Expert analysis

Connecting the dots: reconciliation and peacebuilding

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This third Accord Insight publication responds to a striking contrast in the field of reconciliation over the last decade: while there has been relatively little conceptual development in the literature on reconciliation since the IDEA publication, Reconciliation after violent conflict: A handbook (2003) – with the exception of some specific aspects and practical tools – there has been a marked increase in applied focus on reconciliation frameworks and approaches in a range of conflict contexts.

Case studies examine four contexts at differing stages of conflict and peace process: a conflict that lacks a formal agreement between the parties (the Georgian-Abkhaz context); one where negotiations are ongoing (Colombia); a post-conflict environment where an agreement has recently been concluded (Mindanao); and another 15 years on from a formal accord (Northern Ireland).

At a theoretical level, the contributions in this publication enhance our understanding of the interaction between repairing and (re)building human relationships shattered by a legacy of violence, and the demands of reconstructing post-conflict societies, including political accommodation and institution building. On a practical level, the case studies offer important insights into reconciliation approaches that have, or have not, worked in societies with very different histories of violence and that are at very different stages along the conflict spectrum.

This Accord Insight project began with a series of discussions with local and international policy and practitioner specialists to identify gaps in the field. While policymakers and practitioners increasingly acknowledge the importance of supporting reconciliation for sustainable peace, two core challenges emerged: limited understanding of when reconciliation activities are possible and appropriate, and the impact they potentially have; and the real challenges of connecting to bottom-up initiatives in a context where dominant reconciliation frameworks are often top-down in both conception and practice, with the associated implications this may have for inclusive peacebuilding.

With an emphasis on seeking out and listening to the voices of all those affected by violence – victims and perpetrators alike, as well as the marginalised – initiatives of the kind discussed in this publication may be well placed to help foster genuinely inclusive peacebuilding strategies and approaches: for example, to help transform relationships between communities, and between society and the state in divided societies. And to the extent that they may also focus on involving and empowering women in particular, they can contribute to gender-sensitive peacebuilding efforts.

Understanding reconciliation

What is reconciliation, and what is its potential role in helping to build peace in the aftermath of violent conflict? There is a long history of ethical reconciliation initiatives understood in a variety of ways, including in religious terms, which focus on reconciliation as an outcome of acts of individual or collective forgiveness. Equally prevalent today are political approaches, within which reconciliation is viewed primarily as the process of rebuilding fractured societal structures in general, and human relations in particular, in the aftermath of violent conflict. This, moreover, is a process that does not necessarily involve or imply individual acts of forgiveness – even if it certainly does not exclude them.

Political reconciliation is specifically focused on the healing and transformation of relationships in order to enable a
In the last decade, a further category of practice has developed: ‘Dealing with the Past’ (DwP). Most of DwP’s proposed instruments – justice, acknowledgement, accountability, reparation, an end to impunity, and ensuring non-recurrence – are to varying degrees shared with reconciliation and TJ. What renders DwP distinct is its specific emphasis on the past – to the potential exclusion, as some argue, of strategies that promote present and even future co-existence within a society recovering from violent conflict.

While the TRC model suggested a degree of harmony and complementarity between its two conceptual poles of ‘Truth’ and ‘Reconciliation’, the reality, however, remained somewhat more fractured.

Today there is an increasing focus on the ‘democratisation of reconciliation’, including in countries such as Colombia, Sri Lanka and the Philippines (Mindanao) that are in the process of shaping their post-violence truth and reconciliation architecture. In all three cases, as well as the earlier process in South Africa, a primary civil society demand is for an officially sanctioned TRC and other related mechanisms to be designed with the needs – and participation – of ordinary victims at the forefront. This is a hopeful development, not least because it directly addresses a key challenge for peace processes: promoting and securing popular participation and ownership of institutions and mechanisms.

This publication is concerned with how efforts to address the legacies of past violence contribute to more inclusive and peaceful futures in conflict-affected and divided societies. A key challenge is that understanding of reconciliation and dealing with the past is highly contextualised, and varies for different people in different cultures and conflict environments. A core practical role for reconciliation in building peace is to create the space needed to transform, restore and (re)create relationships affected by violence, and to enable complexity with respect to issues and identities – complexity otherwise closed down by armed conflict – to thrive within society.

Reconciliation in practice

Today there is greater understanding that reconciliation, understood first and foremost as relationship-building, can be pursued via projects that, for example, promote localised economic cooperation and exchange as well as explicit larger-scale peace and reconciliation-directed initiatives.

Despite continuing variations in terminology, a fairly established itemisation of reconciliation’s fundamental objectives and approaches has emerged from the combined experience of initiatives at different levels – top, middle and grassroots. Truth-telling gives victims the opportunity to recount their experiences and crimes they have suffered or witnessed. TRCs and TRC-type structures have emerged as the most common instrument for promoting the needs of both victims and society as a whole for truth(s) regarding the painful events of the past.

A second objective is justice. Violent conflicts of recent decades – such as those in Rwanda, the former Yugoslavia, Cambodia and Sierra Leone – have given rise to a new type of instrument: the international tribunal in the first two cases or the special/hybrid tribunal involving a mix of international and domestic judges in the latter two. In addition, while these instruments still rest on the basic tenets of traditional retributive justice, approaches based on restorative justice are coming to the fore, notably in societies where traditional or tradition-based practices still enjoy considerable popular support and legitimacy.

Perhaps the best-known example of this is Rwanda’s gacaca courts, a modernised version of a traditional structure that in the aftermath of the 1994 genocide were used to try almost all but the highest category of the thousands of Rwandese accused of direct involvement in the slaughter.
Repatriation is a third core objective: providing some form of compensation to victims for the suffering, injury or injustice they have experienced as a result of violent conflict. While redress can rarely equate directly to injury suffered (for example the murder of a wife, husband, son or daughter), reparations are a means by which a society can seek to square this particular circle, in the first instance through financial compensation, but also in other material forms – land or housing – and potentially on a collective as much as an individual basis.

The TRCs in Latin American countries such as Guatemala and Peru, along with South Africa, were pioneering: they gave full recognition to the structural roots of the discrimination, injustice and violence suffered by specific communities both prior to and during violence, and attempted to respond by recommending structural or community-based reparations programmes.

Fourth is the objective of fostering healing among the victims of violence. This can take many forms, ranging from psycho-social programmes to promote the mental health of individual victims, to broad-based initiatives designed to help rebuild community life and cohesion in areas affected by violent conflict.

A key challenge for reconciliation in practice is securing consensus on what any process actually involves.

How has reconciliation featured in peace negotiations and agreements? While amnesty provisions were for many years a common feature of peace agreements and transitions to democracy, concerted campaigns against impunity have fundamentally changed the general acceptance of amnesty in peace processes. For example the Belfast Amnesty and Accountability Principles aim to assist all those seeking to make or evaluate decisions on amnesties and accountability.

While TRCs have become staple ingredients of peace agreements, there is also a more sober understanding of what such commissions can achieve in practice. In parallel, there is increased awareness of the need for an enabling political context for the proper functioning of a TRC. There is also greater clarity that setting up a TRC does not absolve the state from its continuing responsibilities in areas covered by the commission’s mandate. The Peruvian TRC, for example, was very clear about the state’s responsibilities for reparation and redress for victims of the country’s decades-long conflict, in particular with respect to indigenous and other historically marginalised communities. A similar focus on victims of historic systemic exclusion might be relevant in the event that a TRC is set up in Colombia.

Whose reconciliation?
A key challenge for reconciliation in practice is securing consensus on what any process actually involves. Many contexts are marked by strong cultural interpretations of reconciliation or in some cases by its apparent absence from dominant social thinking and practice, at least in relation to how the concept is conventionally understood.

As noted, reconciliation can be viewed from a range of levels and perspectives. At the individual level there can be acts of interpersonal reconciliation: the South African TRC involved encounters between victims of apartheid-era crimes and their perpetrators, sometimes accompanied by public exchanges of apology and forgiveness. At the communal or regional level such encounters often take place in the context of processes addressing the wider legacy of civil war or other national-level conflicts, as occurred in Kenya in the aftermath of widespread election-related violence in 2007. Institutional reconciliation focuses on efforts to address a specific institution’s abusive legacy, for example the judiciary or the police, while psychosocial reconciliation addresses the healing needs of victims traumatised by a legacy of abuse or violence.

Reconciliation is also highly contextualised. In a number of Latin American countries, including Argentina and Chile, there is a marked resistance to and suspicion of the notion of reconciliation, or at least to initiatives described as such. In the main, this is a response to the appropriation of the language of reconciliation by authoritarian military regimes to support amnesty for themselves and to promote a broader culture of impunity.

The opposite holds in West Africa and Francophone Africa more generally. Here, to the outsider it can sometimes appear as if just about anything and everything can be labelled ‘reconciliation’ – an inter-party congress, a backroom deal between political leaders, a new electoral law. Any genuine reconciliation-focused initiative therefore, has to begin by distinguishing itself from prevailing understandings of the term.

There are also plenty of cultures and languages in which the term reconciliation does not formally exist. For example, translators in Sri Lanka previously informed this author that there is no word for reconciliation in the island’s two main languages, Sinhalese and Tamil. A Tamil Hindu professor later explained that the problem went deeper: since under the universal laws of karma a person will pay for their misdeeds in their next life, there was little point in practising forgiveness, as their fate was already sealed.

Finally, in many places religion plays a significant role in delineating the understanding of reconciliation. In countries with a strong Christian tradition or contemporary practice, for example, an ethical approach to reconciliation usually predominates. Indeed it may be no accident that a clear majority of countries that have established TRCs to date belong in this category. None of which, of course, is to suggest that TRCs cannot function in other cultural contexts – the Instance Équité et Réconciliation in majority-Muslim Morocco, the TRC in Nepal and the prospective TRC in majority-Buddhist Sri Lanka being three cases in point – as well as the Transitional
Justice and Reconciliation Commission established for the predominantly Muslim Mindanao region of the Philippines, [see page 35].

**Insight into reconciliation**

The case studies and broader analyses presented in this publication emphasise a transformative, relationship-focused approach to reconciliation. They also provide grounded, empirical insight into specific possibilities and challenges at different stages of conflict and peacebuilding: for example, Colombia, where a final peace agreement is still being negotiated, or Mindanao, where the focus has shifted to agreement implementation. The case studies develop understanding of how and whether reconciliation activities can support inclusive peace processes. In particular, they focus on how efforts to transform relationships at multiple levels facilitate progress towards peaceful and inclusive futures. They are complemented by analysis from David Bloomfield who seeks to clarify definitional aspects of reconciliation, emphasising the need for reconciliation to disentangle itself from the transitional justice framework. A synopsis of past articles from the Accord series brings together further practical experiences on dealing with the legacies of violence – including from Aceh, Guatemala, Lebanon and northern Uganda.

The Georgian-Abkhaz conflict case study looks first at the challenges of undertaking (and even talking about) initiatives to address legacies of violence in the absence of a formal political agreement, despite the cessation of direct violence. The article is co-authored by Rachel Clogg, Conciliation Resources Caucasus Programme Director; a Georgian colleague, Marina Elbakidze; and an Abkhaz colleague Arda Inal-Ipa. From their different perspectives, they chart the extent to which initiatives are feasible in a context of protracted conflict, and the role these initiatives play in peacebuilding. The challenge is profound as understanding of reconciliation itself is polarised and divisive because the term has been so highly politicised. Against a complex and sensitised backdrop, the authors explore the ‘art of the possible’ in trying to transform relationships.

As [at the time of writing] Colombia enters the final stages of peace negotiations between the Revolutionary Armed Forces of Colombia – People’s Army (FARC-EP) insurgents and the Colombian Government, there are fundamental questions over how to reconcile state and society after decades of extreme violence, exclusion and mistrust. Rosa Emilia Salamanca and Ricardo Mendoza reflect that while transitional justice and victims’ issues have been centre stage at the negotiations in Havana, implementation is still a concern. Difficult conversations will be needed so society as a whole can deal with the emerging truths of what happened during the war, and so real change can progress to build a peaceful future for all.

The Mindanao study looks at reconciliation discussions that have taken place since the signing of the Comprehensive Agreement on the Bangsamoro (CAB) in 2014. Rufa Cagoco-Guiam looks at the close links between previous reconciliation and peacebuilding efforts and the work of the Transitional Justice and Reconciliation Commission (TJRC), set up as part of the ‘normalisation’ framework of the CAB. In particular she focuses on lessons from a ‘listening process’ under the TJRC to engage the needs and priorities of Mindanao communities, and the broader social and political challenges affecting the possibility for reconciliation, including delays to the passing of the Bangsamoro Basic Law by the Philippines Senate and House of Representatives.

Finally, the Northern Ireland case study explores how reconciliation has progressed since the 1998 Belfast Agreement. Duncan Morrow suggests that political leadership in Northern Ireland as well as key actors such as the British and Irish governments have opted for ‘peace without reconciliation’. This has meant that securing and maintaining power-sharing arrangements between Unionist and Nationalist parties has been prioritised over developing a shared future for society. The article is accompanied by a synopsis of principles to address the gendered impact of the legacy of violence in Northern Ireland.

Our hope is that in focusing on transformative, relationship-focused and political approaches to reconciliation through practical experience in countries at different stages of the conflict cycle, this Accord Insight publication can make a distinct – and substantive – contribution to understanding the complex interrelationship between peacebuilding and addressing the legacies of a violent past.