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# Designing within a Highly Politicized Environment: The Case of Voices from the Rwanda Tribunal

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**Abstract**

When conducting design research in a highly politicized environment, project policies and practices are closely interwoven with the shifting political climate. In this paper we reflect on ethical considerations we encountered during our research in the context of transitional justice in Rwanda. Taking the multi-lifespan design perspective, we are particularly aware of shifting political landscapes over (longer) time and its implications for safety, for the participants as well as for the research team and our close collaborators. Here we describe an approach that uses guiding principles with ethical import to help navigate difficult design situations in an ever-shifting, sensitive political climate.

**Author Keywords**

Ethics; freedom of expression; multi-lifespan design; safety; transitional justice; trauma; value sensitive design.

**ACM Classification Keywords**

H.5.m. Information interfaces and presentation (e.g., HCI): Miscellaneous.

## Guiding Principles

These nine principles with ethical import guide work on the Voices from the Rwanda Tribunal project.

- Access
- Accuracy
- Credibility
- Impartiality
- Legitimacy
- Multi-lifespan
- Respect
- Safety
- Transparency

## Introduction

A growing body of work in the field of human-computer interaction (HCI) purposively engages design with policy and ethics [1, 9, 10, 12]. Yet, pragmatically, how researchers and designers can apply ethical principles in the context of shifting policies in highly sensitive political climates remains an open question.

Here we describe one approach that uses guiding principles with ethical import to help navigate difficult design situations in the context of transitional justice in a post-conflict setting, i.e., post-genocide Rwanda. The comprehensive review of the first eight years of our experience on a multi-lifespan design project titled *Voices from the Rwanda Tribunal* [14] recently has been reported in *Interacting with Computers Special Issue on Ethics Matter(s) in Design Research* [5], where we elaborate on nine guiding principles with ethical import (see sidebar) and situate our implementation of each. That said, in this paper we provide further reflection on one particular design challenge: the meaning of speaking safely in constantly shifting political landscapes. By definition, transitional justice is situated amidst waves of social change – politically, culturally, and materially [15]. Constantly morphing social conditions underlying transitional justice make it very difficult for designers and stakeholders to construct a clear understanding of the present situation; which continues to pose hard challenges for making ethical, context-sensitive design decisions.

Our work is grounded in the tradition of value sensitive design [3], and takes the multi-lifespan design perspective on evolving design solutions to significant societal problems that are unlikely to be solved within a single human lifespan (e.g., 100 years) [4].

## Transitional Justice in Rwanda: The Shifting Research Context

Rwanda is a country recovering from many generations of violence, including the 1994 genocide in which over 800,000 Rwandans were massacred by their neighbors, political leaders, and clergy [13]. In the months immediately following the genocide, the Rwandan justice system was confronted by the need to deliver justice for this mass atrocity. The task was made more difficult since many judicial staff had been killed and much of the judicial infrastructure had been destroyed. In response the United Nations Security Council, with the initial cooperation of the Rwandan government, established the International Criminal Tribunal for Rwanda (ICTR) in 1994. The tribunal was tasked with prosecuting those who organized and masterminded the genocide and to aid reconciliation in Rwanda [2].

In their efforts to rebuild justice systems, the Rwandan government introduced a number of major law reforms including the independence of the executive and the judiciary in 2004 and the abolishment of the death penalty in 2007. In 2008, the Rwandan Parliament passed a law modeled after Germany's Holocaust denial legislation that criminalizes "genocide ideology," including denial of the 1994 Genocide against the Tutsi. Contravention of the 2008 law was punishable by up to 25 years in prison. Children of any age can be sent away to rehabilitation centers for up to one year under the law – including for teasing classmates. In addition, in 2009, the government passed a new media law, which criminalized defamation and imposed a wide range of restrictions on gathering and reporting information. The 2008 Genocide Ideology Law and 2009 Media Law were critiqued for their possible

## Shifting Language in Rwanda

The principle language in Rwanda is Kinyarwanda. Rwanda was also a French speaking country for a long period of time. Following the 1994 genocide, English was made an official language alongside French and Kinyarwanda. In 2008 the Government of Rwanda changed the official language of education from French to English. Thus, English is becoming a predominant national language for civic life. Rwandans often mix these three languages in their conversations, speaking in “Kinyafanglais” [8].

More recently, in 2014, the Rwanda Academy of Languages and Culture (RALC) announced a 2-year plan to modernize Kinyarwanda through a series of changes in orthography, grammar, and vocabulary. These proposed changes have been met with controversy within the Kinyarwanda speaking public [8].

influence on open, democratic political discourse and public conversations surrounding the genocide [6].

Rwanda continues to experience rapid socio-political and technological change. In 2013, in partial response to international demands, the Rwandan government enacted amendments to the Genocide Ideology and Media Laws to reflect international standards on freedom of expression. The amended Genocide Ideology Law penalizes only intentional and public acts of communicating genocide ideology, and the maximum prison sentence was reduced from 25 to 9 years [7]. Language policy in Rwanda is also changing (see sidebar), creating differences in how Kinyarwanda is written and spoken between the older and younger generations. Rwanda’s technological infrastructure is advancing at an increasing speed: the ownership of personal computers and smart phones continues to grow, and fiber optic cable is being laid throughout the country and expected to bring broadband access to a large number of Rwandans in the near future.

### Voices from the Rwanda Tribunal

In 2008, the Voices from the Rwanda Tribunal team conducted interviews with ICTR personnel in Arusha, Tanzania and Rwanda. The collection complements the official records from the ICTR by providing uncensored personal reflections of ICTR personnel. Specifically, in June 2008, the team learned that the Tribunal was beginning to wind down, with the expectation of laying off one-third of the personnel beginning in January 2009. Given the imminent (expected) downsizing of the Tribunal, speed was of the essence. Thus, in three months, during Summer 2008, a 10-person team of information scientists, legal experts, and videographers was assembled, funds were raised, human subjects

approvals obtained, and travel organized to enable the collection of video interviews during Autumn 2008.

The interview team returned to the United States with a total of 49 video interviews (approximately 65 hours of material; 5 terabytes of data) with judges, prosecutors, defense counsel, investigators, interpreters, and others. The interviews were conducted primarily in English, one of the languages of the ICTR as well as the working language of the research team, with a small number of interviews in French. As of this writing, the entire collection of unsealed material has been released on the Internet at [www.tribunalvoices.org](http://www.tribunalvoices.org) under a Creative Commons license. The archival set is secured in a vault in the special collections of a major research university library.

### Design Challenge: Speaking Safely

In post-conflict contexts it is not uncommon for governments to restrict speech. Over time as the society moves forward, those restrictions may change, either opening up or closing down further opportunities for speech. We began our work in Rwanda in 2009 in a climate with heavy restrictions (e.g., the 2008 Genocide Ideology Law described earlier) and strong punitive consequences for unfettered speech concerning the genocide. Moreover, we did so knowing that in the Voices from the Rwanda Tribunal collection, some interviewees shared opinions that could be viewed as violating the 2008 law.

As we reported elsewhere [5, 11], coming from a Western perspective on technology and free speech, initially we discussed with Rwandan partners about the possibility of implementing an online discussion forum on a local area network for students and legal

## Positioning the Project Team

The on-going project team is comprised of human-computer interaction researchers and designers, legal specialists, computer engineers, computer security experts, videographers, and archivists. To date, team members are non-Rwandans and non-Africans. While primarily from the United States, over the years the team has included members from Canada, England, Iran, Korea, and New Zealand. While we have an awareness of and respect for diverse justice systems from around the world, our perspective is largely Western.

With respect to the Voices from the Rwanda Tribunal collection, we view our role as one of stewardship, where stewardship includes providing widespread access to the collection for individuals in diverse circumstances and settings.

personnel in a law documentation center. Our partners, while recognizing the potential benefit of such online discussion, warned strongly against doing so because of potential risks. Specifically, if on an un-moderated forum a visitor to the center contributed content that violated the 2008 Genocide Ideology Law, the employees of the center and perhaps the center itself could be held accountable. At the same time, a moderated forum did not seem doable as we could not ensure trusted moderation, including awareness of code words that had been used pervasively during the genocide.

The question then arises: if, in the current climate and with such content, a discussion forum is not feasible at a given point in time, what other forms of speech (if any) might be possible?

## Applying Ethical Principles in Design Practice

Value sensitive design emphasizes incorporating values with ethical import throughout the design process in a principled manner [3]. Key to this enterprise is identifying explicitly supported project values as well as making explicit the particular culture and viewpoint of the researchers and designers (see side bar). Working within this set of design practices, the Voices from the Rwanda Tribunal team identified nine principles with ethical import to guide their multi-lifespan design process (see sidebar on p. 2).

One of the most important roles of the principles is to provide guidance to the project team as the team works through dilemma situations and difficult decision-making challenges. Drawing on the principle of *Safety* to guide our design ideation, we reflected on other

types of online interaction such as early markup languages that allow modifying that presentation of content but not embedding code to change the content. This suggested to us an approach that built on our commitment not to censor what interviewees had spoken (from the principle of *Credibility*) coupled with a means to modify the presentation of that content by making some aspects of the interviews more salient on the project website. Thus we developed online public curation tools to allow online visitors to tag interview segments with their own terms (in Kinyarwanda, English or French) as well as to select clips from the full interviews to become part of the collection highlights, which are presented more visibly on the website. That is, the online public can “express” themselves, albeit in a limited way, by making selected content from the interviews more visible to others, so that what matters most to the online public (whoever they may be) is more likely to be *heard* by others. Both tools begin to move curation of the collection out of the hands of the project team and into those of the online public.

## Discussion

Project policies and practices are closely interwoven with the changing political climate. Moreover, change is nonlinear, multi-directional, and multi-faceted. As such, we have been alert to domestic policy change in Rwanda (e.g. the Genocide Ideology Law, the Media Law), institutional policy change in the United Nations (e.g. winding down of the ICTR and establishment of the Mechanism for International Criminal Tribunals), international policy change in the international justice community (e.g. tension between the African Union and the International Criminal Court) and so forth. We also recognize that there are societal implications for each of these shifts in the policy landscape—that is, we are

mindful of how a policy or law or regulation impacts daily life. As part of this effort, we continue to visit Rwanda (2008, 2009, 2012, 2014 and 2015).

Through eight years of project experience, we have learned that guiding principles with ethical import can be helpful for maintaining the integrity and viability of such complex socially situated projects, especially when there is a need to resist popular technical trends. In the case presented in this paper, the principle of *Safety* proved helpful in resisting a move to a more contemporary-styled, open online discussion forum; it committed us to look hard at alternative solutions, i.e., developing online public curation tools.

At the same time, we continue to explore the meaning of speaking safely for the research team. We, the members of the UW Voices from the Rwanda Tribunal research team, view our role as one of stewardship, where our core commitment includes securing and protecting the collection for its long-term viability and sustainability. That said, we are increasingly aware of potential risks involved in reporting and disseminating the research—from choosing a politically legitimated citation to reaching out to appropriate individuals and entities in the right place at the right time. Given the political sensitivity, seemingly small mistakes can jeopardize relationships, in particular, with regards to our political positioning, which in turn may jeopardize the project, not just now but in the long run.

As researchers working in politically sensitive areas we need to balance carefully trusting relationships with diverse (sometimes adversarial) stakeholders and collaborators to sustain ongoing research. But how do we strike an “appropriate balance” as we navigate a

volatile, shifting political climate? The question defies simple solutions and remains open to discussion.

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