Ibid, 166.
665 Veronika Fuest, “‘This is the Time to Get in Front:’ Changing Roles and Opportunities for Women in Liberia,” African Affairs (2008): 215.
668 Reuters, “Defeated Sierra Leone Opposition Says Election Flawed.”
considered a feminist. For example, he has championed women as “everything” and has stated that they must be valued in society. Since 2002, President Koroma has appointed five women to his cabinet (out of 29). In addition, the first female Chief Justice was appointed by President Koroma. Still, as of 2012, only 10 percent of President Koroma’s ministers were women (three out of 29).

As of 2012, both Liberia and Sierra Leone had roughly the same percentage of female representation in their national governments. In Liberia, women comprise 12.5 percent of the parliament, while in Sierra Leone women hold 14.5 percent of the seats. Both countries have seen increases in female representation; in 1997 women held fewer than six percent of parliamentary seats in Liberia and in 1995 in Sierra Leone women comprised 6.25 percent of the country’s members of parliament. While the 2012 numbers amount to a doubling of female political representatives, it comes nowhere close to meeting Liberia’s unenforced 30 percent quota (aimed at ensuring women’s representation on political party lists). Although the Sierra Leonean TRC recommended it, the government has not adopted such a quota in the country. Even without the quota, however, women constitute a slightly higher percentage of the elected representatives in Sierra Leone than Liberia.

Getting more women into decision-making roles is one thing; changing law and society when it comes to GBV is another. As discussed in earlier chapters, in terms of

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669 Cocorioko International Newspaper, “President Koroma Says Agenda For Prosperity Will Empower Women In Sierra Leone.”
671 The only African country in which women constitute the majority of parliament is Rwanda, where women hold 56.3 percent of the parliament, or 45 out of 80 seats. However, Senegal and South Africa are nearing 50 percent in terms of female representation, and other African countries such as Mozambique Tanzania, Uganda, Angola, Algeria, and Burundi, can boast that between 30 and 40 percent of members of parliament are female.
impunity and sexual violence that occurred during the war, the Sirleaf government has instituted a Gender Unit and a Gender Committee (based on the recommendations of the TRC), a gender-based National Plan of Action in 2005, Criminal Court E, and the Children’s Law of Liberia in 2012. On the other hand, in relation to legal initiatives, Sierra Leone has amended many customary laws which discriminate against women and girls, including the law that required rape victims to marry their rapists. Also, the Family Support Unit (FSU) was created to help combat domestic violence, sexual violence, and rape. The result is that the number of Sierra Leonean women who report their gender-based crimes has increased. “Saturday Courts” were installed in 2011 to help speed up the 700 plus backed case logs. Sexual Assault Referral Centers (SARCs) were created, and are free of charge to all survivors. They provide services such as counseling, legal support services, and medical care.

On the other hand, the Sirleaf government has not instituted initiatives like this. The Liberian Ministry of Gender and Development only speaks of two achievements in its Annual Report in 2011 in terms of GBV since the end of the war (both involve the National Action Plan, which has been criticized as ineffective in preventing GBV). As the International Rescue Committee points out, while laws forbidding rape are on the books, and a special sex-crimes court, Criminal Court E, few perpetrators have been

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672 UNDP, “Sierra Leone: Saturday Courts Tackle Gender-Based Violence.”
convicted, showing that this government has not led when it comes to implementation of the law.\footnote{675} Out of 771 rape victims treated by \textit{Médecins Sans Frontières}, only four were pursued in court.\footnote{676} Furthermore, of the 903 reported rapes between April 2010 and March 2011, only 38 reached the trial phase and only 17 resulted in convictions.\footnote{677} Sierra Leone has not performed much better in terms of prosecuting rapists. Few perpetrators are held accountable for sexual violence. For example, in the Sierra Leonean Family Support Unit, created in 2003, charges were filed in only 437 out of 1,186 sexual assault cases, and only 25 of those cases resulted in trials and convictions.\footnote{678} Since their creation, these courts have heard over 600 cases, resulting in only 53 convictions.\footnote{679}

As described in Chapter 4, other forms of GBV besides rape remain a problem in both Liberia and Sierra Leone. In both cases, domestic violence has continued and has become widespread. In 2007, Sierra Leone’s Domestic Violence Act banned domestic violence and forced marriage. As it currently stands, there is no legislation in Liberia that outlaws or bans domestic violence. The female-led government does not heavily fund domestic violence shelters. This may be due to the militarization of society during their respective conflicts. During the wars, societal taboos that protected females regarding sexual relations, rape, and gender were crushed in both Liberia and Sierra Leone. Since the wars, military and rebel troops are no longer the perpetrators of GBV crimes, rather they are community members such as teachers and religious leaders. When the attackers

\begin{footnotes}
\item[676] Bruthus, “Zero Tolerance for Liberian Rapists,” 35.
\item[679] Ibid.
\end{footnotes}
are family members, it becomes more difficult to bring forward sexual violence and domestic violence crimes because these crimes are seen as family matters and are silenced.  

Post-conflict sexual violence levels as well as domestic violence levels remain high in Liberia and Sierra Leone. Statistics on domestic violence prior to the wars are virtually unknown due to stigma and shaming that accompanies such crimes, as well as a lack of reporting mechanisms. But since the Koroma administration in Sierra Leone, the government has created organizations in hopes of reducing this stigma and also encouraging women who have been victimized to come forward. The Saturday Courts have made a significant difference in women’s lives. Prior to the Koroma government’s establishment of these courts, there were long delays in terms of prosecution and many survivors dropped their cases. Such leadership distinguishes the Sierra Leonean government from Liberia’s. In Liberia, the gender-based National Plan of Action has not helped to combat the problem of sexual violence, nor has it increased convictions for those accused of sexual violence and rape.

In hopes dealing more effectively with GBV, it is imperative that Liberia follows Sierra Leone’s lead and outlaws domestic violence. Both rape and domestic violence limit females’ ability to fully participate in society, especially given the stigma that surrounds both types of violence. How is it expected that Liberia will deal effectively with its rape and sexual violence problem, without actually outlawing the domestic violence problem? Until the government takes the lead in sending the message that it is wrong to sexually assault those closest to you, how will it persuade citizens to view such

681 Ibid.
acts as fundamentally wrong? This presents a larger societal problem regarding the role of women in society as well as their value within it. GBV of all kinds (including rape and domestic violence) is ultimately about women as property and controlling them. The long period of war has shredded traditional social fabrics in both countries. Where women were once revered as leaders and mothers they are now too often seen simply as objects. While a female was elected president in Liberia, it should not be assumed that gender relations have improved. Women’s parliamentary participation continues to be low and GBV levels continue to be high.

For this study, I have hypothesized that governments in which there are higher levels of female leadership and representation will be associated with lower levels of impunity for sexual assault and this will result in lower levels of sexual violence. This thesis finds, however, that governments with higher levels of female leadership and political representation are not necessarily associated with lower levels of impunity for sexual assault and therefore are not necessarily associated with a reduced prevalence of sexual violence. Although sexual violence levels in Sierra Leone are currently not significantly lower than in Liberia, the (male-led) government has made more of an effort than the government led by a woman. But the key seems to be impunity; where perpetrators of violence are not held accountable, regardless of who is in power, GBV is likely to continue unabated. Therefore, there are at least two things to consider: 1) Has the government led efforts to combat GBV? 2) Have rates of GBV fallen? The answer for Sierra Leone is yes on the first question and no on the second. For Liberia, it appears to be no on both. If simply having a female-headed government made a difference, we

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682 It must be noted that these are democracies not dictatorships, and therefore policy is not completely under President Sirleaf’s control.
would see lower levels of post-conflict rape as well as domestic violence in Liberia. In addition, it may be as former Sierra Leonean presidential candidate Julius Maada Bio suggested: when it comes to gender, there is only so far people are willing to go, and only so much change they are up for. Ironically, it may be that a male-headed government might have more leeway to make gender reforms than a female-headed one.

Therefore, this study finds that the initiatives of the kind promoted in Sierra Leone will affect women’s lives more positively than simply having a female head of state. The existence of a female head of state is not enough. While the election of Africa’s first female president, President Ellen Johnson-Sirleaf is unique and a landmark for Africa and Liberian society as a whole, Steady states that “…Women still face obstacles based on gender-based discrimination that can lead to a retrograde step…the reality remains that women’s formal access to power is severely limited.”

Citizens may elect a female executive, but the existence of a female president does not necessarily reflect (or translate into) changed gender relations. Much as in the United States, citizens of all races elected a Black president, but it is too early to celebrate the end of racism. Likewise, it is too early to applaud the end of gender discrimination in Liberia. It seems that simply having a female head of government does not necessarily translate into gender equality, let alone actively female-friendly or feminist policies.

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The literature on women’s lives in Liberia and Sierra Leone focuses on their experiences during each country’s respective civil war. Prior to these conflicts, women’s experiences in both Liberia and Sierra Leone were often homogenized with those of their male counterparts, and thus women were invisible. Ten years into a post-conflict period, it is important to conduct research that not only differentiates women’s participation in society from men, but also focuses more heavily on the post-conflict experiences of women, specifically the sexual violence that follows after war. This perspective is important because sexual violence affects women’s ability to participate in all areas of life and therefore negatively affects the development (political and economic) of the country.

In conjunction with this idea, it is imperative to focus on (women and men’s) political leadership roles post-conflict, and how these roles may affect the sexual violence that endures in both Liberia and Sierra Leone. Because the findings from these case studies cannot be assumed to be true for countries around the world, it would be useful to use them in comparison with other post-conflict societies. As more women enter the political sphere in both Liberia and Sierra Leone, it will be interesting to see whether (because of their increased participation) women encounter backlash in the form of rising GBV or whether levels of GBV must fall before more women enter politics. Because of the findings of this study, there are new questions to be asked. For example, why is increasing female leadership not enough? What else needs to be done to reach gender equality? In this sense, implementation of already existing laws is increasingly important, and among one of the more practical steps these countries can take.
To conclude, it is imperative that governments of Liberia and Sierra Leone take steps to eradicate the GBV that plagues their societies and prevents them from moving forward. This will not happen until the issue of post-conflict GBV is addressed.
**TABLE 1:**

<table>
<thead>
<tr>
<th>NAME</th>
<th>DATE SIGNED</th>
</tr>
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<tbody>
<tr>
<td>Banjul III Agreement</td>
<td>24 October, 1990</td>
</tr>
<tr>
<td>Bamako Ceasefire Agreement</td>
<td>28 November, 1990</td>
</tr>
<tr>
<td>Banjul IV Agreement</td>
<td>21 December, 1990</td>
</tr>
<tr>
<td>Lomé Agreement</td>
<td>13 February, 1991</td>
</tr>
<tr>
<td>Yamoussoukro IV Peace Agreement</td>
<td>30 October, 1991</td>
</tr>
<tr>
<td>Geneva Agreement 1992</td>
<td>07 April, 1992</td>
</tr>
<tr>
<td>Cotonou Peace Agreement</td>
<td>25 July, 1993</td>
</tr>
<tr>
<td>Akosombo Peace Agreement</td>
<td>12 September, 1994</td>
</tr>
<tr>
<td>Accra Agreements/Akosombo Clarification Agreement</td>
<td>21 December, 1994</td>
</tr>
<tr>
<td>Abuja Peace Agreement</td>
<td>19 August, 1995</td>
</tr>
<tr>
<td>Abuja II Peace Agreement</td>
<td>17 August, 1996</td>
</tr>
<tr>
<td>Accra Ceasefire Agreement</td>
<td>17 June, 2003</td>
</tr>
<tr>
<td>Accra Peace Agreement</td>
<td>18 August, 2003</td>
</tr>
</tbody>
</table>
TABLE 2:

<table>
<thead>
<tr>
<th>NAME</th>
<th>DATE SIGNED</th>
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</thead>
<tbody>
<tr>
<td>Abidjan Peace Agreement</td>
<td>30 November, 1996</td>
</tr>
<tr>
<td>Lomé Peace Agreement</td>
<td>7 July, 1999</td>
</tr>
<tr>
<td>Abuja Ceasefire Agreement</td>
<td>10 November, 2000</td>
</tr>
</tbody>
</table>

TABLE 3:

<table>
<thead>
<tr>
<th>NAME</th>
<th>REBEL/GOVERNMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Patriotic Front of Liberia (NPFL)</td>
<td>Rebel</td>
</tr>
<tr>
<td>Armed Forces of Liberia (AFL)</td>
<td>Government</td>
</tr>
<tr>
<td>Liberia Peace Council (LPC)</td>
<td>Rebel</td>
</tr>
<tr>
<td>Lofa Defense Force (LDF)</td>
<td>Rebel</td>
</tr>
<tr>
<td>United Liberation Movement of Liberia for Democracy (ULIMO)</td>
<td>Rebel</td>
</tr>
<tr>
<td>Liberians United for Reconciliation and Democracy (LURD)</td>
<td>Rebel</td>
</tr>
<tr>
<td>Movement for Democracy in Liberia (MODEL)</td>
<td>Rebel</td>
</tr>
<tr>
<td>United Nations Mission in Liberia (UNMIL)</td>
<td>International</td>
</tr>
<tr>
<td>Economic Community of West African States (ECOWAS)</td>
<td>International</td>
</tr>
</tbody>
</table>
### TABLE 4: WARRING FACTIONS: SIERRA LEONE

<table>
<thead>
<tr>
<th>NAME</th>
<th>REBEL/GOVERNMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revolutionary United Front (RUF)</td>
<td>Rebel</td>
</tr>
<tr>
<td>Sierra Leone Army (SLA)</td>
<td>Government</td>
</tr>
<tr>
<td>National Provisional Ruling Council (NPRC)</td>
<td>Rebel</td>
</tr>
<tr>
<td>Executive Outcomes (EO)</td>
<td>International</td>
</tr>
<tr>
<td>Armed Forces Revolutionary Council (AFRC)</td>
<td>Rebel</td>
</tr>
<tr>
<td>Economic Community of West African States Monitoring Group (ECOMOG)</td>
<td>International</td>
</tr>
<tr>
<td>United Nations Mission in Sierra Leone (UNAMSIL)</td>
<td>International</td>
</tr>
</tbody>
</table>
**TABLE 5:**

<table>
<thead>
<tr>
<th></th>
<th>LIBERIA</th>
<th>SIERRA LEONE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Head of State</strong></td>
<td>Ellen Johnson-Sirleaf</td>
<td>Ernest Bai Koroma</td>
</tr>
<tr>
<td><strong>Type of Government</strong></td>
<td>Presidential Republic</td>
<td>Constitutional Republic</td>
</tr>
<tr>
<td><strong>Total Population</strong></td>
<td>3,685,076</td>
<td>5,245,695</td>
</tr>
<tr>
<td><strong>Civil War</strong></td>
<td>1989-2003</td>
<td>1991-2002</td>
</tr>
<tr>
<td><strong>Casualties</strong></td>
<td>300,000</td>
<td>50,000</td>
</tr>
<tr>
<td><strong>Wartime Sexual Violence</strong></td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Truth and Reconciliation Commission</strong></td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Special Court</strong></td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Post-Conflict Sexual Violence</strong></td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Female Members of Parliament (as of 2012)</strong></td>
<td>12.5 percent</td>
<td>14.5 percent</td>
</tr>
<tr>
<td><strong>Female Ministers (as of 2012)</strong></td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td><strong>Female Deputy Ministers (as of 2012)</strong></td>
<td>15</td>
<td>3</td>
</tr>
<tr>
<td><strong>Quota for Female Representation</strong></td>
<td>Yes (30 percent)</td>
<td>No</td>
</tr>
</tbody>
</table>

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**Notes:**

684 Absolute numbers for wartime sexual violence are not known, however, the World Health Organization (WHO) reported that 168,000 out of 500,000 displaced women were raped during the war.

685 As stated above, exact numbers are not known. However, for example, Physicians for Human Rights estimated that 215,000-257,000 women and girls were raped over the course of the war.

686 Absolute numbers are not known, however examples can be provided. For example, the Liberian government received reports of 164 cases of gender-based violence from October-December 2006.

687 For example, in 2008, the Family Support Unit (FSU) reported 1,186 cases of sexual assault.
**TABLE 6:**

<table>
<thead>
<tr>
<th>LIBERIA</th>
<th>SIERRA LEONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Truth and Reconciliation Commission Gender Committee (2006)</td>
<td>Reversed the law that required rape victims to marry their rapists (2007)</td>
</tr>
<tr>
<td></td>
<td>Sexual Offenses Act (2012)</td>
</tr>
</tbody>
</table>
APPENDIX A
THE KIMBERLEY PROCESS

After the war in Sierra Leone ended, international organizations increased their urgency in bringing attention to the problem of blood diamonds and stopping their sale. The government of Sierra Leone, USAID/OTI, the Diamond High Council (HRD) of Belgium, among others, created a certificate program to control “conflict” diamonds by providing a Certificate of Origin. The UN Security Council officially approved the Sierra Leone diamond certification program in August 2000.688

In December 2000, the UN General Assembly adopted Resolution 55/56, supporting the creation of a global diamond certification program and in November 2002, the Kimberley Process was established, putting forth four points agreed upon by the United States, the United Kingdom, South Africa, De Beers, Belgium, and African diamond producers.689 The four points included the establishment of a global diamond certificate system, a code of conduct, an agency to monitor the execution of the certificate system and code of conduct, and an expert group to recommend how best to apply the agreement.690 After these points were agreed upon, the Kimberley Process entered into force in January 2003. As of December 2009, the Kimberley Process had 49 members from 75 countries where these members account for 99.8 percent of the world’s diamond

688 Ibid, 2.
690 Ibid, 102.
market.\footnote{“Background,” http://www.kimberleyprocess.com/background/index_en.html.} By all accounts, the Kimberley Process provides a working mechanism helping to end the illegal diamond trade. While the Kimberley Process is not an international treaty, any violation of the process can result in removal of the member. Because members make up nearly all of the world diamond market, the removal from the process can be detrimental.

There is some general disagreement as to the efficiency of the process. Critics such as Global Witness have released reports stating that illegal diamond mining continues in parts of Africa and that human rights abuses have occurred because of it.\footnote{“Diamonds: Does the Kimberley Process Work?, last modified June 28, 2010, http://www.bbc.co.uk/news/10307046.} On the other hand, some, such as Ernest Blom of the World Federation of Diamond Bourses, argue that the process has stopped wars from being funded by illegal diamond mining.\footnote{Ibid.} As of 2012, conflict diamonds make up less than one percent of all traded diamonds whereas in the 1990s, it is estimated that conflict diamonds accounted for fifteen percent of the international diamond trade.\footnote{“Background,” http://www.kimberleyprocess.com/background/index_en.html.}
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Special Court for Sierra Leone (SCSL). *About the Special Court for Sierra Leone.*


The Truth and Reconciliation Commission of Liberia. *Meet the Commissioners.*


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