

## The helpfulness of *Imposing Aid*: a tribute from the Refugee Law Project

Chris Dolan

**Twenty years after Barbara Harrell-Bond co-founded the Refugee Law Project in Uganda, its current director considers the continuing legacy of the principles that run through her book.**

It is a pleasure to have this opportunity to acknowledge the centrality of Barbara Harrell-Bond as a personal mentor, as a founding member of a field that bridges study, activism and practice, and as the co-founder back in 1999 of the Refugee Law Project (RLP), a community outreach project of the School of Law, Makerere University, Uganda, from where I write today.

*Imposing Aid – Emergency Assistance to Refugees*, possibly Barbara Harrell-Bond's best-known written work, is itself imposing; its rich content models the importance of data, of analysis, of complexity, of collaboration and of acknowledgement. Two decades on from the founding of the RLP, it is worth reflecting on how, as an institution in and of the Global South, the RLP has given further shape to some of the principles and messages embedded in *Imposing Aid*. When I analyse those that resonate for me and that we have sought to give shape to in the intervening years, seven stand out.

First and foremost, we need to understand that refugees and other forced migrants are actors and stakeholders who, regardless of fashionable rhetoric and buzzwords such as 'self-reliance', may need or want a helping hand but do not need or want that aid to be imposed.

Second, if you are in a position to offer some support, and if you are committed to social and political change, get ready to be engaged for the long haul. Barbara's life modelled this. I first learned of her while I was a student in 1991. I then met her at the Refugee Studies Programme's Summer School in 1994 and in 1996 she was my boss for a year. She was at Makerere Institute for Social Research in 1998–99. And she hosted me in her home while at the American University in Cairo in the early 2000s. In every place her

work space was laid out in the same way; her desk looked identical and the ethos and mood she developed were the same. This speaks to me of her particular ability to be adaptable to context while at the same time sustaining core concerns and approaches.

Third, Barbara managed to speak truth to power while simultaneously cultivating relationships with the very people and institutions to whom thus she spoke. This loops back to the question of being in it for the long haul; if those in power, particularly in national and international bureaucracies, tend to have power for life, then those whose role is to challenge them will need a different but parallel tenacity.

The relationships with people and institutions you do not necessarily agree with are key to giving life to what I see as a fourth principle underlying Barbara's work, namely the centrality of legal and policy frameworks to holding duty bearers accountable. Whether holding a government to the letter of the law as set out in its Constitution or a particular Act, or pushing a multilateral organisation to live up to the promises contained in its policy positions (one thinks here, for example, of UNHCR's Policy on Alternatives to Camps), this cannot happen in the absence of a working relationship. However, if I have learned any principle from Barbara, it is perhaps that such relationships are not always immediately possible and that – the fifth principle – if there is no space, or if the shape of existing spaces is not right, then you need to make new ones.

Barbara's career was peppered with critical examples of putting this principle to work: co-founding the Refugee Studies Programme (now Refugee Studies Centre) within Oxford University; establishing the International Research and Advisory Panel

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(IRAP) which later became the International Association for the Study of Forced Migration (IASFM); and co-founding the RLP and subsequently Africa and Middle East Refugee Assistance (AMERA) Egypt, AMERA International (formerly UK), the Southern Refugee Legal Aid Network, and ultimately the Rights in Exile Programme website. Each of these was essential in that it created space where previously there had been none and in doing so it did not just add new institutions to the mix but it also shifted the status quo and re-defined the parameters of an emerging field of practice and academic work.

The Refugee Studies Centre, in its early days, took a major set of real-world concerns to the heart of a university that, for many, embodies the ivory tower. Its resource centre, which established an unparalleled collection of grey literature in a pre-internet era, provided a very tangible means by which humanitarian best practice could be examined, as did the establishment of the Refugee Participation Network Newsletter, later to become Forced Migration Review. Both also challenged the assumption within academia that something was only worth taking seriously if found in an academic journal.

From IASFM I myself have learned the importance of having a formal and regular convening of interested persons to help define and institutionalise an entire field of study and a corpus of intellectual endeavour. In founding the RLP (to demonstrate that legal aid to refugees in the Global South is both necessary and possible), Barbara once again created space where none had existed previously. What is more, through doing so in Uganda, a country that even in the late 1990s had already won itself a reputation for its generous refugee-hosting policy, she spoke an important truth to power: even where the frameworks are good, the practice may be less than optimal. She thus also reminded us to not take anything at face value.

Sixth, the act of establishing the RLP was about more than simply speaking truth to power. It was also about putting your words into action: don't simply critique, offer solutions. For Barbara, the development of

local capacity to tackle global challenges was part of that next step. Much though she herself epitomised the 'global citizen' whose meaning and identity in life were not tied to the place of her birth, she was in no way insensitive to the dangers that come when only certain people get to be 'global'. Indeed, *Imposing Aid* can be read as an exploration of exactly those challenges in the humanitarian sector.

Seventh, and last, all the above leads me to the reality that if you are going to establish spaces, you cannot do it alone. The spaces that Barbara created, and that many of us have since occupied and made our own, are a testimony to the importance of collaboration that leaves a lasting legacy through people.

### **The Refugee Law Project: Barbara's principles in action**

Twenty years since Barbara established it, the RLP has operationalised, nuanced and further developed these principles. Do refugees need and want a helping hand? Absolutely, even in a Uganda that is widely regarded as a model refugee-hosting country. Do refugees need legal aid? For sure – even after 20 years, the RLP is the only organisation to provide representation in court to refugees in a country of thousands of civil society actors. What has become clear, though, is that the kind of legal aid that Barbara originally envisaged, and which we initially made available to urban refugees in Kampala, is only one element in responding to refugees' complex needs. In fact, by the time I joined the RLP in 2006 the lawyers who made up the majority of staff at that time had recognised that their legal training had not equipped them to draw out clients' experiences – and so the Project's first psychosocial counsellor was employed. Once counsellors were in place, it became increasingly evident that, alongside huge basic needs related to lack of ready income, many refugees carried legacies of conflict-related sexual violence and torture for which they had found no immediate remedy, let alone longer-term responses. While access to justice for current issues was problematic, access to transitional justice through which to address the harms of yesterday was non-existent.

This history is what gave rise to the RLP's current thematic programming. Our Access to Justice programme addresses immediate legal needs and (since 2007) facilitates adult refugees to learn English – the official language of Uganda – so that they themselves can 'speak their rights'. Our Mental Health and Psychosocial Wellbeing programme works with individuals, couples, households and families – all of whom may be either directly or indirectly connected to, and impacted by, a client's situation and experiences. Our third thematic programme, Gender and Sexuality, reflects how people's experiences of sexual violence are central to their decisions to flee and also acknowledges that far more men are directly affected by such violence than mainstream practice would have us imagine; as part of this, our Screen-Refer-Support-Document model helps enable gendered access to health care in humanitarian contexts. All our work is enhanced by being the only organisation in the country in which refugees comprise one third of all staff.

And finally... is it sufficient that truth be spoken to power, or does it matter who speaks it? Given the core understanding that forced migrants are stakeholders in their own experiences and futures, the answer to the second part of this question is an unqualified 'yes'. Nevertheless, the systems of silencing and disempowerment that largely define forced migrant experiences away from 'home' are not easily overcome. It is from this perspective that the need for

a thematic concern with how to use media for social change emerged. Just as the establishment of the Refugee Studies Centre's resource centre of grey literature broke the academic mould, so in the last ten years an ability to engage with audio-visual media is breaking the mould of what is considered effective communication – and who has that ability to communicate using those media is central to the politics of whether solutions are imposed or not. The RLP has spent the last five years enabling refugees and their hosts to develop their own skills in video advocacy, thereby enlarging the field of those whose voices can be heard.

As this quick sketch shows, there are no limits to where a principled engagement with forced migration and forced migrants can take you. The seedling that was planted by Barbara when she co-founded the RLP with Professor Joe Oloka-Onyango back in 1999 has grown into a tree of many branches that is itself giving rise to new spaces, new capacities and new ways of thinking about the old challenges of forced migration. The helpfulness of *Imposing Aid* in providing the seeds for these processes cannot be over-stated.

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