

Bert Jenkins  
D. B. Subedi  
Kathy Jenkins *Editors*

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# Reconciliation in Conflict- Affected Communities

Practices and Insights from the Asia-  
Pacific

 Springer

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# Preface

Reconciliation is an important component of conflict resolution and peacebuilding. It is related to the crucial elements of conflict transformation where dialogue between those individuals, groups and/or entire nations involved in violent conflict is necessary to bring about peace and harmony through understanding of the core reasons for conflict and disharmony. Such understanding should enable the prevention of further conflict. However, before such an outcome is possible, rebuilding relationships between people is a prerequisite so as to enable meaningful dialogue to lead to healing and even the challenging but desirable aspect of forgiveness, thereby creating an environment in which peaceful coexistence is possible. Unfortunately, peacebuilding as this set of conditions has been labelled is plagued with issues that have little to do with liberal peace and more to do with statebuilding programs infused with neoliberalism, economic rationalism and obsession for a particular brand of state apparatus.

Conversations we have had with recently completed Ph.D. students at UNE led us to seek spaces where unadulterated peacebuilding free from a liberal peace that had been neoliberalised might be found. Emerging from these conversations were some good examples of genuine peacebuilding free from the encumbrances of neoliberalism. This is where local, community-driven efforts were aimed at reconciling differences following violent conflict, on the very ground where the effects of that violence were experienced. In looking for examples of local reconciliation attempts, we decided on research projects carried out in the Asia-Pacific where our core interests lie, with studies concentrating on locally relevant community peacebuilding issues and less on statebuilding or international conflict. All the case studies we selected for the book are based on field research, and this in itself makes this a unique book and worthy endeavour.

After a war ends or even while an armed conflict is still ongoing, it is desirable to bring about changes to relationships that will translate into peaceful futures or less violence. This is about creating a culture of peace. This requires facilitation of dialogue to address reconciliation, which does not necessarily require formal involvement of the state or international actors. Many of such reconciliation efforts are grass roots community initiatives that set out to deal with conflict and violence

locally among the people affected directly. From the perspective of peacebuilding, which gets hijacked by agendas for statebuilding so often, reconciliation involves far less of these kinds of interventions which set out to develop a certain kind of state that is acceptable to the global elite while sadly overlooking the community level where people really need to reconcile in order to move on with their lives after violent conflict. Indeed, many reconciliation initiatives are community efforts to bring about healing and a normalcy of relationships in everyday interactions between people and are largely independent of statebuilding agendas, although contributing in significant ways to building a harmonious society after violent conflict has ceased. Apart from community input, these reconciliation initiatives could gain support from the UN and other international actors, aid organisations, civil society groups as well as the state. However, through these supporting roles, these players have to be careful not to interfere in or try to control locally dynamic efforts to bring about peace through psychosocial healing. The book explores many of these issues and unpacks some of the contradictions surrounding reconciliation as a means of building peace following armed violence in the Asia-Pacific.

Armidale, NSW, Australia  
August 2017

Bert Jenkins  
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## About the Editors

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**Kathy Jenkins** is a Senior Lecturer in and Team Leader of the Learning and Teaching Team, School of Education, University of New England. She was a practicing teacher prior to this in both Queensland and New South Wales, Australia, and spends her time teaching and researching in order to link theory to effective practice in education. Kathy has also researched in the area of Environmental Education and Peace Education, which among other adjectival educations (Human Rights Education) are closely linked to each other. During this time, Kathy has published about how cooperative learning provides a sound theoretical and effective practical basis for the facilitation of Peace Education, as well as has worked on the development of the 'Peace Curriculum for Bougainville', the direct result of a lengthy dialogic processes in the post-conflict society of Bougainville.

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# Chapter 1

## Introduction: Reconciliation—A Transformatory Process Across Culture and Society

Kathy Jenkins, D. B. Subedi and Bert Jenkins

Reconciliation is an increasingly popular theme in the literature along with practices of conflict transformation and peacebuilding. It is a popular but at the same time ambiguous tool through which to address, minimise and prevent the effects of violence on individuals and society (Galtung 2001). Violent conflicts have discernible effects on individuals, families and social groups. It disintegrates families, alters people's attitudes and belief systems, induces pervasive social cleavages, and when violence occurs in armed conflicts, it produces victims and perpetrators who often live side-by-side during and even after the episodes of violence.

One way to analyse the impact of violence in a society is a functional approach that involves examining the impact on law and order, as well as social and political systems (Stewart and Strathern 2002). The other approach is symbolic, which sets out to understand subjective and cultural meanings of violence and how it affects one's identity, beliefs, attitude and perceptions towards others (Stewart and Strathern 2002). Both functional as well as symbolic approaches to analysing violence are important to reconciliation efforts because how violence impacts on the relationships, beliefs and attitudes between individuals or groups, as well as between groups and the whole of society, and how people perceive the impacts determines the direction a reconciliation process will take.

When the state's systems, structures and/or a group of people who monopolise the system and resources inflict violence against particular individuals and or groups, a reconciliation process that operates within such a context tends to have a vertical dimension, through interactions between the state and society, which is often known as national reconciliation (Hazan 2009). A functional approach to violence in this case helps us to assess the nature of reconciliation, on the basis of the nature of violence experienced, and state–society relationships. By contrast, when violence occurs between individuals or groups, the direction of possible

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reconciliation processes in such a context appears to be largely horizontal, between former enemies, between victims and perpetrators, all of whom are either individuals or groups. To this connection, a symbolic approach to violence would be critical to understand inter-subjectivities of impacts of violence on individuals or groups in terms of their attitudes, perceptions, meaning of victimhood and cultural relationships as victims and perpetrators.

Much of the reconciliation literature focuses on relationship building between individuals and groups, tending to rely on the symbolic approach to deal with violent atrocities and accordingly discusses the horizontal direction of reconciliation, also known as community reconciliation (Burgess 2008; Lederach 1995; Wessels 2008).

Regardless of whether it is national reconciliation or community reconciliation, simply and broadly articulated, reconciliation involves processes through which a society moves from a divided past to a shared future by fostering cooperation between former enemies (Bloomfield et al. 2003; Hazan 2009). The processes of moving from a divided past to a shared future is, however, neither straightforward nor linear. These processes may be shared or discrete in conflict-affected societies. There are no hard and fast rules for the application of reconciliation to all situations and contexts, except for a broader and almost undeniable understanding that reconciliation is necessary to recover from the effects of extreme violence, accommodate differences without necessarily having to forget the past, in the hope that accommodation leads towards building a lasting peace (Bar-Tal and Bennink 2004; Lederach 1997; Llewellyn and Philpott 2014). Therefore, understanding what reconciliation means in a given context and how its meaning and significance are perceived and articulated by those affected by violent conflicts in a given historical, social and cultural context is probably a useful entry point for reconciliation. Nonetheless, historical, social and cultural contexts across societies produce enormous (inter) subjectivities associated with the meaning of violence as well as the meaning of reconciliation, peace and peace process (Charbonneau and Parent 2013). As a result, reconciling appears to be an understandably necessary but rather ambiguous element of peacebuilding.

The ambivalence and ambiguities surrounding the ideas, processes and actions of reconciliation is the central theme of this edited volume. Using the transformative peacebuilding approach, it aims at understanding the meaning and significance of reconciliation from historical, local and cultural perspectives, as well as in the light of local agency involved in peacemaking and peacebuilding in conflict-affected countries. It is intended that this understanding will provide some insights, which may ultimately help us improve reconciliation and peacebuilding practices across cultures and societies in the Asia-Pacific, and beyond. In particular, the diverse case studies of reconciliation practices included in this volume reflect the actions that have taken place at the local level, in communities where victims and perpetrators live side-by-side, and how these actions affect justice, truth and healing and hence reveal a glimpse into what kind of reconciliation was possible in each context.

In our view, reconciliation processes in the Asia-Pacific region have been rarely reported; therefore the chapters in this book, which were written in order to exclusively explore practices and insights into reconciliation in the Asia-Pacific region, may also shed light on how reconciliation could be imagined in the future. Furthermore, the Asia-Pacific is a unique region to study reconciliation for at least a few important reasons. First, there are several, relatively recent, post-conflict countries in the region, for example, Cambodia, Bougainville, Timor-Leste and the Solomon Islands, which experienced experiments of the first wave of liberal peacebuilding projects in the post-Cold War era (Hughes and Pupavac 2005; Newman et al. 2009b; Verkoren 2005). Therefore, exploring the impacts some important, but highly top-down, case studies of reconciliation models integrated within liberal peacebuilding interventions have had on transforming relationships between former enemies in their respective communities, could be revealing.

Secondly, there are other post-conflict countries like Nepal and Sri Lanka, which have experimented or at least are experimenting with so-called home-grown peace processes in which reconciliation has been a never ending job and, of course, the main bone of contention in the lingering process to continuing peace transition (ICG 2011; Subedi 2014). The study of ongoing reconciliation processes in these countries uncovers current practices and how they are likely to affect social cohesion and peace at present and in the future.

Finally, there are other countries, such as India, Pakistan and Thailand, that have been experiencing ongoing violent conflicts in their seemingly under-governed borderlands. The conflicts in the margins of these relatively strong states are less internationalised, that is with the exception of Pakistan. In the absence of notable and visible external actors, some efforts of reconciliation are nevertheless going on in these countries (see Chaps. 7 and 8 in this volume), which are either heavily localised efforts or appropriated by the conflicting parties to serve their vested interests. The cases from these countries therefore deal with relatively different and under-researched circumstances of violent conflict and subsequent interest in reconciliation.

At the outset, we recognise the fact that given the diverse contexts of violence, conflict and peace in the Asia-Pacific, the variety of the contexts of reconciliation incorporated in this volume is somewhat unique, enriching and revealing in terms of comparing and contrasting processes and outcomes of reconciliation from a regional, as well as local perspective. As such, the functional and symbolic approaches that the authors in this volume have taken to analyse violence and its impacts on individuals, social and ethnic groups, their identity and their relationships with the state have become illuminating in uncovering the nexus between direct violence, inequalities, injustices and reconciliation. This understanding provides insights into promoting local efforts and initiatives not only to achieve reconciliation but also to the practice of peace what Edward Newman (2009, p. 47) calls ‘transformatory peacebuilding’.

Another important contribution of this volume is the analyses of how and why reconciliation is necessary and also indeed possible—not only in post-conflict societies but also in places where conflict is still going on, for example, the cases

discussed from India, Pakistan and Thailand. These examples could provide alternative thinking to the international peacebuilding paradigm in which reconciliation is predominantly a donor-driven top-down post-conflict peacebuilding endeavour rooted in the idea of liberal peacebuilding that mostly begins at the end of war (Paris 2004; Thiessen 2014; Visoka 2016).

## **Transformatory Peacebuilding and Reconciliation**

The idea of transformatory peacebuilding is relatively new, yet it is gaining currency in the peacebuilding literature and practice alike. Over the decades, however, liberal thinking has shaped the mainstream approach to building peace in countries emerging from armed conflicts and civil wars. The liberal approach to peace, in other words, liberal peacebuilding as it is popularly known, has emerged as a universal framework of post-conflict peacebuilding mainly in the post-Cold War period, which saw an outbreak of intrastate conflicts followed by international peacebuilding interventions in Asia, Africa, Latin America and east Europe (Paris 2004). With its emphasis on building institutions based upon liberal market economy and democratisation, the theoretical premise of liberal peace rests on the idea that ‘certain kind of (liberally constituted) states tend to be more peaceful, both in their domestic affairs and in their international relations, than illiberal states’ (Newman et al. 2009a, p. 11).

Critics of liberal peacebuilding argue that peacebuilding is neither neutral in its normative orientation nor can it be framed with a universalistic model; therefore, there are limitations in what international peacebuilding actors can achieve in post-conflict societies (Newman et al. 2009a). Despite the fact that the goal of liberal peacebuilding may be desirable to address cycles of violence, in both functional and symbolic terms, the practice of liberal peacebuilding tends to empower political elites rather than victims of conflicts; it creates institutions that are top-down and exclusionary; undertakes market reforms that widens socio-economic inequalities; and fails to garner local ownership of the peace process—taking into account of local social, political and cultural realities of peace and conflict dynamics (Cooper 2007; Jarstad and Sisk 2008; Mac Ginty 2011; Paris 2010; Richmond 2009, 2014; Visoka 2016).

Transformatory peacebuilding challenges the universalistic character of peacebuilding and its attendant policies and programmatic templates (Newman 2009). As such, it intends to offer an alternative thinking to liberal peace by exploring context-specific and culturally sensitive practices of peace that suit to address underlying causes of conflict. According to Newman (2009), this approach is based on the assumption that durable peace and stability necessitates achievement of positive peace and allowing opportunity for the expression to local voices, desires and forms of politics that suits the local contexts. The idea of transformatory peacebuilding is amply reflected in the works of Lederach, who describes this process as ‘conflict transformation’ (Lederach 1995, 2003).

The literature suggests that transformatory peacebuilding has several virtues that deserve a brief discussion here. First, it has a universal appeal to peace but it rejects a universalising vision of peacebuilding which is a dominant feature in liberal peacebuilding (Newman 2009). Second, its goal is transformatory, aiming to bring about changes at individual, societal or relational, structural and cultural levels (Lederach 2003). Third, transformatory peacebuilding is community oriented, context-specific and aims to foster local institutions, vision, norms and agency of peace. Fourth, it aims to foster social justice, accountability for the past and human security needs based on those who have suffered conflicts; therefore, it not only represents powers but also takes into account the effects of power at the local level (Campbell et al. 2011). Thus transformatory peacebuilding has an emancipatory goal seeking to foster positive social change.

Transformatory peacebuilding has, however, some challenges. It entails a slow and time-consuming process that requires a lot of resources and specialised capacities that might not be available in countries affected by conflicts. Therefore, there may be a tendency to ‘romanticise the locals’ while there is limited capacity to determine which local practices are constructive and which are (un) acceptable (Newman 2009, p. 47). Furthermore, peace process is by nature political, therefore it cannot occur in isolation from broader local, national and international politics and power dynamics (Cousens et al. 2001). Thus, while the transformatory approach may be attractive, it tends to downplay the role that power and politics can play in transforming conflicts (Newman 2009).

Despite the limitations, in this volume, we maintain that the idea of transformatory peacebuilding could provide an appropriate framework for studying reconciliation mainly because reconciliation involves transformation of relationships between erstwhile enemies or antagonists. As the next section discusses in detail, reconciliation aims to transform behaviours, attitudes, contexts and norms towards war-induced enemies; its objectives fit well to the idea of transformatory peacebuilding. As the chapter included in this volume also highlight transformation grounded on local contexts and culture and politics as a desired goal of reconciliation both during and after conflicts, it would be fair to state that the emancipatory goal of transformative peacebuilding may be augmented by context and culture sensitive practices of reconciliation.

## **Constitutive Elements of Reconciliation Across Society and Cultures**

Reconciliation as an element of peacebuilding encompasses interactions upon a variety of people who have been bitter, brutal and murderous without showing respect or mercy to enemies and victims, thereby behaving as perpetrators of terrible human rights abuses. The groups and individuals who are the subjects of reconciliation have their self-conceptions and attitudes towards peace and

reconciliation structured by historical and often state-sanctioned relations of dominance and violence. As effects of structured violence, the subjective interpretations of reconciliation by victims, perpetrators and bystanders are profoundly complicated and at times conflicting, as former victims can soon turn to become perpetrators (Dwyer 2003). Finding a coherent definition of reconciliation is, therefore, a difficult task.

Galtung (2001, p. 4) confesses that ‘reconciliation is a theme with deep psychological, sociological, theological, philosophical and profoundly human roots, and nobody really knows how to successfully achieve it’. Although scholars have attempted to define reconciliation drawing on their own scholarly and disciplinary philosophies and ideologies, one thing is common to all of them. This shared notion suggests the basic ideas that reconciliation revolves around are interconnected to relationships between victims and perpetrators or former enemies. For instance, in Lederach’s (2005) discussion about how to build peace, he stressed the ‘*centrality of relationship*’ in communities, meaning the nature of these relationships could often be the determinants that would either sustain violence or peace within these contexts. Lederach explains these dynamics, drawing on interrelationships between violence and social relations and the centrality of relational transformation that is involved in reconciliation.

The centrality of relationship accrues special meaning, for it is both the content in which cycles of violence happen and the generative energy from which transcendence of those same cycles bursts forth. Time and time again, where in small or large ways the shackles of violence are broken, we find a singular tap root that gives life to the moral imagination: the capacity of individuals and communities to imagine themselves in a web of relationship even with their enemies (Lederach 2005, 34).

It is noteworthy that Lederach (2005) links music and reconciliation, in order to connect it with ‘The Arts’, in general. Like ‘The Arts’ (e.g. music, art, drama, dance), reconciliation is not necessarily linear or sequential and can occur in ‘fits and starts’ (p. 162). The healing process involved in reconciliation can correspond with the art-making process, which is imaginative and creative, thus can prove unexpected in the paths it can take and the effects it can have. In addition, reconciliation cannot be created and facilitated by cognition processes alone (Lederach 2005). The conflict and violence that has occurred in the past, which generated a divided society, simultaneously gave rise to intense reactions of hurt, loss and grief. As the affective domain is impacted by violence resulting from the conflict, healing of both the victims and the perpetrators physically and emotionally is required.

In fact it is important to say, ‘It is not possible to cognitively plan and control the healing’ (Lederach 2005, 160). Overall, peace practices have been accused of commonly failing to focus on the acrimonious feelings that past actions of the conflicting parties have produced, thus the necessary psychosocial healing required for the facilitation of positive peace is essential (Gawerc 2006, p. 439). As a result, reconciliation is often viewed as more of an internal, community-based affair while justice is viewed as having greater possibilities for the national and international levels in peacebuilding (Pankhurst 1999, p. 239).



The relational transformation, the main goal of peacebuilding as espoused by Lederach (Lederach 1995, 1997), brings the idea of reconciliation into the domain of conflict transformation. However, because one of the aims and major benefits of reconciliation is preventing the recurrence of violence at present or in future, it could also be an equally important tool for conflict prevention. Given the fact that approximately 50% of armed conflicts relapse within a decade (Schaar and Nordstrom 2014), an important goal of reconciliation must be to prepare conditions, which will prevent future recurrence of violence. If reconciliation is viewed from a conflict prevention point of view, it explains why it is important to initiate reconciliation when violent conflict is ongoing. Firstly, reconciliation can help prevent further episodes of violence, as well as prepare the ground for the successful sowing and germination of the seeds of conflict transformation (see Chaps. 7–9 in this volume).

Reconciliation can also be viewed in regards to what it 'is not'; it is not easy, it is not linear, it is not simple to facilitate, painless to enact or quick to bring to fruition. Indeed, it is the opposite; it is complex, difficult, broad, painful, ongoing and often time-consuming, but if carried out effectively it can support sustainable peace. Bloomfield et al. (2003, 12) state that reconciliation is both a process and a goal; for (Brouneus 2003, p. 3) it is a two-way activity between victim and perpetrator. By contrast, Komesaroff (2008, p. 5) argue that 'Reconciliation is a process, not a state to be achieved or a goal to be reached'. Whether reconciliation is process, goal or both will perhaps depend largely on the lens through which we look at it. Komesaroff (2008) has used communication, which involves processes, as a lens to analyse reconciliation, although this author acknowledges that reconciliation consolidates peace, which can be a desired goal. A debate on process versus goal will demand a separate discussion; however, it is relevant to note here that the authors in this volume have treated reconciliation as both process and goal; therefore, on the one hand their contributions aim to inform the practice of reconciliation as process and on the other they aim to contribute to peacebuilding practice and the ultimate outcome of a sustainable positive peace, as a desired goal of reconciliation.

Considering both as a process and desired goal, reconciliation is regarded as the most significant aspect by practitioners and their partners (Schaar and Nordstrom 2014, p. 1). However, the approaches and orientations practitioners take on the ground are found to have gone in many different directions. Those who take a transformative approach to reconciliation emphasise the necessity to create a condition for coexistence as being a precursor of reconciliation (Hazan 2009). But coexistence in this case must not be confused or conflated with forgiveness. Hazan (2009) notes two forms of forgiveness; the one is moral forgiveness given unilaterally by victims and the other 'strategic pardoning' facilitated by an institutional process, for instance, through the Truth and Reconciliation Commissions (TRC).

Forgiveness is a value-laden concept, with its primary reference to the belief and ideology of Christianity. As Brouneus (2003, 3) contends, the term reconciliation often has religious undertones so must be defined clearly and sensitively; reconciliation should be grounded in appropriate national and local beliefs and practices; and restorative justice holds much potential for reconciliation.

In some places, such as in South Africa, forgiveness was a major element of reconciliation; it was also seen as an alternative to a highly politicised nature of amnesty (Tutu 1999). If South Africa were not a predominantly Christian majority country, forgiveness as an element of reconciliation would perhaps not have worked so well. In other places, like in Nepal and Sri Lanka, forgiveness as an element of reconciliation has become a contentious topic because Nepal is a Hindu majority country, whereas Sri Lanka is a predominantly Buddhist country. In both cases, the meaning of forgiveness and reconciliation is significantly different from what it is in Christianity. Nevertheless, it is possible to glimpse the common feature irrespective of religious ideological difference; forgiveness in this sense is about healing heartfelt guilt and pain, whether as victim, perpetrator or observer/bystander.

While truth-seeking and justice are integral parts of reconciliation, they are also contentious themes. Bloomfield et al. (2003, p. 14) suggest that truth-seeking and justice are essential and inseparable elements of reconciliation. By contrast, Saunders (2011) cautions that in whatever circumstances, forgiveness without truth-seeking and justice should not be considered as commensurate with peace-building and reconciliation.

Still, truth and healing alone cannot ensure reconciliation, as 'healing' is also a necessary factor if it is to evolve; healing could be seen here as slow, emotional and ongoing until such time, if ever, complete healing is reached. It follows that 'truth, justice and healing' are significant to the restorative process for those who have suffered from the negative and harmful relationships created by violent conflict. Thus, again the 'centrality of relationships'—whether mended and healed—are necessary if victims and perpetrators are to transcend past violence and set a path towards a more positive peace. Healing, however, is a nonlinear and subjective process because the experience of healing differs from person to person (Charbonneau and Parent 2013). It involves a journey, which is very personal at one level and one that requires those concerned to travel together with a willingness to share the experiences involved along the way. Therefore, the subjectivity associated with healing physically, psychologically and emotionally requires practitioners to take a highly personal and individually focused approach to reconciliation although a collective healing process may sometimes be necessary depending on the circumstances and groups involved.

In order to create future healthy and positive relationships between past enemies, constructive, appropriate and often innovative responses from all those involved are necessary. Sir Tutu (2003), in his Forward to 'Reconciliation After Violent Conflict: A Handbook', adds his voice to how reconciliation needs to be able to respond innovatively to the uniqueness of the conflict situations which have been shaped by very different histories, cultures, landscapes and events.

If we take insight from Desmond Tutu, the obvious question that arises is who should be involved in facilitating reconciliation. Indeed, practices employed to resolve conflicts around the world have tended to neglect obscure, undermine or reject local agencies (Newman et al. 2009a; Richards 2010). The nature of truth-seeking, healing and justice first and foremost is defined by the nature, causes

and histories of the ongoing or preceding conflicts. Therefore, action for reconciliation not only demands a nuanced understanding of the local social, cultural and religious dimensions but it also requires the engagement of actors other than victims and perpetrators, who are acceptable to individuals and groups that are to be reconciled. It is difficult to prepare an exhaustive list of who might these facilitators include, as they will vary from context to context. Lederach (1995) and Brouneus (2003, p. 4) have suggested the engagement of three levels of players who could be involved in reconciliation and these exist at the top, middle and grass-roots levels of post-conflict societies.

## Reconciliation and Transitional Justice

In common parlance, transitional justice and reconciliation are seen as complementary processes. In fact, in many post-conflict countries like South Africa, Timor-Leste, the Solomon Islands, for example, the processes of reconciliation and transitional justice were organised under a singular mechanism commonly known as transitional justice and reconciliation (TRC) process. However, the idea of justice and reconciliation are often at great odds highlighting the controversy surrounding an inconvenient truth: attainment of peace and reconciliation can be incompatible with the pursuit of justice. This is a phenomenon described as the ‘justice and peace dilemma’ (Sriram and Pillay 2010). It is also contended that genuine reconciliation must be distinguished from efforts to use reconciliation as a substitute for peace (Hazan 2009). The tension of the justice and peace dilemma very much reflects the discontent with centralised processes of transitional justice and reconciliation as carried out through structures like the Truth and Reconciliation Commissions, as are the cases of Nepal, the Solomon Islands and Sri Lanka discussed in this volume (See Chaps. 2–6 in this volume). In other contexts, the justice-peace dilemma has resulted in creating hybrid forms of transitional justice and reconciliation mechanisms (Sriram and Pillay 2010).

Jeffery and Kim (2014) draw attention to the broader processes of transitional justice carried out in the Asia-Pacific, discussing the trends that have occurred in the field of transitional justice over the last three decades. They have highlighted how fragile the gap is between the violent and non-violent times once the conflict has abated and human rights issues are yet to be addressed. How to negotiate constructive peaceful and shared futures at both government and grass-roots levels, in light of calls for justice and culpability, undoubtedly proves difficult in all post-conflict societies.

Jeffery and Kim (2014) synthesise their study of Transitional Justice in the Asia-Pacific down to three key debates:

- Prosecution versus pardon (amnesty);
- Retributive versus restorative justice; and
- Bottom-up versus top-down approaches (p. 3).

Significantly, Jeffery and Kim (2014) went on to identify that the range of transitional justice activities has evolved from being contradictory practices to being more holistic and less oppositional (p. 3). Accordingly, reconciliation processes easily fit within their second key debate, which is the restorative justice side of the dichotomy, as it strives 'to put wrongs right' (p. 8). They mention past contradictions often articulated in peacebuilding theory, which include: 'justice versus truth', 'perpetrator-focused versus victim-centred approaches' and 'backward looking approaches versus forward looking approaches' (p. 8).

Consequently, Jeffery and Kim (2014) used the work of Fletcher and Weinstein (2002, 49, p. 15) to point out that the restorative power of genuine reconciliation that can heal relationships, focuses more on the victim than the perpetrator and more in the future than the past. In this sense, the idea of transitional justice and reconciliation constitute some form of transformative peacebuilding goal, which is to address underlying cause of violence through a combination of attitudinal as well as systemic changes that lead to justice, healing and non-violent social relationships (Newman 2009). Therefore, they fit to the idea of transformative peacebuilding.

Betts (2005, p. 744) maintains that the talk of dichotomies of justice and peace is common, but unhelpful, as reconciliation addresses healing and social harmony while transitional justice deals with accountability to the past as well as punishment. Instead, Betts has gleaned less contradictory notion that all these practices could be represented on a spectrum emphasising to find a balance between all aspects of truth, justice and reconciliation that is necessary for a shared and peaceful future of conflict-affected societies. Betts (2005) further purports that it should not be an inquiry into which side of the '*false dichotomy*' is most successful but how both sides 'can be shaped towards reconciliation given the specific cultural and historical context' of the past conflict. Thus it implies that both transitional justice and reconciliation underscore the transformatory approach to peace.

We recognise that justice-peace dilemma hampers reconciliation process, as is the case of Nepal and Sri Lanka in this volume. However, our focus in this volume is exclusively on reconciliation, but we also maintain that an exclusive focus on reconciliation processes should not necessarily refute the role that transitional justice can play in building sustainable peace in post-conflict society. Rather, as the chapters in this volume demonstrate, justice including social justice is an indispensable element of reconciliation process; therefore, reconciliation has a potential to complement transitional justice and vice versa.

Nonetheless, as the chapters in this volume have shown, a key contentious issue that emerges from the justice and peace dilemma is that reconciliation mostly takes place at the local level between individuals and groups in which a variety of both state and civil society actors play an important role, while transitional justice appears to be a highly institutionalised process at the national level and driven often by international agendas. Consequently, there appears to be a disjunction between the local nature of reconciliation and central nature of transitional justice. Therefore, practitioners on the ground are confronted with a challenge to link the 'local' and the 'national' processes recognising and taking into account social, cultural and political dynamics that may affect the outcomes of transitional justice as well as

reconciliation. The chapters in this volume attempt to point to these ‘local’ dynamics, the tensions arising from local and national processes and what have been their effects and consequences in achieving peace, justice, healing and reconciliation as a process of transformatory peacebuilding.

## **Potential Insights from the Asia-Pacific Region**

As this volume shows, the representation of reconciliation narratives in public discourse and reality of the practice on the ground is complex in the Asia-Pacific region. This is particularly the case, not just because cultural diversity is overlapped with contextual differences in the region, but also because of a variety of government and political systems, which have shaped the discourse of conflict transformation and reconciliation. For instance, the cases of India and Thailand reveal that the narratives of reconciliation have been shaped by how economically sound, politically stable and militarily capable governments have responded to the conflict dynamics in each country. On the other hand, countries with a fragile political transition and unstable governments, such as the cases in Nepal, Sri Lanka, Timor-Leste, Cambodia and the Solomon Islands illustrate that reconciliation practice in these countries and its representation in public discourse is very much shaped by western liberal agendas of peacebuilding.

Despite the diverse contexts, the volume, reveals that the narratives, imaginary and real representation of reconciliation in public discourse, especially in the places which are affected by violence and conflict, converge seemingly to emphasise one single point: that reconciliation must be a transformatory bottom-up process capable of addressing the seeds of violence so that a foundation for a cohesive and harmonious society can form. It is this popular narrative about reconciliation across cultures and contexts in the Asia-Pacific where local initiatives, albeit patchy and un-coordinated, have emerged and sought to transcend and transform conflict using locally available resources and approaches. Although such a discourse may not be termed as necessarily being anti-liberal in its character, our view is that it is a sufficiently powerful discourse, at least in terms of what people want from reconciliation and what has been achieved on the ground. Such a discourse is a pointer to a ‘local turn’ that exemplifies conscious striving to seek alternative means to make peace though local approaches that may be functionally different to the liberal peacebuilding paradigm in the Asia-Pacific region.

## **The Structure of the Book**

In the first chapter, Kathy Jenkins, D. B. Subedi and Bert Jenkins engage in a critical discussion of reconciliation and its constitutive elements across cultures and society as an effort to set the conceptual background for this volume. They highlight both

the positive and negative sides of truth, justice, healing, forgiveness and transitional justice as core elements associated with the concept of reconciliation. This discussion signifies that the aim of the book is to examine reconciliation in the Asia-Pacific region from historical, local and cultural points of views in ways that shed light on how people who are the subjects of reconciliation acquire agency in transforming the violent conflicts they face.

In Chap. 2, Laura McGrew follows this study with a case from Cambodia. McGrew clearly outlines how being labelled a ‘victim’, ‘perpetrator’ or ‘bystander’ in times of armed violence must not be regarded in ‘black and white’ terms that remain unchanged over time. These terms can easily prove indistinct as time and circumstances change throughout such violent conflicts and through to post-conflict periods. For example, victims can become perpetrators; and perpetrators can become victims, especially after the initial conflict has abated, thus these labels give rise to numerous complex issues for the process of reconciliation. In addition, McGrew illustrates how reconciliation has been dynamic and subject to varying phases in Cambodia—a post-conflict society. Her chapter concentrates on two processes that were integral to reconciliation in Cambodia, and these included *building relationships* and *healing*, thus Buddhist notions are fundamental to the understanding of reconciliation in Cambodia. McGrew’s insights into post-conflict Cambodia reveal how non-government organisations (NGOs) implemented *Remembering and Dialogue Projects* that proved to be so effective in creating opportunities for healing to take place till the present, long after the conflict subsided. Understandably, McGrew’s work also displayed how ‘survival’ takes precedence over achieving justice following a conflict. In areas where the Khmer Rouge is still in similar or greater numbers than the victims, it is logical that the ‘road to reconciliation’ is more unsteady and protracted. In fact, the ‘violent past’ greatly impacts on the lives of all participants and their families in this conflict, even today.

In Chap. 3, D. B. Subedi and Bert Jenkins first examine the implications of the reintegration of ex-combatants into Nepalese communities in terms of reconciliation. Providing an elaborative discussion of the history of the peace process and how this gave rise to a slow TRC process, they uncover the justice-peace dilemma in Nepal that has delayed the intended outcomes: transitional justice, accountability for events that took place in the past, and reconciliation. The authors have clearly shown how the dynamics of past violence reconstructed the identities of Maoist ex-combatants and how this identity became a barrier to their ability to forge the bridging of social capital. Thus, this drawback limited their ability to reconcile with people with whom they have problematic relations from past actions in which they were involved as active combatants. The authors have noted the shortcomings of a top-down transitional mechanism and further argue that community-based mechanisms that could facilitate social and economic reintegration of ex-combatants, as well as engage them in community-based reconciliation processes could be a viable option in regenerating social capital, which is crucial to rebuilding peaceful relationships between former enemies.

In Chap. 4, Louise Vella and Jack Maebuta raise the significant issue of cultural appropriateness concerning notions of reconciliation and truth telling within the post-conflict society of the Solomon Islands. Although cultural appropriateness is important for all post-conflict societies, these writers pointed out that the Truth and Reconciliation Commission (TRC) set up by the Civil Society Network in the Solomon Islands' context had its challenges, and these were mainly due to its lack of cultural understanding of traditions. In fact, the TRC did not embrace the traditional *kastom* and cultural tendencies of the local population towards reconciliation. Within *kastom* there was a definite reluctance by those being interviewed to 'dig up' and talk about the past when it was believed that the conflict had been resolved—brought to an end through culturally relevant rituals that were carried out according to traditional *kastom* law. Regardless, the TRC was instigated in order to facilitate reconciliation on a local and national scale to pre-empt peace. Local understanding (relating to Christianity) was different from the normative understanding of peace in the Peace and Conflict literature. Unfortunately, the chapter reveals how, the TRC did not clarify what reconciliation was and how it could be carried out effectively in the Solomon Islands. 'Truth' was viewed as a priority and pathway to reconciliation; yet it became a contentious issue within the context of a post-conflict society like the Solomon Islands, which wanted to ignore past inequities once they appeared to be settled under *kastom* law. Questions arose about 'whose truth' were being pursued, as well as what were the motives behind those participants contributing to the Truth Commission.

Paddy Tobias points out in Chap. 5 how the process of reconciliation in Timor-Leste was somewhat unusual when compared with other post-conflict societies. To require the perpetrator, not the victim, to initiate the public trial by pronouncing their guilt, a very Catholic confessional approach to reconciliation, was an extraordinary requirement of the method carried out in Timor-Leste. Even more extraordinary was the degree of its success in attracting deponents to bring their cases forward as it completely exceeded expectations. The author shows that to meet Timor's desire for reconciliation, two very separate approaches were taken. Firstly, the truth-seeking aspect of the Commission produced a hefty report of over 2500 pages, which reportedly captured the victims' stories and messages. Secondly, the Commission, in the tradition of restorative justice, carried out Community Reconciliation Processes (CRPs). Tobias highlights how the Office of the General Prosecutor (OGP) served as the principal adjudicator of the seriousness of the crimes in question, hence how they should proceed, whether to a CRP or referral to the Serious Crimes Unit. The CRPs comprised a panel of three to five local leaders who had been specifically selected and the Regional Commissioner as the chair. Also present were the perpetrator/s (legally known as the 'deponent/s'), the victims, the wider community and traditional elders. As CRPs were viewed as locally operationalized and culturally legitimate, they grew extremely successful in re-establishing relationships between the 'victims' and 'perpetrators'.

In Chap. 6, D. B. Subedi and Frances Bulathsinghala highlighted the tensions of ethnic identity inclusion and post-war statebuilding and how this gave rise to a contentious discourse of a developmental path to TRC in Sri Lanka. They argue that

the Sinhala majority government from the South used post-war reconstruction development as the tool through which to facilitate national reconciliation between the Tamil minorities from the North and the Sinhala majority led government in the South. However, the reconstruction and development which operated in a highly militarised environment between 2010 and 2015 also took place without proper post-war recovery and rehabilitation; therefore, it could not address the needs of war survivors from the North. Subedi and Bulathsinghala argue that post-war reconciliation in Sri Lanka must combine inclusive development to address socio-economic inequalities and the marginalisation of Tamils with truth-seeking, justice, psychosocial recovery and healing and to do so in a free and fair environment.

This is followed by a case from Pakistan by Saira Orakzai in Chap. 7. She has presented the case of Islam as being able to provide a religious means of reconciliation in the unsettled Federally Administered Tribal Areas (FATA) of Pakistan. Firstly, she spends time examining the conflict and how it has increased in intensity over time. Orakzai noted that reconciliation is an important element of the transformation process from conflict to peace, and one that should be communal in its approach. In order to benefit from the Islamic approach in advancing peace, it necessitates the observance of numerous Islamic Principles. Interestingly, there needs to be a 'change in the hearts' of people and society as this is essential for inner and outer transformation that will facilitate a culture of peace in FATA. By highlighting Islamic principles of reconciliation as a means to promote reconciliation in a context of ongoing violence, Orakzai's contribution brings a new perspective to reconciliation hitherto less explored.

In Chap. 8, Goswami analyses the conflict in Assam, in North East India. She provides an interesting case of violence arising from horizontal ethnic tensions and conflict between armed ethnic groups, and a vertical conflict between the armed resistance movement in the periphery and the state in the centre. As such, she provides an illuminating example of how conflict and violence have provided incentives to the different actors involved and how the incentive systems such as the war economy that flourished under the shadow of armed conflict have become a driver of the protracted violent insurgency. In this case, Uddipana highlights the positive side that the 'peace business' is already gaining traction, resulting in modest reconciliation initiatives by non-government organisations amidst the armed violence. She argues that a transformatory approach is necessary to initiate peacebuilding and reconciliation locally. However, she contends that it would first require changing the narratives of conflict and violence at the local level in such a way that people begin to see the value in incentive systems for peace.

Scott Fisher writes in Chap. 9 about recovery after armed violence and peacebuilding in Bougainville with a compressive analysis of the role Christian religious leaders played in reconciliation. The chapter provides an overview of the Bougainville Crisis with a particular emphasis on the episodic swings between armed conflict and tentative peace, which eventually culminated in the signing of the Lincoln Peace Accords in Christchurch, New Zealand in 1997. The focus of the chapter is on reconciliation at the grass-roots level in the context of the



Bougainville Crisis that occurred between 1988 and 1997. Scott argues that religious leaders possessed a comprehensive knowledge of the socio-cultural dynamics at the local level, while they also commanded the trust of a large constituency, which allowed them to play a critical role in facilitating reconciliation. The chapter claims that sustainable peacebuilding consists of a number of necessary components, including the promotion of truth telling by victims and perpetrators, forgiveness and justice. These elements must be included in the reconciliation practices, as well as be based on local cultural realities and the dynamics of the past episodes of violence.

In relation to truth telling, it was noted that many perpetrators of violence were missing from the public hearings, which translated into victims telling their ‘truths’. Still, the ‘whole truth’, which should be shared by all those involved, was being overlooked or put off. The perpetrators who did take part in the public hearings, tended to avoid admission of wrongdoings and the divulging of new information regarding crimes or violence. Instead, they tried to limit their input to an explanation, defence and/or apology for their contribution to violent deeds during the conflict. Suspicions were also raised about the victims’ motives behind the nature of their disclosure of events. At times, their motives were mistrusted and viewed as being more about how they could benefit from their involvement in the Commission, than gaining a multi-sided view of what happened. The victims’ priorities often were not about engaging in a cathartic experience by having the wrongdoings against them heard and acknowledged. The author contends that due to their lack of preparation, the Commission’s fieldworkers’ procurement of ‘truth statements’ frequently clashed with the Solomon Islanders’ cultural tendencies, whereby they were hesitant to speak about already resolved issues. The ‘one-off’ nature of taking ‘truth statements’ from victims resulted in less than reassuring results, such as a lack of visible action and follow-up. In addition, there was an absence of counsellors or mental health workers in attendance whose skills were required but regarded by locals as unhelpful after the truth telling process.

This approach proved quite ‘unique’ in so far as it provided room for traditional Timorese concepts of justice to be mixed with formal, state-sanctioned reconciliation. Still, while the CRPs were exceedingly successful in resolving many issues they were viewed as being less successful in dealing with the more challenging problems and serious crimes.

In Chap. 10, Nansiri Iamsuk introduces us to a less well-known conflict that has existed between the Thai state and the Malay-Muslim insurgents within the Deep South of Thailand. Patani was an independent state before Siam took control of it and it now forms the background to this conflict. The conflict evolved out of the desire for self-determination by the Malay Muslims who had lived previously in this Islamic Sultanate. Iamsuk shows that although the conflict continues to date, the Patani Insider Peacebuilding Platform (IPP), instigated by local academics and civil society organisations, holds some promise for future reconciliation. Intriguingly, this writer indicates that although reconciliation, in its shared sense, has not come to fruition in the Deep South, the IPP has managed to produce a number of conditions that may allow it to evolve into a more peaceful place.

Importantly, members of the IPP, who come from diverse backgrounds, as well as both sides of the fight, have been able to find ‘the space’ to discuss issues, teach, learn and work together in order to gain more accurate knowledge and understandings about each other and the conflict. Gaining understanding of each other and their views aids in dispelling ignorance between adversaries and this is certainly a convincing initial step towards a more peaceful society.

In Chap. 11, Julie Collins and Warlpa Kutjika Thompson introduced us to Australia’s ‘cult of forgetfulness’, which excludes recognition of a ‘shared history’ between indigenous and non-indigenous people. This ‘silence’ allowed non-indigenous Australians to conveniently overlook significant events and notions such as the invasion of Australia, the dispossession of land and annihilation of the local inhabitants. In response to the growing indigenous activism since the 1990s, the Council for Aboriginal Reconciliation (CAR) was formed (1991) and given the brief to oversee the process of reconciliation for the next 10 years. However, the policy formulated by CAR tended to overlook ‘the deep truths and wounds of the past’. It seemed that Indigenous Australians were expected to move forward despite the trauma they had suffered and without restitution. Even the 1993 Native Title legislation was disappointing, in respect to reconciliation, as it focused on the responsibility of Indigenous Australians to prove an ongoing connection with the land.

The authors show that following the release of the ‘Bringing them Home Report’ which focused on the forcible removal of children from their families, there still appeared to be no decisive leadership from John Howard in response to past hurt. Thus, groups of both indigenous and non-indigenous Australian started to work together to produce a groundswell of action for reconciliation. This included the ‘Sorry March’ over Sydney Harbour Bridge in 2000 and the ‘Sea of Hands’ project of 1997 initiated by ANTaR (Australians for Native Title and Reconciliation). Although Kevin Rudd in his role as Prime Minister did deliver the long awaited apology to the stolen generation in 2008, it fell short of the outcomes hoped for. Nevertheless, recognition of Indigenous Australians in the preamble to the Constitution prompted for a future referendum to be held in 2017.

On a more positive note, Collins and Thompson outline a number of grass-roots movements in which the authors have been involved. These included the ‘Walking together at Myall Creek’ and the ‘Mubali/Sea of Bellies’, a Beyond Empathy project which ran in the town of Moree, in 2004. All projects enabled Indigenous and non-indigenous people to work together towards a more reconciled future. Collins introduces us to Warlpa Thompson, an indigenous leader, who illustrates reconciliation at the grass-root level through relaying uplifting stories of his non-indigenous marital family and the respect and humility they have for each other. The conclusion drawn from these accounts is that, ‘people standing on level ground with equitable opportunities to good health, education, employment and other social determinants’ are a pre-requisite for genuine reconciliation.

In the conclusion chapter, Bert Jenkins, Kathy Jenkins and DB Subedi revisit the chapters in the volume to highlight and comment on the practices and insights of reconciliation in the Asia-Pacific region. Highlighting the need to integrate justice,

forgiveness and peace at local as well as national levels, they argue that transformation that aims at transforming relationships between victims and perpetrators and addressing underlying causes of violence must be the guiding principle of reconciliation. While transformation is a process, the editors also are of the view that a culture and context sensitive transformative process is likely to achieve reconciliation both horizontal (among and between communities and individuals) or community reconciliation and vertical (between society and state) or national reconciliation.

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**D. B. Subedi** has Ph.D. in Peace Studies from University of New England (UNE), Australia. He is Sessional Lecturer in the Peace Studies discipline at UNE. His research interests include peacebuilding and conflict transformation; post-conflict recovery; disarmament, demobilisation and reintegration (DDR) and security sector reform (SSR), post-conflict reconciliation; conflict, security and development; and peacebuilding approach to de-radicalisation and countering violent extremism (CVE). His research focuses on South and South East Asia, especially Nepal, Sri Lanka, Bangladesh and Myanmar.

**Bert Jenkins** is a Senior Lecturer in Peace Studies at UNE, in the School of Humanities, where he was a convener of discipline from 2008 to 2015. Bert has a Ph.D. from UNE and B.Sc. honours degree from Griffith University, Brisbane. He has a background in environmental studies, ecological restoration and peace education. His research interests include environmental peace, spiritual ecology and subtropical forest gardening. His research has focused on environmental, development and peace issues on the island of Bougainville in Papua New Guinea.

# Chapter 2

## Victims and Perpetrators in Cambodia: Communities Moving Towards Reconciliation on a Rocky Road

Laura McGrew

### Introduction

Imagine that the man who had led your parents and siblings to their deaths lives in the next village. Imagine that besides your family members, he also led three hundred other people to their deaths at that prison in the next village. You feel angry, sad, and sometimes you want to take revenge against him. You know that he was not the one giving orders: that man, who ordered the killings, was killed by the Khmer Rouge (KR) during their regime. But that does not really help your pain – whenever you see this man (I will call him “Pel”) you remember your past and mourn the loss of your family. So you do not even want to see Pel and you avoid him whenever possible, which is fairly easy, as he does not go out much. You feel somewhat better knowing that, when you do see him, he appears a poor, broken man, with hunched shoulders and eyes to the ground. He seems to feel regret for the past.

But now, imagine that you are Pel, that man who led people to their deaths. You are one of the few former KR cadres who still live in the village. You had to do this job during the KR period, or you would have been killed. It was not you who ordered those people’s deaths, or even those which people would be killed. But today, you do not dare leave your house, except to till your fields. You do not go to the local Buddhist temple, or weddings or funerals; you are totally isolated. Twenty years ago, you spent more than a year in prison and you still suffer from the beatings you received there. You feel angry and frustrated at what happened to you, and you feel afraid of your neighbours. You are filled with anxiety, as there was an attempted robbery at your home and your father-in-law was killed about ten years ago – you believe the robbers were trying to kill you.

These two perspectives, from victim/survivor and perpetrator, respectively, and the relationship between them are at the core of this analysis of reconciliation in Cambodia. During the KR rule in Cambodia from 1975 to 1979, more than 1.7 million people perished by execution, starvation, lack of health services, and

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overwork. Now, 35 years after the end of the regime, the tribunal for the senior and most responsible KR leaders is underway (the Extraordinary Chambers in the Courts of Cambodia, or ECCC),<sup>1</sup> and two trials have been completed with three defendants found guilty of war crimes and crimes against humanity (amongst other crimes). Memorialisation and dialogue initiatives are being conducted in the public space created around the tribunal. Cambodian society is still struggling to come to terms with the past, and reconciliation at the community level is in process, but precarious.

This chapter discusses the role of victims, perpetrators, and bystanders in the period of recovery since the KR regime, and their views of the trials of the former KR leaders and the activities that have arisen around the ECCC. While the tribunal is trying a handful of senior leaders, tens of thousands of lower-level perpetrators are living throughout the country. Based on qualitative research conducted between 1999 and 2014, interviews with ordinary Cambodians and staff of the organisations working with them provide insights into how individuals and communities are dealing with the past.<sup>2</sup> Illustrative case studies show how victims and perpetrators are managing to live in the same communities.

## Background

After years of destructive civil war, the KR overthrew the Cambodian Republic on 17 April 1975, and immediately emptied the cities, leaving a wake of women in childbirth, and hospital patients grasping their intravenous drips along the roads. As the KR implemented a revolution modelled upon Mao Tse Tung's China, communal working, eating, and decision-making were implemented in the hope of reinstating Cambodia to the position of power achieved during the Angkor period, which covered large parts of Thailand, Laos, and Vietnam. Educated people, those wearing glasses or speaking foreign languages, and those working for the government were all targeted for execution (they were identified as "new people" or

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<sup>1</sup>See <http://www.eccc.gov.kh/en>.

<sup>2</sup>In order to capture deep meanings and detailed nuances of the complex term "reconciliation", the studies upon which this chapter is based used a qualitative research design, including multi-site case study review. Data sources included document review and field research through semi-structured interviews and participant observation. The data was analysed using the NVivo qualitative analysis software program (Bazeley 2007): commonly used terms were coded such as reconciliation, community, forgiveness, and then compared across individual interviews in ten case studies. The sampling was non-random, and convenience, using the snowball method to identify former KR respondents who rarely call attention to themselves in Cambodia. The initial study communities were chosen to include different proportions of: victim-survivors, former Khmer Rouge, accused perpetrators, and communities with different experiences of violence and hardship, and with a variety of rural/urban populations. I first visited some of these communities in 1999, then in 2007/8 (135 interviews), and again in 2013/14 (100 interviews). Interview number identifies interviews. Gender balance was attempted, as was a sampling of occupations, ethnicities, religious groups, and education levels.

“17 April people”). The rural populations were for the most part identified as “base people” and were given more privileges and positions of power, while “new people” were targeted for hard labour, harassment, torture, and execution.<sup>3</sup> Yet everybody suffered: besides the physical suffering of extreme overwork, starvation and lack of health care, and the loss of a huge number of family members, Cambodians also suffered from psychological harm from dehumanisation, fear, survivor’s guilt, anger, and loss of trust.

After almost four years of KR rule, in December 1978, Vietnamese soldiers and a core group of former KR cadres pushed into Cambodia and overthrew the Khmer Rouge, creating the People’s Republic of Kampuchea (PRK). While the Vietnamese-backed factions of former KR installed themselves in Phnom Penh, the KR who had been controlling the country under Pol Pot, Ieng Sary, and Nuon Chea fled in disarray to the Thai–Cambodian border, along with thousands of emaciated and devastated refugees. Immediately after the KR period, the PRK was scrambling to provide basic services given the mass destruction of physical infrastructure and human resources under KR rule. The PRK leaders (including current Prime Minister Hun Sen) immediately instated a policy of accepting all Cambodians back into the fold, while at the same time blaming certain senior KR leaders for genocide and making summary arrests of other local-level leaders who had not managed to flee. From 1978 through the late 1990s, the PRK (later renamed the State of Cambodia) was in a civil war with the KR forces and other “non-communist resistance” forces fighting from the Thai–Cambodian border. After peace accords were signed in 1991, the United Nations Transitional Authority in Cambodia (UNTAC) operated in Cambodia and returned hundreds of thousands of refugees, taught human rights, supervised the police and local administration, and conducted elections, creating a new Royal Government of Cambodia in 1993. However, recovery was still slow, partly due to the complete destruction of much of the country’s physical infrastructure as well as the loss of the educated population during the KR regime.

In many post-conflict societies, including Cambodia, the years of war and violence have taken their toll, leaving these countries damaged both physically and psychologically. While economic growth has been continuous, especially for the burgeoning middle class, and the country is not currently at war, Cambodians today continue to suffer from poverty (especially in rural areas), widespread corruption, and human rights abuses (politically ordered arrests and sometimes killings, land grabs, clampdowns on freedom of expression and association, etc.) and thus are in a state of negative peace. They must grapple with the effects of globalisation (resulting in increased migration to work in factories in large cities and abroad) and modernisation (with exposure to television, drugs, and gangs). In this environment,

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<sup>3</sup>There were exceptions to the designations of “base persons” versus “new persons”. Although “base people” were in general the trusted supporters of the regime, several villagers from poor families were also labelled in the less trustworthy categories of “base people” (*nyeak triem* or *nyeak penyhar*) because they had a relative who was a civil servant or they or their family members had committed some other violation of the KR rules.



it is difficult for the ordinary Cambodian citizen to begin to build trust in government and society. For full reconciliation, besides restoration of relationships between victims and perpetrators, institutional and societal change and reconstruction are needed.

Rebuilding social capital after mass violence is dependent upon underlying culture and social structure. The majority of Cambodians live in rural areas, make a living in agriculture, and rely on the local (politicised) administrative structures for support and security. The family is the primary unit of social organisation, and Cambodians are linked together in complex webs of kinship, hierarchy, and patronage. Cambodian dispute resolution styles of conflict avoidance have affected the way Cambodians think about reconciliation. The predominant Buddhist religion also greatly influences how Cambodians perceive the various processes of reconciliation and the factors affecting reconciliation.

Psycho-social factors are also important in considering reactions to conflict as well as to recovery and reconciliation in post-conflict periods: 11.2% of Cambodians are said to be affected by post-traumatic stress disorder (Sonis et al. 2009, p. 535). More recent research by Chhim indicates that another cultural understanding of post-traumatic distress (“*boksbat*” or broken courage) should be considered: *boksbat* symptoms are closely related to processes of healing and reconciliation (2013, p. 160).<sup>4</sup> The trauma suffered by individuals, however, cannot be separated from the context of the larger political and economic situation. The processes of reconciliation, including healing, thus must incorporate attention to the sociopolitical factors as well as to individual space in order to achieve the long-term goal of peacebuilding and sustainable development (Clancy and Hamber 2008, pp. 9–10).

## Victims, Perpetrators, and Bystanders

After a period of mass violence, the goal of reconciliation in a reconstructed society is ultimately to reintegrate victims and perpetrators. If victims focus on their victimhood to the exclusion of all else, or if perpetrators live separate lives as pariahs, or trumpet their impunity, society cannot move forward towards development. The categories of victim, perpetrator, and bystander are not always mutually exclusive, and the lines between them are often blurred.<sup>5</sup> The conflict in Cambodia was Khmer against Khmer, and the majority of people were not separated by race, ethnicity, or

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<sup>4</sup>These symptoms include: “(phey-khlach (double fear), bor-veas-cheas-chgnay (wishing that the trauma would go away), dam-doeum-kor (planting a kapok tree-remaining mute), chos-nhorn (submissive, easily giving in), kob yobal (ideas are buried), and loss of togetherness” (Chhim 2013, p. 160).

<sup>5</sup>Although the terms victim and perpetrator are both value-laden and imply clear delineation of guilt, I have used them throughout the text (in contrast to survivor and offender or harm-doer), because they are well known in Cambodia and clearly understood.

religion.<sup>6</sup> Thus, it was not easy to determine who was who, as families were often divided by chance and politics. I have focused on three groups from my research: victims (most often “new people”), perpetrators (those former KR who have either confessed or are accused by the majority in a community of committing crimes during the KR period), and bystanders (those former KR cadres or “base people” who did not actively commit crimes, but observed or benefitted from the crimes of others).<sup>7</sup>

Amongst the victim group, several distinctions can be made, depending upon victims’ roles and identities: “no victim is only a victim, but also an actor with many identities, roles and resources” (Huyse 2003, p. 56). Almost all Cambodians consider themselves victims, as shown in a 2008 survey on justice and reconciliation: 93% of the respondents (which included both victims and former KR) who had lived under the regime considered themselves victims (Pham et al. 2009, p. 2).<sup>8</sup> The term victim may also apply to former KR, as the KR turned upon themselves and targeted their own cadres who suddenly became enemies of the regime. Indeed in the Tuol Sleng (S-21) prison, the majority of those killed were former KR cadres weeded out during increasingly paranoid internal purges (Chandler 1999).<sup>9</sup>

Automatic moral judgements are inherent in the categories assigned to people after violence: victim (associated with innocence and purity) and perpetrator (associated with guilt and evil) (Baines 2008, p. 4). Thus, in the analysis of a post-mass violence situation, it is important to disaggregate the category of perpetrators and acknowledge the complexity of guilt and innocence, and the blurriness of the victim and perpetrator categories (Lemarchand and Niwese 2007, p. 168; Pouligny et al. 2007, p. 11). This disaggregation is rarely done in Cambodia,

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<sup>6</sup>The KR discriminated against three primary minority groups based on their ethnicity: the Chinese-Khmer, Vietnamese, and Muslim Cham. These groups of people were all considered in the category of new people and were persecuted.

<sup>7</sup>The grey areas between the two extremes of victim and perpetrator have led Coloroso to identify a range of roles played by people in genocide. These include: (1) planners, instigators, and perpetrators; (2) henchmen; (3) active supporters; (4) passive supporters; (5) active bystanders; (6) passive bystanders; (7) witnesses; (8) active witnesses, defenders, and resisters; and (9) victims (Coloroso 2007, pp. 82–83, 144–151). At the time of the KR regime, it was estimated that approximately 15% of the 5.3 million “base people” died (800,000) and 33% of the 2.4 million new people died (also about 800,000) (Kiernan 1996, p. 456). Thus, there are millions of people (5.3 million) who enjoyed a relatively better standard of living than the minority group (2.4 million). Although much attention is focused on the planners and instigators of the most grievous crimes of the KR (such as killing and torture), the majority of “base people” under the KR have committed moral and/or political offences. These moral and political offences included enjoying direct or indirect advantages at the expense of others, or inaction in the case of human rights abuses, including the above criminal offences. However, these moral and political offences were not always committed by choice.

<sup>8</sup>Their experiences included starvation (82%), lack of shelter (71%), destroyed property (71%), forced evacuation (69%), forced labour (53%), torture (27%), witness of torture (30%), and witness of killing (22%) (Pham et al. 2009, p. 2).

<sup>9</sup>In the infamous Phnom Penh prison (Tuol Sleng, or S-21), more than 14,000 “enemies” of the KR regime were tortured and killed between 1976 and 1978 (Chandler 1999, p. viii).

as the term KR is often used interchangeably with perpetrator. Rigby cautions against facile distinctions between victims and perpetrators, as the agonising decision to become a perpetrator (often under the threat of death) cannot be judged by outsiders who were not in that difficult situation (2001, p. 116). Indeed, several of the victim respondents could understand and empathise with those difficult decisions. One expatriate United Nations (UN)/Non-governmental Organisation (NGO) worker recounted the words of his Cambodian colleague (who narrowly escaped being recruited as a KR cadre) speaking to another colleague (who had self-identified as victim and only talked of her own suffering, never once listening to the suffering of her colleagues):

My colleague told us that her father who had a high position in the Lon Nol government happened to survive the first two years because he had dark skin and could act like he was a cyclo driver. But then he was caught and he was killed before her eyes, not taken away, he was killed right on the spot! And she was there, and then she was made the chief of a youth group, and that was three months before the Vietnamese came in. If it had been six months, or three months longer ... she could have been like [the known perpetrator]. She told her colleague: "You should be happy that you were just too young!" And finally she just stopped speaking.... I wonder when do you stop being a victim and become a perpetrator? (IV # 58).

The third group of the study was labelled "former KR" who were often bystanders and includes those who were self-identified, or identified by other villagers, as former KR, but not as having committed any crimes. Respondents often placed former KR soldiers in this category (rather than being labelled as perpetrators), as victims did not usually see them as having committed crimes against the population. For the purposes of this study, this category also includes former KR who had relocated (usually to KR-controlled areas in the northwest or north) and whose background remained unclear.<sup>10</sup>

Given the methodology of the research with primarily a single interview of an individual, it was difficult to know exactly the role of respondents, especially former KR, during the KR period. Many stated that they were rural inhabitants, "base people", without any authority or other role in the regime. Although it is clear that many former KR suffered as well as victims, there should not be too much emphasis on the role of former KR (especially known perpetrators) as victims, and this should not be their primary identity. As Huyse argues, when perpetrators claim they are victims to the point of avoiding any responsibility for their actions, reconciliation processes can be obstructed: "Such blurring of guilt can become an obstacle on the path to coexistence, trust and empathy from the point of view of many victims" (2003, p. 62).

The term "perpetrator" includes former KR ("base people", cadres, security personnel, or soldiers), who identified themselves as former KR and who have been accused by others of harming or killing others during the KR period. Although I did not interview any former KR at senior levels who belonged to the most serious

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<sup>10</sup>In the context of the study, in many cases, I was only interviewing people one time and would not have known the true past of many respondents, so I have classified them as merely former KR.

category of planning the atrocities, certainly I interviewed some individuals accused of ordering and directly killing others. In Cambodia, the KR often transferred cadres out of their home villages to lead in other villages and frequently moved cadres from place to place. But in some cases, some lower-level perpetrators, such as spies (*chhlop*) who were often also the henchmen who executed people or led them to their deaths, were from the same communities and were well known by the victims. Mr. Pel, one of the key informants discussed in this chapter, was in this situation, because as a “spy” he was responsible for bringing victims to the prison to be executed.

## What Is Reconciliation?

Reconciliation can be considered within a framework of transitional justice, described as including the components of criminal prosecutions (such as the ECCC), reparations (included in the ECCC), institutional reforms, truth commissions, memory initiatives (including state and local responses in Cambodia), and guarantees of non-repetition.<sup>11</sup> Reconciliation is usually seen as an outcome or goal of transitional justice processes. However, at the same time, reconciliation is often debated and may be viewed as an ethically compromised concept, too religious, or an unreachable dream.<sup>12</sup> Coexistence is usually a more acceptable term for the process of former adversaries learning to live together after mass violence, as in most cases survivors, be they victims, perpetrators, or bystanders, are obliged by circumstances (geography, poverty, and politics) to work out some way to live together, or at least, in the same communities.

Reconciliation can be seen along a continuum: from an anarchic state of war to a utopian state with perfect harmony, from zero to total peace, and from simple coexistence to forgiveness and consensual democratic reciprocity (Etcheson 2003, p. 2). Galtung described interim stages of coexistence in terms of “passive coexistence”, meaning negative peace or absence of violence, or as “active coexistence”, meaning positive peace or the capacity to deal with conflict non-violently and creatively (2001, p. 3). The “amount” of reconciliation can also be described by its “depth” and can be referred to as thin or thick (Crocker 2002, p. 528).

Reconciliation is both a process and a goal (Lederach 1997; Rigby 2006, pp. 1–2). It is a slow, long-term process. Reconciliation requires changes in relationships, beliefs, attitudes, emotions, and goals, as well as deep and broader social changes (Bar-Siman-Tov 2004, p. 4; Broneus 2007, p. 5). Lederach emphasises the centrality of relationship as the “birthplace and home of reconciliation” and the need to build

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<sup>11</sup>See International Centre for Transitional Justice <http://www.ictj.org/about/transitional-justice> or swisspeace <http://www.swisspeace.ch/topics/dealing-with-the-past/about.html>.

<sup>12</sup>The concept of reconciliation is especially contested when it is conflated with forgiveness. The prerogative for forgiveness should lie entirely with the victim and cannot be forced, and thus cannot be a mandatory component of reconciliation.

trust (2001, p. 195). Reconciliation requires participation on the part of both victims and perpetrators (Rigby 2001, p. 12). Both the future and the past are key aspects of reconciliation: “Reconciliation, in essence, represents a place, the point of encounter where concerns about both the past and the future can meet” (Lederach 1997, p. 27). The experience of mass violence and serious human rights violations serve to disturb the victim’s (and often the perpetrator’s) identity and security. These violations of human rights and resultant feelings of pain, fear, and vulnerability cause questioning of the very meaning of life (Schreiter 1992, pp. 29–34). Thus, the restoration of human rights, through transitional justice and human rights development, including the rule of law, is important to the process of reconciliation (Hamber and van der Merwe 1998, p. 1). While there is wide agreement that reconciliation incorporates several constituent elements, there is no consensus on what these are. The most widely quoted scholar includes four main elements: truth, mercy, justice, and peace (Lederach 1997, pp. 28–30).

I identified four stages or degrees of coexistence or reconciliation (stages 1, 2, and 4 from Rigby 2006, pp. 5–6, 16, and stage 3 from McGrew 2011): (1) surface coexistence or non-lethal coexistence of separate lives (parties living apart); (2) shallow coexistence of parallel lives (parties living alongside each other, but with role-specific interactions); (3) moderate coexistence of every day (parties living with and amongst each other, but relationships are fragile and tentative); and (4) deep reconciliation of community (parties living with and amongst each other with rich and multi-textured interaction).<sup>13</sup> Surface and shallow coexistence may occur in the early stages of resolving conflict, moderate coexistence while the process of reconciliation is well underway, but deep reconciliation is a more long-term process that can take generations.

Although there have been several quantitative studies on reconciliation and justice in Cambodia, there have been only a handful of qualitative research studies (Etcheson 2005). In spite of the lack of studies, some authors have concluded that reconciliation has already been achieved in Cambodia (Urs 2007; Widyo 2009)—a premise that this chapter refutes. In the Cambodian language, the two main terms for reconciliation (*phsah phsaa* and *bangruop bangruom*) are not clearly understood nor often used in everyday speech and are often confused with other words such as mediation and facilitation.<sup>14</sup>

<sup>13</sup>The term non-lethal coexistence was coined by Kriesberg (1998, p. 183).

<sup>14</sup>Some authors have used other definitions for reconciliation: Urs (2007, p. 79) used “*somros somroul*” (which she also defined as facilitation or mediation). Hettne and Eastmond used the term “*rup rum cheat*” for “everybody joining together pure-heartedly” and also suggested that “*sros sruel knea*” or “to cooperate” is more common, though not a true definition of reconciliation (2001, p. 7). I argue that the term used by the Centre for Peace and Development (*phsah phsaa*) is more appropriate as it is most commonly used in Cambodia and because the Centre had by far the greatest amount of experience in this field in Cambodia. *Samroh samruol* in the glossary (same as *somros somruel*) or mediation, and *samrap samruel*, or facilitation, both include the meaning “to smooth over and seek harmony”. In practice, mediators often encourage parties to paper over their conflicts and live peacefully again, without addressing the root causes.

## ***Building Relationships and Healing***

This chapter focuses on two processes of reconciliation: building relationships and healing. Repairing torn relationships is central and essential to reconciliation, and the healing processes take place both on an individual and a community level (Lederach 2001, p. 200; Staub and Pearlman 2001, p. 206). Relationship building between two parties includes processes of acknowledgement, remorse, and apology (Assefa 2001, p. 340). Trust is another important factor, as the KR regime left a legacy of distrust as well as the effects of the surrounding decades of war in Cambodia. The KR specifically attacked trust relationships by creating betrayal and suspicion and dissolving traditional social and family ties (Luco 2002, p. 72; Zucker 2008, p. 197). Other aspects of the process of relationship building are the development of regard, recognition, and respect. Healing requires dealing with strong emotions such as hatred, anger, and fear, which are described in the case study. Three stages of healing have been identified first by psychiatrist Herman (1997, p. 290) and then validated by others (such as Charbonneau and Parent 2012, p. 8). These stages include: (1) safety and security (closely related to non-repetition); (2) remembering and mourning; and (3) return to everyday life.

After mass violence, besides the physical and psychological damage to individuals, community is also damaged, as mistrust, anger, and fear overwhelm community solidarity. As mentioned above, the KR regime specifically targeted breaking the trust of traditional ties between family members, neighbours, work colleagues, the Buddhist clergy, indeed all relationships. In the face of this onslaught, during and after conflict in Cambodia, values shifted to prioritise survival, especially within family and patronage relationships, over ties to community or nation (Nee and Healy 2003, p. 37). This has made building community reconciliation a great challenge in Cambodia.

## ***Reconciliation and Buddhism***

Buddhism profoundly shapes the Cambodian identity, as “to be Khmer is to be Buddhist” (Smith-Hefner 1999, pp. 21–63), and thus Buddhist concepts are integral to the understanding of reconciliation in Cambodia.<sup>15</sup> Through the examination of the Buddhist canon and traditions, John D’Arcy May concludes that reconciliation is implicit in both ethical principles and in Buddhist practice, and includes mutual forgiveness (1994, pp. 177–182). Behaviour is governed by the belief that one’s present life is just the latest in a long series of lives, shaped by the law of karma or the acts done in preceding lives (Neumaier 2004, p. 70).

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<sup>15</sup>Cambodians are primarily Buddhist (97%), while 2% are Cham Muslim and 0.4% Christian (Central Intelligence Agency 2014).

Buddhist temples remain at the centre of Cambodian village life, and temples and monks play an important role in social interaction, remembering lost family members, and making merit for reincarnation in future lives. In everyday life in Cambodia, many of the Buddhist principles are mentioned by leaders and by respondents in this research. However, in general, understanding of Buddhist principles and precepts is very low; the Buddhist clergy is politicised and poorly educated after its decimation during the KR regime, and Buddhist documents are lacking. Most Cambodians summarise the Buddhist beliefs into two simplistic concepts: (1) do good, receive good, do bad, receive bad (karma) and (2) hatred can never be appeased by hatred; hatred can only be appeased by love (McGrew 2000, pp. 28–29). In practice, Cambodians commonly do good deeds by making donations to the temples and monks in order to make merit and to be reborn into a better life. Yet, Cambodian interpretations of and reliance upon spiritual and religious beliefs remain important factors in their daily lives and in their processes of reconciliation.

## **Factors Affecting Victim–Perpetrator Relations**

This section reviews a variety of factors that can affect relationships between victims and perpetrators as individuals and communities reconcile. The type and gravity of the offence committed, as well as the motivation, define different categories of perpetrators. Did perpetrators commit crimes because they were ordered to do so and, if so, were they afraid for their own lives? Did they take the initiative and enjoy killing others? Did they do it for community gain or self-interest? Although only a handful of former KR has admitted any direct guilt at all, most former KR who were involved in the movement have claimed that they were under orders and living in fear of their lives (Ea and Sim 2001). KR cadre and youth were often forced to kill others to demonstrate their loyalty to the revolution.

As Cambodians have been listening to the ECCC trials and are involved in NGO dialogue and memory projects, victims are increasingly reaching some understanding of perpetrators' actions in the past. Many victim/survivors spoke negatively of the “cruel” (*kach or sahav*) perpetrators, who were generally perceived as committing serious crimes by choice (signifying the factor of motivation). The majority of respondents reported that the cruelest of the KR leaders were chased and killed in revenge immediately after the KR regime. However, when victims took into account mitigating factors, coexistence in the same community was more possible. For example, in one community I studied, a victim stated that he was living in close proximity to former KR perpetrators who had done cruel things to him in his daily life. He was able to acknowledge that those former KR did not join it by choice, so he was able to justify their involvement. Similarly, in this exchange

below, two victims (1 and 2) openly discussed a former KR perpetrator (and neighbour) who had been sitting nearby before the interview started. One victim understood that the motivation of the perpetrator was to avoid being killed himself, and as a consequence, he was better able to develop empathy and live peacefully with his neighbour.

2: There are only the lower leaders around here; there are not any top leaders. These lower leaders had arrested and beaten me, but later on, at this house here [He pointed to a house near his house] we could not punish them because they were ordered from the top leaders. The leaders ordered them to cut off the hands of the people who stole rice. Now, there are still many cruel persons in this village. I was beaten and tied up by them. If children stole rice, the spies [*chhlop*] arrested them, and beat some of them until they were unconscious. One very cruel perpetrator lives to the south of my house.

1: He did this because he was hungry. That man used to be the KR too.

2: At that time, everybody was the Khmer Rouge because even if we did not want to be the KR, we would die ... if we were against them, we would be killed (IV # 103).

Poverty, age, and ignorance are also important factors affecting victim–perpetrator relationships. Many of the informants spoke with regret and anger about the KR regime’s selection of ignorant, uneducated people as local-level leaders. However, this tactic of selection by the KR did not always cause anger against individual perpetrators in the post-mass violence period and instead became a mitigating factor. This respondent in a small group interview felt that the accused perpetrator’s lack of education was a mitigating factor in his crimes:

He lives near here, just two houses from here across the street. They have stopped saying anything bad against him. All those killers, they couldn’t read at all, so it was easy to make them kill people. And it was the rule of Pol Pot to only choose people who never went to school to be leaders (IV # 1).

Another mitigating factor was the age of the alleged perpetrator at the time of the past events. Many respondents still expressed resentment that their oppressors were often young people, not surprising given the great emphasis that is placed upon age, wisdom, and seniority in Cambodia’s hierarchical social structure. Although they were angry with the young individual perpetrators, they were primarily angry at the KR system that had turned their social world upside down.

My research signified other factors that affected how victims felt towards the KR regime and its perpetrators. Victims will have suffered differentially depending on such factors as: the severity of the general economic conditions in the area (some regions had more starvation than others); if and how often the person was displaced; how far they were separated from their family; and the severity of the leadership (in imposing regulations related to food, labour, executions, imprisonment, etc.). The amount of family support, luck, personality, motivation, religious devotion, and belief in the importance of forgiveness also influenced how the victim viewed and recovered from the trauma of the past and thus how they were able to reconcile with former KR perpetrators and bystanders.



## Community Reconciliation

As noted above, the KR period, as well as the civil war throughout the 1990s, took a toll on community reconciliation: notably, a lack of trust encouraged by the KR policies; economic hardship with less mutual assistance; civil war pitting family members against each other and other factors contributed to a lack of social cohesion. Throughout the 1980s under PRK rule, the KR were demonized, bones were collected, memorials were erected, and the government held a “show” trial for the leaders of the KR. The Cambodian government then made several attempts over the years to welcome former KR leaders into society by negotiating with senior leaders of the KR in various KR strongholds, under Prime Minister Hun Sen’s “Win-Win” policy. By the late 1990s, the former KR were either welcomed into the government or remained in KR enclaves, and their senior leaders were identified for prosecution by the Royal Cambodian Government and UN’s planned tribunal. At this time, the government considered all Cambodians in communities across the country reconciled, and there was little public discussion about the past. However, with the establishment of the ECCC, NGOs started working on programmes related to truth, justice, and reconciliation, and with more media attention to the past it became clear that reconciliation was not such an easy task. In more recent years, human rights abuses by the government, violent conflict over political power, as well as the scattering effects of globalisation, flows of population from rural to urban areas, and economic migration to Thailand have also been challenging community cohesion.

In my research, the degree of community reconciliation was found to be related to several factors including: village population statistics (the percentage of victims, perpetrators, and former KR and “base people”), the presence and status of surviving family members, the frequency of contact between victim and perpetrator, the degree of physical distance, and geography. Most respondents in minority populations (whether they were victims, perpetrators, or former KR) in general expressed more fear than majority populations. In some cases, if people never met, they could put the past out of mind. However, if often faced with a former perpetrator, visions of the past may interfere more often with daily life and force people to deal with the past more than they wished. In Community B, a village of victim/survivors was adjoining another village of primarily former KR “base people” and cadres. In this case, the resentment, fear, and anger of the victims were strong. Community B was thus only at a stage of surface coexistence, thus living separate lives with negative feelings and almost no interaction.

On the other hand, many of the victim respondents stated that they never saw the most serious perpetrators again, as some were killed by revenge killings and the rest ran away. Victims assumed the perpetrators were afraid to return and had relocated to former KR strongholds—where the majority former KR populations rarely talk about their pasts. In the case of perpetrators who committed less serious crimes, several victims reported meeting them only occasionally, such as by chance on the road, or at social occasions in the village. Another small group of victims had by

chance met a perpetrator (who had committed more serious crimes) in passing once or twice since the KR regime—a few had heard apologies.

Community (and individual) reconciliation can be advanced through cultural practice. Water blessing and other Buddhist ceremonies are important for the healing of individuals and society in Cambodia. These ceremonies are now frequently used in NGO activities in communities for dialogue, reconciliation, raising awareness, and mental health trauma healing. Water blessing ceremonies used by the NGO Transcultural Psychosocial Organisation in their testimonial therapy practices have been found to be beneficial to acknowledge victims' suffering, restore dignity, and respect deceased relatives<sup>16</sup> (Poluda et al. 2012, p. 101). Respondents reported that suffering could be relieved by going to the Buddhist temples, and many report that the major holidays (Khmer New Year and Pchum Ben, or Days of the Ancestors) are important times to remember their ancestors (McGrew 2011).

## Views of the ECCC

As noted in the above definition of reconciliation, justice and the restoration of norms of human rights are important elements of reconciliation. The ECCC or Khmer Rouge Tribunal was established in 2006 to try senior leaders most responsible for crimes committed between 1975 and 1979 against the 1.7 million mainly Cambodians who perished. The first hearings of one leader (Case 001 of Kang Guek Eav, known as Duch) commenced in 2009, and the court delivered a guilty verdict in 2010—the appeal was completed in 2012 delivering a life sentence. The first phase of the second trial of four other senior leaders (Case 002/1) was completed—though defendant Ieng Thirith has been declared mentally incompetent, and her husband Ieng Sary has passed away, leaving two defendants Nuon Chea and Khieu Samphan. They were found guilty of war crimes and crimes against humanity in August of 2014, and both received life sentences. The second part of Case 002/2 is underway trying the same defendants (Nuon Chea & Khieu Samphan) on charges including genocide. Cases 003 and 004 against second-tier senior leaders, Meas Muth, Ao An, and Yim Tith, are under investigation, while the investigation of Im Chaem has been completed. Most observers assume these cases

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<sup>16</sup>In Cambodian culture and spiritual life, a great emphasis is placed on respecting deceased relatives, in the aforementioned ceremonies such as Khmer New Year and Pchum Ben (Days of the Ancestors). In Pchum Ben, families try to visit five different Buddhist temples in search of their wandering souls. Many families keep spirit houses in or outside their homes, where they leave food offerings, and light candles and incense daily to respect the souls of their ancestors. This practice has been all the more difficult due to the extensive and secret killings carried out during the KR regime, as many families do not know how or where their loved ones have died, so have not been able to conduct the appropriate rituals.

will never be tried as the Cambodian government has not cooperated with the court to date.

While there was much hope initially that the ECCC would bring justice, healing, and reconciliation to the Cambodian people, Cambodians are increasingly frustrated with the slow progress of the trials for senior Khmer Rouge leaders as they age and die off, and the reports of corruption and government interference. In spite of these frustrations, however, the great majority of Cambodians that I spoke with recently are still in support of completing the trials, at least for Case 002. Other studies also indicated a surprising amount of support for the ECCC in spite of its flaws (Pham et al. 2009). Another recent study showed that in addition, the public space for dialogue and dealing with the past had been opened up as a result of the ECCC (Open Society Justice Initiative, 2016). Direct victims of the KR as well as their surviving family members can apply to be civil parties to the case, which allows them to participate in proceedings; many of these individuals have also reported generally positive effects from the ECCC (Stover et al. 2011, pp. 530, 541).

Other than the ECCC, there have been very few attempts to deal publically with the past at the local level, although more NGOs have recently been pursuing community-level truth and memorial projects.<sup>17</sup> A “joint narrative approach” (as described originally by Galtung 2001) where victims and perpetrators begin dialogue on common topics to eventually deal with the past may be helpful in Cambodia: “The purpose of this approach would be to create a situation whereby victims might meet perpetrators, with a focus on healing through joint sorrow and shared pain” (McGrew 2011, p. 518). The next section reviews a case study of an accused perpetrator in a community with such a dialogue project.

## **The Case of an Accused Perpetrator, Mr. Pel, and an NGO Intervention**

I first came to Community “A” in 2005 to visit an amputee whom I had first met in 1999. Community A is made up of four villages. This cluster of villages can be divided into two parts; one village that in the 1960s was relatively more prosperous (Village 1) and three that were less so (villages 2, 3, and 4). Prior to the KR regime, some of those in the less prosperous villages served as labourers on the more prosperous villagers’ lands or in their businesses. When the KR took over in 1972 in this area, for the most part, roles were reversed and the majority of those from the less wealthy villages were labelled “base people”, while many of the people in Village 1 were labelled “new people”. Some of the “base people” were appointed as

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<sup>17</sup>See ADHOC at <http://www.adhoc-cambodia.org/>, the Documentation Center of Cambodia at <http://www.dccam.org/>, Kdei Karuna at <http://www.kdei-karuna.org/>, Transcultural Psychosocial Organization at <http://www.tpocambodia.org/>, Youth for Peace at <http://www.yfpcambodia.org/>, Youth Resource Development Project at <http://www.yrdp.org/website/?lang=en>.

heads of groups, spies (*chhlop*), or into other positions of power—many of these lower-level cadres committed atrocities. Most of these accused perpetrators had been killed or fled (the most cruel or those who had ordered the killings), while a handful of cadres remained in the community. During the KR period, Mr. Pel, whose story started this chapter, was living in Village 2 and was a spy (*chhlop*), responsible for bringing victims (his fellow villagers) to the prison to be executed. Especially, as he remains in this village today, this “intimate” crime leaves particularly deep marks, both individually and collectively, weakening the regulatory foundations of society (Pouligny et al. 2007, p. 7).

After the KR period, the community experienced another shift, as many villagers had died (especially those from Village 1), and many were displaced—some of those displaced villagers have since returned, while others have disappeared. In 2007, Mr. Pel was a total social outcast in his village similar to the accused perpetrator in Zucker’s work on remembrance—she described a former village chief, accused of reporting on fellow villagers to the KR, as a “social pariah” (2013, p. 91). During my visits in 2007 and 2008, Pel’s hunched shoulders, bowed head, and muted voice all led to an impression of a crushed, downtrodden man. He and his wife said that he rarely left the house, and he was afraid to go to the temple or the market. He spent a lot of time talking about his various illnesses. During my visits, Pel and his wife complained about his mistreatment in detention in 1979 and 1980 and resulting health problems. Although denied by the commune chief (who claimed the incident was a random robbery), several villagers told me that Pel was afraid to leave his house because his father-in-law had been shot dead in the doorway, but the bullet had been meant for Pel. He certainly showed a lot of fear when I first visited him in 2007/8.

However, when I visited Pel in 2014, I was astonished by his change of attitude and demeanour. Although still poor, he was noticeably more confident—I met him in the midst of the rice harvest, and he was playing a key and public role amongst family and others as their rented rice thresher was furiously spewing an overflowing heap of rice husks. Now, he had a big smile on his face and almost strutted with pride at his foreign visitor, as he pulled out chairs for us under his wooden house. He was very happy, he said, with the NGO programme, which had started up a few years ago. Both he and another former KR key informant said that the community now understood they had been forced to act under orders. Through the dialogue programme, these former KR acknowledged (at least some of) the things they had done and expressed (at least some) remorse. Other members of the community now recognised them, and respect was developing. Although another village official who had been involved with the dialogue project was disappointed that not all of the remaining accused perpetrators had cooperated with the project, he was pleased that these two former KR cadres had confessed to at least some of what they had done in the past and felt that the village was more at peace.

When I first came to the village in 1999, and also in 2006–8, some public mourning had taken place with local memorials being built at several Buddhist temples, but there was no public remembering—and none from the viewpoint of the accused perpetrators and former KR. Two of the well-known perpetrators lived on

the periphery of the rest of the community. With the arrival of the NGO in about 2012 and their dialogue and memory projects, victims and perpetrators began to remember and to dialogue: as time passes, lives are returning towards normal. Victim/survivors gradually began to accept the realities that in many cases the accused perpetrators had to follow orders or they would be killed. Interviews indicated that victims also understood the KR approach of choosing the poor and uneducated to carry out many of the gruesome tasks of executions and were prepared to excuse those individuals perceived as ignorant. Transformation in communities has started to take place in Cambodia, and as trust between victims and perpetrators slowly increases, victims can see accused perpetrators as being subject to complex and difficult situations and holding multiple identities.

## Conclusion

So what does reconciliation mean in today's Cambodia? As victims, perpetrators, and bystanders struggle to move forward with their daily lives, while the violent past greatly influences many aspects of the present lives of survivors as well as the lives of their children—seeking justice, truth, and reconciliation is not on the top of most people's agendas. Scratch the surface though, and the tensions between victims and perpetrators lie just below, especially in rural areas where everybody knows everybody else and their pasts.

The villagers in Community A (as well as in many other villages throughout Cambodia) have been going through the three stages of healing mentioned above (security, remembering, return to normalcy). They now have relative security (food, shelter, and a somewhat stable government), remembering is taking place, and they are approaching a stage of normalcy. Community A is even now moving past a stage of moderate coexistence towards deep reconciliation. As they are farther removed from the events of the past, there are minimal fears of non-repetition (especially in this community where the former KR are in a small minority). Conditions of moderate coexistence are similar in the newly created former KR communities where many victims/survivors resettled seeking land and jobs, and where peoples' backgrounds are not known and few ever speak about the past.

However, not all communities are developing at the same pace—my research shows that those communities where victims and perpetrators are in similar numbers, or where former KR greatly outnumber the population of victims, the road to reconciliation is rocky. For example, during my visit in 2014, Community B, with two villages of victims living nearby a village of former KR including accused perpetrators, was still barely in a state of surface coexistence, and feelings of anger were still very strong. Respondents were tired of questions about reconciliation and were overwhelmed with the struggle to make a living.

While different communities are at different rates of recovery depending upon the various factors discussed in this chapter, the very presence of the ECCC has opened up a public space to discuss the past, partly through the increasing number

of NGOs working on memorialisation and community dialogue around the ECCC. Many individuals and communities in Cambodia are coming to grips with their troubled pasts and beginning to move forward towards reconciliation, but it is a long, rocky road, with ups and downs, and will take many years to come.

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# Chapter 3

## The Nexus Between Reintegration of Ex-combatants and Reconciliation in Nepal: A Social Capital Approach

D. B. Subedi and Bert Jenkins

### Introduction

Post-conflict societies are confronted with the challenge of rebuilding social relationships between war-time adversaries, victims and perpetrators of violence and the people divided socially and politically by an armed conflict. Rebuilding social relationships should, therefore, be a core function as well as an outcome of peacebuilding in countries emerging from an armed conflict (Lederach 1997; Riek et al. 2008). In practice, however, liberal peacebuilding focuses more on addressing immediate security challenges through programmes such as disarmament, demobilisation and reintegration (DDR), building democratic institutions and reviving markets rather than undertaking long-term efforts to bring about lasting changes in societal relationships through reconciliation.

Although “reconciliation is a theme with deep psychological, sociological, theological, philosophical, and profoundly human roots ... nobody really knows how to successfully achieve it” (Galtung 2001: 4). Building sustainable peace undoubtedly requires reconciliation. In the light of this connection, reconciliation is considered a process as well as an outcome which creates “social space” within which it is possible to facilitate inter-group “encounters of differences” aimed at inducing a relational change and transformation between individuals or groups (Lederach 1997: 29). Transforming societal relations is, however, time-intensive and involves long-term support and engagement, which often remains incompatible with the time-bounded nature of the peacebuilding process.

In Nepal, the centralised and state-centric top-down peacebuilding process has provided a notable limitation to inducing long-term changes at the level of societal relationships between war-time adversaries. Some progress has been made in the peace process; for instance, disarmament, demobilisation and reintegration of the

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Maoists ex-combatants was completed in 2012, while a New Constitution for the Democratic Republic of Nepal was promulgated in 2015. However, the ex-combatants who were released from cantonments with a cash package were unable to return to the villages of their origin for many reasons, but mainly because of the lack of reconciliation and social acceptance of ex-combatants by their communities (Subedi 2014c).

While it would be erroneous to generalise and say that all ex-combatants are perpetrators, their inability to return to the villages of their origin has taken place at times when war-time victims and perpetrators (some of them ex-combatants) have yet to experience any form of transitional justice and/or reconciliation.

An effective peacebuilding programme should be multi-dimensional in the sense that progress made on one front must complement and reinforce the achievements made in other areas (Ricigliano 2003). According to the integrated nature of peacebuilding, progress made in one area should not function in isolation from another. The reintegration of ex-combatants as a part of the DDR process and post-conflict reconciliation are two key elements of peacebuilding that display mutually reinforcing characteristics and shared objectives. While post-conflict reconciliation ideally prevents the use of the past as a seed for renewed conflict, it also helps victims and perpetrators break away from a bitter past to inculcate a shared future (Bloomfield et al. 2003). The reintegration of ex-combatants, on the other hand, is one of many means of preventing states and societies from slipping back into instability and ultimately violent conflict or war (Kingma and Muggah 2009; Ngoma 2004). Subsequently, there is a broad consensus that peacebuilding will be effective if DDR and reconciliation are organised simultaneously (Annan and Cutter 2009; Leff 2008).

In the Nepali context, a key question that arises is: how does social reintegration of Maoist ex-combatants impact on post-conflict reconciliation and vice versa? This chapter deals with this question, thus exploring the nexus between social reintegration of Maoist ex-combatants and transitional justice as well as reconciliation processes. If one was to focus on how ex-combatants and the communities that were to receive ex-combatants are or are not able to forge trust, network socially and renew confidence, this interaction is largely about social capital (Forrest and Kearns 2001; Nan 2009). It is arguable that the delay in promoting reconciliation in post-conflict Nepal has had a profound impact on ex-combatants' inability to socially integrate effectively into the villages of their origins. Building on the proposition that peacebuilding efforts through a process of reconciliation can help heal relationships and speed up social capital formation (Cilliers et al. 2016),<sup>1</sup> in this chapter, we also explore the correlation between reconciliation and social capital.

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<sup>1</sup>Cilliers et al. (2016) show that reconciliation helps to improve societal relationships and social capital, but this comes with a cost: reconciliation has also significant impact on individual well-being, particularly in mental health.

This chapter emerged out of a Ph.D. project that studied social and economic reintegration of Maoists ex-combatants in Nepal. In-depth interviews were conducted with Maoist ex-combatants, members of major political parties (especially the Nepali Congress, the Communist Party of Nepal-United Marxist and Leninist, Communist Party of Nepal-Maoist), civil society leaders and peacebuilding professionals. Interviews were conducted between September 2011 and March 2012 and again between December 2012 and February 2013 in Kathmandu, Morang, Sunsari, Chitwan, Dang, Banke and Kailai districts. Follow-up interviews with ex-combatants, political leaders, government officials and civil society leaders were also conducted in Kathmandu between November and December 2015.

## **Social Reintegration and Reconciliation: The Social Capital Link**

Although policy and research interest in the social reintegration of ex-combatants is growing exponentially, the concept is still incoherent and lacks a clear definition (Özdem 2012). However, for the purpose of this chapter, social reintegration of ex-combatants is defined as a process through which ex-combatants are accepted by their biological families, relatives and community on their return from combat (Kaplan and Nussio 2012; Porto et al. 2007). At the heart of the social reintegration concept lies an assumption that it is a complex and transformative process, the outcome of which is contingent upon the extent to which ex-combatants are accepted into their families and communities (Kingma 2000). As such, ex-combatants' families and communities who received them have a central agency in the social reintegration process (Hazan 2007; Kaplan and Nussio 2012; Kingma 2000; Leff 2008). The theoretical rationale is that ex-combatants' participation in community activities promotes healthy relations between ex-combatants and the community, so that such relations eventually contribute to fostering social capital and social cohesion, the elements that are essential for peacebuilding (Bernard et al. 2003; Colletta et al. 1996; ILO 2009; Özdem 2012; Stark 2006).

Family and community are two important elements of social reintegration. Ex-combatants, who are supported by family and who are able to receive community acceptance after they return from the war, find it relatively easy to the transition into civilian life (Verhey 2001). However, this proposition cannot and should not be generalised, because social stigma associated with the identity of ex-combatants may make some families reluctant to accept ex-combatants (Sideris 2003).

In addition to the role of family and community, social and cultural norms and values in post-conflict society can also shape the process and outcomes of social reintegration. For instance, Saferworld (2010) shows that socio-cultural factors, such as inter-caste marriages, were a key factor in the rejection of some female ex-combatants by their families, especially in-law families in Nepal.

These examples point to the fact that not only economic factors, but also social, cultural and psychosocial factors emerge as being important when family reunion is considered as an element of social reintegration.

While at the micro-level, family and community support and acceptance are the key elements of social reintegration, the macro-level social, political and institutional processes in post-conflict societies such as transitional justice and reconciliation processes and mechanisms have particular significance in facilitating successful reintegration of ex-combatants (Annan and Cutter 2009).

Much of the available empirical evidence underscores that while social reintegration and reconciliation have shared objectives, these processes can reinforce the positive outcomes if organised simultaneously. The literature also posits that social capital that ex-combatants are able or unable to foster upon their return from the war essentially links reintegration and reconciliation (Hazan 2007; Porto et al. 2007). In other words, reformulation of social capital at the end of war is an outcome that social reintegration and reconciliation processes aim to achieve.

Social capital, which is referred in this chapter as non-material resources like social networks and trust, is essential for individuals and groups to improve their social, political and economic opportunities (Adler and Kwon 2002; Woolcock and Sweetser 2002). Because of social capital's potential to foster inter-group relations and social harmony, social capital as an outcome of peacebuilding has gained currency in post-conflict studies (Brown et al. 2011; Brown and Zahar 2015; Cox 2009; Leff 2008; Paffenholz and Spurk 2006).

Social capital, however, has both positive and negative functions. On the positive side, social capital is a productive resource which connects people across the spectrum to form what is known as "bridging" social capital (Putnam 2000). On the negative side, "bonding" social capital can exclude "others" and non-members of a group from gaining access to resources and this can alienate and divide people who are excluded from the group membership (Gilbert 2009; Micolta 2009). While bridging social capital is essential for promoting social harmony, by contrast, bonding social capital creates social enclaves and alienates certain groups from social and political processes. As a society with high degree of social capital is able to foster social cohesion, which reduces inequalities and can contribute to rebuilding trust, post-conflict peacebuilding aims to promote social capital and social cohesion in fragmented and divided post-conflict societies (Brown and Zahar 2015; Stewart 2010).

## **The Context: Social Reintegration of Ex-combatants and Reconciliation in Nepal**

DDR of Maoist ex-combatants, as a means of managing the Maoists, their arms and armies, and setting up transitional justice and reconciliation mechanisms are two important elements of peacebuilding, as stipulated in the Comprehensive Peace

Agreement (CPA) in Nepal. The DDR programme in Nepal was unconventional because of its lack of adherence to standard DDR models which eventually resulted in the easier route of using a cash payment to reintegrate ex-combatants, rather than providing long-term reintegration assistance including psychosocial assistance (Subedi 2014b). Of 32,250 Maoist ex-combatants initially registered in 2007 for verification by the United Nations Mission in Nepal (UNMIN), only 19,006 combatants (15,756 men and 3846 women) were verified genuine, and therefore qualified for the entitlements of ex-combatants, while a total of 4008 Verified Minor and Late Recruit (VMLR)<sup>2</sup> combatants were disqualified and not allowed to remain in cantonments and receive accompanying reintegration support (Subedi 2014b).

After spending five years in cantonments, the verified ex-combatants were given a choice of an option between a voluntary retirement with a cash package, a rehabilitation package, or integration into the National Army. The cash package was categorised into four levels: those falling in the lowest rank received NRs 500,000 (US\$5000), while the three remaining higher categories of ex-combatants received NRs 600,000 (US\$6000), NRs 700,000 (US\$7000) and NRs 800,000 (US\$8000), in ascending order, respectively (Subedi 2014b). To date, out of the 19,602 verified combatants, 2456 ex-combatants were missing. Of a total of 17,146 ex-combatants present at the time of the updated numbers and final regrouping, 17,052 opted for voluntary retirement (Subedi 2014b). Given that voluntary retirement with a cash package was a major feature of the entire process, the DDR programme eventually ended up vacating the cantonments and closing down of the DDR process rather than continuing to provide important social, economic and psychosocial support to ex-combatants to assist with return and reintegration into their villages of origin in line with United Nations DDR (UNDDR) standards.

Many ex-combatants experienced economic hardship after their release from the cantonments, thus marring their economic reintegration with joblessness and unemployment and the lack of livelihood (Subedi 2014a). Accordingly, the social reintegration of ex-combatants was particularly at risk as many of them were either unable or unwilling to return to their families or were residing in urban areas and living a precarious life because the urban space facilitated them to change or hide their identity of being ex-combatants (Subedi 2014c). Social reintegration of ex-combatants is a domain in peacebuilding where DDR efforts and reconciliation converge. It is for this particular reason that reintegration of Maoist ex-combatants and post-conflict reconciliation efforts could have reciprocity concerning Nepal's peace process.

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<sup>2</sup>The minors (child soldiers) born after May 25, 1988 and the combatants recruited after the ceasefire agreement on May 25, 2006 are termed as VMLRs. This category is not verified as qualified combatants therefore they were discharged from the cantonment in 2010. The United National Inter-Agency Rehabilitation Program (UNIRP) has been implemented to support the rehabilitation of the VMLRs.

## *Post-conflict Transitional Justice and Reconciliation in Nepal*

Article 5.2.5 of the Comprehensive Peace Agreement (CPA) specifically calls for a Truth and Reconciliation Commission (TRC) to be established in Nepal in order to identify those involved in serious violations of human rights and crimes against humanity and develop an atmosphere for reconciliation in society (GoN 2006). Accordingly, Article 5.2.4 of the CPA calls for the formulation of the National Peace and Rehabilitation Commission to carry out works to normalise the adverse situation arising as a result of the armed conflict, maintain peace in the society and run relief and rehabilitation works for the people victimised and displaced as a result of the violent conflict.

Despite truth and reconciliation being one of the major priorities of the peace process, the CPA did not include any details about how to formulate the Commission and what it would achieve as a result. It was also unclear whether the reconciliation process intended to address the relationship between the conflict-affected people and the state because a significantly large section of the Maoists had since joined mainstream politics and had formed the government three times between 2007 and 2016. So would the government's recompilation have a horizontal dimension, between victims and perpetrators? As a result, Truth and Reconciliation in post-conflict Nepal has become a highly politicised agenda, resulting in the protracted manner of setting up the TRC commissions and delivering justice and facilitating reconciliation between war-time victims and perpetrators.

Although the process for setting up a TRC formally started in June 2007 when the Ministry of Peace and Reconstruction prepared the draft TRC bill, the idea of national reconciliation, which heavily underpinned the TRC bill, was counter-productive. Subscribing to national reconciliation rhetoric, the proposed Bill contained a controversial clause that attempted to provide blanket amnesty to the perpetrators from both sides—the government's security forces and the Maoists. The controversy spurred fierce criticism by national and international human rights activists, conflict victims and civil society organisations against the government, which eventually led to the withdrawal of this controversial provision in the draft Bill.<sup>3</sup> After making some light amendments to the proposed Bill, the government submitted it to parliament on 4 December 2009, followed by registering the TRC bill on 17 February 2010 (Advocacy Forum 2011). However, because of political instability, disputes and differences between the major political parties about the mandate of a TRC, frequent changes in the government and criticism by national and international civil society of the draft Bill, the Bill did not progress in parliament to become an Act.

In 2013, following the second election of the Constitution Assembly, the government drafted an Ordinance on Investigation of Disappeared Persons, Truth and Reconciliation Commission which also invoked considerable criticism nationally

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<sup>3</sup>Author interview with a Human Rights activist and a conflict victim in Kathmandu, November 2015.

and internationally, mainly for the Ordinance's failure to comply with international legal standards in a TRC process. More importantly, in January 2014, the Supreme Court of Nepal ordered the government to revise the Ordinance according to human rights principles and international standards in which a blanket amnesty would not be acceptable. It also organised for the establishment of two commissions, one on enforced disappearances and one on truth and reconciliation. In 2014, Parliament finally progressed the Commission on Investigation of Disappeared Persons, Truth and Reconciliation Act 2014. Accordingly the government formed two separate commissions—the Truth and Reconciliation Commission (TRC) and the Commission of Inquiry on Enforced Disappeared Persons (CIEDP).

Since the formulation of the TRC, its advancement has been slow, mainly due to lack of commitment on the parts of the major political parties who would prefer amnesty because the TRC process would potentially implicate leaders of political parties who were in the government between 2006 and 2010.

Furthermore, the 2014 Act stipulates that the maximum time frame for the TRC is two years with a possible extension for another one year. Considering this time frame, the truth and reconciliation processes should be completed by January 2018 (if a one year extension is granted). However, as of November 2016, the TRC has only received 57,700 complaints seeking truth against their grievances whereas dealing with the complaints, which are a core function of the TRC process, is yet to start. Hence, imagine how long it would take to process and deal with tens of thousands of grievances?

Two major shortcomings of the Commissions are noteworthy. First, the TRC seems to operate only as an initial forum for consideration of all conflict related complaints and is only responsible for recommending to the Ministry of Peace and Reconstruction which individuals should be considered for amnesty or for prosecution. The case is then referred to the Attorney General, who will decide to recommend the case to a Special Court. According to the Act, prosecution will be permitted only if amnesty is not recommended and is not available in relation to perpetrators who have reconciled with victims pursuant to section 22 of the Act. Second, the Commission is given the power to conduct reconciliation between the victims and the perpetrators without the consent of the parties involved—a practice that not only goes against international best practice in TRC operations but is also arbitrary—and therefore can potentially constrain the possibility of healing, justice and reconciliation between victims and perpetrators.

Despite the formal TRC process, which is unlikely to facilitate reconciliation for relational change and transformation, there are also several social reconciliation efforts being carried out which use arts, culture and sports as means of healing and reconciliation in divided societies. Most of these means are organised by NGOs and are functions operated outside the purview of formal mechanisms or formal infrastructures for peace. This means, it is likely that a TRC may settle the cases that are officially registered, while reconciliation in its true sense might still be lacking in post-conflict Nepal. Several thorny issues still remain unsettled; one of them is the social reintegration of ex-combatants and its potential negative impact on the reconciliation process, as discussed in the next section.

## ***Social Reintegration of Maoist Ex-combatants: A Social Capital Analysis***

The Maoist ex-combatants, who had been integrated into the network of war and the “war family” for several years, have to travel a long way to disengage from the war network and integrate back into society by rebuilding relationships and networks between themselves, their families and communities. This section explores the factors that have facilitated or constrained the building of these positive relationships, which refer specifically to the villages from which the ex-combatants originated.

### ***War-Time Conduct and Atrocities Affecting Trust***

During the armed conflict, the Maoists used the notion of “class enemy” as an instrument of war mobilisation. It soon turned out to be an instrument of violence. Operationalisation of the class enemy perception initially started with classifying rural elites, including big landholders, teachers, those associated with the private sector, police and army officials, and public officials and political leaders of political parties, as enemies of the people’s war. The class annihilation campaigns that followed began with physical punishment, including torture and violence targeted against the so-called class enemies. It was this campaign that not only displaced thousands of people but also helped the Maoists to sabotage their political and rural middle class intellectual opponents; these areas from which class enemies were displaced subsequently became known as the Maoist hinterlands.<sup>4</sup>

In the cases where violence was personalised or used to take revenge on the basis of personal matters, the public generally knew the identity of these offenders. There was a consensus among the people who responded to questions posed, especially non-combatant respondents, suggesting that ex-combatants who had identifiable war crime records were, consequently, experiencing a relatively higher degree of problems associated with social acceptance in their community. Indeed, combatants, who had committed “revealed” or “known” atrocities, tended to avoid going back to their community. Past atrocities and violence have remained an open source of retaliation by victims. In this sense, not only are ex-combatants a potential source of insecurity in society, but also, because of their troubled past, some ex-combatants face perceived security threats themselves. These two different forms of security risk have dual effects on social reintegration: people in the community have negative perceptions of ex-combatants who have carried out atrocities during the war, while victim–perpetrator relationships make some ex-combatants reluctant to face

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<sup>4</sup>Interview with a male human rights activist in Dhangadi, December 2011, and a lawyer in Ghorahi, Dang, February, 2012.



their own people because of the fear of retaliation for past misdeeds in which they have been involved and implicated.

### ***Personal Background Before Recruitment, Trust and Reconciliation***

The pre-recruitment personal backgrounds of ex-combatants are also important factors; this aspect has implications for the individual combatant's social acceptance in their community. At the time of recruitment, the Maoists did not take a thorough account of an individual's personal, social, moral and ideological background. An "all are welcome" type of attitude was dominant, partly due to the need to intensify combatant recruitment. As a result, people, including those who had bad police and criminal records and were antisocial, as well as those with infamous backgrounds, such as a person being a member of a violent youth gang and so on, were recruited as combatants. A combatant explained this very dynamic when interviewed, "The war needed fighters, no matter who they were and what background they may have had; the PLA welcomed people with all kinds of backgrounds, whether good or bad".<sup>5</sup>

By joining the insurgency, the people with criminal backgrounds acquired a new identity, which provided them with protection and safety. Some even felt more empowered and powerful enough to misuse their newly acquired power in forcefully and sometimes through brutal means controlling the life of villagers. While this recruitment policy served the PLA's goal to increase the number of combatants in its forces, in the eyes of the community, the combatants with known infamous backgrounds, previous to their Maoist recruitment, are perceived to have not changed drastically. As a result, some combatants have faced more difficulties in being accepted back into the community than others.

Individual combatants' education and upbringings, as well as the nature of social relationships with their family members, were another important factor determining their acceptance into the community (Subedi 2014c). Equally important would have been the degree to which they were radicalised and indoctrinated into the Maoist ideological mindset. Indoctrination and radicalisation, which were major recruitment strategies in the war, had varying effects on different ex-combatants. For instance, ex-combatants who had a dedicated Maoist background, including those who served as motivators and whole-time (WT) party workers and those who had had frequent interactions with senior leaders of the CPNM, were more radicalised and thus had become ideologically more aggressive than others.<sup>6</sup> More radicalised ex-combatants are seen as aggressive opponents of non-Maoist political leaders and

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<sup>5</sup>Interview with a journalist in Kathmandu, December 2012.

<sup>6</sup>Interview with a male civil society leader in Kathmandu, December 2012.

supporters; therefore, they have faced more difficulties in adjusting back into their communities with people of mixed political ideologies.

### *Social Acceptance, Social Stigma and Migration*

The study found that a significant proportion of ex-combatants either did not return to the villages of their origin or had migrated either to urban areas or to Gulf countries in search of a better option. Although at the outset, economic hardship seems to be a cause of ex-combatants' migration (both internal and international), the social stigma they have faced after being released from the cantonments is an equally important aspect driving this development. In other words, social stigma is one reason why some combatants have avoided social interaction, community activities or returning back to their villages. Many combatants felt that although the war had induced political and civic awareness throughout the country, the UCPNM's promises that the war would bring radical social, political and economic changes through a new discourse of state building based on the revolutionary philosophy of Maoism have remained unfulfilled. Further, the Community Party of Nepal-Maoist has been fractured into many splinter groups, which left combatants confused, disillusioned and frustrated. Almost all the combatants who were interviewed within this study stated that they have been struggling to find a convincing rationale for community people to justify the violence and revolution associated with the past war. Upon their release from cantonments with a cash package, many combatants encountered a moral dilemma and much confusion, as they didn't have satisfactory answers for the community to questions they were interrogated about in relation to the war. For some ex-combatants, the question of justifying their involvement in the war became even more problematic in villages where hundreds of families had lost members because of the war. This moral dilemma is also a source of social stigma and a constraining factor for the ex-combatants social reintegration. The heroic image of ex-combatants, which was common in the past, is now gradually fading and they are increasingly being seen as "agents of destruction".<sup>7</sup>

It is interesting to note that even given this situation, community people have not rejected them totally, although there are feelings of rejection and animosity commonly retained among the ex-combatants. A major issue promoting this rejection and unsettling relationships between the ex-combatants and villagers is the fact that many ex-combatants were reportedly involved in violence against community members during the war.<sup>8</sup> Impunity is still so widespread in the post-conflict period that villagers who have been witnesses either feel disempowered or unsafe to report

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<sup>7</sup>Interview with a male lawyer, Ghorahi, February 2013.

<sup>8</sup>The study also found that Maoist mobilised many combatants in other than their own villages; as a result not all combatants were reportedly identified as perpetrators in their villages.

violence and atrocities committed by the ex-combatants. On the one hand, the TRC process was delayed to such an extent that it has provided impunity for the perpetrators. On the other hand, the spirit of the CPA, the Interim Constitution of Nepal and subsequent political agreements between major political parties, including the Maoists, prevents war-time cases of violence and atrocities from being processed under the existing criminal justice system.

## **Discussion: How Would Reconciliation Impact on Social Reintegration?**

The case of Nepal discussed in this chapter suggests that a sizable number of ex-combatants are subject to TRC processing although this does not imply that all ex-combatants are perpetrators. Notwithstanding the number of ex-combatants involved in the serious violation of human rights and atrocities in the past, the government and the Maoists seem to be trying to manipulate the TRC process by institutionalising a blanket amnesty, which has serious implications for combatants and community relations.

Delays in formalising the TRC and then not accomplishing its tasks within the given time limits, means that the TRC is less likely to win public confidence from the grass-roots level of society. Presented with this situation, the horizontal animosity between victims and perpetrators, and the vertical resentments towards the state's inability to deliver justice and reconciliation, have been growing exponentially, dividing society even more so and driving state–society relations into crisis.

A growing need for transitional justice has been felt across the country, and in some places it has resulted in confrontations, disputes and public backlash. One useful example comes from the Dailekh district headquarters where police opened a file on Maoist war crimes, arrested the offenders and began an investigation in January 2013. This process, however, was obstructed by direct intervention from the Maoist Prime Minister and Attorney General, saying that war-time crimes cannot be dealt with outside the TRC structure. This situation erupted into a national and international issue, resulting in clashes between Maoist supporters and non-Maoist groups, including local civil society and indicates the dire need to deliver transitional justice. This event also suggests that there is the likelihood of difficulties and the possibility of political differences in dealing with war crimes. According to an interviewee, this event suddenly made the war-time offenders suspicious about their safety and security.<sup>9</sup>

The need for social reconciliation and its potential to complement ex-combatants' acceptance into the post-conflict society is vital for successful peacebuilding. However, the power given to the TRC to reconcile victims and perpetrators without explaining in detail how and when victims would consent to reconciliation continues

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<sup>9</sup>Interview with a journalist, Ghorahi, Dang, February 2013.

to raise criticism. Many ex-combatants, as well as conflict victims, who were interviewed perceived reconciliation as being a formal political process and that optimism regarding the process and outcomes of the TRC was declining.

The lack of reconciliation and justice has led to ex-combatants being polarised and alienated from their communities. A large number of ex-combatants were settled in villages that are disconnected from other villagers in Chitwan, Dang, Nawalparasi, Kailali and Surkhet districts. Many combatants were found to have started micro-enterprises such as poultry farming, vegetable farming, goat rearing, forming cooperatives that excluded the memberships of other villages. Thus because of the settlement pattern as well as how the ex-combatants were engaged in livelihood generating activities, they have tended to form their own closed networks and interactions having formed a close network that displays the characteristics of what is known as “bonded social capital”. This form of social capital is fragmentary and prone to widen cleavages between ex-combatants and several other social categories, such as war victims and internally displaced persons (IDPs). Formation of bonded capital further indicated a situation where community relationships have stagnated, requiring some form of facilitation to bring adversaries to interact with each other, thus engaging them in a process of dialogue. For example, the communities of internally displaced persons (IDPs) and ex-combatants in the Dang district had uneasy and problematic relationships; this is because the IDPs see ex-combatants as a source of their forced displacement from their villages. While there are increasing interactions between IDPs and ex-combatants in public spaces, both sides look for external facilitations to ease their relationships.

In a nutshell, this fragmentation and bonding social capital among ex-combatants have partially become a barrier to their effective social reintegration. A timely reconciliation process would help to break this bonding social capital and ease the tension in relationships between ex-combatants and the villagers where they originated and in ways that would facilitate and transform societal relationships for effective peacebuilding to occur in Nepal.

Given that the opportunity to organise DDR in parallel with TRC is lost, Nepal would now need a local mechanisms for promoting reconciliation. This would be important for at least three reasons. First, not all cases of war-time violence will be reported to the TRC because either the victims do not have adequate evidence or the perpetrator is so powerful that the victims would not come forward due to the lack of an effective victim protection system. Second, there are many indirect victims whose cases may not fall under the purview of a TRC but they still may need external support and facilitation to mend the relationship with adversaries including ex-combatants. Finally, it is likely that many lower rank cadres, from both the Maoist People’s Liberation Army and the Nepal Army will be recommended by the TRC for a court trail while their senior authority figures, for example officers and higher ranking fighters giving the orders, that are morally responsible for the atrocities carried out by lower ranking combatants will most likely go unpunished. These conditions and factors create a dilemma where a TRC may have limitations to balance justice, impunity, forgiveness and reconciliation. In other words, the TRC faces a justice-peace dilemma.

In the context of this on-going dilemma, the need to engage in community reconciliation becomes even more pressing. This could be accomplished by bringing the adversary groups into contact and interaction through various means such as development work and social dialogue. Local peace committees (LPCs) and community-based reconciliation carried out through NGOs could work, in addition to the use of sports, arts and cultural events, such as street theatre, cultural festivals and arts exhibitions, all of which can help in advancing social reconciliation. There is limited space for civil society organisations (CSOs) and community people to participate in the TRC process, therefore social reconciliation at the grass roots could potentially have an enormous positive impact as it allows and adds value to the work that CSOs and communities do to effectively complement reconciliation from below.

## Conclusions

The case study presented in this chapter has highlighted the reciprocal relationships between the social reintegration of ex-combatants and post-conflict reconciliation processes. The social reintegration of the Maoist ex-combatants is as much an individual process as it is a collective societal process. Assisting ex-combatants in their social reintegration would have the potential to contribute to the improvement of relational-level changes, particularly between ex-combatants and communities. Such changes are highly essential to foster better relationships, trust and networks between ex-combatants and their communities, which, in turn, could help social capital that was damaged during the war. As discussed in this chapter, the lack of the formal peace infrastructure that would facilitate the reconciliation of ex-combatants and the communities who receive them has caused negative impact in the way ex-combatants were unable or unwilling to return to the villages of their origin. A TRC process that would take the views and narratives of ex-combatants and conflict victims, and is organised in parallel with DDR of Maoist ex-combatants, would help ex-combatants reintegrate socially.

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# Chapter 4

## Building National Unity, Reconciliation and Peace in the Solomon Islands: The Missing Link

Louise Vella and Jack Maebuta

### Introduction

The 1998–2003 conflict in the Solomon Islands manifested primarily along provincial identity, or so-called ‘ethnic’, lines. Prior to the outbreak of violence, however, Solomon Islands was not a divided nation. While its archipelagic geography separated villages and populations, the ocean also connected them, facilitating trade, marriage and migration between communities (McDougall and Kere 2011, p. 147). Solomon Islanders have a history of intermarriage and interaction between families, communities and across the provinces; many of those involved in the conflict were formerly neighbours, friends, schoolmates or colleagues. Thus, the need to restore relationships and ‘reconcile’ in post-conflict Solomon Islands was, and continues to be, a vital task.

The term ‘reconciliation’ is commonly used in Solomon Islands *Pijin*—the national lingua franca. It carries its own local definitions and refers to fairly specific localised practices that draw from local *kastom*<sup>1</sup> and Christianity. In Solomon

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<sup>1</sup>*Kastom* is a Pijin term (derived from the English ‘custom’) frequently used across the Solomon Islands. The term is officially undefined and its meaning is highly subjective, differing across communities. Broadly speaking, *kastom* refers to cultural traditions, practices and social norms which influence and shape expected modes of behaviour and actions. While *kastom* is rooted in forms of life which are traditional to the region, it is dynamic, fluid and evolving, existing alongside and in interplay with formal state structures and Christianity (Brown 2008, p. 190; Allen et al. 2013, p. 34).

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Islands' *kastom*, 'reconciliation' typically refers to a process inherent in conflict resolution and preceding peacebuilding. While varying across the archipelago, this process typically involves the exchange and acceptance of goods, negotiations, dialogue and speeches, and an opening of space for interaction (McDougall and Kere 2011, p. 151). This process of reconciliation is often referred to as 'doing' reconciliation or *kastom*, signifying the importance of conceptualising reconciliation as something that is purposefully done, rather than a state of post-conflict affairs.

Efforts to prompt reconciliation and build peace in post-conflict Solomon Islands have included a range of informal and formal activities, carried out by local and international actors at local, provincial, national and regional levels (see Maebuta et al. 2009; Braithwaite et al. 2010). This chapter will consider the Solomon Islands Truth and Reconciliation Commission (TRC), established in 2008 by the Solomon Islands Government (SIG) in an attempt to 'promote national unity and reconciliation' (SIG 2008). Initially proposed several years earlier in 2000 by a concerned and increasingly active Civil Society Network (CSN), the TRC was seen as a possible means to encourage and formalise reconciliation on a national scale and prompt peace during a time of heightened violence and government instability.

This chapter contends that the local cultural dynamics of reconciliation were not featured in the design of the Solomon Islands TRC. Original intentions to adapt the increasingly popular and globalised transitional justice mechanism to the unique cultural landscape in the Solomon Islands were not realised. Community reconciliation processes were therefore not utilised, and consequently the ambitious goal of the TRC to promote reconciliation was not achieved. Discussions in this chapter consider the following questions:

1. How did the TRC define reconciliation, and what has it reconciled?
2. What is the nature of the 'truth' that has surfaced? What purpose has this served in terms of reconciliation?
3. How did the TRC engage with local conceptions of reconciliation and adapt to the Solomon Islands context?

This chapter draws from the authors' experiences living and working in the Solomon Islands. Jack Maebuta is a Solomon Islander, educator and peace researcher. Louise Vella worked for the Solomon Islands TRC for one year and has subsequently completed doctoral research into the experiences of the commission and its potential as a means of peacebuilding in Melanesia. Interview material for this chapter draws from her research with TRC staff and stakeholders in Honiara in 2012.<sup>2</sup>

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<sup>2</sup>Interviews were conducted by Louise Vella in Solomon Islands in Pijin, English or a combination of both languages in 2012 and 2013. All translations were made by the author. Interviewees included staff of the Solomon Islands TRC, personnel from relevant stakeholders such as the United Nations and Non-Governmental Organisations, those involved with the establishment of the commission, and local community and church leaders.

## Background

The initial stages of the conflict, from 1998 to 2000, played out between citizens and militant groups from the two most populated provinces in Solomon Islands, Guadalcanal (in which the capital Honiara is located) and Malaita (from where the majority of migrant settlers in Guadalcanal originate). Many people on Guadalcanal felt the large numbers of migrant settlers were leading to those from Guadalcanal being culturally and economically marginalised on their own land. The migrant settlers were seen to have exploited economic opportunities such as jobs and services created by major investments in and around Honiara and on Guadalcanal (Maebuta 2012, p. 94). These grievances formed the basis of the bona fide demands made by the Guadalcanal Province to the Solomon Islands Government (SIG) in 1988; however, the grievances were unaddressed.

Following a decade of building resentment on behalf of the Guadalcanal population, a group of Guadalcanal men formed the Guadalcanal Revolutionary Army (GRA), later renamed the Isatabu Freedom Movement (IFM), and initiated a series of attacks on predominantly Malaitan migrant settlements on northern Guadalcanal (Pollard and Wale 2004, p. 584). Hearing rumours and news of the evictions, thousands of Malaitan families preemptively fled their homes to avoid the violence. Panic rose as settlements were violently destroyed and human rights abuses such as rape and murder were committed (Pollard and Wale 2004, p. 584). While the level of conflict-related violence was comparatively low when compared with other conflicts worldwide, it was a significant change in the country colloquially known as 'the Happy Isles'. From 1998 to 1999, between 20,000 and 30,000 people were displaced from rural Guadalcanal, losing their homes, livelihoods and possessions, fleeing either into inland bush, Honiara or to Malaita.

Displaced Malaitans grew frustrated at the government's failure to assist them or apprehend the Guadalcanal militants. Malaitan boys and men formed vigilante groups, and in 2000 the Malaita Eagle Force (MEF) formed to retaliate against the Guadalcanal militants. While some could sympathise with or understand the Guadalcanal claims to land, the violence committed against their families in the forced evictions, and the perceived threat to Honiara by Guadalcanal militants, gave cause for retaliation under the guise of self-defence and security (Ata et al. 2012, pp. 246–8).

Supported by a number of prominent Malaitans, and with strong links to the Malaitan-dominated police force, the MEF captured the main police armoury, arming themselves with high-powered military-style weapons, and forced a change of government. Honiara was blockaded by MEF militants at the town boundaries, and skirmishes broke out around the capital between militant groups from the two provinces. Guadalcanal militants were relegated to the outskirts of the capital and rural Guadalcanal, and also established road blocks on the outskirts of town. Thousands of Malaitan settlers had already fled rural Guadalcanal to Honiara and Malaita, and indigenous Guadalcanal and other migrant settlers fled the Malaitan-dominated capital to safety in home villages away from the capital.

In October 2000, representatives of the warring groups signed the Townsville Peace Agreement. A prominent IFM leader boycotted the Townsville meeting, however, and with his supporters formed the Guadalcanal Liberation Front (GLF), which continued to exert violent control over the remote Weathercoast of Guadalcanal. The police, aided by some ex-MEF and ex-IFM militants, attempted to capture the leaders and members of the GLF; however, in the process they also terrorised local villages.

The conflict in Solomon Islands is at times referred to as ‘small scale’, directly causing an estimated 200 conflict-related deaths.<sup>3</sup> The devastating consequences, however, permeated across the nation’s population; the economy was bankrupted, government services severely disrupted, and the police force divided and compromised (Allen 2006, p. 310). Widespread displacement, human rights abuses, violence and instability caused suffering and further deaths for many.<sup>4</sup> The blockade of Honiara isolated those in the capital from the foodstuffs of the gardens in Guadalcanal, and those in Guadalcanal and elsewhere from essential items and services based in Honiara.

Though often referred to as an ‘ethnic conflict’ or the ‘ethnic tensions’, the roots of the conflict are complex—embedded in socioeconomic, development, political and land issues rather than an intractable divide between the groups involved (Kabutaulaka 2002, p. 4; Maebuta et al. 2009, p. 7). While conflict and violence initially manifested primarily along provincial or ‘ethnic’ lines, much violence was also committed within the respected groups (Vella 2014b, p. 2).

What became a ten-year regional intervention, the purposely formed Regional Assistance Mission to Solomon Islands (RAMSI) technically brought an end to the conflict period. Consisting of military, police and civil service personnel from across the region, the Australian led intervention provided the means to restore law and order in 2003 through the Pijin named ‘Operation Helpem Fren’.<sup>5</sup> Peacebuilding and reconciliation were not included in the mandate of RAMSI, nor did the regional intervention work in direct partnership with the Solomon Islands Ministry for National Unity, Reconciliation and Peace (MNURP). While RAMSI achieved a great deal to improve law and order in the Solomon Islands throughout its ten-year intervention, its efforts did not—indeed could not—build peace and reconciliation across the country, and it is noted that ‘one of the greatest mistakes of the mission has been to assume that law and order equals peace and security’ (Powles 2006, p. 10).

Throughout the conflict and following the arrival of RAMSI, civil society actors collaborated in attempts to halt the escalating violence, build peace at community and national levels and prompt reconciliation. Women’s groups, church groups and

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<sup>3</sup>The TRC final report lists the names of two hundred people whose violent deaths were attributed to the conflict.

<sup>4</sup>For detailed overviews of the conflict, see Fraenkel 2004, Moore 2004 or Allen 2013.

<sup>5</sup>For more on RAMSI, see Coppel (2012). For discussion and analysis of the intervention, see Barbara (2008) and Allen and Dinnen (2010).

chiefs and church leaders across the affected areas worked together across so-called 'ethnic' divides to serve as mediators, advocates and peace builders (see Pollard 2000; Paina 2000; Carter 2006; Braithwaite et al. 2010; Maebuta et al. 2009). Through these efforts, the Solomon Islands TRC was initiated and established.

The idea for a commission was first proposed at the 'height' of the conflict, in 2000, during a peace conference organised by the CSN. At the time, members of a Peace Office established within the Solomon Islands Christian Association (SICA), an umbrella organisation for Christian churches in the country, were advocating for peace agreements and seeking effective approaches to end the violence and to secure peace (UNDP 2011, p. 3). Members of the SICA Peace Office advocated for the TRC as a potential means to 'build national unity' through truth-telling, reconciliation and justice or amnesty processes (SICA 2002, p. 6). Conceptualising reconciliation as it is understood locally in Solomon Islands—that is, as inherent in the process of ending conflict as much as denoting restored relationships after it (Vella 2014a)—a TRC was seen by its advocates as 'one way to move the country forward from conflict' (SICA Peace Office member 1, personal communication, 2012). Proposed in the midst of the conflict, a former member of the SICA Peace Office explained, 'we were trying to find a better way forward' (SICA Peace Office member 2, personal communication, 2012). Influenced by the establishment of truth commissions around the world and then recent commissions and transitional justice processes in Sierra Leone, Rwanda and South Africa, members of the SICA Peace Office conducted research into the suitability of establishing a TRC in Solomon Islands. This included a member of the SICA Peace Office who undertook a study tour of South Africa to examine the TRC that was established there (UNDP 2011, p. 3).

Following a church leaders' conference in August 2002, a TRC working committee was established. A request for support was made to the Commonwealth Secretariat, resulting in a visit to Honiara by the head of the Human Rights Unit at the Commonwealth Secretariat in London, during which a framework for a Solomon Islands TRC was prepared (SICA 2002, p. 2). The framework became the basis for a community-wide dialogue process, the outcome of which was hoped to be a 'truth and reconciliation process that is appropriate to the context of [the] Solomon Islands and issues but builds on experiences of other countries' (SICA 2002, p. 2).

The framework considered the sociopolitical context of Solomon Islands at that time, noting factors befitting the implementation of a TRC. There were several important factors to consider: there had yet to be prosecutions for conflict-related crimes, former militants continued to retain weapons and exercise influence, and there was uncertainty as to future peace (SICA 2002, p. 5). A number of key features and strengths of the Solomon Islands were also noted. These included an impartial and independent judiciary; strength of *kastom* and reconciliation traditions; strength of Christian faith; a relatively short period of active armed conflict and the small number of perpetrators (SICA 2002, p. 6). According to the framework, truth was seen as a path to reconciliation. Reconciliation—on a range of levels—was viewed as the priority:

The goal of the process is to build national unity. The process should target reconciliation as its primary outcome, but we must find and know the truth in order to reconcile [...] Reconciliation between victim and perpetrator, perpetrator and village and within the nation as a whole should be the primary goal of the truth, justice and reconciliation process in Solomon Islands (SICA 2002, pp. 6 and 11).

Following the arrival of RAMSI, momentum for the Solomon Islands TRC stalled, yet advocacy for the commission slowly continued. The Solomon Islands TRC was eventually established five years after the arrival of RAMSI, by the TRC Act 2008,<sup>6</sup> with a mandate to ‘promote national unity and reconciliation’. The commission was publicly launched in April 2009 by Archbishop Desmond Tutu, former Chair of the South African TRC, and officially began operations in January 2010 for two years. To achieve its mandate, the commission undertook activities commensurate with truth commissions worldwide. These included statement-taking and the compilation of a database to document the reported incidents of human rights abuses; regional and thematic public hearings; research and investigations that included closed hearings; and an exhumations programme to return the bodies of those killed to their families for proper burial. In February 2012, the TRC’s final report was handed to the prime minister. Despite being widely read by Solomon Islanders and others worldwide after being unofficially leaked in early 2013, it has yet to be tabled in parliament or officially released.

## **How Did the TRC Define Reconciliation, and What Has It Reconciled?**

To define what precisely is meant by reconciliation remains one of the great incomplete tasks of the nation (Ata et al. 2012, p. 716).

Although the Solomon Islands TRC included the term ‘reconciliation’ in its title and identified it as a key objective in its mandate, it did not officially define the term. Indeed, the term ‘reconciliation’ suffers from a lack of definitional clarity in the wider peace and conflict studies literature: its ‘basic problem is that no one agrees how to define it or do it’ (Bloomfield 2006, p. 4). Yet reconciliation remains a priority in both the peacebuilding and transitional justice discourses, particularly so in relation to truth commissions. As in the case of the Solomon Islands TRC, the term ‘reconciliation’ is often included in the titles and mandates of truth commissions and assumed to be a plausible outcome of the process: ‘the strength of a truth commission process is in advancing reconciliation on a national or political level’ (Hayner 2011, p. 183).

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<sup>6</sup>Access to full text of the Act is available at: [http://www.paclii.org/sb/legis/num\\_act/tarca2008371/](http://www.paclii.org/sb/legis/num_act/tarca2008371/). Referred to in this chapter as the TRC Act.

As with truth-telling and truth-seeking, the already inherently challenging task of pursuing ‘reconciliation’ through a truth commission is further complicated by the friction of importing a globalised mechanism into a local context where the terms and goals themselves are interpreted through the lens of local worldviews and, therefore, attached particular meanings and interpretations. As noted above, ‘reconciliation’ is a term used widely in *Pijin*, and Solomon Islanders have a strong understanding of how to ‘do’ reconciliation, usually through a combination of Christian and customary processes on interpersonal, familial or communal levels. When seeing the term included in the title of the Solomon Islands TRC and as a key objective in its mandate, Solomon Islanders ‘translated’ the term into local vernacular interpretations (Merry 2006), which led to particular expectations of what the Commission would facilitate or achieve (Vella 2014a, b).

While law and order had been restored in the Solomon Islands in the years since the violence had ended and with the arrival and intervention of RAMSI, a demand for reconciliation—and the associated rehabilitation and compensation—remained amongst the conflict-affected population. In many cases, Solomon Islanders had taken initiative to reconcile within their own communities. Since the end of open hostilities, some communities conducted their own post-conflict reconciliation ceremonies, often without government intervention or support. However, this has been largely limited to conflicts of urgent need of resolution, such as those within village communities, in order to enable future peaceful coexistence. For conflicts involving people from separate communities, however, the process has not seemed as necessary, or easily addressed, and resentment may remain. For example, one former TRC staff member reflected on an incident her family endured during the conflict:

Ever since, I’ve had the memories of them coming to spoil my family and how they took my personal items, which I don’t feel good about, they should come and ask for us to reconcile and I would accept. They should come and ask me. But for me to go and approach them, is not acceptable. Because they did something to me and its no good that they don’t come and ask me and I’m ready to reconcile (personal communication, 2012).

On a national level, reconciliation has been somewhat neglected, as Braithwaite et al. (2010, p. 81) explain:

A combination of RAMSI not demanding it, crowding it off the policy agenda with other important matters of statebuilding and Melanesian patience about getting around to reconciliation meant that reconciliation languished for years with little attention (Braithwaite et al. 2010, p. 81).

With demand for reconciliation remaining, its inclusion in the TRC’s mandate was an appealing potential outcome. Understanding the importance of reconciliation for durable peace building, initial advocates of the TRC included a reconciliation programme as a priority of the commission’s mandate. The early framework for a TRC proposed by SICA conceptualised reconciliation as occurring on multiple societal levels—presenting it as an interpersonal and inter-village process, as well as a national process (SICA 2002, p. 11). The framework drew on local interpretations of reconciliation, noting that it must incorporate custom law, chiefs and

churches (SICA 2002, p. 11). It referred to reconciliation as ‘along the lines of a restorative justice process’ and it was envisioned that reconciliation would occur alongside the truth-telling process: ‘it does not await the end of the issuing or publication of the truth report’ (SICA 2002, p. 11).

The TRC Act, however, did not stipulate how reconciliation would be defined, conducted or promoted, rather implying that it would manifest as a result of the TRC’s truth-seeking activities. According to the TRC Act, the commission was ‘to restore the human dignity of victims and promote reconciliation’ by providing an opportunity for victims and perpetrators to give personal accounts of their experiences, therefore ‘creating a climate which fosters constructive interchange between victims and perpetrators’ (SIG 2008, p. 5[2c]). Thus, truth-seeking was seen to contribute towards reconciliatory outcomes. One of the Commissioners explained how the commission unintentionally focused on truth more than reconciliation, and that a dedicated reconciliation programme was planned, but eventually sidelined:

I think that that we had decided in the second year, that we’d concentrate on reconciliation. But somehow I think because of the all sorts of the delays, I think any sort of reconciliation program was probably scaled down, if not completely abandoned (personal communication, 2012).

The TRC’s final report dedicated a chapter to national unity and reconciliation (Ata et al. 2012, pp. 704–31), in which a general overview of reconciliation was provided and recommendations stemming from the Chairman’s provincial consultations were offered (pp. 718–25). The report acknowledged that the commission could not, nor did it try to, achieve national reconciliation, stating, ‘The Commission has had no presumption of achieving national reconciliation in the course of its work (Ata et al. 2012, p. 714). It goes on to say:

Perhaps the more reasonable goal for the Government is to promote reconciliation rather than to achieve it, as indicated in the TRC Act 2008 that created the Commission. Despite a general sense of disappointment, there has been little serious reflection in the media or public about what reconciliation might really mean, or what might be required to attain it [...] In reality, reconciliation is a voluntary act that cannot be imposed or by any other legal measure. Rather, it requires a very wide range of activities to address deeply conflicted and fractured relationships (Ata et al. 2012, p. 725).

The final report provided a range of policy recommendations for the SIG to address the causes and consequences of the conflict. However, the inaction of the government to release the final report and act on its recommendations in turn illustrated the very dissatisfaction the commission captured regarding peace and reconciliation in Solomon Islands, when it quoted the testimony of ex-militant Adrian Ronia at a public hearing in the final report (Ata et al. 2012, p. 716):

I would like to say ten years has lapsed and the talk in the media, courtroom, streets, villages, mountains, valleys, and islands and oceans is still peace and reconciliation. Why has all this been prolonged for another ten years without addressing our demands, without any answers or results?



## **What Is the Nature of the ‘Truth’ that Has Surfaced? What Purpose Has This Served in Terms of Reconciliation?**

Normative assumptions underlying truth commissions propagate the idea that ‘truth’ is necessary, desirable and achievable to fulfil peacebuilding aims. Critics, however, question whether it is feasible to even ‘establish anything that should actually be called, with a straight face, “truth”’ (Tepperman 2002, pp. 129–139). The nature and pursuit of truth is a complex and elusive goal, especially in post-conflict, divided societies, and defining truth a contentious ambition (Chapman 2009, p. 96). The final report of a TRC and the ‘truth’ it documents must be understood in the context in which it was produced. Here, we draw attention to three factors, which framed the collection and portrayal of truth for the Solomon Islands TRC.

The first factor considers whose truth is sought, and for what purpose do people participate? As Andrews (2003, p. 62) explains:

Truth commissions are conduits for collective memory, and that memory, like all memory, is constantly changing. The ‘national narratives’ about a country’s traumatic past which emerge from proceedings of truth commissions document stories of the past, and these stories are in turn firmly situated in the circumstances of the present.

The stories, experiences and ‘truths’ shared during truth commission processes were influenced not only by the present, but perceived benefits for the future—such as forgiveness, acknowledgement, rehabilitation or reparation. Unlike the widely known South African TRC, the Solomon Islands TRC did not offer amnesty to those confessing crimes. Conversely, it reminded those providing testimony at public hearings that they were not obliged to disclose information that may incriminate themselves or their families. Some interviewees noted the lack of participation and disclosure by ex-combatants and perpetrators of crimes during the conflict in the public hearings, reflecting that the commission collected ‘the truth of the victims. It was mostly their stories. So it is not even the whole truth, if there is such a thing’ (personal communication, 2012). A TRC staff member echoed this point, noting:

I believe that there are more incidents of violence that should come out and be faced to the public, but it hasn’t come out. The TRC is good because it exposes the truth. But I don’t think it exposes the whole truth. Like the public hearing for victims, it exposes the truth about how the victims suffer, what experience they went through and what kind of violence they faced. The public hearing for militants, it was a bit different because the former militants, they didn’t talk about what actually happened, what they did and why they did it. They kept blaming other people (TRC staff member, personal communication, 2012).

Many ex-combatants took the opportunity of the public hearing to explain or defend their participation or actions and ask for forgiveness, rather than to admit or disclose new information regarding crimes or violence. Many framed their stories within a narrative of victimhood, explaining and justifying how they came to be in the position of ‘militant’, and apologising for the actions they had done (see transcriptions of testimony available in volume 4, Ata et al. 2012). Braithwaite et al.

(2010, p. 147) note that ex-militants had been able to maintain two identities, a major challenge for peacebuilding in Solomon Islands:

[T]hey managed a backstage identity as combatants and a front-stage identity as victims, so as to maximise large compensation payments from the government. Successive governments have served the nation poorly by paying them.

Similarly, victims also ‘framed’ their narrative according to perceived future benefits—the potential to benefit from the commission’s recommendations and impact future government policy clearly a major motivating factor to participate in the commission’s truth-seeking activities, more so than the purported cathartic effect of truth-telling—the sharing of one’s story or having it acknowledged. The demand for action to follow truth-telling was explained clearly by one TRC staff member: ‘They want to share their story to make recommendations. Because I think it’s no purpose to tell my story if nothing comes after it’ (personal communication, 2012).

A second factor framing the truth collected by the TRC was the methodology of accessing and gathering ‘truth’. The content of a testimony provided to truth commission workers is largely dependent on the questions that are asked or the form that is used to guide the statement-taking process. Statement-taking forms must therefore be structured carefully so that the testimony is not overly determined by rigid categories of standardised legal boxes (Nesiah 2006, p. 21). In a Melanesian context, where ‘storying’ or ‘tok stori’<sup>7</sup> is a cultural and accepted method of sharing information, it was especially important to plan the statement-taking process around this culturally appropriate mode of communicating.

While the statement-taking forms for the TRC were indeed comprised of ‘standardized legal boxes’, the process of providing a statement involved telling one’s story to the statement-taker, who then coded the information on the forms as it was received, and later prepared a short written summary of the statement. Pending the provision of consent, the conversation was recorded on a digital device and later transcribed at the head office, for analysis by the research team and Commissioners. These transcripts proved valuable to provide contextual detail to the data that was captured by the statement-taking forms and are thus used prolifically throughout the commission’s final report to illustrate the violations that had occurred and give voice to their survivors.

This process of statement-taking had a number of implications for the collection of personal narratives. Those providing statements were offered little direction apart from being invited to retell their experiences of the conflict, and any specific violations or events which they experienced or witnessed. While allowing the statement giver to ‘story’ avoided over-determining the topic of conversation, it

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<sup>7</sup>*Tok stori* or ‘storying’ refers to a Melanesian cultural practice of sharing knowledge and is an integral part of all indigenous Pacific research (Tuhiwai Smith 1999, p. 144). In the research methods literature, it may be likened to unstructured interviews or open-ended interviews.

may have excluded topics which the deponent did not voluntarily initiate and which the statement-taker did not enquire about. Differing motivations behind disclosure would have also impacted the content of the narratives provided to the commission.

Elements of the statement-taking process contradicted local cultural practices and were regularly resisted. Typically in the Solomon Islands, if a matter has been resolved or reconciled, it is considered ‘tabu’ to raise the matter publicly again. Approaching villages and asking for victims of the conflict to come forward and document a statement was therefore perceived by many statement-takers to be incongruent with local *kastom* and practices of conflict management. Yet the overall goal of compiling a public account of the conflict was generally valued; anecdotally, many who participated in the TRC process reported it to be a cathartic experience, as described by a former TRC statement-taker:

How I see it, the majority of people feel good to tell their stories, because it’s hard to hold back what causes pain in your heart, or for your heart to be sore for a long time. So when somebody goes out and asks, ‘how do you feel’ and ‘how do you think about those tensions’, those people feel free to tell their story. They feel healed. When they tell about what is inside of them (*personal communication, 2012*).

Rather than replicate a truth-seeking programme akin to truth commissions globally, the Solomon Islands TRC needed a methodological approach better suited to the nature of research and reconciliation in the Solomon Islands. A stakeholder of the commission warned of the problematic response to encouraging an unfamiliar approach:

Another one is I don’t like if we impose something, I mean, try to impose something which people have never come across before, and then we try and tell them, this is a good way to do things. We should not do that. Like for example, telling everyone to come out and tell their stories, encourage people to try and influence people to tell their stories, that, I do not think that is the right way to do things. Probably we should find another way around, instead of forcing, not forcing, but encouraging people for telling their story, I don’t think it worked well [...] Because sometimes people, I feel like if we make people story, then they will sit down and say, ‘ok, because you want a story, I’ll tell a story’, but they tell you a different story. They don’t tell you the truth (*personal communication, 2012*).

Related to the methodology of collecting ‘truth’ is the third factor which framed the particular truth that was documented—the human rights lens which the Solomon Islands TRC adopted to guide investigations, coding, analysis and writing of the final report. With the topics, themes and time periods to be examined stipulated in the TRC Act, the commission was restricted to investigating a certain truth. This truth was framed by questions pertaining to the violation of human rights—as defined in international law but not yet frequently adopted or accepted by Solomon Islands communities. Thus, the questions and topics examined were at times confronting and culturally unacceptable to directly ask the conflict-affected population. One statement-taker explained how she translated the questions on the statement-taking forms so they would be culturally acceptable to discuss:

We turn the questions around, make it inside a story or so forth, so that they can tell their story [...] Some other statement-takers I worked with, in the workshop, we talked about that too. We talked about how even though we have these direct questions, we must not directly ask them. You must talk around the question, or put it in a story, then at the end you can ask it (TRC staff member, personal communication, 2012).

## **How Did the TRC Engage with Local Conceptions of Reconciliation and Adapt to the Solomon Islands Context?**

Unless accompanied by some form of compensation, many people initially did not want to give their statement to the TRC. To overcome this resistance and hesitation, TRC field workers explained to communities that the commission would compile a final report based on the information gathered, which would include recommendations for future policy, reforms and reparations. This provided deponents motivation to share their stories and an audience in mind for whom to frame their narrative. Without the possibility of some kind of ‘compensation’ in the form of recommendations for policy changes and reparations, many would not have felt it appropriate to talk to the statement-takers. Resistance to recalling the past was an ongoing challenge for statement-takers, who were perceived as ‘digging up’ matters that had been previously reconciled. One staff member explained:

Lots of people, when we go, they say, “it’s hard for us to say”, some of them refuse, they say “oh it’s hard for us to tell, because what you’re asking is in the past and so we have forgotten these things.” Some people who lost their loved ones or something like that, it’s hard for them to tell what happened in the past, it’s like they’ve forgotten it but we go and dig back what happened in the past and we try and make them talk (personal communication, 2012).

Early advocates of the TRC acknowledged these unique local conflict management practices that can inhibit public disclosure following conflict or reconciliation, and recognised that this was reinforced by a Christian doctrine of forgiveness. A member of the SICA Peace Office described how they grappled with the place and purpose for truth considering the cultural tendencies towards silence:

At that point in time, there were some in the Churches who were saying the Church’s message is to forgive and forget, and we were there saying well where on earth did that come from? You know, that ain’t Christian. That’s the most damaging thing you can do, you know. And so what does it mean? There were some really big questions such as ‘what does forgiveness mean in a Christian context’ and, ‘what is the place for truth?’ Some really quite powerful statements made by the former Chief Justice. He made a point, I guess coming from the Guadalcanal perspective, from the Weathercoast, he said Melanesian culture isn’t really good at getting the truth.

[...] I think there was a sense of, yeah that’s right, we talk about compensation peace stuff, but in Melanesian culture, it’s not based on truth. If someone accuses you of doing something, the question isn’t did they or didn’t they, the question is how can we bring peace back, you know, so you have this compensation. But often, it’s a good question, did

they or didn't they? So he was saying, culturally, we're not good at dealing with, at handling truth. But for this case, if we don't, face the truth, we will be paying the price over and over again. So that was the sort of idea behind it (SICA Peace Office member 2, personal communication, 2012).

In a context where public truth-telling is fraught with cultural implications, a TRC was seen by its advocates as a means to sanction a formal space to permit the telling of truth regarding the conflict for the sake of ongoing and future peace. In this regard, the TRC could have created a legitimate space to facilitate a directed discussion and 'a chance to deal with what happened and why. And learn from it' (SICA Peace Office member 2, personal communication, 2012). Another SICA Peace Office member explained:

How we look at it, the culture here, people, if something happens and people have heard about it. Then they come together to sort it out. Then how I see this mechanism, the TRC, we hear that something big has happened, but we haven't heard of the individual atrocities. And we need to hear them so we can sort them out. Because how can we resolve things that we don't know about (SICA Peace Office member 1, personal communication, 2012).

Despite these initial visions and intentions, the reported hesitations of conflict-affected populations to openly discuss the past indicate that these challenges were not appropriately prepared for or managed during implementation of the TRC.

While truth-seeking was a sensitive and difficult endeavour on the one hand, on the other it was seen to be a positive outcome of the commission's work. Across the islands and population of Solomon Islands, the history and events of the conflict are not widely known. Generally, stories describing the violations and violence committed during the conflict were not openly or widely told; this is partly because of the cultural practices of shame and silence, and also due to uncertainty in terms of potential future repercussions. Interviewees particularly described how learning of the conflict-related violence through their work impacted upon them. One staff member explained it was:

A unique experience, because as a Solomon Islander, and I stay in Honiara, I hear rumours only, about what happened. I didn't experience the ethnic tensions first hand [...] I just heard about it only and I saw it on the news and heard about it on the radio, like that. But for me actually to come face to face with the victims, no. This public hearing, it changed how I see the crisis that happened.

[...] It made me think and to know that what happened was actually true and it wasn't just lies. They weren't lies, the things that happened. I didn't think that this kind of violence happened in Solomon Islands. When I joined the public hearing, I was a little bit shocked, like 'wow, is that really true? That really happened?' To see the people who had gone through this violence, nothing has been done for them. So I just tried to put myself inside their place. Suppose I'd experienced this. So TRC, through the public hearing, helped a few of those victims to share and be heard, and allow people to understand what they went through. And that is good, that is a good thing (personal communication, 2012).

While limited in its scope and reach, the TRC opened avenues to question stereotypes, stories and history that might otherwise be too sensitive to talk about,

sanctioning a discussion that would not have otherwise been had. Another TRC staff member described it thus:

The process allows people to story and giving the opportunity and making people think about normal or conventional thinking about a lot of things. Like conflicting parties. Like Guadalcanal and Malaita. When you talk about the fighting, it gives you the opportunity to be able to share with people and stir up the thinking of people to think about some underlying issues that may have contributed to the cause of the areas or general attitudes of people, what they claim to be *kastom* which caused them to conflict. The grievances that other people have (personal communication, 2012).

As described above, in many ways the research approach of the Solomon Islands TRC was geared towards *truth-seeking* rather than *truth-telling* or reconciliation. statement-takers described being under pressure to reach quotas as per their managers' instructions and expectations, and when they were in the field, community leaders and members often directed them to 'victims'. statement-taking was conducted without the presence of counsellors or mental health workers, and for the majority of deponents the statement-taker was the only direct contact they had with the commission. Nevertheless, the actual process of providing statements allowed for a somewhat cathartic process of storytelling and appeared to work well in the context. For the statement-taking processes that were observed, the ability of deponents to deliver a clear, purposeful and often concise narrative was impressive. While this may have served as a cathartic process for some, the need for ongoing counselling and psychosocial support beyond the one-off event of statement-taking remained abundantly clear and was often articulated by victims and community leaders.

Staff capacity to communicate sensitively with the traumatised population was also important. As well as personal and professional skills, this was also dependent on the cultural appropriateness of the interaction. For example, a TRC staff member described how she felt it was not her place to talk with grief-stricken elders:

I'm not really mature enough to do that, I don't know what words to use and what time I'm supposed to talk, how to talk to them so that I don't upset them further. Because they would cry. It's not that I couldn't do it, but they were old men and women, so I had to learn to talk in a way that was mature to handle those kinds of cases. I learned those kinds of things especially from my colleagues (TRC staff member, personal communication, 2012).

The Solomon Islands TRC attempted to provide psychological support to those who testified at public hearings—providing accommodation and per diems to deponents for several days before and after the hearings and arranging counselling sessions to assist those testifying to prepare and debrief for the public event. The counselling approach relied on a narrow Christian doctrine, which at times was inappropriate to the needs expressed. No ongoing support was offered to those participants who later returned to their villages or places of residence in Honiara, however, and this service was limited to those who testified at public hearings only.

Notwithstanding, many reportedly found the process of giving a statement or testifying to be cathartic, and appeared to appreciate the opportunity to have their experiences heard and publicly acknowledged. It was remarked on several

occasions that usually the same community, church, women and youth leaders are consulted as representatives of their respective communities. By directly talking with a range of people in the villages, however, many individuals felt their voices were being directly heard by the TRC, and in turn, by the SIG.

The opportunity to disclose their stories in an anonymous and confidential environment was also reassuring and encouraging for some deponents. statement-takers described how reassuring participants about the confidentiality of their statements and conversations created a safe space that encouraged truth-telling. One staff member said she saw the process as ‘healing’ for those giving statements:

Some of them tell it to you, they say, “oh we feel free when you come because it’s something hard to tell to others.” Because they trust you too. Because your conversations are confidential. So what is inside them, they tell it to you. So for some people, you can tell from their appearance and their body. Like some of them, when they tell their stories, afterwards you look at them and they look free, their faces smile (TRC staff member, personal communication, 2012).

Public hearings were powerful events, providing a unique opportunity for victims to publicly and directly relate their experiences to a wide audience and have their experiences acknowledged. This was also a unique opportunity for the audience to hear first-hand about some of the atrocities that had occurred.

I think one thing about sharing their stories is that up until then, a lot of the stuff that came out in the media, the public media, came out from people other than the victims. A lot of things came out from politicians, former militants, Guadalcanal and Malaita leaders, other leaders, they were always brought out in the context of political, you know, politics at all levels. But I think that one thing about public hearings is that it gives an opportunity for victims to tell their story. I could sense that there was a big difference with a lot of these victims. Difference, when they came through you could see the trauma and the stress on their faces, and then after they go through counselling, there was a big difference when they told their stories (TRC staff member, personal communication, 2012).

One of the Commissioner’s testified as a local community leader at a regional public hearing prior to joining the TRC in the role of Commissioner, and later described it as a cathartic process:

As a victim yes, I spoke out. I told the stories, my story. I felt much better after my public exposure. It’s only natural that if you keep something in yourself and you do not share with others and do not expose, that thing will eventually boil up and cause much bigger problems within yourself. So after I went to the counselling, which encouraged me to expose in the public hearing, and after I spoke out and I told my story in the public hearing, I felt much better and I felt release (personal communication, 2012).

Personal impacts of truth-telling experiences differ for every person (Hayner 2011, p. 161). While some may feel the process to be cathartic and empowering, and benefit from feeling acknowledged and supported by the Commission, they may later feel much worse, once adrenaline subsides, especially if their expectations remain unmet (Hayner 2011, p. 162). A natural expectation accompanying truth-telling is simply that what a person tells or relates is actually heard. Andrews (2003, pp. 45–46) observes that, ‘Truth commissions are one way of mediating memories [...] Citizens of a nation come together in a communal activity of telling

and *listening* to stories of one another; and through such a process the stories of individuals become transformed into threads of a new national narrative' (emphasis added). While 'listening' is a key element, in the Solomon Islands it is yet to be seen how the stories have been heard. The final report was handed over to the Prime Minister in February 2012; however, it has yet to be officially acknowledged or released. One TRC staff member remarked, 'Nobody cares what the TRC says; it is not a big issue here. Probably nothing will happen' (TRC staff member, personal communication, 2012).

## Conclusion

The understanding of reconciliation as conceptualised by the Solomon Islands TRC was not congruent to the conceptualisation and practices of reconciliation in the Solomon Islands. The term 'reconciliation' is common in Solomon Islands and carries its own local definitions—referring to fairly specific localised practices. These practices draw from informal local *kastoms* and Christianity. While the TRC's commitment to reconciliation and its pursuit through truth-seeking was a step in the right direction, it needed to be followed by commitment to action, or processes of reconciliation—as understood locally. Traditionally in Solomon Islands, reconciliation takes place in the presence of those who were directly involved in any conflict. Traditional gifts are typically exchanged and compensation paid according to the nature of the crime committed. Ignoring these elements of *kastom* reconciliation and relying on truth-seeking did not result in true reconciliation. At the local community level, unity and peace are embraced and maintained through these localised reconciliation practices. To have been more effective and promote meaningful reconciliation and sustainable peace, the Solomon Islands TRC needed to recognise, embrace and encourage the local cultural dynamics of reconciliation as to complement and strengthen its truth-seeking and truth-telling approach.

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**Louise Vella** has a Ph.D. in Peace Studies from the University of New England. Her doctoral research examined the Solomon Islands TRC and considered the effectiveness of a TRC for building peace in post-conflict Melanesian societies. Her research draws on five years experience living and working in Solomon Islands, including one year working at the TRC. Since leaving the TRC, she has undertaken interviews with TRC staff and other stakeholders about their experiences of working with the commission, and their perceptions of its effectiveness for achieving truth and reconciliation and as a means of building peace.

**Jack Maebuta** is a lecturer in Education in the School of Education, Faculty of Arts, Law & Education at the University of the South Pacific (USP) and an Honorary Associate in the School of Humanities, University of New England, Australia. He was a Pacific Islands Research Fellow with State Society & Governance in Melanesia at the Australian National University, Canberra. He has a Ph.D. in Peace Studies from the University of New England. His Ph.D. thesis investigated the role of education in peacebuilding in the Solomon Islands. He was a recipient of the Australian Leadership Award (ALA) Scholarship and the Australian Prime Minister’s Pacific-Australia Award. Jack has published a number of peer-reviewed journal articles and book chapters.

# Chapter 5

## Truth and Reconciliation in Timor-Leste: Reflections Ten Years on

Paddy Tobias

### Introduction

Ten years on and there has been a limited amount of critical analysis of the fallout from the formal truth and reconciliation process in Timor-Leste. This chapter discusses that remedying political divisions, truth and reconciliation processes can create a platform for future power plays and exercising new forms of political superiority. The Timorese experience shows how a truth and reconciliation process, while successful in terms of its immediate effects in resolving conflict at the grassroots level, also sustains future clashes over what it means to be ‘true’ in Timor-Leste.

In times of social transition and upheaval, national identity and culture tend to attain the greatest respect (Eriksen 2010, p. 120). The autobiography of the former prime minister and resistance leader, Gusmão, *To Resist is to Win!* (2000), is a case in point. Published a year after the successful 1999 Popular Consultation that essentially brought independence to the Timorese people, this book belongs to a series of efforts around this time intended to inspire and define national unity. At the core of this 250-page manuscript of speeches, diary entries and poetry, is a moral concern for what it means to be Timorese. The story encompassing these texts relies on the pain, poverty, suffering and sacrifice of the Timorese during the Indonesian occupation, the very concept of ‘the *Maubere*’.<sup>1</sup> A decade on and it

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<sup>1</sup>*Maubere* is a popular term used to refer to the average Timorese person and was used throughout Gusmão’s autobiography. It was once used by Portuguese colonials to refer derogatively to the uneducated and uncivilized Timorese but became a national symbol when Fretilin adopted it in 1974–1975. *Maubere* relies on the meaning of poor Timorese person, the *povu*, which is defined later on in this piece.

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seems the formal truth and reconciliation process, carried out over two years from 2002 to 2004, has contributed to cementing this narrative within the new era of national identity.

For nations emerging from conflict, nationalism is a positive development. But, if nationalism fails to encompass the whole nation, it has the potential of furthering social divides. This chapter will explore how the formal truth and reconciliation process in Timor-Leste, while positive in mending the troubles of the past, has contributed to pitting ‘sufferers’ of the occupation against ‘non-sufferers’, the generation which reached political maturity after Timorese independence.

Firstly, the chapter touches on the much-theorised generational differences in Timor-Leste, which have largely been created from the nation’s various histories over the past century, from colonialism (–1974) to occupation (1975–1999) to transitioning to independence (1999–2002) and self-determination (2002+). The chapter then explains the formal truth and reconciliation process in Timor-Leste, exploring how its inherent restorative justice and conflict resolution principles have contributed to an internally exclusive form of Timorese nationalism.

### ***Historical Background***

The number of popular Timorese histories is marked by the lived experiences of successive generations. ‘Generation ’75’ pertains to those young Timorese who experienced political awakening in the lead up to Portugal’s decolonisation and the brief period with self-determination from 1974 to 1975. Generation ’75 is significant in Timorese nationhood because of their central role in the early sovereign administration following the end of the UN transitional administration from 2002 onwards.

‘Generation *Foun*’ is the cultural collective following Generation ’75 in age. They claim commemorative stories such as the Timorese students who successfully garnered support for the independence campaign inside and outside of Indonesia. They are also the generation most strongly associated with the protests that were timed with the visit of Pope John Paul II in 1989, which engaged the international media for the first time. The Santa Cruz massacre, two years later, is also a part of Generation *Foun*’s identity and history.

Both of these generations hold very divergent political ‘origin stories’ but share the common conviction that they fought successfully for independence and now claim its rewards (Bexley 2009; Nicholson 2001).

### ***The Commission for Reception, Truth and Reconciliation (CAVR)***

When the brutal regime of Hajji Suharto fell in 1998, the youthful resistance in Timor-Leste was well organised and extremely effective in garnering international

support. In his quest to democratise Indonesia, the new president of Indonesia, B. J. Habibie, surprised many in January 1999 when he announced that the Timorese people would be given a referendum on the matter of whether to remain an autonomous province of Indonesia. Following the referendum on 30 August 1999—which overwhelmingly voted negatively, and by implication for independence—violence and destruction engulfed the nation. Three-hundred thousand people were displaced by violence and chaos and a further 300,000 Indonesian sympathisers—mostly militia commanders, Timorese members of the Indonesian military, officials of the civilian administration or pro-autonomy politicians—sought temporary refuge in West Timor. By October 1999, over half had returned to Timor-Leste and, with their return, the newly developed formal and legal mechanisms were too infantile to deal with the emerging humanitarian challenges.

In September 2000, the transitional Timorese Congress of the *Conselho Nacional da Resistência Timorese* (CNRT) established a steering committee to gauge popular sentiment towards a formal reconciliation process. The reconciliation process would aim to resolve past traumas ‘so that the cycle of accusation, denial and counter-accusation can be broken’ (Introduction, *Chega!*, p. 10) and ‘search for a useable past’ (Webster 2007, p. 582). By mid-2001 the United Nations Transitional Administration in East Timor (UNTAET) responded by passing Regulation No. 2001/10, calling for the establishment of the Commission for Reception, Truth and Reconciliation (*Comissão de Acolhimento, Verdade e Reconciliação de Timor-Leste* or CAVR).

CAVR had two overriding mandates. First, to establish the ‘truth’ at a national level regarding past human rights violations in the period between the Carnation Revolution in Portugal and the decolonisation of Timor (25 April 1974) and the adoption of the UNSC Resolution 1272 (25 October 1999), marking the end of the Indonesian occupation. The events surrounding the Indonesian invasion (7 December 1975) and the Popular Consultation (30 August 1999), as well as the 24-year-long Indonesian occupation, were of particular concern to the CAVR because they were ‘major’ events in this period (CAVR 2005a, p. 3). The second mandate was to promote reconciliation and reintegration at the local level, to ‘bridge these differences and to work cooperatively in the wider national interest’ (CAVR 2005b, p. 9). There was general recognition that this process should not only be about clarifying history, but also a process of catharsis and redemption (Webster 2007).

To meet these goals, two very separate approaches were taken. The truth-seeking aspect of the Commission produced a report of over 2500 pages named *Chega!* [‘Enough!’ in Portuguese, capturing ‘the main message given by victims’ (CAVR 2006, p. 3)]. This extensive report comprises 12 chapters, freely available on the CAVR website,<sup>2</sup> and has been published in the four dominant languages of the country: Portuguese, Tetum, Bahasa Indonesian and English. The body of the report is based on the 8000 submissions that the CAVR received and recorded in the newly established Human Rights Violations Database, quantifying and qualifying

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<sup>2</sup>See <http://www.cavr-timorleste.org>.

people's experiences between 1974 and 1999. The CAVR also based the final report on its surveys of almost 1400 randomly selected households and the extensive analysis of over 300,000 public graves across the country.

In the tradition of restorative justice, the Commission conducted Community Reconciliation Processes (CRPs). These were significant instruments for truth seeking and provided extensive material for the final report, however they had a principal purpose of resolving deep feelings of grief and disillusionment at the community level. The Office of the General Prosecutor (OGP) was principal adjudicator of the seriousness of the crimes in question, and how they should be dealt with; whether directed to a CRP or to be referred to the Serious Crimes Unit administered within UNTAET. A 'less serious crime' in these proceedings included threats and intimidation, assaults and beatings, destruction of property, theft of property and livestock and forced deportation. Cases of 'serious crimes', subsequently referred to the Serious Crimes Unit (SCU), alternatively included internationally recognised crimes against humanity, genocide, murder and sexual offences.

CRPs comprised a panel of three to five local leaders who had been specifically selected and the Regional Commissioner as the chair. Also present were the perpetrators (known legally as the 'deponents'), the victims, the wider community and traditional elders. With this dynamic, local-level set-up, the CRPs across Timor-Leste have since been internationally touted for their effectiveness in restoring relationships between 'victims' and 'perpetrators' (Philpott 2010, pp. 107, 110).

Since the Catholic Church is a highly influential institution in Timor-Leste, the reconciliation process was informed by Catholic values such as confession and absolution (Part 9, CAVR 2005c, d, p. 9; Trindade 2006). These values were reflected in the way the CRPs were scheduled. For a CRP to take place, the deponent had to submit an official letter to the OGP that admitted guilt to a 'less serious crime'. To require the perpetrator, not the victim, to initiate the public trial by pronouncing their guilt was an extraordinary requirement of the reconciliation method. Even more extraordinary was its success in attracting deponents to bring their case forward completely exceeded expectations. Overall, the OGP received over 1500 statements for community reconciliation, a third more than initially expected. Ninety per cent of all cases (1371) were completed successfully, while the remaining cases failed because either the deponent did not attend or the hearing was adjourned, and cases of a more serious nature were referred to the SCU.

The reason why CRPs worked so well has to do with two factors. Firstly, CRPs were seen to be culturally legitimate and locally run, which added a 'tangible sense of *gravitas* to proceedings' (Piguo 2004, p. 7), thanks largely to the socialisation efforts that preceded the CRPs. Overall an estimated 40,000 community members attended and participated in the CRPs across the nation and, in some instances, a CRP attracted up to 1000 members from the community (CAVR 2005b, p. 33). Secondly, the nature of Timorese society in terms of needing to belong in the community and the nation was institutionalised in these processes and within the national Timorese consciousness. Perpetrators were labelled guilty for their involvement in the violence and destruction that followed the Popular

Consultation and, as a result, were eager to be re-accepted into their home community.

Rebuilding relations in the affected community was paramount to the Commission's mandate and depended on the victims and perpetrators reaching a settlement. General thinking about this matter in context was that justice and accountability according to formal systems of conflict resolution would not necessarily usher in an effective and stable peace at the local level. As a result, certain principals embedded in Western judiciary systems, such as 'innocence until proven guilty', were cast out in these proceedings. Greater chances of success, it was recognised, would be reached through locally legitimate processes towards social repair.

The reconciliation and reintegration intentions of the CRPs provided room for traditional Timorese concepts of justice to be mixed with formal, state-sanctioned reconciliation. The traditional justice system of *nahe biti* was central to the design of CRPs. *Nahe biti* is translated as 'spreading' or 'laying of the mat' (in other words, to sit and talk), which literally describes the process comprising community negotiations and a form of direct democracy. In various ways that depended on the local community, CRPs involved a gathering of traditional elders (*lia nain*), the parties in dispute and ancestral and sacral mythology.

In the layout of the hearings, the traditional council were placed in the middle 'in a special place between the parties to the dispute' (Part 9, CAVR 2005c, d, p. 17), along with the mediation panel of local leaders and the Regional Commissioner. The institution that safeguards these traditional procedures, which gives weight and legitimacy to the rulings, is referred to as *lulik*, which is typically represented by sacred objects (see McWilliam et al. 2014; Trindade 2011). *Lulik* is said to provide cultural and personal 'resilience' (McWilliam 2011) and was effective in inspiring a sense of commonality among the victims, perpetrators and the wider community.

## Conflict Resolution and the CAVR

In order to incorporate the various understandings of *nahe biti* processes across Timorese ethnolinguistic cultures, a degree of flexibility was necessary in the way CRPs were delivered at the village level. This flexibility was integral to the success of the CRPs. However, certain aspects of the reconciliation process resonate with the prescriptive qualities of conflict resolution and restorative approaches. Some have claimed that *Chega!* the final report of the CAVR, is the most extensive expression of recent Timorese history, which clearly demarcates the end of the Indonesian occupation and the beginning of Timorese self-determination (Nannelli 2009; Webster 2007; Leach 2006). For this reason, the context of producing the 'truth-telling' *Chega!* is not only necessary in understanding the report but also in appreciating the way the Indonesian occupation and resistance history will be known by future generations.

A number of elements of the formal reconciliation process in Timor-Leste speak of restorative justice and conflict resolution. The main criticism levelled at such approaches to reconciliation is that they are mostly concerned with healing past issues, and little else (Avruch 2000, p. 21). Conflict resolution approaches therefore, depend on top-down administration in order to do away with conflict-inducing attitudes, events or beliefs (Väyrynen 1991, p. 1), but in turn can lead to new conflicts through its myopia (Kaufman 2006). At the heart of conflict resolution is the theory that fractured relationships can and need to be reformed via a defined, methodical process (Weeks 1992), so that the conflict can be resolved. As such, the underlying rationale of this theory is that conflict is finite, temporal and analysable (Tillet and French 2010, pp. 71–87) in order for its resolution.

Some writers have criticised any imputation of impartiality by the CAVR and of the *Chega!* report. They claim the Commission's findings are anything but 'truthful' (Nannelli 2009; Webster 2007). Firstly, the 8000 personal submissions to the CAVR would have been based on individuals' reconstruction of the past, some of which spanned multiple decades. The accumulation of grief over that time would no doubt influence an individual's memory. Secondly, the proceedings of the CRPs were wholly based on collective memory (Nannelli 2009, pp. 34–5). With the lack of protection from an impartial trial, the final agreement on facts established at the CRP that would ultimately be written into a Community Reconciliation Agreement, would have highly favourable accounts of the resistance fighters and their suffering.

As such, some have argued that the data underlying the *Chega!* report was highly subjective and based on multiple variables: 'The nature of the questions asked..., the dynamics between interviewer and the interviewee, the audience to the interview, the context of the interview, the traumatic nature of the information being recalled and the motivations of the interviewee in coming forward...' (Nannelli 2009, p. 35). With this in mind, it seems unfair that Community Reconciliation Agreements that disclosed the crimes and recorded the deponent's acceptance of responsibility, carried any legal weight.<sup>3</sup>

Nevertheless, perhaps the greatest challenge with these restorative justice approaches to conflict is that there is usually very little forecasting of how the nation's wounds will be healed and for whom. Since the release of the report, there has been a lack of acknowledgement by the CAVR or the state of the ways this document has valorised certain aspects of Timorese nationality. This is the other defining element of the reconciliation process that relates to the conflict resolution tradition. For instance, while the labels of 'victims', 'perpetrators' and 'the wider community' helped the Commission to work through the overall story, these labels contributed to a cultural complex based on the individual's victimhood. In the report, these labels placed the individual only within the system of past conflict;

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<sup>3</sup>Non-compliance with the Community Reconciliation Agreement is punishable by up to 1-year imprisonment and/or a fine up to \$3000 according to Section 30 of the UNTAET Regulation 2001/10.



however, these terms have had much broader implications, feeding into Timorese nationalism and cultural elitism.

Most notably, the Commission and its report appealed to the common stories of suffering of both Generation '75 and Generation *Foun*. It did so by specifically outlining two events for investigation: the invasion by Indonesian forces in 1975, which was an affront to the declared independence by Fretilin leaders, and the Popular Consultation of 1999 and the mass devastation of the country and displacement of the people that followed. These periods signify the greatest physical loss and psychological trauma, which have been clearly detailed in *The Profile of Human Rights Violations in Timor-Leste, 1974–1999* (Silva and Ball 2006). However, these are also the particular periods that resonated mostly with the two prominent generations of Timorese independence.

While successful in its main pursuit of reintegrating perpetrators of 'less serious crimes', upon reflection the CRPs were one of a narrowing mechanism within the nation-statebuilding process. The CRPs helped tip the national narrative in favour of those declared victims of the events before, during and after the Indonesian occupation and fed into a national discourse focused on struggling and suffering.

## Victimhood and the National Identity

A number of evaluations were conducted towards the end of the CAVR, including by the independent organisation, the Judicial System Monitoring Programme (JSMP; Kent 2004) and by the United Nations Development Programme's Timor-Leste branch (Piguo 2004). One common finding of these two bodies, and indeed a common remark made in the early years of nation-statehood (Traube 2007), was that the leaders of the Indonesian occupation—the 'big people' (*ema bo'ot*)—were thought to be living freely, even benefiting from state sovereignty. The 'small people' (*ema ki'ik*), on the other hand, continued to bear the brunt of suffering, hunger, poverty and disadvantage. While the CRPs were exceedingly successful in resolving issues between *ema ki'ik*, they and the government were seen to fail in dealing with the bigger problems of prosecuting the villainous *ema bo'ot* (Kent 2004, p. 26), those popularly associated with serious crimes (Piguo 2004, p. 86).

Generally speaking, settlements reached by the CRPs, despite favouring victims in other ways, tended to be softer in terms of retribution than was expected. As Lia Kent's report makes clear, this tended to be because victims recognised the complex, interpersonal nature of the conflict. Deponents were mostly regarded as the 'small people', as well as in the scale of the crimes committed. They therefore came to be seen as victims themselves, who had been forcefully involved in militia activity (Kent 2004, p. 15). For instance, in the evaluation report, *Unfulfilled Expectations*, one respondent said, 'I didn't want to give them a sanction because it was the war that made them do it', while another described that, 'It was normal that people burnt down houses at that time. It was... the war' (Kent 2004, p. 19).

The key concept related to this claim of collective victim-status in Timor-Leste relies on the word '*povu*', which is a common Tetum noun for 'the commoner', 'the ordinary person, who is poor and hapless'. In epistemic terms, the political fortune of the *povu* is at the discretion of higher forces, which is comprised of leaders of both the cosmic world and the actual world. These figureheads are better known as the 'big people'. Portuguese colonials and Indonesian generals were once considered a part of the big people's group, while as the popular story goes, the *povu* have continued to be regarded as 'small' and insignificant because of injustices faced by them.

However, rather than this rationale being depressingly fatalistic, the suffering and innocence shared by the *povu*, as well as their implied complementarity with the big people, provide the *povu* ego with a sense of social legitimacy and fortitude. Though the big people are stronger in physical and intellectual terms, the small people consider themselves to be morally proud. We can see these sentiments expressed in Gusmão's poem, written in 1975, describing the plight and ultimate victory of the *Maubere*: 'Maubere', the poem goes, 'Child of Timor, tear open your belly, your cravings, ruts of neglect, of anguish, of oppression, and hurl them to the wind... clench your fist, shout out loud, The hour is YOURS, MAUBERE!' (Gusmão 2000, p. 35).

It has been remarked elsewhere that Austronesian culture, into which many of the Timorese ethnolinguistic nations belong, tends to draw a political and moral distinction between 'insiders' and 'outsiders' (Bellwood et al. 2006). This distinction underpins the *kiik/boot* dichotomy, respectively, which played a pivotal part in the reconciliation process. This distinction then becomes central to popular anti-colonial, nationalist stories that politicise hardship, sacrifice and suffering, as the *povu* mythology does. Indeed, the popular story of how the Timorese claimed the national flag (*bandeira*) of Timor-Leste relies on the notion of the suffering of commoners. The flag 'was not purchased with silver or gold', Elizabeth Traube recites, 'but with the blood of the people' (2011, p. 131) and its design memorialises this with the predominant colour, red, symbolising 'the *struggle* for national liberation', as recorded in the Constitution (Section 15).

The *povu* discourse that Kent reflects on in relation to the CRPs, for instance—that we are just the small people who suffer; they are the big people who benefit—is the same formula Elizabeth Traube reflects on (1980, 1986, 1995, 2007, 2011), and the same expressed in the works of Bexley (2009, pp. 158–62) and Leach (2002, 2006).

To make sense of this rationality, Traube (2011, p. 133) remarks that any disharmony or disunity in Timor-Leste after 1999 is believed to be the fault of 'women and men', at the expense of the *povu*; the *povu* remained innocent in this transition. This distinction provides some insight into the nationalist significance of the *povu* narrative. The core difference is that *povu* belongs to an old-world, collectivist and nationalist mythology, while 'women and men' (or *ema*, the modern term for people) is characterised as those individuals who may be book-smart, but who are stupid in their lack of 'fear' of the higher forces. As a consequence, they are prone to splintering and upsetting national harmony (Traube 2011, p. 122).

Worse still, according to the *ema ki'ik* mythology, it is the brazen behaviour by the 'women and men' that causes the innocent *povu*—who are represented as farmers, district people and the elderly—to suffer once again.

In the context of reconciliation and nationality, one way to read this *povu* mythology is to consider that storytellers are less interested in finger-pointing than they are in making some sort of social claim. After all, the formal reconciliation process was about the restoration of peace. Prosecuting the offender for some wrongdoing is a means to an end, but is certainly not integral to the reconciliation process in everyday terms. Claiming victimhood and social affirmation, alternatively, is everything. It was this cultural realisation that the formal reconciliation process failed to fully consider. While the reconciliation succeeded in multiple ways, greater effectiveness in healing the wounds of the civil war and the Indonesian occupation could have been achieved through not seeing itself within the temporal confines of a conflict resolution framework, but rather as one other linkage in the people's continual search for social and cosmic harmony. Therefore, the reconciliation process for the grieving Timorese was not something that lasted for a couple of years and ended in March 2004, but a process that is considered to be never-ending (Grenfell 2008, p. 182).

The way that the international community's peace intervention has socialised the notion of trauma as a product of individual psychological discord has been, some have claimed, a self-justification of the intervention, in which the outside world was seen to be 'saving' the Timorese victims. In her well-known article, 'The Pathologisation of Trauma', Toome criticised (2012) the outside intervention's limited understanding of local grief, trauma and ill-health concepts. Yet, another political understanding of the national reconciliation process relates to not just how the outsiders understood the Timorese people in inferior ways, but how Timorese portray and receive each other; that is, in other words, the *internal* politics of identity.

According to Bexley, '[t]he sense of pure (*murni*) identity is the essence of what it means to be true Timorese' (2007, p. 86). The concept of *murni* employs the past to legitimise today's Timorese society, just as the reconciliation process was meant to do. Struggling, suffering, resistance and fighting, along with an exclusive sense of commonality, provide evocative guidelines through which Timorese claim historical authenticity. As Kingsbury (2012, p. 21) pointed out:

The question of a bonded political identity can be vexed, calling into question claims and counterclaims about what constitutes a genuine or fully formed distinct identity and whether that identity constitutes a claim to a national identity.

The fear of ancestral retribution is a common concern, explaining why Timorese tend to value 'repayments' for any transgression suffered. A common fable from the central highlands of Timor-Leste of the mythical character, Tat Felis, who was wrongly persecuted and made to suffer by ancestral chiefs, provides an insight into this normative appreciation of socially legitimising oneself through suffering and struggling (see Traube 2007). Traube describes the complicated identity of the people that tell this story, mostly located in the district of Aileu, as follows:

‘Mambai are a people who look backward resolutely towards a past that they themselves may only vaguely understand, yet who seem, nevertheless, to find in that past a profound sense of purpose’ (1986, p. 49).

## Generations of Belonging

Most perpetrators of violence were between 25 and 35 years of age when the acts were carried out (Part 9, CAVR 2005c, d, p. 31), and the greatest number of personal submissions to the CAVR came from people between the ages of 30 and 50. Therefore, since the formal reconciliation process from 2002 to 2004 covered the period between 1974 and 1999, most deponents would have belonged to either the young generation of the Portuguese times, commonly called Generation ’75, or the generation of student resisters who became known as Generation *Foun*. Generation ’75 proved themselves as liberators in the national consciousness following political hardship of Timor’s brief and volatile encounter with democracy and self-determination and in leading the resistance against Indonesian brutality of the late 1970s and early 1980s. On the other hand, Generation *Foun* (the ‘New’ Generation) proved their legitimacy through subversive resistance against Indonesian occupation, in Timor and in Indonesia (Bexley and Tchailoro 2013) and from suffering the devastation of 1999. To understand the lasting impacts of the formal reconciliation process, we need to explore these politico-cultural divides between generations. What we will find is the lasting place of Generation ’75 and Generation *Foun* in the national psyche because of their distinct stories of resistance and suffering, and the little room left for future generations of Timorese who do not personally claim this past.

### *Generation ’75*

The Carnation Revolution, which took place in Lisbon on 25 April 1974, saw the fall of the *Estado Novo*. This period also marked the Portuguese decolonisation of the eastern half of the Timor island. However, in many ways the Portuguese had been withdrawing from Timor since early 1960. Administration and military positions slowly became available to the Timorese (Dunn 1983, p. 43). These new opportunities allowed for a generation of young Timorese to become politically engaged and active. The colonial military proved particularly effective in instilling Western liberal-socialist values into the young minds of Timorese soldiers. Junior lieutenants (*alferes*) from Portugal were sent to Timor, many of whom were progressive university students, disillusioned with the military dictatorship of António de Oliveira Salazar (Dunn 1983, pp. 43–5). Not only were the young Timorese soldiers inspired by the strict leadership of the Portuguese military but they were also interested in European history and philosophy.

In many ways, the eve of decolonisation was the Timorese equivalent to the Western Enlightenment. The product was a Western educated and militant, young Timorese elite. By the early 1970s, outspoken young Timorese such as Nicolau Lobato, José Ramos-Horta, Francisco Xavier do Amaral and Mari Alkitiri, criticised the Portuguese administration from a Western, social democratic standpoint (Dunn 1983, p. 40), marking their political awakening.

According to the decolonising administration, the Timorese people had three options: continue as a metropolitan, semi-autonomous power within the Portuguese Empire; become independent and seek self-determination; or fall under the rule of Indonesia. Dunn (1983, p. 76) claimed that the three distinct options effectively divided the population into segments of political ideology. The political parties, including ASDT<sup>4</sup> (which later became Fretilin), Apodeti<sup>5</sup> and UDT<sup>6</sup> were rapidly created to represent these ideologies when news of the Carnation Revolution reached Timor. These parties, Dunn argued, were nevertheless based on generally similar circumstances and ideas, and cut across friendships and family ties.<sup>7</sup>

Between the two main parties, Fretilin and UDT, the political standoff culminated in a civil war in August 1975, when UDT staged a coup in Dili.<sup>8</sup> In the space of just two weeks, however, UDT forces had been defeated by Fretilin's military arm, Falintil,<sup>9</sup> and its leadership sought refuge in West Timor, Indonesia. On 7 September, UDT signed a petition in support of Timor's integration into Indonesia, siding with Apodeti. With this, Indonesia began to invade in October 1975, capturing the border town of Batugade, while Fretilin gained international recognition from China, the Soviet Union, Mozambique, Cuba and Sweden, plus pronounced Timor's independence.

The formation of a political party system resulting from Portugal's decolonisation left deep political and social scars in Timorese society. The Timorese assumed that establishing a democracy would bring about freedom and prosperity for them, but instead it resulted in power struggles and civil chaos. The short trial with so-called self-determination from 1974 to 1975, paradoxically, made the Timorese more vulnerable to Indonesian and international intervention. The deep civil divisions of this time meant that the invasion was able to generate abuse and devastate the nation

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<sup>4</sup>The Timorese Social Democrats Association (Associação Social Democrata Timorese).

<sup>5</sup>The Timorese Popular Democratic Association (Associação Popular Demoratica Timorese).

<sup>6</sup>The Timorese Democratic Union.

<sup>7</sup>For an in-depth analysis of the political parties formed at this time and the surrounding circumstance, refer to Dunn (1983, pp. 56–79).

<sup>8</sup>The truth and reconciliation report *Chega!* (2005a, b, c, d) identified foreign interference in undermining the political situation as a major contributor to the internecine conflict. However, the lack of political maturity of most party leaders, in some cases mixed with prior military experience and the use of provocative language—UDT, for instance, called Fretilin supporters “communists”—also added to the intense standoff (pp. 54–9).

<sup>9</sup>The Armed Forces for the National Liberation of Timor-Leste (Forças Armadas da Libertação Nacional de Timor-Leste).

for ten to fifteen years. This period arguably saw the most brutal period of the 24-year Indonesian occupation (see Silva and Ball 2006, pp. 9–10).

### *Generation Foun*

The 1990s in Timorese history signified a reinvigorated campaign against the Indonesian occupation, the grassroots of which was dominated by youth and students of ‘Timor Timur’.<sup>10</sup> There were notable linkages between Generation ’75 and the ‘new’ generation, Generation *Foun* (Nicholson 2001, p. 14). Yet, after harsh treatment from the Indonesian military following the Pope’s visit in 1989 and the Santa Cruz massacre in 1991, the young resisters became a force unto themselves (Bexley 2007; Nicholson 2001; Bexley and Tchailoro 2013; Bexley 2009).<sup>11</sup>

Calling themselves *Juventude* (Tetum for ‘youth’), these students and youth, typically born in the 1970s and 1980s, had grown up knowing their country as an illegitimate province of Indonesia. In an attempt to prove their ‘purity’ to the national cause (Bexley 2007), the new generational character sustained itself despite the Indonesian regime’s new round of oppressive and aggressive regulations of the late 1980s. They were distinctly Timorese in terms of culture, language and aspirations. While Generation ’75 were preoccupied with liberalising and secularising the Timorese socio-political order through political party organisation, Generation *Foun* resisted the Indonesian occupation via ‘individualised, ‘non-ideological’ resistance, and organized collective action’ (Nicholson 2001, p. 14). In this political transference, the desire for independence shifted from resistant, guerrilla tactics employed by Generation ’75 to public demonstrations and civil disobedience.<sup>12</sup>

Generation *Foun* was invariably affected by Indonesian worldviews. According to Helen Hill (2007), the education curriculum in particular, was effective in socialising a new set of cultural values based on economic well-being, success and individuality. Generation *Foun* was taught in Indonesian, learnt about Indonesian history, ideology and culture, entertained by Indonesia television and radio, and many received tertiary scholarships to study in Jakarta. However, by no means did this cultural immersion suggest that Generation *Foun* had accepted the Indonesian occupation. As one Timorese man explained, ‘The motivation for Timorese to study in Indonesia is that to fight the enemy you have to know him’ (in Turner 1992, p. 183).

<sup>10</sup>The official name of Timor under the Indonesia regime.

<sup>11</sup>Generations ’75 and Foun were desperate to culturally separate themselves from the occupiers, and key among these separations were characteristics of hardship and struggle (Kingsbury 2012, p. 25). For an excellent description of the emergence of the New Generation and the circumstances surrounding it, read *The Lorikeet Warriors* (2001) by Dan Nicholson.

<sup>12</sup>Archer (1995, p. 131) mentions the danger between these two methods of resistance: ‘A murderous military conflict has been superseded by a political manipulation that is as dangerous, at least for some of the players, but almost invisible to the casual view’.

## Resilience in the Independence Era?

Much of the national character is defined by the last four decades of the twentieth century. Hardship, grief and political certitude are still respected qualities. Those who do not exhibit these traits, however, have found it difficult to legitimise their belonging in this new nation. Those who shall be referred to collectively as Generation *Independenti*, the generation born in the latter years of the Indonesian occupation, has thus far struggled to reach that ‘legitimate’ status in the national mythology. The structuring of the nation-statebuilding and modernisation process has left many young people, born in the late Indonesian occupation period or the early years of the Democratic Republic of Timor-Leste, confused about their belonging to the Timorese nation. Some have claimed that the gang conflict of 2006 and 2007, which ultimately enveloped the whole nation from east to west and displaced upwards of 10% of the national population, was a way of youth claiming their legitimacy. Many youth gangs sought to create their own ‘fatigue’ (Traube 2007) by fighting each other in an attempt to gain national, political recognition (Bexley and Tchailoro 2013; Hill 2007; Scambary 2009, p. 230). As Hill (2007, p. 230) claimed:

There may never again be anything as exciting as the struggle for independence to capture the imagination of young people and inspire their participation, and the recent violence in Dili [2006] shows that there are many young males looking for something more exciting to do than working on farms.

As we have explored, the *povu* mythology has provided evocative histories through which people claim their right to benefit from nation-statehood. But, the youth of today did not experience first hand the tumultuous years between the Portuguese decolonisation and the Indonesian occupation. Many did, however, suffer the brutality of the TNI in 1999, but most are considered too young to have been truly involved in the shared struggle and suffering.

## Conclusion

The CAVR has received a good deal of recognition for its achievements, and deservedly so. Most of all, the reintegration programme via the CRPs was particularly effective in bringing about social harmony and a sense of resolution with the past. But some future challenges for nationbuilding have also arisen from the formal process, notably how to include the younger generation of the independence within the national consciousness. While there is no direct, political link to be made between the formal reconciliation process in Timor-Leste and the civil unrest of 2006, there may be some inadvertent links drawn. Despite official documents typically characterising the 2006 civil conflict with the troubles between the military force, the F-FDTL, and the police force, the PNTL (e.g., OHCHR 2006), there were notable social undercurrents that led to the Crisis being as widespread as it

was. Young people in martial arts groups, who became embroiled in the institutional divide between the F-FDTL and the PNTL, were a primary contributor to the unrest and fighting (Scamبارy 2009). Some writers (e.g., Scamبارy 2012; Hill 2007; Bexley 2009) have queried whether their involvement was an expression of the young people's agency to belong in the new nation state; it was possibly derived from a perceived need to legitimise their grief and trauma in national history.

There are some notable lessons we can draw from the Timorese experience with formal truth and reconciliation. Firstly, at their core, the international community touts formal truth and reconciliation processes as a nationbuilding precursor to statebuilding because of its supposed ability to 'resolve' the past. Yet, conflict and displacement in nations, such as Timor-Leste with multiple histories and identities, pitted against each other in the pursuit of statehood, are never so simply defined or resolved. For this reason, formal truth and reconciliation processes should be considered not only for their representations and reconstructions of the past, but also for its way of defining and politicising the nation into the future. The CAVR de-prioritised this latter task, which in part underscores why identity politics still pervades the statebuilding process in Timor-Leste.

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## Author Biography

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# Chapter 6

## Sri Lanka's Developmental Path to Reconciliation: Narratives and Counter-Narratives from the Margins

D. B. Subedi and Frances Bulathsinghala

### Introduction

Reconciliation brings adversaries together to find non-violent ways to transform their destructive social relationships through the practice of truth, mercy, justice and peace (Lederach 1997: 29–30). With aims of transforming problematic relationships between individuals and groups and creating a safe environment for war-time victims and perpetrators to work together towards a shared future, reconciliation features elements of conflict prevention as well as conflict transformation (Kelman 2008; Lederach 1997). Since reconciliation involves social and psychosocial dimensions (Abu-Nimer 2001; Charbonneau and Parent 2013) and spiritual, theological and religious dimensions (Galtung 2001: 4), there is often a contention in finding an ideal path and means of moving to reconciliation.

A reconciliation process is context specific—its characteristics are often defined by a complex dynamic of war-to-peace transition, which includes the attitudes of key political actors who influence the political transition, the social and political environment of post-conflict peacebuilding and the social psychology of war victims and their networks (Charbonneau and Parent 2013; Nadler et al. 2008). While many leaders in conflict situations may accept peace agreements in return for amnesty, precarious and tactical post-conflict power-sharing arrangements between the parties in conflict and the lack of civic trust in government mechanisms and weak institutions may on the other hand limit the scope for achieving justice (Brounéus 2007).

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Truth and Reconciliation Commissions (TRC) are common mechanisms for achieving transitional justice and reconciliation in view of dealing with the atrocities of past conflicts in countries emerging from armed skirmishes. Despite the growing practice of the TRC as an element of peacebuilding, this very mechanism is often criticised for being state-centric and fostering a top-down model. Both aspects have limitations in dealing with community reconciliation which needs to facilitate a multidimensional process relating to post-conflict memory, healing, psychosocial recovery, trust building and belonging (with the nation and sometimes ethnic others) (Charbonneau and Parent 2013). Although political processes and viable institutional arrangements are required to navigate a war-torn country from a destructive past to a constructive future, a dilemma surrounding how these institutional processes can be translated into the victim-centric actions of truth, justice, healing and security for both victims and perpetrators continues to remain a challenge for Sri Lanka.

In Sri Lanka, since the government security forces defeated the Liberation Tiger of Tamil Eelam (LTTE) in 2009 putting an end to one of the world's most protracted armed conflicts, reconciliation between the conflict-affected minority Tamils in the North and East and the majority Sinhala-led government from the South has remained a contentious issue. By forming the Lessons Learnt and Reconciliation Commission (LLRC) in May 2010, the Rajapaksa government initiated a seemingly cosmetic process of dealing with the past but the progress in implementing the LLRC recommendations has been notably sluggish (Amnesty International 2011; ICG 2011).

In the immediate aftermath of the war, much of the emphasis for post-war recovery was on the implementation of large-scale post-war reconstruction and economic development projects, which were intended to foster reconciliation through development (ICG 2011). The reductionist view taken by the Rajapaksa government that economic development and reconstruction in the North and East ultimately eases the relationships between North and South was flawed one because it failed to deliver peace dividends that would be necessary to rebuild civic trust in the post-war state mechanisms. What is, however, more strikingly notable is the fact that post-war development projects were undertaken amidst a tightly securitised and militarised environment in the North and East. For example, the civil administration in Jaffna between 2010 and 2015 fell into the hands of an ex-military person who had a strong allegiance to the master in Colombo (ICG 2012). After the ousting of President Rajapaksa by the election in 2015, the transfer of power to President Maithripala Sirisena and his coalition government has induced a relatively open political environment, bringing the war-to-peace transition to a new stage. Still the past experience of war survivors spills over into the new context, rendering the new political environment into one that is mixed with a sense of both optimism and scepticism in respect to justice and reconciliation. What is true, however, is that the demands for accountability to what has taken place in the past and a quest for reconciliation, which was suppressed during the Rajapaksa regime, have now begun to surface in such a way that it is now almost impossible to escape the discourse of justice and reconciliation.

Looking at the dynamics of peacebuilding over the last six years in Sri Lanka, a question that arises is whether post-war development and reconstruction has had any impact, whether positive or negative, concerning the future of reconciliation. With this context as the backdrop, this chapter explores the narratives of war survivors from the North and East and counter-narratives of people from the South to understand the impact of post-war reconstruction and development efforts on reconciliation.

This chapter contends that the elite-led top-down process of building peace, embedded in the notion of the 'victor's peace' and the dominant discourse of national security in the post-war period, shaped the ideological and political framework of peacebuilding in Sri Lanka after 2009. This subsequently involved a process, which undermined the human security needs of war survivors in the North and East and placed much needed reconciliation on a developmental path that has so far reaped limited trickle-down effects to those left worst affected by war-induced destitution. The chapter concludes that desecuritisation of the North and East with the realignment of the focus of post-war development onto human security, truth seeking and justice issues could create a productive environment for reconciliation.

This chapter is based on fieldwork conducted by the authors between September 2014 and November 2016. Interviews were conducted with a diverse group of war-affected people, including war widows, disabled widows, ex-combatants and those whose family members are categorised as missing, mainly in Jaffna, Kilinochchi and Mullaitivu in the North. Interviews were also held with the members of the LLRC appointed by the former President, Mahinda Rajapaksa. Additionally, interviews were also conducted with psychosocial practitioners in the North, North-Eastern government representatives in charge of business enterprise development, small and medium entrepreneurs from different ethnic communities, and the fisher and farming communities in Mullivaikkal. Similarly, interviews were held with the government military officials in Kilinochchi at the Harmony Centre established by the Mahinda Rajapaksa administration, clergy members of inter-religious organisations in the North, the Northern provincial council and district and divisional representatives, and civil society representatives from the Sinhala community in the South. The identity of those interviewed has been kept anonymous.

## **Reconciliation in Post-war Sri Lanka**

The thirty years of war have resulted in social disintegration and ethnic division in Sri Lanka. Much of the reconciliation work, therefore, should illustrate a horizontal dimension that exists between individuals and groups, but it also should exhibit a vertical dimension, between the Sinhala-dominated centralised state system and the society consisting of ethnic minorities, especially the Tamils. The horizontal dimension of reconciliation that can also be termed 'community reconciliation' must aim to foster social trust, social cohesion, social recovery and psychosocial healing between and among victims and their families, offenders and perpetrators of

the war. The vertical dimension of reconciliation in Sri Lanka can be given the term 'national reconciliation'. This type of reconciliation aims towards the reframing of the nature of the state and society relationships within the discourse of post-war statebuilding. While the ethnic grievances of the Tamil minorities from the North towards the Sinhala majority government in the South continues, the LTTE war has reconstituted the ethnocentric character of post-war statebuilding which tends to favour the status quo by linking state reform and reconstruction with the national security agenda (Uyangoda 2011). As a result, national reconciliation cuts across the multiple issues of statebuilding but in a rather one-sided approach in dealing with such matters as national security, human security, ethnicity and nationalism, power-sharing and political inclusion.

The dynamics of post-war statebuilding in Sri Lanka is, however, embedded in the notion of a 'victor's peace'. The idea of victor's peace is associated with the peacebuilding process that generally emerges out of a military victory, which often brings unlimited power to the victorious political elites. While the triumphant elites have the opportunity to use this power to address the root causes of the preceding conflicts, ironically, the victor's peace can also generate a hegemonic political order, monopolisation of violence by the state and a stronghold of the elite over the political economy, which allows the victors to re-emerge as an authoritarian political force (see de Oliveira 2011; Dixon 2009; Lyons 2013). In Sri Lanka, there is an inherent interconnectedness between the notion of victor's peace and the discourse of post-war peacebuilding, which constructed the political framework for post-war reconstruction and recovery in which reconciliation was remarkably marginalised.

### *The Mechanisms for Reconciliation Between 2010 and 2015*

The Lessons Learnt and Reconciliation Commission (LLRC) was a formal mechanism for an inquiry appointed by President Rajapaksa in May 2010. With the aims of promoting post-war stability and national reconciliation, the LLRC was mandated to investigate the facts and circumstances, which had led to the failure of the 2002 ceasefire agreement and the lessons that could be learned pertaining to the causes of the war. The LLRC involved a highly centralised process with its members selectively handpicked by the President himself. The Commission mainly focused on the institutional, administrative and legislative measures needed to prevent conflict in the future, but did not genuinely engage with conflict-affected people at the local level. As a result, LLRC failed to garner public trust by the community at the grass roots.

The LLRC published its final report on 16 December 2011. There are altogether 189 recommendations in this report, which have been classified into eleven categories: killings and disappearances; demilitarisation; land dispute resolution; detention policy; civil institutions; devolution; freedom of expression; rule of law; languages; integration and reconciliation; return/resettlement; and development and vulnerable groups (LLRC 2011). Despite the criticisms and questions surrounding

the perceived independence and neutrality of the Commission, a positive outcome is that the recommendations were not only well received in general but also have potential to facilitate justice and reconciliation if addressed effectively and in a timely manner.

The extent to which the LLRC recommendations will create an enabling environment to reconcile the main ethnic groups in conflict (Tamils and Sinhalese), as well as war-time victims and perpetrators, will depend on the quality and the timing of the implementation of the recommendations. Some recommendations, for example, relating to the return and settlement, investigation on disappearance cases and livelihood of vulnerable groups, need urgent responses as these issues are concerned with immediate safety, security and survival of the people concerned. Other structural issues, such as the devolution of power, plus autonomy and political inclusion of the minorities, are both necessary to address the grievances of the minority population but require more time to make the necessary amendments to the constitution.

Despite the fact that the government has released a National Plan of Action (NAP) on 26 July 2012 to implement the recommendations of the LLRC, the pace of implementation has been slow. For instance, insignificant progress has been made in the investigations of enforced or involuntary disappearances, including those reported to the LLRC during its sittings (Verité Research 2014). Given the process made so far, the claims made by the government with regard to the implementation of LLRC recommendations are thought to be unconvincing, which has unfortunately solidified public distrust in the justice and reconciliation process. For example, despite the government's claim made in January 2014 to have fully implemented many of the recommendations based on the land issues, including an interim recommendation to stop the use of private land by any government agency, land grabbing by the military continues. In April 2013 alone, the army seized 6371 acres of private land in Valikamam North, Jaffna, for the purpose of establishing a battalion headquarters (more on the land grabbing issues are discussed later in this chapter) (Verité Research 2014).

As a part of the LLRC, former President Rajapaksa also established the Presidential Commission on Investigating Cases of Missing Persons in August 2013. By the time the fieldwork was conducted for this study (March 2015), the Commission had received more than 20,106 complaints, inclusive of approximately 5000 complaints from relatives of missing government security force personnel (Bulathsinhala 2016). Despite these large figures (15,000 outstanding), only around 14 Tamil civilians have managed to be traced in foreign countries or outside the North-East through the special investigation team working with the Commission (Bulathsinhala 2016).

The Commission submitted its report to the President on 15 November 2015 after an 18-month inquiry, admitting that the Sri Lankan military had killed some civilians accidentally. The report contradicted the government's earlier stance that there had been zero civilian casualties but concluded that the Sri Lankan military had not deliberately targeted civilians (LLRC 2011). The controversies that have arisen from these different mechanisms have only heightened scepticism about the

sincerity of the previous government's intention to ensure accountability for the past conflict and associated armed violence, and delivering justice to the victims.

It was observed in the hearings of the Commission in Northern Kilinochchi from 27 to 30 September 2014 and found that this process lacked empathy towards the plights of the victims. The Commission members forced the family members of disappeared persons to accept compensations from the *Samurdhi*, a poverty alleviating scheme, or other livelihood support programmes, for example, assistance to set up goat or poultry farming. If the victims accepted the compensation, the case would be closed. In one case, a mother whose only son was missing and had been associated with the LTTE was offered a goat in compensation for her loss, but she walked out of the hearing shouting: 'I want my son and not your goat'.<sup>1</sup> A similar narrative was echoed in other interviews suggesting that truth seeking tended to compromise with the victims' desperate needs for economic and livelihood support.

These examples are only a few of the representative cases of a faulty process of the highly institutionalised top-down mechanism of the LLRC that disregarded the voice of the very citizens that it intended to serve. In the meantime, the lack of neutrality and 'public trust deficiency' in the controversial transitional justice and reconciliation mechanisms like the LLRC and the Commission on Disappearances trivialised the issue of the human suffering, resulting in growing resentments of war survivors in the North and East. Such resentment is counter-productive to the future of national reconciliation.

### ***Reconciliation Efforts After 2015***

The change in the government in January 2015 has seemingly opened up more space for political discussion around transitional justice and reconciliation in Colombo. This change at the centre is accompanied by growing advocacy on justice and reconciliation issues on the ground, much of which is driven by donor-funded civil society organisations (CSO) and non-governmental organisations (NGOs).

The coalition government along with a number of Tamil leaders and the Tamil National Alliance (TNA) in the opposition has pledged to implement the wide range of LLRC recommendations in full. However, the new government is seen to be struggling with the patriotic sentiments of the majority Sinhala Buddhist community of the South, who see issues such as the demilitarisation of North and East and the release of Tamil detainees as a national security threat.<sup>2</sup> Sinhala nationalist elites from the South still form an antagonist force that government has to deal with to move transitional justice and reconciliation forward.

The appointment of the Head of the TNA, R. Sampanthan, as an opposition leader after the 17 August 2015 General Elections, was seen as a major step towards

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<sup>1</sup>Fieldwork, Kilinochchi, September 2014.

<sup>2</sup>Interview in Colombo, with State Minister of Defence Ruwan Wijewardene in *The Hindu*.



national reconciliation and the inclusion of Tamil minorities into national politics. The inclusion of Tamil politicians in the process of planning the new constitution was another significant step taken by the new government, which indicates that there is a policy of inclusion that may lead to a collective solution to the issues of Tamil identity and autonomy. There also are new state-sponsored structures that are expected to expedite the reconciliation process. A separate Government Ministry for National Integration and Reconciliation functioning directly under President Maithripala Sirisena has been set up. A separate Office for National Unity and Reconciliation (ONUR), chaired by the former President, Chandrika Kumaratunga, has been mandated to formulate and coordinate the implementation of the policies and programmes to build national unity and reconciliation. Still the overlap between the roles of a number of structures, especially between the Ministry for National Integration and Reconciliation and the ONUR, has caused some confusion thus produced the minimum of results and impacts about how to support victims and promote their confidence in the process of reconciliation. A disabled person interviewed in Kilinochchi on 10 November 2016 explained this phenomenon.

The current practice of the government is to assist only people with land and assets, such as shops. There are hundreds of people without these assets who only had their limbs as assets. Many have now lost their limbs, and they get just Sri Lanka Rs. 3000 (about 20 USD) a month by the State; this money is not linked to any livelihood-based trainings. NGOs also do their microfinance and livelihood work in an ad hoc manner.

Despite these institutional changes, the new government has been allegedly very slow in bringing about the sensitivity and trust required in how both Sinhala and Tamil politicians deal with the issue of post-war trust building. The ONUR works with the Central Government, Provincial Councils, civil society organisations, development partners and other stakeholders. Nevertheless, the ONUR's impact on resolving the issues of the vast majority of war-affected people in the North and East and whose concerns of basic human needs are not being attended to has been limited in driving post-war reconciliation. For the war-affected persons, employment and livelihood opportunities go hand in hand with justice, and one without the recognition of the other results in shaping the degree of hope and optimism present in communities that have now been waiting for justice and reconciliation for more than six years.

The lack of trust that these circumstances provide gives room for extremists on both sides to make matters worse by using it for their own ends. Soon after the Presidential election in January 2015, the Northern Provincial Council passed a resolution, stating that the Tamils have been subjected to 'genocide' since 1948 (Srinivasan 2015; The Hindu 2015). The genocide resolution moved by the Northern Chief Minister, C.V. Wigneswaran, coming so soon after the regime change in Colombo, showed insensitivity to the reconciliation process and thereby rekindled and heightened the distrust of the Sinhalese of the South. The resolution again illustrated the North-South divide that continues at present, making it one of the major challenges that the Sirisena government needs to deal with to promote both horizontal and vertical dimensions of reconciliation.

## The Developmental Path to Reconciliation: The Sri Lankan Experiment

After President Rajapaksa was re-elected in April 2010 backed by public (Sinhala majority) support and political capital, he was exhilarated by the war victory, and his main strategy was to accelerate large-scale reconstruction through infrastructure projects as a vehicle to arguably promote peace and reconciliation in the war-torn country (ICG 2011; Rainford and Satkunanathan 2011).

Between 2010 and 2015, several large and highly expensive infrastructure development projects were undertaken, including the A9 highway linking Kandy and Anuradhapura with Jaffna, built inclusive of 35 bridges and 273 culverts; the North–South linking transport project, and the Jaffna–Colombo railway service that was reopened in 2014, which had been abandoned since 1990 after the escalation of the war between the LTTE militants and the government armed forces.<sup>3</sup> The Ministry of Economic Development commenced a series of development projects under its ‘*Divineguma*’, reawakening scheme requiring exorbitant expenditure. It included projects concerning electricity, education, health, road development, water supply, sports, religious activities, social welfare, fisheries and rehabilitation of school buildings.<sup>4</sup>

In the Eastern region, the Eastern Reawakening programme was implemented with major donor funds and credits, mainly through assistance from Japan and the Asian Development Bank. Although the programme was based on the principles of the 4Ds (demilitarisation, democratisation, development and devolution), the focus of demilitarisation was on the LTTE cadres, while militarisation of the East by the government forces continued. On the side of democratisation and devolution, the Mahinda Rajapaksa regime had held the first Eastern provincial council elections in 2008 within two years of the war in the East ending in 2006. However, in a controversial decision, the government prematurely dissolved the Provincial Councils (PCs) and called for fresh elections in the North Central, *Sabaragamuwa*, along with the Eastern Province on 8 September 2012, while no election was called in the Northern provincial council electorates until 2013. Thus, in the absence of an elected provincial council in the North, development and reconstruction projects were neither decentralised, nor did they receive public support by the Tamils on the ground.

Donor funds and foreign investments for reconstruction and development were sought after the end of the war in 2009 with an ostensible rationale that development would win the hearts and minds of the Tamil people in the North and East. While the government was actively seeking funds from neoliberal donors, it was at

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<sup>3</sup>See [http://www.np.gov.lk/index.php?option=com\\_content&view=article&id=2432:modernized-A9-road-officially-declared-by-president-mahinda-rajapaksa-15-june-2013&Itemid=122](http://www.np.gov.lk/index.php?option=com_content&view=article&id=2432:modernized-A9-road-officially-declared-by-president-mahinda-rajapaksa-15-june-2013&Itemid=122).

<sup>4</sup>Fieldwork May 2015.

the same time imposing strong restrictions on receiving aid and the early recovery activities by NGOs and international aid agencies. Even if humanitarian aid was to flow to the North and East, it had to get a clearance by local military commanders.

To block the recovery aid necessary for delivering peace dividends, while pouring money into large-scale infrastructure projects, created a bizarre situation, which we call 'reconstruction without recovery'. The human saga of the countless number of civilians whose loss of livelihoods, limbs, and having to deal with the death of their loved ones added to the psychological burden they were under. Most post-war countries gradually move from a post-war recovery phase to a post-war development phase. Post-war recovery processes are selective in distinguishing vulnerable groups, such as conflict-affected families, war widows, ex-combatants and communities who suffered war to provide peace dividends that come in many forms. They generally include comprehensive post-war development policy that includes systematic reparation, rehabilitation, reintegration and overall livelihood support for conflict-affected families, ex-combatants and other marginalised groups. Over time, the recovery process is expected to link to long-term development that is often embedded in the political and democratic reforms of post-war countries, although many post-war countries, either fail, or are slow to link recovery with reconstruction and development due to a lack of long-term development vision, planning, expertise and resources (Hoeffler et al. 2010).

Although Sri Lanka carried out rehabilitation and reintegration of ex-cadres and resettlement of war-affected persons from Internally displaced camps to civilian lives, the prioritisation of psychosocial healing and the practicalities of re-establishing livelihood concerns were not adequately handled as demonstrated by the interviews conducted for this research in 2014. The social cost of reconstruction, without recovery, manifests in many ways. People from the North and East, whose livelihoods and psychosocial needs remain unmet, have limited trust and confidence in the government in Colombo. There is a stark disjunction between what people expect in the peripheries and how policy makers think and act in the centre. This disconnectedness has engendered a situation of 'peace fatigue'; that is, war victims and war survivors are now tired of talking about peace that they believe will never truly come.

### ***Consequences of Post-war Reconstruction on the Local and National Economy***

A number of international donors and state-sponsored investors, mainly from China and the Asian Development Bank, heavily invested in the infrastructure sectors. As a result of highly expensive infrastructure development projects, the government debt has increased more than threefold, up to 7.39 trillion Sri Lankan Rupees under Rajapaksa's government between 2010 and 2015, which is roughly between 74 and 76% of the of gross domestic product (GDP) of Sri Lanka (Shepard 2016).

Many of the post-war construction projects have little significance in terms of their contribution to the national and local economy. For example, the Mattala Rajapaksa International Airport, the second international airport in the country was built in the Hambantota District in the Southern Province at a cost of approximately USD 200 million, but it has had hardly any departures or arrivals since its opening in March 2013 (Sarvanantham 2016). The Magam Ruhunupura Mahinda Rajapaksa Port, the first phase of the new harbour built in Hambantota at a cost of around USD 400 million and opened in late 2010 (first phase), has notably very limited business in comparison to the scale of the investment made in building the infrastructure (Sarvanantham 2016). In spite of the massive infusion of public capital into the Eastern, Northern and Southern Provinces after 2009, only 7.3% of the total employment in Sri Lanka was created from this expenditure. Only 5.8% of the total jobs created were accrued to the Northern Province (24,303 jobs), while the unemployment rate of 4% at the national level in 2013 is the lowest it has ever been since Sri Lanka's independence (Sarvanantham 2014, 2016). The inflation rate increased significantly by 3.3% between 2009 and 2013 (Sarvanantham 2014).

On the other hand, the Western Province accounted for 14.5% of the net employment created in the country during 2010–2012 (61,133) (Sarvanantham 2016). Compared to the Western province, private capital investment is low in the North and East with the Tamil diaspora who had left the country at the height of war not playing a key role in investments, largely on account of the gaps in the post-war peace discourse concerning aspects, such as war-related accountability.

These facts and figures about costly infrastructure projects and their local and national economic consequences imply that post-war reconstruction has mainly served the interests of the rulers and crony businessmen who captured the economy after 2010 rather than benefitting the marginalised populations and war survivors whose basic needs and human security concerns have not been met.

### ***Hegemonic Effects of Post-war Reconstruction***

The reconstruction and development discourse was found to have produced hegemonic social effects in Sri Lanka. The Tamils, as well as Muslims from the North and East, have a view that the development process has altered the demographic imbalances in the North and East, as more Sinhala business people and non-business people migrated from the South and settled in the North. While Tamils in the North blame the military and government agencies facilitating the resettlement, the Sinhalese counter this narrative by arguing that those who have returned were already settled in the North and were displaced during the war.

Often, the interviews with Tamils in Jaffna show that Northern Tamils see the Southern visitors coming to the North as state-sponsored Buddhist pilgrims who

arrived in the territory with a sense of victory. What was ascertained during the interviews for this study was that contrary to building up the trust and the intermingling of the two communities, the high influx of southerners in the North has created a sense of bitterness where the visitors were seen as 'victory hailers'. It was notable that most Southern Buddhists travelled the North as Buddhist pilgrims, primarily to visit the key historic Hindu and Buddhist sites of Nagadeepa. The creation of large and small statues of Buddha in diverse locations and the establishment of temples in the rural North, such as in the Mullaitivu district on both state-owned and private-owned land, have contributed to strengthening the Sinhala Nationalism that undermines the potential for reconciliation. The lack of local participation in the development projects coupled with the demographic mobility from the South and facilitated by the reconstruction and development processes has collectively raised the Tamil population's perceptions that the hegemonic development process has effectively 're-colonised the North and East by the South'.<sup>5</sup>

A senior Tamil Government Official based in Jaffna, responsible for business promotion in the district, was interviewed in October 2014, during the regime of Mahinda Rajapaksa. This official remained tight-lipped and did not offer any comment on aspects of reconciliation. By the end of a two-hour interview and now speaking about the government-initiated economic development measures in the district, he suddenly lapsed into an impassioned monologue on what he maintained was 'Southern Tourism that made Jaffna the dustbin of the Sinhalese'.

They (the Sinhalese) did not even buy provisions (daily supplies) from us (Jaffna). They bought their provisions from the South, and they even bought all cooking utensils and cooked these meals on the wayside of the road and left a scattering of litter. They stayed in the Buddhist temples. They could have stayed with our people who are hospitable. They could have made conversations with our people who would have invited them. But they chose to be Sinhala Buddhist tourists who were only interested in hailing Jaffna as a piece of the victory.

Interestingly, the same official when interviewed in June 2016 was different in manner, speech and comments made, when he maintained more positive thoughts about the local business climate and spoke with much hope for the attempts of reconciliation by the government. Similar levels of positivity were also evidenced among the interviews carried out in 2016 with local business people and entrepreneurs, indicating that the social and political climate is more favourable for reconciliation than before 2015.

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<sup>5</sup>Interviews in Jaffna, August 2015. Many respondents asserted that the setting up of Buddhist temples alongside pockets of settlements of the Sinhala community in the North (who often justified that they have ancestral roots in the region) and the general understanding that families of troops located in the North would also be settled in the area in the long term, has established a perception that the emerging settlement pattern and scenario in the North-East is based on a state-sponsored design that fosters Sinhala Buddhist superiority.

### ***Militarisation and Securitisation of Development: Implications for Reconciliation (2010–2015)***

The Rajapaksa regime framed the 2009 military victory against the LTTE as a defeat of terrorism while it also claimed the war as a humanitarian operation that was necessary to rescue civilians from the LTTE. In the final days of the war, civilians were used as a ‘human shield’ by the LTTE in the Nandikadal lagoon area (Yatawara 2009). At the same time, there is no reference of the Sri Lankan military having killed unarmed Tamil civilians, which is alleged to have happened in 2009 during the last stages of the war.

Overall, by framing the war as fighting terrorism or a humanitarian operation to rescue civilians from the LTTE, the former government was able to reject the LTTE issue as an armed conflict minus any in-depth soul searching into the minority grievances that were linked with aspects of land rights and devolution. It was with this line of strategic interpretation of the war that propelled Colombo to downplay reconciliation but instead react with increased militarisation for stabilisation in the North and East. By 2011, the North and East were flooded with the unprecedented presence of the military, along with their new military camps established in the interior villages by capturing lands from the civilians, most of whom were war-affected poor and vulnerable families, including war widows and the female heads of households (FHHs) (ICG 2012; The Oakland Institute 2015).

The exact number of the security forces who were stationed in the North and East is elusive, partly because the actual data are kept secret deliberately for the rationale of maintaining national security. On 19 January 2014, in a speech, President Rajapaksa estimated only 12,000 military personnel were in the North in less than 10 military camps, which he claimed to be a drastic reduction compared to 70,000 military in the North in May 2009 (ICG 2014). This figure, however, contradicts the information provided by the President’s Secretary, Lalith Weeratunga, in his presentation to the United Nations Office in Geneva where he stated that the number of military personnel in the North had fallen by two-thirds, from 120,000 in May 2009 to around 80,000 at the end of 2013.<sup>6</sup> Other reports reveal that in the Jaffna area alone, there were reportedly 40,000 army personnel and 10,000 police, in addition to various paramilitary groups and intelligence agencies deployed after 2010 (Goodhand 2012). A report by International Crisis Group (ICG) estimates that the ratio of army members to civilians in the North could be one army individual to every 8.7 civilians (ICG 2014). Another report shows that in 2014, there were at least 160,000 military personnel, almost entirely Sinhalese soldiers, stationed in the North with the population standing at a little more than 1 million people which means that there was one soldier for every six civilians (The Oakland Institute 2015).

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<sup>6</sup>A copy of the presentation is available here: <http://www.dh-web.org/hrsits/GenevaLWppt.pdf>.

In addition to the obvious concerns over the number of the military in former war zones, the war survivors perceive detrimental effects of the militarisation in many forms. The military effectively controls the local economy and has emerged as a high-level economic player in the North and East in ways that gives rise to 'military corporatism'; that is, the fostering of a corporate culture within the military. For instance, the military is involved in vegetable farming in the lands grabbed from local villagers.<sup>7</sup> Although the military has created employment for the locals, there are grave security concerns especially for single women who work in the military-run farms.<sup>8</sup> In Vaddakachchi village, the Civil Security Department of the military has been running an agricultural farm on approximately 300 acres of land captured from the local villagers.<sup>9</sup> The military captured cows and lands in Mallakam village and Uduvil, Kopai village, and now sells yoghurt produced from the captured cows and the land. There are grocery shops and department stores run by the military in the North. The army runs a brand of hotels, known as Laya. The navy launched its own resort, called Sober Island. The navy has also taken to dredging canals and running boat services. The air force offers helicopter tours and even a beauty salon, 'Airforce Clippers', in Colombo. Thus, the militarisation of local business and the economy is entrenched, which provides leverage to the military to control the local economy while also continuing to survey local activities. This has detrimental effects on the local private sector, which became virtually displaced when the military stepped in.

Another major source of discontent in response to militarisation is the issue of 'everyday surveillance'. Even though the political environment is opening up in Colombo, continuous militarisation in the North and East is accompanied by the surveillance of people and random, and ad hoc visits from the military establishment continued until 2015. Interviews suggest that the degree of surveillance has decreased to a certain extent after the new government came to power. The following narrative of a rice farmer interviewed in Mullivaikkal in October 2014, illustrates the severity of the everyday surveillance that people lived with in the North.

You are now talking to us [Tamils]! The moment you go they will interrogate us. Never mind. We have much to say. My family lost 5 members of our family in the last phase of the war. God only knows how we survived. Now all that is over. We just want to live. We have managed to build this house again and cultivate because we have some relatives abroad. But many are not as fortunate as us. I head the farmers' society in this area which has 140 farmers from the Mullivaikkal West region and our problem is that we cannot earn a profit by farming no matter how hard we work because at least 30% of our land is still held by the military for security reasons. Water is a big issue as well. We cannot dig wells without the permission of the military. We cannot clear the land without the military watching. This is our own land and we are made to feel that it is not. When will this suspicion end? Often we cannot afford pesticide so now make our own in the traditional way. Sometimes it works. Life is a struggle. We want our children to live better. They should not know another war.

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<sup>7</sup>A group interview with women in Kilinochchi, March 2016.

<sup>8</sup>A group interview with women in Kilinochchi, March 2016.

<sup>9</sup>A group interview with women in Kilinochchi, March 2016.

In the follow-up interviews in 2016, this situation had changed to a large extent, as interviewees stated that the surveillance had become subtle. The military is still watching but it does not appear as visible as before 2015. Freedom of expression has improved considerably at a practical level and in the minds of the ordinary people following the change of government, in which the Tamil people played a key part, enabling them the right to speak out against or provide support for the current government.

Between 2010 and 2015, militarisation also affected the school environment. It is reported that in Vavuniya, Kilinochchi and Mullaitivu districts, the Civil Defence Unit of the military had been running 344 primary schools, employing 689 Tamil women as teachers on good salaries, whereby as per the constitution, school education should be devolved and schools in the province should be run by the provincial ministry of education (Balachandran 2016).

Meanwhile arbitrary arrests and detention of civilians, including students, continue to take place under the Prevention of Terrorism Act (PTA) regulations, enacted in 1979 under President J.R. Jayawardene, primarily to crush the emerging armed struggle with Tamil youth. The Act continues to date to permit investigating officers to take suspects to any place for the purpose of interrogation and investigation (Verité Research 2014).

### *The Story of Ganeshan in Jaffna*

Ganeshan (name changed) is a resident of Jaffna and a senior official of a government institution that promotes business and investment in Sri Lanka. He agreed to an interview on 26 September 2014 to look at how economic development and its securitisation have affected reconciliation. A few minutes after the interview began in his office, an official walked in identifying himself as an officer of the Criminal Investigations Unit. He also requested a list of names of the people working in the institution. The officer explained that this intervention was part of the security clearance process that had to be followed prior to the upcoming visit of the President to the region. President Mahinda Rajapaksa was to visit the region in October 2014 to inaugurate the road service linking the South of the country with Jaffna. The interview resumed after the CID official left. Before he left, he informed us that the officer would not be answering any question the researcher had for him on post-conflict reconciliation. Instead, he agreed to answer any questions regarding his official duties pertaining to the mandate of the government institution he worked for, which was to bring about investment in Sri Lanka. He pointed out the setting up of garment factories in Mullaitivu, Kilinochchi and Vavuniya with around 1000 employment opportunities being created, and another 2000 employment opportunities still to be provided.

Ganeshan answered the questions in a brief manner providing the barest of technical details. He did not answer questions on aspects related to the business community and investment from the Tamil Diaspora. He said that those questions



and answers fall outside his official work. He closed the interview briskly, his manner recognisably unfriendly. However, at the door to his office, at the point of the researcher's imminent departure, he stopped, held open the doors and said that he had a few points to say about reconciliation. He summoned the researcher back to the seat and began to speak. The following are his comments verbatim, while the authors added emphasis:

You want to speak to me about national reconciliation. Can you first answer this question? How many vehicles carrying 'your people' entered Jaffna since May 2009? How many? Fifty thousand? Hundred thousand? How many? Now tell me... where did "your people" stay? Did they try and make friends with people in Jaffna and stay in their houses or did they contact village officials in the North such as the Grame Sevekas who could arrange this for them? Did they speak to 'our people' to find out how the war affected us? Now tell me where is the reconciliation that you want to talk to me about when your people came here, stayed at 'your temples', bought even 'their onions' from the South?

This narrative of 2014 represents undercurrents of animosity and the 'us' versus 'them' attitude that exists both in the North and South of Sri Lanka. The militarisation of the North-East that has secured development of the local economy and consolidated Sinhala nationalism under the national security pretext has proven unhelpful in removing the divisive attitude, rather it contributed to widening the social gap and intensifying ethnic hatred.

However, the official when interviewed in 2015 May was a stark contrast to his previous manner. He was friendly and seemed to almost have forgotten his earlier statements, stating instead that the new government provided hope for the people and that the military in the 2015 context was 'non-interfering'.

### ***Recent Attempts of Demilitarisation and Desecuritisation***

The Sirisena government has recently made some notable progress in desecuritising the development process. It moved the Urban Development Authority (UDA), the Police and Immigration departments from the Ministry of Defence's portfolio, which had been moved to the Defence ministry in 2010. The civil administration, which was under the control of ex-military personnel in the North and East, has come under civilian leaders. Technically, the provincial councils have more power than before, although in practice their dependence on the centre in major decision-making has not reduced.

The interviews suggest that the military continues to engage in farming and local businesses, such as running grocery shops. Yet in comparison to what was taking place prior to 2015, the military is confined to the barracks. The military influence in local development decision-making has reduced, as the civilian authorities are now increasingly making local development decisions.

Despite the military maintaining a low-profile position in the North and East, it is unclear by when and whether the military will be withdrawn from the former war zones. The Foreign Minister, Mangala Samaraweera, is reported to claim that the

government is planning to demilitarise not only the North and East but also the entire country by 2018.<sup>10</sup> This statement is in contrast with President Sirisena renewing orders to allow troops to be deployed across the island.<sup>11</sup> These inconsistencies and uncertainties leave Sri Lanka in a situation where post-war development seems to be undergoing a desecuritisation phase while militarisation of the North and East continues.

## **Reconciliation: Perspectives from the South**

In general, the Southern perspective of the majority Sinhala regime is that terrorism, meaning the LTTE, has been eliminated and the Tamil people also have been saved from terrorism with the chance to live together in harmony with the Sinhalese. While there is empathy in most sections of the Sinhalese community, especially for those who lost their loved ones in the war there is an overall feeling that the country should essentially be a 'Sinhalese Buddhist country'. This feeling, which is strong and influential in national politics, draws on the history of the Sinhala monarchy to safeguard the Sinhala identity of the country. Therefore, for the majority of people from the South, the dominant and most common narrative of national reconciliation is for all to accept Sinhala nationalism.

The Sinhalese also fear that if the 13th Amendment of the Constitution, which created a provincial council in Sri Lanka, is fully implemented and powers over the land and police are given to the North and East to run within in those sensitive regions, then the North and East will probably secede.

## **Narratives of Security Force Personnel**

In the face of militarisation and securitisation, there have been almost no efforts to explore what the security forces think about reconciliation and how they are likely to respond. This chapter, however, shows that the government's military has considerable empathy for the Tamil people, especially among its mid-ranking officers and thus are likely to cooperate with the reconciliation process. The military personnel who were interviewed stated that this empathy has been under-capitalised in any structured fashion to support a reconciliation process. Many others believe that the reconciliation process has been made a part of the truth and justice framework, which was proposed or created by the West without understanding

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<sup>10</sup>See <http://saudigazette.com.sa/world/asia/sri-lanka-aims-demilitarize-island-2018/>.

<sup>11</sup>See <http://www.ucanews.com/news/new-sri-lanka-president-renegees-on-vow-to-demilitarize-the-island/72941>.

local social and cultural realities of Sri Lankan society. A major in the military, who was one of the officers affiliated with the Harmony Centre in Kilinochchi, shared the following view about reconciliation.<sup>12</sup>

I am from a rural village in Polonnaruwa, on the border of the North East. I have grown up practicing the true spirituality of Buddhism, which is non-violence. I did not think I would join the army. I could not bring myself to eat meat as a child. In our village we had regular attacks on us by the LTTE. In the battlefield as a soldier, I often struggled wondering about this war, wondering why we have to kill. I now believe that we should never allow the background for another war. I ask you; why do we need to have Sinhala schools, Tamil schools and Muslim schools? Education is education. Sinhala, Tamil and English should be for the benefit of all children. Why do we segment education on lines of ethnicity?

While this statement does not allow us to generalise, it certainly shows us the potential that such views could hold for engaging with the security forces if truth and reconciliation is to be successfully achieved.

## **Conclusions: Towards Integrating Development with Truth, Justice and Healing**

This chapter has presented the narratives of war survivors in the North as well as some counter-narratives of people from the South on the issues of reconciliation in post-war Sri Lanka. Unlike many other post-war countries, Sri Lanka adopted a developmental approach to foster reconciliation between the minority Tamils from the North and the majority Sinhala-led government in the South, in addition to the LLRC mechanism formed by the former government under President Rajapaksa.

Post-war development in Sri Lanka is needed, not only to deliver peace dividends that would include livelihoods, jobs and income generation, rehabilitation and physical security but also foster civic trust in public institutions and mechanisms. Therefore, inclusive and participatory post-war development is indeed necessary for reconciliation. However, the previous government (2010 and 2015) seemed to have misrepresented post-war development with the idea of post-war reconstruction projects, which focused on large-scale infrastructure projects that had little impact on the everyday lives of conflict-affected people in the North. The exclusionary and hegemonic nature of the highly securitised infrastructure development projects alienated people from war zones and forced them to live under the shadow of militarisation mostly between 2010 and 2015. As a result, an environment of reconstruction without effective post-war recovery emerged, which could not create the favourable conditions for community reconciliation as well as national reconciliation.

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<sup>12</sup>Interviewed on 29 September 2014, the Harmony Centre, Kilinochchi.

While much emphasis is given to post-war development at present, the government even today seems to lack effective policies and programmes on how to tackle multiple social, economic, security and psychosocial and emotional problems faced by people in the North and East. It appears that post-war development is embroiled in the heated politics in Colombo, which is now embarking on a difficult but a necessary process of constitution writing. It is indubitable that a structural change that devolves more power to the provincial councils in the North and East and the political inclusion of the Tamil and Muslim minorities is necessary in order to attain national reconciliation. Still, time is an important factor in generating civic trust in the state and its machineries. The fact that the war victims have been deprived of truth and justice for more than six years means that it is high time that the trickle-down effects of people-centred development and justice are felt on the ground.

While post-war development can be instrumental in forging civic trust in the government, it must have synergetic effects on three important dimensions in Sri Lanka. First, unlike in the Rajapaksa regime, in which development was framed under the national security imperatives, the idea of post-war development must be conceived according to the principles and practices of human security. Human security and peacebuilding have symbiotic relations because of their focus on inducing changes at the individual, institutional and structural-cultural levels. At an individual level, a human security approach to peacebuilding takes culture and identity into account when addressing the social, political, security and economic problems of marginalised individuals, groups and communities, whereas at an institutional level, both material and sociocultural contexts are considered as critical factors for human security and peacebuilding to exist (Conteh-Morgan 2005). In Sri Lanka, a human security approach to post-war development that livelihoods, safety and security and freedom of expression will ensure peace dividends is delivered so that it garners public trust in the state and its mechanisms. This will, however, require, among other things, desecuritisation of development and demilitarisation of North and East.

Second, post-war development must be carried out in tandem with an environment of free and fair truth seeking and justice. At present, the search for the missing and the disappeared in the last phase of the war preoccupies much of the debate on reconciliation. Both development and reconciliation cannot eventuate without letting people who have lost their family members know the truth about what happened to them. War survivors believe that dignified truth seeking is a first step to post-war healing and reconciliation. In fact, truth and justice complements development and reconciliation and vice versa.

Finally, the LTTE war was not just a ramification of failed development but also a consequence of a flawed post-colonial statebuilding process, which widened ethnic gaps and excluded minorities from the centralised state system. In this sense, it is possible to recognise that in fact there were structural fault lines. Thus, reconciliation, especially national reconciliation, in Sri Lanka also has an inherent political dimension that must be addressed through structural changes that ensure devolution of power, political inclusion and good governance.

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# Chapter 7

## The Spatial Dimensions of Conflict: Initiating the Process of Reconciliation in the Federally Administered Tribal Areas of Pakistan

Saira Bano Orakzai

### Introduction

Conflict in the Federally Administered Tribal Areas (FATA) of Pakistan has its diverse spatial dimensions. In order to understand the conflict in FATA, two factors are important. Firstly, it is a struggle to control the territorial space by conflict actors resulting in socio-political polarisation, and secondly, it is a quest for order by the parties in conflict for their mutual advantage. The conflict has altered the social and spatial geography<sup>1</sup> in this region and also involves external state and non-state actors, which have magnified the historical, social and transnational aspects of the conflict. In this regard, the division within the Tehreek-e-Taliban Pakistan (Pakistan's chapter of the Taliban movement) after the death of Pakistani Taliban leader, Hakimullah Mehsud, on 31 October 2013, landed the region into a period of uncertainty. The problems revolved around the question of division and authority within their ranks.

To complicate issues further, the use of religion, strategic culture of autonomous character of the FATA, and the tapestry of terror and violence in by the conflict actors perpetuated this conflict. The conflict actors, on one hand include the non-state actors like Taliban and al Qaeda leadership and other minor groupings, while on the other, there are state actors like the government of Pakistan, Afghanistan and the USA. This conflict has resulted in the people of FATA moving into a spiral of violence, extremism and militancy. One of the important consequences of this situation is the occurrence of internally displaced persons (IDPs) or

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<sup>1</sup>The change in social fabric of the society through change in power structure and the increasing number of presence, and control of Pakistan military in the area.

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the temporarily displaced persons (TDPs) as declared by the government of Pakistan, whose numbers climbed to more than 1.7 million, living in the camps. They can be correctly termed conflict-induced displaced people (CIDPs) as a result of the military operations carried out against the Taliban in FATA by the government of Pakistan.

This chapter outlines Islam as a religious source of reconciliation, which can contribute in dealing with the spatial nature of conflict in FATA where there is a broader understanding of religion as an important identity marker in the Pashtun society of FATA. Religion, which is one of the primary factors instrumental in promoting conflict in this society, is argued in this chapter as being the catalyst that can also pave the way for future reconciliation. To this end, conflicts involving history, identity and narratives require mechanisms for engaging with the past for opening up new avenues of interaction. Hence, reconciliation (Ta'lif) as an Islamic religious approach helps to address the 'historicisation' of conflicts for promoting a sustainable peace.

Reconciliation (Ta'lif) within a society is an important aspect of the transformative process to peace. This chapter examines the process of reconciliation through a religious approach using the emphasis Islam has placed on reconciliation through two important concepts. The first is *Sakinatul Qulub* (tranquillity in the heart) and the second is *Taleeful Qulub* (reconciling hearts). This is opposite to *Tehrik-e-Qulub* (shaking of hearts), which is the basis of terrorising people. The Qur'an in its numerous verses states the importance of achieving tranquillity and healing as a process of peace and reconciliation. Within the paradigm of protracted conflicts, the overarching purpose of this chapter is to look at how this conflict can be transformed using religious resources for reconciliation by targeting the state, society and the actors involved. This will help to theoretically sketch the path along which to proceed in developing a mechanism for reconciliation and as a means for establishing peace in FATA.

This chapter has been divided into three sections. Firstly, the spatial dimension of the conflict in FATA will be examined, focusing on five key aspects, that is, territorial conflicts and boundaries, symbolic representation of political power, geopolitics and the politics of identity, international relations, regional politics and the new social movements, and the resource conflict. The second section will put forward the concept of reconciliation within Islam, and lastly, the chapter will suggest steps for the reconciliation process in FATA.

## **The Spatial Dimension of Conflict in FATA**

Space and conflict provide a very important theoretical landscape from which to examine conflicts that involve identity, territory and resources. Reuber (2000, pp. 39–40) states that in post-modern research, there are six fields of research in political geography, which are important in order to deconstruct the discourses and



narratives. These include territorial conflicts and boundaries, ecological politics and resource conflicts, geopolitics and the politics of identity, globalisation and new international relations, symbolic representation of political power, and lastly, regional politics and the new social movements. The conflict in FATA is examined taking into consideration all these aspects of conflict.

### ***Territorial Conflicts and Boundaries***

The Federally Administered Tribal Areas of Pakistan is a region, which is autonomous within the Federation of Pakistan. It is located in the north-west of Pakistan bordering Afghanistan, with routes connecting it to Central Asia and the Jammu & Kashmir region (Haq et al. 2005). Since the creation of Pakistan in 1947, the historical geography of the area has been noted for its political stability. FATA's most recent conflict started in the aftermath of the events of 11 September 2001, beginning and escalating after the US-led forces attacked Afghanistan in October 2001 in order to target the leadership of al Qaeda and also the Taliban. These forces aimed to destroy militant sanctuaries in reaction to the terrorist attacks on the World Trade Centre in New York. As a result, the fleeing Taliban and al Qaeda leadership took refuge in the bordering tribal areas of Pakistan.

Historically, this area has had a very permeable border with Afghanistan due to the shared *Pakhtun*<sup>2</sup> ethnicity that lives across its borders and the fact that this area was a part of Afghanistan before the Durand Line agreement was signed in 1893 between British and Afghan governments (Shinwari 2012). For the British, tribal region served as a strategic buffer zone between the British territory and the Russian Empire, which led to its administrative division with indirect British control. This system has been maintained until now though some recent political reforms have made progress towards including the area in the mainstream political process. This area is regulated under the Frontier Crimes Regulation Act (FCR) of 1901 with modifications.

However, after the partition of the Indian subcontinent in 1947, an instrument of accession was signed by Mohammad Ali Jinnah, the leader of the Pakistan movement and the first Governor General of Pakistan, at the Bannu Tribal *Jirga*<sup>3</sup> in January 1948, which assured FATA's semi-autonomous status (Haq et al. 2005, p. 12). The tribal areas became part of Pakistan on 15 August 1947. This status continued until the 1955 'One Unit Policy' was formulated under which Pakistan was divided into two administrative units: West Pakistan and East Pakistan. The dissolution of One Unit in Pakistan on 1 July 1970 resulted in the division of the tribal areas into three categories: Federally Administered Tribal Areas (FATA),

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<sup>2</sup>*Pakhtun* is a variation of *Pashtun* and *Pukhtun* and reflects the local pronunciation.

<sup>3</sup>Jirga: Tribal Council of Elders.

which constituted seven tribal agencies,<sup>4</sup> the Provincially Administered Tribal Areas (PATA) of the North-West Frontier Province (NWFP), and the PATA of Balochistan (Haq et al. 2005).

The roots of the conflict in the tribal areas can be traced to the historical interactions between Europeans and Muslims in Afghanistan and India and its impact on the British understanding of *Pakhtuns* in the tribal areas, which was based on images of violence, the sword, and a religiously stagnant society; Orientalist images of *Pakhtuns* as an untamed martial race; and the socio-political and economic aftermath of the 1947 partition of the subcontinent, followed by the deliberate lack of development of this area by the government of Pakistan. The foundation of the local aspect of the conflict was laid by the *Malaki* system, weaponisation, a warrior culture, and the use of this territory as a buffer zone to gain leverage in Afghanistan by Pakistan.

The first time the social fabric of the tribal areas was changed greatly affected the tribes' structure and cultural code occurred in 1878, under Lord Curzon, Viceroy of India when the British adopted a system implementing the division of tribal areas into political agencies (Chanock 1985). In the 1880s, the British adopted the *Malaki* system, which involved appointing a *Malak* (tribal chief) from the tribe who was responsible for obtaining a fixed number of levies for the British Empire. In return, the *Malak* got allowances, reported to a political agent who represented the government in the tribal areas, and was expected to control the tribes.

The 1872 adoption of the Frontier Crime Regulation Act (FCR) also exerted an influence here. Bruce (1900, p. 4) described this Act as an effort by the British government to bring tribes into the 'pale of civilization', resembling the 'White Man's Burden' approach of Europeans to civilise the world. Under this Act, the tribes were given the illusion of freedom by appearing outside the direct control of the Empire. This helped the British to control them very effectively and to manipulate their code of culture; *Pakhtunwali* (Pakhtun Cultural code) for the Empire's benefit.

Consequently, all the components of the *Pakhtunwali's* cultural code came under the control of the British through its *Malaki* system and through political agents who were the representatives of the Viceroy in the tribal areas and who had the power to convene or affect the decision of the *Jirga*. This disregards the myth that these tribes have never been colonised. Farhat Taj deconstructs the myth of the autonomous nature of the status of FATA and weak state control within the Federation of Pakistan. She argues that this notion of autonomous tribes and weak state control involves 'sweeping judgments' and is 'far from truth' (Taj 2011, p. 12) as the tribal areas, through the British administrative system and constitutionally after the establishment of Pakistan, experienced considerable interference, if not

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<sup>4</sup>The term 'tribal agency' was used during the British colonial era to denote different administrative units. The seven tribal agencies are Bajur, Khyber, Kurram, Mohmand, Orakzai, South Waziristan, North Waziristan, and six federal regions include frontier regions of Peshawar, Kohat, Bannu, Lakki Marwat, Tank, and Dera Ismail Khan.

control, by the British Empire until 1947 and then the State of Pakistan thereafter. She considers FATA to be fully under the Federal government's control, through political agents and Frontier Crime Regulation Act, 1901 (Taj 2011).

### *Symbolic Representation of Political Power*

FATA is one of the most underdeveloped areas of Pakistan. Pakistan is pursuing a strategic policy in these areas, which can be termed in Paasi's (2008: 113) words as 'socially constructed territoriality' or 'spatial strategy' by both controlling the territory and influencing the inhabitants of the area, thus giving the territory a symbolic and institutional shape. This process includes calling it 'Tribal areas'. This term was originally used by the British and later continued by the state of Pakistan. Rubin (2002, p. 5) argues that the 'Tribal' society is a concept and strategy allowing for state control, and the forming of an autocratic culture or kingdom that in reality does not exist. He further points out that the conflict in these societies mostly results from the forced integration and transformation of tribal-based societies into a Eurocentric state system, which, in the era of colonialism made tribes a buffer between powerful states (Rubin 2002). This is particularly true of the tribal areas of Pakistan. This form of control has been termed by Sack (1986) as a strategy of controlling resources and people by controlling the area.

The political status of FATA in the State of Pakistan also depicts the 'spatial strategy'. FATA is governed by Articles 246 and 247 of the 1973 Constitution of Pakistan,<sup>5</sup> which extend the executive authority of the state into this area. The President of Pakistan enjoys discretionary power, and the governor of the Province of Khyber Pakhtunkhawa (the former North-West Frontier Province) exercises executive power on behalf of the President. The political design under British colonialism continued with political agents (usually bureaucrats) acting as representatives of the president for each tribal agency. Political agents hold political, judicial and executive powers to handle criminal issues and the revenue system. The Levis, or tribal militias, and *Khasadars* (irregular forces from different tribes) are under their authority (Asia Report, 125 2006).

The political agent has the power to grant *Malak* status to tribal elders or conversely to give them the status of *Lungi* (lower than *Malak*) if he determines that the tribal elder was not sufficiently serving the interests of the State. The financial

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<sup>5</sup>Article 246 deals with defining tribal areas, different agencies and FR regions.

Article 247: 'The executive authority of the Federation shall extend to the Federally Administered Tribal Areas and no act of the Parliament shall apply to any Federally Administered Tribal Areas or to any part thereof, unless the president so directs'. Moreover, clause 7 of this article bars the extension of superior courts, including the Supreme Court and High Court, to FATA unless parliament so provides under the law.

support of a tribe depends on its role in the maintenance of peace and what the government deems 'social order', the suppression of crimes and support of government policies. The agent also holds the power of appointment to the *Jirga* (tribal council), which is an informal conflict/dispute resolution mechanism in the absence of a regular civil and criminal judicial system in the area (Asia Report, 125 2006, pp. 4–5). Political agents exploit the scarce employment in tribal areas (because of the lack of development opportunities), offering secret funds to change sides in tribal rivalries, gain support for the government and secure jobs for local tribesmen as *Khasadars*. Thus, the entire socio-political system of the tribal areas is based on exploitation, discrimination and the denial of political and economic opportunities.

The FATA jurisdiction is divided into inaccessible areas, administered areas and protected areas.<sup>6</sup> The Frontier Crimes Regulation Act enshrines judicial authority to settle disputes and combines it with police and executive authority in the political agent (PA). It is a continuation of the Federal Crimes Regulatory Act 1901 ('FCR') with minor modifications. It combines the executive discretionary powers with tribal norms and traditions. Although the *Jirga* system has the power to resolve civil and criminal disputes, it is subservient to the PA as he can refer cases to it. The composition of the *Jirga* is also at his discretion, and he is vested with the power to award punishment without trial in a proper court of law. All the areas have been denied due process of justice, allowing the punishment of an entire tribe for any crime, seizure of tribal property or arrest of any persons the PA deems is against the interests of the state.

Although many reforms have been initiated, this area is still governed by the FCR. Political reforms were initiated in 1996 by the government of Benazir Bhutto; the adult franchise was introduced to the area, and the first elections were held in 1997 on a non-party basis with twelve seats in the National Assembly and eight seats in the Senate of Pakistan. Control of the election process, however, still remains firmly in the hands of the political agents. In 2002, the FATA Secretariat was set-up and in 2004 Agency Councils were introduced to serve as local representative bodies in FATA. On 12 August 2011, the President of Pakistan signed two orders, extending the Political Parties Order (2002) to FATA, which introduced political parties in the area and amended the FCR by granting prisoners the right to bail within twenty-four hours of arrest. It also softened the collective punishment clause. However, while there has been no progress on the issue of auditing the funds of political agents, these reforms prove a good starting point for introducing a fairer system of governance in the FATA region of Pakistan.

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<sup>6</sup>Inaccessible are those areas where the government has nominal authority but tribesmen settle their disputes themselves, administered areas have government offices and roads, and protected areas are places where, although tribes can solve their civil and criminal disputes themselves, the political agent has the right to make discretionary decisions, citing reasons of state interest or any other reason depending on the issue.

## Geopolitics and the Politics of Identity

The status of the FATA region within the State of Pakistan is maintained because of the combination of identity issues and political Islam, the use of this territory for *Jihad* and the existential threat to the state of Pakistan posed by India. Rashid (2009, p. 34) considers Pakistan's identity to be rooted in fears, insecurities and contradictions associated historically with the changing role and power structure of Muslims in the subcontinent. This fear and insecurity emanates from the loss of Muslim power in the subcontinent after the end of the Mughal Empire (1526–1857) resulting in the loss of status of Muslims in the Indian subcontinent.

Since 1948, the State of Pakistan has used the tribal areas as a buffer zone for its military adventures in Kashmir and later in Afghanistan. At the time of partition of the subcontinent in 1947, the agreement between Jinnah and the tribes was a confidence-building measure; fifteen battalions were removed from Waziristan and Razmak, which were later believed to be engaged in the 1948 tribal incursion into Kashmir. The deliberate weaponisation of tribal society after independence helped the State of Pakistan, as it inherited an army in poor condition and tribal militia were a good alternative in the early days of the State (Hayat 2009, pp. 192–93). Additionally, the Soviet-era *Madrasahs* (religious seminaries) and training camps, along with the poppy cultivation to generate funds, and the post-9/11 stationing of 80,000 troops in FATA followed the buffer-zone trend. In order to maintain military/state control, the government's strategic interests was to keep this area underdeveloped and under brutal FCR regulations, hidden by the cloak of tribal independence. As Hayat (2009, p. 196) contends,

[That] FATA became such a ready safe haven for militants (local as well as foreign) [thus] highlights the culpability of the state's historical dealings with the FATA, vacillating between use and abandonment—in contributing to the current crisis.

In Pakhtun society, *Jihad* and tribal warfare occur in different spaces. Moreover, *Jihad* implies a shift in power relations in tribal society, reducing the power of the *Khan* (traditional leader) (Roy 1990, p. 61). An earlier attempt to oust the traditional power of the tribal system had come during the time of Sayed Ahmed Bareli (1786–1831), who declared *Jihad* against the Sikhs in 1827. In this movement, he implored tribes to renounce their tribal customs and to adopt *Shariah* (Islamic Law). By declaring *Jihad*, he addressed the people directly, overriding their traditional leaders (Roy 1990, p. 56). The power of the *Khans* was replaced by that of the *Ulema* (religious leaders) during this era.

It is also important to draw attention to the threat posed to the traditional tribal system by the replacement of the *Jirga* system with the Taliban councils. The Taliban wished to influence tribal decisions and cultural codes by emphasising their version of Islam (Hussain 2010, p. 103). The roles of the political agents and tribal elders were reduced, with religious leaders, or *Mullahs*, coming to the fore. Ahmed (2011) argues that because of the strictly military approach of the USA, the

Pakistani army has control of the area, sidelining the political agents by abolishing the administrative system. This created a power vacuum in the area and facilitated the leadership of the Taliban and al Qaeda in the area. For the first time in sixty-seven years, Pakistani troops entered the valley of Tirah in the Khyber agency, and later, North and South Waziristan. The Mullah-Military alliance through the stationing of the Haqqani network in FATA has thus come to direct the strategic goals of Pakistan's Army. Although FATA is under the administrative control of Pakistan, military deployment there has been fraught with difficulty.

### ***International Relations, Regional Politics and the New Social Movements***

Reuber (2000) states that the impact of new social movements in spatial conflicts is critical in such forms of conflict. As a part of the 'global war on terror' there were many historical grievances, developmental and constitutional issues related to the status of FATA in the Federation of Pakistan, but this situation had never led to violence and/or militancy prior to this time. The rise of non-state actors and religious-social movements impacting global political Islam stretched to FATA due to the ideology of al Qaeda (after their shift to FATA from Afghanistan in October 2001) with a focus on globalised conflict of Islam-versus-the-West generated by al Qaeda since the Gulf War, 1991. The establishment of Tehreek-e-Taliban Pakistan in 2007 is an important step in this regard as it represents a local chapter of the Taliban movement in Pakistan. This movement has provided a local base to express grievances in religious-cultural terms, and it has also launched violent attacks on civil and military installations against Pakistan in an effort to instil militancy in the people. This has resulted in the death of more than 800,000 people in suicide bombings and violence since 2004.

The tribal areas of Pakistan can be termed a 'conflict attracter' (Ibrahim et al. 2014) due to the historical, social, religious and political residues of the Soviet-Afghan war of 1979–1989. The territory of the tribal areas provided a fertile ground to pursue this *Jihad* with no international legal obligations. Previously, during the Afghan *Jihad* 1979, not only did the Jihadi (Holy warrior) culture flourish with fighters armed with sophisticated weaponry due to the funding and support of the USA and Saudi Arabia (Alavi 2002, p. 25), but also the drug trade, especially the opium trade, as it became a source of income for these Jihadis to support their activities. Together with trade in other smuggled and illegal goods, these areas were made safe havens for smugglers, criminals and drug barons. The 1979 Afghan *Jihad* against the Soviet Union, al Qaeda and the US 'War on Terror' in the post-9/11 period were important international factors giving a new direction to the revival of global Jihadism.

The Taliban movement also brought social revolution to the society (Siddique 2010a), but of another kind. The Taliban-criminal-Mullah nexus is leading to the

erosion of tribal hierarchy and the diminished legitimacy of tribal elders. One hand, the traditional power enjoyed by the political agent in FATA, the *Malaks* and tribal elders has ended; the decision-making power of the *Jirgas* has been reduced to zero. The use of *Takfir*, or religious edicts declaring others to be non-Muslim, deliberately going against tribal elders who oppose the Taliban's decisions, has devastated the social fabric of tribal society. On the other hand, the Pakhtun cultural code has been used by the government to give refuge to *al Qaeda* members in the post 9/11 period, while Taliban use it to facilitate the killing of tribal elders who tried to oppose the Taliban's decisions for being supportive of pro-American Pakistani government. What has happened in this region is that both the Taliban and the government of Pakistan has pitted cultural codes to justify their actions.

Consequently, the authority of the tribal *Mashar* (elder) has eroded and attempts to use the power of the *Jirga* to solve this conflict and end the violence are not working. Siddique (2010b, p. 61) calls it a struggle between *Kashar* (younger) and *Mashar* (elder) in tribal society, as most of the leadership of Tehreek-e-Taliban Pakistan is under the age of thirty-five and from a poor background. Although these young leaders do not belong to a religious class and were not students of *Madrassahs*, they are using religion and culture to gain power and break the society's hierarchal power structure. However, there have been efforts to form *Lashkars* (tribal militia) and hold *Jirgas* against the Taliban to counter their force and control the area with the support of the government. These *Lashkars* and *Jirgas* also have faced targeted killings and suicide bombings.

Although initially al Qaeda and the Taliban had separate aims, with the Taliban committed to a limited ideology of the Islamisation and stability in Afghanistan, al Qaeda added a global perspective to these goals. This was coupled with the 'strategic depth' policy<sup>7</sup> of Pakistan's military establishment that had served Pakistan's long-term interests in South Asia, Central Asia and Afghanistan. Hence, after the fall of the Taliban in the US-led 2001 invasion of Afghanistan, the leadership of al Qaeda and the Taliban moved to the tribal areas of Pakistan and this penetration into FATA greatly jeopardised that tribal society's structure and culture.

## Resource Conflict

The lack of development, employment opportunities and low educational levels in the FATA has made people susceptible to militancy as a way to earn money and gain power in society. The total population of the FATA is 5 million and is the most underdeveloped and impoverished region of Pakistan, with 60% of the population living below the poverty level. The literacy rate is 17.42%, compared to 56% nationally, with male literacy of 33.3% and female literacy of 7.8%

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<sup>7</sup>The policy of Pakistan to utilize and interfere in Afghanistan in order to counter India strategically.

(government of Pakistan Census 2017). Political agents control the development funds and planning. Agriculture is the main source of livelihood. A total of 7% of FATA land is cultivated for agricultural purposes. Eighty-two per cent of the land is not available for agricultural purposes because of difficult topography and lack of irrigation; 44% of agricultural land has to rely on rainfall (Shinwari 2012, pp. xi–xii). The lack of development activities in the area is due to the negligence of successive governments. The communities' lack of access to clean water, health facilities, communication networks and schools is also owed to this negligence. The result is a flourishing illegal trade, including smuggling, the drug trade, the arms trade and other criminal activities in the area. The black economy or war economy flourished in this area during the Afghan *Jihad* from 1979, as a result of the lack of effective control of finance and the encouragement of the government to arrange alternative sources of income for fighting the war. This war economy continued until the rule of the Taliban in the 1990s. Although the Taliban stopped poppy cultivation, they did not stop the actual trade in drugs.

Even though al Qaeda is said to be the major financial sponsor of the Taliban regime, another major source of funding was the nexus of the Taliban and drug traffickers. Peters (2009, p. 7–29) points out that Taliban insurgents and drug traffickers successfully integrated an agricultural product into the global economy. Along with the drug trade, kidnapping, extortion, smuggling, illegal timber logging and other criminal activities have become a source of income for people in this area. As the Taliban gives protection and support to such activities, as well as financing them and recruiting local people for work, these activities have replaced legal sources of income. Although the government has initiated development plans, the failure to implement them has resulted in the continuation of these activities. As a result, changes in the economic structure of the society have also eroded the power of local *Khans* (traditional tribal leaders) and *Malaks*.

## Reconciliation as a Way Forward

The conflict in FATA requires developing approaches based on the concept of reconciliation by taking into account the historical grievances, developmental discrimination, militancy and terrorism. There are primarily two ways of dealing with this conflict. Firstly, through military operations and peace agreements; secondly, by initiating long-term reconciliation and trauma healing processes supported by a genuine process of conflict resolution. The government of Pakistan has exhausted the first option by launching more than a dozen military operations since 2002 in FATA. Meanwhile, all the peace agreement and conflict intervention techniques used by the government have failed, mainly due to the failure of these peacemaking efforts. The failure was connected with the integrity of the negotiators and negotiation processes, the role and interests of the stakeholders (regional/international)



and the issue of dignity of the *Pakhtun* community, specifically after being displaced and forced to live in the camps due to the military operation since June 2014.

During the dialogue process before June 2014, the negotiating teams from both sides (TTP and the government of Pakistan) reflected a lack of seriousness, not only in composition of the teams of negotiators, but also in the absence of an agenda for the peace talks. There has been international pressure for the last few years on the Pakistani government to start military operations specifically in North Waziristan. The operation, which started in June 2014, is spreading to other agencies of FATA. The government of Pakistan has launched some peacebuilding measures in the FATA, including the building of infrastructure, formulating a reform process and improving education and human rights issues, which have been funded by the US government and the international community. One of the problems with these peacebuilding measures is that they illustrated a lack of understanding of cultural-religious settings of the region. In other terms, there has been no focus on 'organic or indigenous peacebuilding'.<sup>8</sup> Most of peacebuilding measures depict liberal peace projects by emphasizing peacebuilding according to the Western notions of democracy, human rights, governance, institution building as followed in Iraq and Afghanistan (Jabri 2010). As religion is one of the important markers that is identified and recognised in the *Pakhtun* society, it is argued here that such peacemaking and peacebuilding efforts would benefit from drawing on the religious resources available to them from within the region.

The dominant models of peace and conflict theories from other cultural settings have limitations when applied to an Islamic society. More specifically, Western sociological categories, such as class stratification, nation and society are accepted by Muslim social researchers as they tend to be universal in nature; however if applied to an Islamic setting, they must fit the social reality of the Islamic societies (Hussein 2001, p. 108). Because context is central to this chapter, it is important to explore the concept and values of reconciliation in Islam for the case study of FATA.

Reconciliation within society is an important aspect of a transformative process. For Muslims, the salutation *Assalam-u-Alakum* (may peace be upon you) is symbolic of this. The term '*Islam*' means peace, and submission to the divine will and His purpose. Literally speaking, the root word of Islam is derived from *Salaam-Silm*, which advocates a condition of peace, security and safety from hurt and mischief that is attained through surrender (*Taslim*) to the divine (Funck et al. 2001, p. 7). *Qur'an* mentions the heart of a Muslim as '*Qalb-e-Saleem*', the heart which is full of peace and tranquillity. Peace is considered the greeting of heaven. As the *Qur'an* says, 'They will not there hear any vain discourse, but only salutation of Peace'. (19:62).

To this end, the Islamic concept of reconciliation is based on normative sources of the *Qur'an*, the practice of the Prophet Muhammad and Islamic values such as

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<sup>8</sup>Local/cultural sources of peacebuilding.

justice, equality, brotherhood, love, compassion, forgiveness, mercy, empathy and equity. The primary sources of reference to deal with conflict involve:

- (a) *The Qur'an*: as a compendium of guidance for all conflicts;
- (b) *The Hadith*: the tradition and life of the Prophet as an example for the application of Qur'anic principles in a conflict situation;
- (c) *Ijtihad*: use of independent reasoning for finding solutions to a conflict situation;
- (d) *Istislah*: a solution based on the interests of the parties involved;
- (e) *Masalah*: finding grounds for common good and public interest for the parties involved.

Abdalla (2001, p. 161) takes a 'situational approach' while defining an Islamic conflict intervention process that takes account of the situation, behaviour and attitudes towards conflict. He also developed an Islamic modelling approach to apply Islamic techniques and point out that the *Qur'anic* values, principles and prophetic precedents constantly call on Muslims to model their lives on these principles. He argues that as the basic message of Islam is one of peace, reconciliation and the avoidance of conflict, Muslims should keep in mind the *Qur'anic* principles and the Prophet's Sunnah by modelling their behaviour accordingly (Abdalla 2001 p. 167–168).

In Islam, it is important to take account of the purpose of restoring justice and upholding Islamic values during the intervention process, as this will give a clear sense of direction to the mediator and help bring sustainable peace to a society (Abdalla 2001, p. 167–168). An Islamic concept of reconciliation aims to facilitate social justice and social change by helping the oppressed and by solving conflict so that justice prevails. It constantly calls for the application of values, such as patience (*Sabr*), avoiding anger and the welfare of humanity and common good or public interest (*Musalaha*), in order to change the basic attitudes and behaviours of members of a community.

The *Qur'an*, in a clear example of adjusting the intervention according to the conflict stage, promotes reconciliation between conflicting parties. It says:

If two parties among the believers fall into a quarrel, make ye peace between them: but if one of them transgresses beyond bounds against the other, then fight ye (all) against the one that transgresses until it complies with the command of Allah; but if it complies, then make peace between them with justice (*adl*), and be fair (*qist*): for Allah loves those who are fair (and just) (49:9).

The final goal of the intervention process is to bring reconciliation to the society or between parties. Therefore, the successful application of Islamic methods for the promotion of peace requires adherence to Islamic values and principles, because this forms the basis on which peace and conflict resolution rests.

In the next section, this chapter suggests steps in order to achieve long-term reconciliation in the society.

## *Taleef al Qulub and Sakina*

One of the issues concerning the adoption of brutal methods of killing and suicide bombing by militants in FATA is the lack of recognition of the victimhood, humiliation and emotional scars suffered by the people of FATA since 9/11. The military operation, drone attacks, missing persons, killings and displacements are the issues that require greater reconciliation efforts. This is evident from the commentary in the video of the Taliban severing the heads of kidnapped Pakistani soldiers. The Taliban provided the following explanation of their actions:

... because of them [military] our mosques were ruined, our *Madrassahs* destroyed, our women were dishonored, our children were martyred, children and elders were dishonoured: it was an injustice done to us, because of all these reasons we took revenge and also for the establishment of the law and system of Allah (Tehreek-e-Taliban video 2012).

In order to address and tackle this issue, the concept of *Taleef al Qulub* (joining of hearts) and *Sakina* (tranquillity) can be applied as a form of reconciliation to reconcile people and provide ‘recognition’ of the injustices done to the people of FATA. This can be achieved through holding *Taleef* (joining, togetherness) *Jirgas* in the tribal areas to listen to and understand their stories of humiliation, victimhood and injustices. Islam has placed emphasis on reconciliation (*Talif*) through two important concepts. The first is *Sakinatul Qulub* (tranquillity in the heart), and the second is *Taleeful Qulub* (reconciling hearts). This is opposite to *Tehrik-e-Qulub*, which denotes shaking of hearts and is the basis of terrorising people. *Sakina* is derived from the word *Sukun*, which means tranquillity and peace. The *Qur’an* in the following verses states the importance of achieving tranquillity as a process of peace and reconciliation: ‘It is he who sent down tranquillity (*Sakinaht al Qulub*) into the hearts of the believers, that they may add faith to their Faith’ (48:4).

These verses depict *Sakina or Sukun* as a special favour from God, in the form of peace in the heart, which paves the way for the reconciliation process. A heart full of hatred and violent tendencies can neither forgive nor show mercy towards others. Afsaruddin (2008, p. 214), explaining the concept of *Taleeful Qulub*, says that any change in society cannot be successful unless there is inner transformation of individuals. The heart, a cognitive and emotive organ, is where this change and peace can be grafted. She considers two verses in the *Qur’an* as the basis of the reconciliation process.

Hold fast, one and all, to the “rope of Allah” and let nothing divide you, and remember with gratitude God’s favour on you; for ye were enemies and He joined your hearts in love (3:103),

He hath put affection between their hearts (8:63).

Afsrafuddin (Ibid, p. 222) puts the concept of reconciliation thus:

The *Qur’anic* concept of *ta’lif al qulub* engendered the important sociological category of “those whose hearts are to be reconciled” (Ar. *Mu’allafat al qulub*), referring to people whose friendship and alliance were to be nurtured and cultivated in a number of ways in the

early period. This category of people included new converts to Islam and non-Muslims: Jews, Christians and even “polytheists” (as they are termed in the literature), whose good will and friendship were deemed contributing to the well-being of the community.

The final act of the reconciliation process is ‘*Sulh*’ through a political settlement, which is accomplished for achieving a common good, or *Musalaha* (common good), to start a new beginning and achieve long-term transformation.

### ***Nafs-al-Mutmainna (Soul at Peace)***

The conflict in FATA depicts severe injustices, developmental discrimination and use of the area for strategic purposes, which have resulted in ‘negative passion’ as a reaction by the people who are disregarding reason. Describing the role of reason and passion, (Funk and Said 2009, p. 150) cite the concept of *Nafs-al Mutmainna* (the soul at peace), which combines and integrates conscience, desire and reason. They argue that Islam views reason and passion as important aspects of humans that can be positively assimilated through submission and practice of Islam. They also point out that Islam is a force for resolving conflicts, owing to its programme of moral education and its system of values based on enjoining good and forbidding evil, rather than on intensifying self-interest and greed. The point here is to develop a culture of peace at the inner and outer levels of society so that grievances and conflict can be dealt through reason while overcoming passion. It is this passion that has resulted in slaughtering, killings of innocents and use to violence/destruction to justify demands.

### ***Relational Empathy***

An important factor in Islam is the concept of relational empathy which means recognising and knowing the feelings outside one’s own self and is a source of knowledge. Islamic teachings are based on human nature and the humanistic ethos (Momin 2001, p. 129). They rest on the mercy and kindness of God towards people, on the one hand, and the mercy and kindness of humans towards their fellow human beings, on the other. The values of mercy (*Rehma*), forgiveness (*Afu*), justice (*Adl*), equity (*Qist*), kindness (*Latif*) and relational empathy in Islam, all contribute towards removing conflict from relationships and within society. In the *Qur’an*, Allah is referred to as ‘The Compassionate and Merciful’ (1:1). The *Qur’an* stresses respect for all humans, religions and their scriptures, and this provides an important basis for relational empathy for conflicts having religious dimensions. The Islamic concept of empathy is more sociocentric human relations than individualistic and egocentric. It promotes a sense of connectedness and understanding among the community by knowing and feeling the joy and pain of others. This concept is a

starting point for interfaith dialogue and understanding the needs and aspirations of the conflict parties involved (Funk and Said, p. 151). The concept of relational empathy is applicable to both parties. The lack of empathy showed by the government and the people of Pakistan towards FATA; the problems connected to militancy, violence and military operations; decades of a lack of development opportunities; the plight of the displaced people of FATA on one hand; and instilling fear in the Pakistani society by the Taliban, by suicide bombing on the other hand, require instituting a culture where the value of relational empathy is recognised and appreciated.

## *Justice*

One of the primary problems in FATA is the lack of social and political justice. Although peace and justice are two important issues necessary for ending conflicts, an important debate concerns whether the establishment of peace leads to justice or whether justice leads to peace. The *Qur'an* clearly says that sociopolitical injustice and oppression in society are the main causes of discord and that the maintenance of justice can lead to lasting peace.

Indeed, the concept of justice is pivotal to Islam:

And when you judge between the people, judge with justice. Verily, how excellent is the teaching, which he giveth you! For Allah is He who heareth and seeth all (4:58).

Again:

O ye who believe, stand out firmly for justice, as witness to God, even as against yourself, or your parents, or your kin, and whether it be (against) rich or poor: for God can best protect both. Follow not the lust (of your hearts), lest ye swerve to do justice, verily God is well acquainted with all that ye do (4:135).

Therefore, in Islam, social justice is the path to peace and a society without conflict. To this end, Islam lays down that there should not only be equal opportunity for economic development, but also wealth and property rights be provided for people irrespective of colour, race, sex or religion:

And in their wealth there is an acknowledged right for the needy and destitute (51:12).

In this way, Islam ensures some distribution of wealth and a minimum standard of living for all people through one of its pillars, *Zakat* (charity tax). In this regard, the concepts of *Ma'aruf* (doing good) and *Munkar* (forbidding evil) also ensure rights and social justice for all. Engineer (2007, p. 65), in particular, points out that *Ma'aruf* is representative of what is good for humanity and also includes human rights which promote human welfare, while *Munkar* concerns the denial of rights that detract from the promotion of equal rights for all humans.

## *Patience and Forgiveness*

*Patience* is another important value of Islam that promotes reconciliation, which defines the psychological dynamics of conflict behaviour, preferring non-violence to impatience that can result in violent reactions. Many commands in the *Qur'an* regarding patience order Muslims to hold this value in the event of conflict, and reward is promised to those who maintain it. The *Qur'an* strictly forbids Muslims from causing *Fitna* (mischief or problems between people), and it urges them to incline towards peace if enemies are amenable instead of entering into aggressive and vengeful conflict. Within the psychological dynamics, the *Qur'an* defines a good Muslim as, 'one who restrains his anger or one who forgives when he is angry' (3:134), as well as those who 'keep to forgiveness, enjoy kindness and turn away from the ignorant' (7:199). Forgiveness is also an important part of the reconciliation process. Concerning the importance of forgiveness, the *Qur'an* says:

The recompense of an injury is an injury equal (in degree): but if a person forgives and makes reconciliation, his reward is due from God; for (God) loveth not those who do wrong (42:40).

Another verse refers to,

Those who avoid the greater crimes and shameful deeds, and, when they are angry even then forgive (42:37).

These two verses clearly show the preference for forgiveness over anger and revenge.

Abu Nimer explains the value of patience as 'facing those biases that you have, and having the energy to face them. Patience in terms of dealing with prejudice with things that bothers you' Nimer 2003, p. 71). One of the important aspects of patience is to have the energy and the capacity to listen to others, to their pain, misconceptions and even ignorance. More importantly for our understanding, this influences the way an image of the enemy is constructed and dealt with within Islam.

In summary, there are five principles that have informed the conceptual framework of reconciliation for the case study of conflict in the tribal areas.

Firstly, the *human-centred* approach considers peace as an inherent part of human nature, or *Fitrah*, which includes all that, encompasses human needs and guides the actions in the process through a vision of transforming conflict. It is based on ending hostile feelings that in turn impact on the local capacity for making this transformation a successful process. It gives 'the people' the role of a 'path-finder' to search for new possibilities of peace and harmony within the society.

Secondly, reconciliation should be *communal and comprehensive* as it envisages the inner, outer, societal and universal levels for building communal relationships through relational empathy. The purpose of this approach is to reconstruct the relationships within a war-torn society through interconnected roles, activities through mutual acknowledgement and recognition of the need to transform a violent culture into ways of peace.

Thirdly, it is a *gradual and long-term process*, thus considers perseverance as an important value, which takes a long-term view of transformation and formulates strategies along the way. It not only focuses on prevention and resolution of immediate conflict, but also develops and promotes cultural resources within a setting to stop the recurrence of conflicts and wars. It requires a long-term commitment among the people involved and the society at large.

Fourthly, it is a *Misaaq* (covenant) or ‘peace of believers’, which uses *Ihsan* (doing good) as a common virtue and *Mohsin* (doer of good) as an ideal Muslim character to make the area a sanctuary of peace. The transformation process, if based on the ethics of ‘common good’ and connected to the processes, frames the levels of activity, has the potential to work and bring about desired results.

Lastly, the reconciliation process ends with a form of ‘*Sulh*’, or settlement as the last stage to start a new beginning, which combines the levels of *Islam* (submission), *Iman* (believing) and *Ihsan* (doing good). It focuses on *Iqra* (reading) for education empowerment, *Musalaha* for political and socio-economic development for the common good, *Sabr*, or patience, for acknowledging victimhood and humiliation and abstaining from the use of violence, and *Taleef-ulQulub* for reconciliation or bridging and dialogue among parties for healing process.

The application of such reconciliation process in a society with multiple interpretations of religious text is one of the important challenges facing the conflict. The fragile and volatile security situation is another challenge due to the killing through suicide bombing of most of peace meetings. The presences of military and ongoing military operations are few impediments to this approach. However, despite all challenges and impediments, it is important to initiate this process by the government and non-governmental bodies that are mainly focusing on western-style conflict intervention and peace approaches.

## Conclusion

To conclude, Islamic values within the process of reconciliation are an important part of broader trends within the conflict of FATA. It is important to formulate reconciliatory Jirgas, peace committees and trauma healing sessions at the government and non-governmental level in FATA to initiate this process of reconciliation. What Islam offers is a view of holistic religious values, which enshrine principles of balance, moderation and moral accountability that make humans responsible to God and community for their deeds. It balances worldly duties with spirituality, and stresses human relations with God through prayer, meditation, ecstasy, struggle and repentance.

This not only leads to a balanced state of mind for peacemakers, but also helps them understand the inner state of people prone to violence and militancy. This process of reconciliation is particularly critical for FATA due to its long history of grievances and violence. Peace agreements, military operations and other methods of conflict resolution also are important to diffuse the crisis and violence,

nonetheless, for a long-term solution to be sustained in FATA, a process of reconciliation and healing is required in order to help people create a responsible society.

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# Chapter 8

## Transcending Conflicts, Transforming Relations: Finding Peace in India's Northeast

Uddipana Goswami

### Introduction

The state (federating unit) of Assam lies at the heart of Northeast India (henceforth, Northeast),<sup>1</sup> which nestles where South, East and South-east Asia meet.<sup>2</sup> Described in existing literature as situated in 'one of the great migration routes of mankind' (Barpujari 2004, p. 3), the entire region has had numerous peoples and communities passing through and settling here since as far back as human memory extends.<sup>3</sup> The Northeast

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<sup>1</sup>Sikkim was added as the eighth state of the Northeast after it was annexed to India in 1975. For the purpose of this study, however, only the 'seven sisters' of the Northeast—Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura—will be covered under the notion of the 'Northeast'. In common parlance, Sikkim is referred to as the sole 'brother' to these seven sisters.

<sup>2</sup>Because of its situation at the borderland of these three regions of immense importance in area studies, the Northeast has been overlooked in traditional academic enquiries that confine themselves to the 'heartlands'. It is only in recent years that new concepts of regional space, new 'geographies of knowing', like the Asia-Pacific or Indian Ocean, are being configured cross-cutting the traditional ones. As a result, the Northeast and its adjoining areas—the peripheries of south, south-east, central and east Asia that together comprise Zomia—are being accorded any significance (cf. van Schendel 2002).

<sup>3</sup>This includes collective memory as documented in folk/oral narratives and lyrics. Almost every indigenous and autochthonous community of Assam preserves oral literature relating to migration and population movement in the days of yore. Many of these tales are about the common origin of two or more of the ethnic communities living together in close geographical proximity. They speak of a distant land of origin other than the present places of habitual dwelling of the respective ethnic groups. For instance, 'the Misings have tales recounting their descent into the valley from their original home in the Adi country' (Datta 2012, p. 16). Again, an Adi tale narrates how all human beings had a common mother who had two sons. The mother favoured the younger son and migrated with him to the west: 'The western nations, including the English, are descended from the younger brother' (Elwin 1958, pp. 129–30 cited in Datta 2012, p. 27).

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thus developed as a poly-ethnic and multicultural region in pre-colonial times. However, colonial administrative interference followed by the dynamics and trajectory of development of post-colonial politics in the Indian subcontinent contributed immensely to the disintegration of traditional structures of ethnic cohabitation. As a result, ethnic conflicts—in the modern sense of the term, as a characteristic of the post-colonial world—erupted and have today become a quotidian reality in the region (cf. Baruah 1999; Bhaumik 1996; Hazarika 1994).

Most of the major communities inhabiting the Northeast have been in conflict, often violently, with one or more geographically proximate and/or ethnically contiguous group(s). Elsewhere, I have traced some of the major reasons for the current ethno-nationalist conflicts in Assam in details. To summarise, these include: deeply entrenched ethnic hierarchies; a scramble for political rewards under a protective discrimination system inherited from the colonial rulers; contestations over land, livelihood and homelands; and multiple (often overlapping) movements for autonomy, statehood and sovereignty (Goswami 2014, pp. 68–126).

Over and above these conflicts between ethnic groups, there is also considerable insurgent violence and a lot of independentist resistance directed towards the Indian State itself which has, both in policymaking and the popular imagination, engaged (or not) with the Northeast as a peripheral region, frontierised and marginalised (cf. Misra 2000). In Assam, it has forced a rethink of Axiyā as a sub-nation of India and spawned a discourse on the ‘Indo-Assam relationship’, as the leading independentist group, the United Liberation Front of Asom (ULFA) refers to it.

As a result, from political agitations to armed insurrections, Assam has seen it all. Where on the one hand, it has housed armed groups fighting for sovereign states based on the premise that pre-colonial Assam was not a part of India, there have also been those that have picked up the gun to demand separate states or autonomous councils within the ambit of the Indian Constitution.<sup>4</sup> Concurrently, student’s collectives, apex bodies of the numerous ethnic communities, and even professedly ‘non-political’ literary bodies and cultural organisations have launched full-scale political agitations or acted as force multipliers by aiding both covert and overt violent activities during purportedly non-violent agitations. An extremely enmeshed network of ideologues and activists, drawn from every strata of society, has thus been embroiled in the violent conflicts that rage on here. The cost, as the South Asia Terrorism Portal charts, is a total of 8174 lives that have been lost in insurgency-related killings in Assam between 1992 and 3 January, 2016.<sup>5</sup>

After much military repression and the forging of many instruments of political power redistribution, Assam is currently quiescent. It is only very recently that political commentators are terming it as having entered a ‘post-insurgency’ phase (Gupta 2015). Even so, violence—often instigated by ethno-nationalist politics and

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<sup>4</sup>For a detailed list of armed/insurgent organisations in Assam, see the South Asia Terrorism Portal ([http://www.satp.org/satporgtp/countries/india/states/assam/terrorist\\_outfits/index.html](http://www.satp.org/satporgtp/countries/india/states/assam/terrorist_outfits/index.html)). Last accessed: 5 January, 2016).

<sup>5</sup>Detailed data sheet available online at [http://www.satp.org/satporgtp/countries/india/states/assam/data\\_sheets/insurgency\\_related\\_killings.htm](http://www.satp.org/satporgtp/countries/india/states/assam/data_sheets/insurgency_related_killings.htm). Last accessed 7 January, 2016.

sometimes motivated by independentist groups—continues unabated. The Global Terrorism Index 2015 states that the separatist groups from Assam were responsible for 25% of the total ‘terrorist’ deaths in India in 2014. According to this index, India scores a 7.7 on the terrorism impact scale for that year and is placed sixth among all the countries of the world (Institute for Economics and Peace 2015).

This paper, therefore, can hardly claim to comment on post-conflict transformation and reconciliation. What it does is bring to question the common conception that there is indeed a ‘post-conflict’ situation to look forward to when, after the last shot has been fired and the last corpse laid to rest, a new process of peacebuilding can begin. And it tries to foreground the fact that conflict has to be accepted as ‘a natural part of human experience and relationships’ (Lederach and Maiese 2003) and that we must begin to look at conflict differently, even positively. As Galtung (1978, p. 501) so correctly points out, we need to ‘treat conflict as a form of life, particularly since we all know that it is precisely during the period of our lives when we are exposed to a conflict that really challenges us, and that we finally are able to master, that we feel most alive’. This same approach of looking at conflict as a transformative force, rather than destructive, is what informs this paper. Following the conflict transformation model, it tries to reorientate approaches to the ethno-nationalist conflicts in Assam that only count costs, casualties and concerns (cf. Lacina 2009; Prakash 2008).

The chapter intends to highlight how, despite continued violence, Assam is already experiencing a movement towards transcending conflicts and effecting reconciliation. Transcendence, according to Galtung (1958, p. 14), calls for, ‘a transformation of empirical reality so that what once was a contradiction no longer is’. As already outlined, most of the violence in Assam emanates from two major contradictions, involving two problematic relations: between the centre/mainland and the periphery on the one hand, and between the constituents of the periphery on the other. As such, the processes of transformation and reconciliation, leading to the creation of a new reality, have also played out at these two levels, often simultaneously. Ethnic reconciliation within Assam has been steadily accompanied by a bridging of the gap between the periphery and the mainland. Reconciliation here is to be understood in the sense of ‘restoration of a state of peace to the relationship, where the entities are at least not harming each other, and can begin to be trusted not to do so in future, which means that revenge is foregone as an option’ (Santa-Barbara 2007a, p. 174). And this is notwithstanding the continued outbreak of sporadic violence in particularly vulnerable conflict areas.<sup>6</sup>

Having spent decades in the ‘shadow of the gun’ (as a popular formulation goes), a strong desire is now visible among the people to move out of direct violence and into peace and reconciliation. The following sections of the paper will demonstrate how there is evidence of a subconscious peace culture in recent

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<sup>6</sup>In fact, recent incidents of riots and genocides in Bodoland, one of the most volatile conflict zones of Assam, have been analysed as having more communal overtones than ethno-nationalist (cf. Kidwai 2012; Hazarika 2014). Besides, the proliferation of small arms and other illegal weapons has also changed the nature and scope of violence in the conflict-prone areas of the state.

developments in civil society initiatives, in industry and entrepreneurship, in literature and scholarship, in contemporary arts, culture and similar other connections, as well as in popular imagination and day-to-day living. The linkages within and between these different complexes are as numerous as they are nuanced.

To substantiate the discussion of these developments and their interconnections, this paper relies heavily on ethnographic fieldwork conducted over almost a decade at various parts of the state. Extensive interviews and personal conversations with armed personnel and insurgents, journalists, intellectuals and other civilians alike have provided many of the insights incorporated in the paper. In the absence of any previous work that takes a similar approach to the conflicts in Assam and the Northeast as a whole, this paper hopes to pave the way towards reframing the conflict narrative in the region. If peace is to be given a chance, there is an urgent need for such a positive orientation towards conflict not just among academics and researchers, but also among policymakers and legislators, professionals and the public in general.

## **Reframing Narratives**

The prognosis for peace is not all bleak for Assam and the Northeast if we go by this argument that despite continued political turmoil and occasional violence, in recent years, much ethnic reconciliation and transcendence beyond conflict are happening on the ground. Some of these developments are conscious attempts at peacebuilding. But more often than not, they are taking place without a clear agenda, as the following sections will show. These sections will also make certain prescriptions with the understanding that ‘transformation as a concept is both descriptive of the conflict dynamics and prescriptive of the overall purpose that building peace pursues’ (Lederach 1995, p. 18).

### ***Civil Military Relations***

One of the major causes of the mainland–periphery divide has been the widespread militarisation of the Northeast. It has been argued that if the Indian state has to reach out to the region, it must ‘consciously move away from its existing reliance on archaic military solutions’ (Barbora 2006). Where conflict is equated with violence, the consequent emphasis is on security, not peace. Hence, militarisation and a culture of state-sponsored violence have been widespread in Assam and the Northeast as a whole, since the initial decades of the formation of the Indian Union. Treating the conflicts here as mainly a problem of law and order, the Indian state has consistently used force to subdue the genuine ethnic aspirations of the peoples. In fact, even peaceful forms of political dissent have been crushed violently, militarily and also often, through extra-constitutional means. Incidents of violent

repression of unarmed activists during civil disobedience movements like the Assam Movement (1979–1985) and the Bodo Movement (1987–2003) are well documented (cf. Asomiya Pratidin 2004; Hazarika 1998; MASS 1999; Talukdar et al. 2008).

Consequently, the peoples of the region have developed an entrenched belief that unarmed protests will go unheard, or worse, get suppressed violently. In their turn, therefore, they use violence as their first resort rather than the last. The proliferation of armed militant groups and breakaway factions of these groups—with almost every ethnic community having more than one claiming to represent its interests—is a result of this.

In an earlier paper, I have discussed the vicious cycle of state-sanctioned violence giving rise to more violence and brutalising not just the armed agencies of the state but also the insurgents and society at large (Goswami 2010). Myopic counter-insurgency measures have aggravated the situation. Luring out a faction of the ULFA cadres, the Indian state created the Surrendered ULFA (SULFA): ‘a gigantic organised crime conglomerate that ... abandons its political intent and that operates substantially under the protection of, and in collusion with, the state and its agents’ (Sahni and Routray 2001). After disbanding the armed nativist group, the Bodo Liberation Tigers (BLT), following the creation of the Bodoland Territorial Autonomous Districts (BTAD), insurgent leaders were made rulers, while a large proportion of the cadres were inducted into the Indian military and para-military forces. These forces, it might be mentioned here, are provided with impunity to kill at will and get away with crimes against civilians and sexual violence against women under an extra-constitutional law like the Armed Forces (Special Powers) Act 1958 (for more on AFSPA and militarisation of the Northeast, see Oinam and Thangjam 2005; Baruah 2010). Thus, both surrendered and/or former militants and errant officers/soldiers of the state’s armed forces continue to operate with total lack of accountability. The fallout of this has been twofold: for one, it has glamorised militancy while elevating it to the level of a viable livelihood option. Field interviews reveal how a large chunk of recruitments to militant groups are today based on monetary inducements.<sup>7</sup> Secondly, and more importantly, it has made the armed forces barbaric<sup>8</sup> while criminalising society.

Besides enervating the armed forces of the state as ‘fighting machines’, this has led to a degeneration of relations between the people and the security forces mandated to ‘protect’ them. The Northeast shares international boundaries with many countries, notably China. India’s 1962 war with China witnessed a huge

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<sup>7</sup>This has also found reflection in popular literature. As a young insurgent in Jahnvi Barua’s short story, ‘The Patriot’, justifies: ‘They (the militants) looked after us well. I began to send money home. I told Pita to keep Mamon (his sister) at home’ (Barua 2008, p. 131).

<sup>8</sup>‘Barbarism is the systematic violation of the laws of war in pursuit of a military or political objective ... its most important element is depredations against noncombatants (viz., rape, murder, and torture). Unlike other strategies, barbarism has been used to destroy an adversary’s will and capacity to fight’ (Arreguin-Toft 2001).

outpouring of public support for the Indian Armed Forces, especially in Assam, before the war could be ended. Even today, any discussion on the war inspires innumerable oral narratives of how the women of Assam knitted sweaters and donated their gold ornaments to raise money for the security personnel fighting on the borders under deplorable conditions. The barbarism with which the same armed forces fought their asymmetric wars in and around Assam in the interim years has, however, raised questions about similar support and solidarity surfacing in the event of future aggressions by the neighbouring country. That the armed forces have been actively engaging with such apprehensions was evident at a seminar on counter-insurgency/counter terrorism organised by the Indian Army where Lt Gen AK Ahuja, General Officer Commanding 4 Corps, raised this question in his speech.<sup>9</sup>

It is heartening that there seems to be an apparent rethinking on civilian–military relationships in Assam, whatever the underlying compulsions. In every society, there exists a delicate relationship between the armed forces and the civilian population, one that is all the more at risk in the Northeast where the state’s armed personnel are entrusted with fighting against internal insurgencies over and above external aggressors. Both for the people living in this geo-politically volatile region as well as for the armed forces, it is essential that a positive relationship is re-established.

To this end, there is a drastic need to re-adjust the Indian forces’ attitude towards peacekeeping and peacebuilding. As Galtung (2007, p. 23) prescribes, rather than formulating security as the best approach to peace, peace should be rethought as the best approach to security. ‘Peace by peaceful means’ is what contributes towards transformation and reconciliation between conflict parties. As such, any transformation that can and should happen *vis a vis* the conflictual relationships in Assam has to be coordinated through political interventions. The role of the military establishment should then be towards ‘soft peacekeeping... combining soft strength with mediation’ (Galtung 2007, p. 25).<sup>10</sup> In the past, state-sponsored military operations against the militants of Assam—like Operation Rhino or Operation Bajrang—have shown that the Indian Army is not schooled in ‘fighting below one’s own full potential’, an ability that determines the course of asymmetric warfare (Olivetta 2008, p. 45). In order to avoid alienating the civilian population—that becomes collateral damage in such large-scale military operations—armed forces need to actively institutionalise training in asymmetric warfare. Tokenism should be avoided in Human Rights education in the academies and gender sensitivity should especially be ingrained in the soldiers. Those deployed on the ground should be

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<sup>9</sup>The seminar was organised on 27 September, 2014 by the 21 Mountain Division of the Indian Army at its headquarters in Rangiya, Assam. The author was an invited speaker.

<sup>10</sup>According to Galtung (2007, p. 25), soft peacekeeping involves: ‘peacekeeping by very large numbers, with defensive weapons, but; with at least 50 per cent women, and the adequate cultural underpinning, and; equally trained in police methods, nonviolence and mediation’.

further educated in multiculturalism and should be required to at least acquire a familiarity with the languages and cultures of the people they will be working amongst.

In the recent years of relative quiescence, the Indian Army has been actively engaging in public diplomacy in Assam. Its efforts at perception management<sup>11</sup>—which includes public diplomacy<sup>12</sup> as much as psychological warfare (psyops)—have been bearing fruit, especially in Assam, if the large numbers of youths from Assam who are joining Indian military and para-military jobs are anything to go by.<sup>13</sup> As Samudra Gupta Kashyap, a senior journalist with the *Indian Express*, illustrated during a panel discussion on ‘Globalisation: The Indian Angle’<sup>14</sup>: “Yesterday’s security concerns have become today’s security personnel.” He recounted his visit to a village in Lakhimpur district in upper Assam where two decades ago, everybody—from the oldest woman to the youngest child—proudly claimed to be members of the independentist ULFA. Today, a majority of the youths of the village are employed in the various Indian security forces and posted at different places in the country. Incidentally, the same village was in the news in 2013 following the death of one of its young men, Narottam Deori, in Mumbai during a blast aboard the Indian submarine, INS *Sindhurakshak*. Local news channels hailed him as an Indian martyr (DY365 2013).

Relationships always heal if there is a mutual will, and now is the time that the Indian armed forces can make amends for past wrongs. They must show respect for law and democratic authority and institutions if they wish to come closer to the people. Violence and conflict have transformed, in many ways, the national culture of Assam. The military culture alone cannot remain above transformation.<sup>15</sup>

### ***Political Reconciliation***

There certainly have been many transformations in the political culture of Assam as well, and this has contributed in no small amount to reconciliation between ethnic

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<sup>11</sup>Goldman (2004, p. 149), of course, considers ‘perception management’ to be a euphemism for ‘an aspect of information warfare’. According to her, ‘the purpose is to get the other side to believe what one wishes it to believe, whatever the truth may be’.

<sup>12</sup>Goldman (*ibid*), however, draws a distinction between public diplomacy and perception management. Public diplomacy, according to her ‘does not, as a rule, involve falsehood and deception, whereas these are important ingredients of perception management’.

<sup>13</sup>The relative roles of self-selection and formal socialisation in this process have not been adequately studied in current literature. In the context of the Northeast, it would be especially interesting to explore that components of socialisation (or the making of the ‘organization man’) by which new values are communicated, accepted (i.e. legitimized) and finally internalised.

<sup>14</sup>Held on 1 February, 2015 by the New Art Players, Guwahati.

<sup>15</sup>Hong (2008, pp. 239–256) has shown, for instance, how the Korean military has, over the years, ‘moved from segregation to integration with civil society by incorporating civilian values and norms, and by adopting the logic of civilian organization to the military’.



groups. Though discontents remain, by and large, political power-sharing and quite some amount of redistribution of political rewards and holdings have come about as a result of the violent conflicts that have dogged the state for so long now. In a state where ethnic hierarchies and centralisation of power in ethnic elites are the norm, this has led to a decided bridging of the vertical power relations between the dominant Axamiyā middle class and certain other communities in conflict like the Bodos, the Karbis and the Dimasas. Unfortunately, however, the manner in which the mechanisms of power-sharing and devolution have been engineered and executed have not fully bridged horizontal gaps.

The instruments of autonomy and self-government, for instance, leave much scope for newer, violent confrontations between communities. For instance, the Karbis and the Dimasas had been granted autonomous councils in the Sixth Schedule of the Indian Constitution at its very inception. The Karbi Anglong Autonomous Council (KAAC) and the North Cachar Hills Autonomous Council (NCHAC) have been functioning since 1952. However, in 2003, the Schedule was amended in response to the demands of the Bodo Movement leaders and the BTAD was formed. The Bodoland Territorial Council (BTC), which governed the BTAD, was invested with immense powers by this amendment, much more than those provided to the KAAC and NCHAC (now known as the Dima Hasao Autonomous Council). This led to a renewed spurt of violence in the twin hill districts of Assam that housed these councils, violence that is still simmering despite changes being made to the autonomous arrangements and several instruments of ceasefire being signed with armed groups drawn from the communities here.

More trouble started brewing when six other communities of Assam were granted non-statutory autonomous councils after the Bodo Movement: Tiwa, Rabha, Deori, Mising, Thengal Kachari and Sonowal Kachari. Prabhakara (2005) has likened the process of creation of these councils to a 'fast-food' style of politics that involves finding 'chat-pat' or quick-fix solutions to ethnic problems. He cautions that the 'mechanical autonomisation' engendered by this approach will lead to an 'inescapable atomisation' in Assam. Whether we look at it as a botched attempt at addressing ethnic aspirations before they turned manifestly violent, or as an effort to co-opt the ethnic elites through financial largesse and cosmetic political changes, the fact remains that this move has indeed induced more ethnic fragmentation and violent outbreaks. Eventually, both the state's approach to these autonomous councils as well their internal functioning have contradicted the basic principle behind autonomy: 'Autonomy is not established for the sake of privileges, but has to be built on the principles of equality and non-discrimination' (Benedikter 2007, p. 3).

Perhaps it is time then to look beyond these existing structures for means of 'creating a new reality'. The European Union is an example of one such 'new reality' (Galtung 2007: 15). In 2011, reports surfaced that the Indian government had proposed creating a supra-state for the Naga people living across three states of the Northeast in an attempt to solve the oldest running independentist movement in the region (Goswami 2011). Subsequently though, in the face of widespread objection from the non-Naga states that would be affected by the formation of this non-territorial entity, the government denied ever having mooted the idea

(The Hindu 2011). This first attempt—albeit, feeble—made by the Indian state to think outside the box while tackling the problems of the Northeast could make no headway. But vigorous public debates, further deliberations and inclusive decision-making methods could be adopted in order to make such—or other better-mapped—new realities more widely acceptable. Imposing such arrangements without consultation perpetuates an impression of ‘peace from above’. What is required, on the other hand, is inclusive peace that creates stakeholders, not privileged power elites.

There is no doubt that state systems and agents are indispensable in peace processes. But peace cannot merely be ‘active or subtle domination and manipulation of less by more powerful actors’. Nor is it ‘quiescence and acquiescence by a “pacified” population ... fed “bread and circuses” by a “benevolent” empire or autocrat’ (Webel 2007, p. 8). Participation of civil society actors and the community at large is an indispensable ingredient of ‘active individual and collective self-determination and emancipatory empowerment’ (Webel 2007: 8), which is what dialectical or progressive peace denotes. The recent upsurge of representative bodies like the Bodo National Convention and the Asom Jatiya Mahaxabha—which comprise of prominent intellectuals, professionals and ideologues of the Bodo and Axamiyā communities, respectively—in the political life of Assam are positive developments in this direction. These national bodies have been addressing questions of identity reformation and engaging with reframing of ethno-nationalist goals. The state and these bodies need to work in close collaboration towards framing a peace-oriented politics.

The involvement of all people and communities in conflict will certainly close horizontal gaps between them. These gaps, of course, cannot be closed merely through re-integration or reconciliation in political institutions; economic, educational and religious institutions will also simultaneously have to be part of the process of social change. As a corollary, closing horizontal distances would definitely have a salutary effect on the bridging of vertical gaps between the ruler and the ruled. In the context of the Northeast, this would also include bringing the people of the mainland closer to those of the periphery.

Often, however, there are factors at play in real politics—such as clientelist political networks, political opportunism and neo-patrimonialism among other things—that influence the reconciliation process. These need to be identified and exposed. Cosmetic and agenda-driven efforts also need to be similarly recognised for what they are. The recent criticism faced by the Gyanodaya Express, a ‘college-on-wheels’, which carried about 900 Delhi University students to the Northeast for familiarisation with the peoples and cultures of the peripheral region, needs mention here. In the orientation programme held two weeks prior to the journey, students were reportedly lectured on the ‘Hindu’ roots of the Northeast and on how freedom fighters in this multi-religious area ‘fought against conversion of Hindus to Christianity’ (The Indian Express 2014). When a right-wing party runs the government at the centre, such communally divisive forces contribute to further fragmentation, despite the stated intent of reconciliation.

It is essential, therefore, that for effective reconciliation, the deep structures of peace must be strengthened. The need for peace education<sup>16</sup> that would incorporate a curriculum with multiculturalism as its basis needs to be highlighted here. The intent would be to inculcate a multicultural ethos in society. Another instance of transformation in the deep structure would involve changing the development paradigm. Under the current paradigm, the state's 'development' activities, more often than not, have created new conflicts between communities where it has not exacerbated old ones. The conflict that looms on the horizon between the communities of Arunachal Pradesh and those downstream in Assam, following the mayhem that the 'mega dams' of Arunachal are sure to cause, can be cited here.<sup>17</sup> A mechanism, therefore, should be created wherein state-society collaboration would be necessary for formulating conflict sensitive development policies. Peace and Conflict Impact Assessments (PCIA) of development projects should be made mandatory over and above the standardised study of environmental and other such impacts. This will definitely forge partnerships in the peace process; when both society and state share ownership over the process, it will not be easily shaken.

Institutionalisation of shared ownership, of course, needs to be based on a clear understanding of the dynamics of conflict and the many ways in which societies have been traumatised and/or transformed by violence. Kikon (2015, pp. 74–78), for instance, has drawn attention to the disconnect between 'post-conflict' realities and the implementation methods of many of the Indian government's policies for economic 'empowerment' of the Northeast: 'These initiatives to rebuild post-conflict societies mainly focus on training entrepreneurs and promoting livelihood schemes while overlooking how violence has transformed the very foundation of these societies'. The on-ground realities of societies transformed by conflicts have not naturally found a place in obsolete anthropological texts and (mostly, colonial) ethnographic accounts that policymakers habitually turn to for their understanding of the region. The new histories of the region that approach history from the bottom upwards and allow space for contemporary developments are only just being written. In order for meaningful political/policymaking interventions in the process of transcendence and transformation, more such accounts need to be written and highlighted.

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<sup>16</sup>Peace education is concerned with developing pedagogies that enable learners to think in terms of complexities beyond the standard curricula on controversial issues that usually teach students to consider little more than the two major opposing positions involved in the public discourse on the issues in question. It also seeks to enable learners to confront and explore some highly charged social issues that have personal valence for most people in as deeply reflective and socially responsible a manner as possible' (Jenkins and Reardon 2007, p. 216).

<sup>17</sup>Two influential organisations of Assam—the All Assam Students' Union (AASU) and the Krishak Mukti Sangram Samity (KMSS)—have been protesting against the construction of these dams, focusing on the vulnerability of the dams in a highly seismic zone and the potential dangers to the downstream communities. Samujjal Bhattacharya, adviser to the AASU, has cautioned: "Arunachal Pradesh is set to gain revenue from these projects, but Assam will be the victim if anything goes wrong" (quoted in Datta 2010).

## *New Economic Niches*

Positive changes in the Northeast's economic scenario are also, of course, taking place beyond government intervention. And these are having a salutary effect on bridging not just the gap between the mainland and the periphery, but also between the ethnic communities at home.

In Assam, during the interim years of political turmoil and violent conflict, there was very little positive advancement in the business arena. Instead, a kind of parallel economy developed with surrendered militants at its helm who colluded with and enjoyed the protection of 'the state and its agents' (Sahni and Routray 2001). Now, nearly a generation later, the political economy, the product of war and violence run by kleptocrats and entrenched minorities, seems poised for change as new entrepreneurial ventures crop up. These ventures are diversifying Assam's economic structure<sup>18</sup> and are more attuned to the demands of globalisation and the new economy. For instance, a few new Non-Governmental Organisations (NGOs) have surfaced to cover the ground that the government sector has inadequately addressed. Going beyond the scope of operations of earlier NGOs that had sprung up in response to the complex humanitarian emergencies (CHEs) related to violent conflicts and professedly addressed conflict resolution or peace building efforts, these new NGOs are concentrating on areas beyond conflict.

The Purbanchal Maitri Development Society is one such NGO that has been selecting young people from areas that are far away from the urban 'mainstreams' and training them for the retail, hospitality and domestic service sectors. What is more, they are sending these trained youths to establishments throughout India where the demand for people from the Northeast has been increasing. As Gitali Thakur, founder of Maitri, admitted in a field interview, this demand has a lot to do with an essentialising of the people of the region as docile, hospitable and 'presentable', making them perfect for such jobs. And that, perhaps, is another point of deviation that needs flagging in relation to the attitudes of the current crop of entrepreneurs in Assam: instead of emotionalising issues and raising political rants over the mainlanders' stereotypes about the peripheral populations, they work with whatever they have to in order to further their stated intent. This includes turning certain stereotypes on their head and using them to their financial advantage. Enthused by the overwhelming response it has received from its patrons, Maitri soon intends to float a private enterprise that will be for profit.

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<sup>18</sup>Murshed (2008, pp. 365–81) outlines from his readings how in point-sourced economies, business interests are more for the perpetuation of civil wars. These economies mostly (but not exclusively) involve the extraction of lootable, non-renewable resources like oil and minerals as well as readily lootable resources like drugs, and in some cases, like the teas of Assam, some agricultural commodities that are marketed in a concentrated manner. On the other hand, he finds that business interests in manufacturing economies and those based on 'diffuse resources, such as those that mostly involve the production of renewable resources (crops)' are more likely to 'militate against the persistence of civil war, given the diffused nature of production and distribution process'.

New ventures like Maitri are thus creating alternatives to the ‘markets of violence’<sup>19</sup> that dominated the economy for three decades since the Assam Movement. What is more, many of them draw their core strength from the positive culture of ethnic and religious coexistence in the history of Assam. Arohan Foods Pvt Ltd., which has the distinction of being the first enterprise in the conflict-ridden Northeast to attract venture capitalist investment, is a good example of this. Started in 2011 by three young men from diverse ethnic backgrounds, Arohan Foods is today India’s largest pork processor with markets not just in the Northeast, but also in major metropolitan centres on the Indian mainland. Field interviews reveal that there was no consideration of Assam as a conflict zone built into the business model that went into setting up the firm. There was only the knowledge that pork was staple to the Northeast diet and that 6% of the Indian population consumes processed pork (The Telegraph 2013b).

Interestingly, in setting up their firm, the three partners have maintained their distance from the political establishment.<sup>20</sup> They have also not used the government subsidies provided for entrepreneurs in the region. Recognising the Northeast as an area requiring special attention in the social and economic sectors, the Government of India has, from time-to-time, announced various concessions for the industries here. The Industrial Policy of Assam 2003, for instance, provides for the State Capital Investment Subsidy (SCIS) at the rate of 30% on investment in ‘Plant and Machinery’ up to a maximum of INR 2,000,000 (USD 29,885 approximately). Over and above this, it also declares special incentives for food processing and agro-based industries as additional SCIS at the rate of 10% subject to a ceiling of INR 500,000 (USD 7471 approximately) (Development Commissioner, MSME 2003). With many such incentives abounding, field interviews have revealed how a number of dud industrial units have cropped up in Assam for the sole purpose of acquiring these subsidies.<sup>21</sup> The reality of a society that has been largely criminalised by decades of violence and where the search for ‘easy money’<sup>22</sup> has become the norm has definitely been ignored in formulating such a policy, which calls for little or no accountability in practice.

Arohan Foods, on the other hand, has tried—successfully—to break the mould. And in doing so, it has—again without conscious thought—set a precedent in the region for peace businesses as understood in current literature: ‘business models based on the principles of nonviolence, social justice and ecological sustainability’

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<sup>19</sup>‘Markets of violence are understood as economic fields dominated by civil wars, warlords or robbery, in which a self-perpetuating system emerges which links non-violent commodity markets with the violent acquisition of goods’ (Elwert 1999 quoted in Clements 2004, p. 10).

<sup>20</sup>‘The closer are business and political ties, shorter the time horizons are and more difficult it is to make credible commitments to peace’ (Murshed 2008, p. 365).

<sup>21</sup>Documentation and official records, of course, are not available for substantiation.

<sup>22</sup>‘Short-term income may be readily obtainable in a war situation, even if war destroys future prospects’ (Murshed 2008, p. 377).

(Santa-Barbara 2007b, p. 233). A close study of the structural and operational aspects of Arohan Foods reveals a promotion of peaceful structures both in relation to people/communities and the environment. Acquiring its raw materials from smallholder, ethnically varied pig farmers, it is promoting the village-level economy among and across the ethnic groups in the region. Dissociating itself from the short-time horizons that conflict-ridden economies and markets of violence usually aim for, the company adheres to international standards and prescribed business ethics both in recruitment and manufacturing. It has a multicultural, multi-religious workforce that produces processed meat that can stand any stringent qualitative scrutiny. In short, while contributing towards transforming the economy of the conflict-ridden state, Arohan Foods is also aiding transcendence and reconciliation within Assam. Simultaneously, by competently promoting pork, the food of the 'Northeast', in mainland India, it is transforming relationships between Assam and the rest of India as well.

Interestingly, Arohan's success has foregrounded a kind of identity transformation within Assam, one that was in process during the years of violent ethnic conflict. This process has changed popular culture by bringing communities closer together despite all contradictions. Food habits, for one, have cut across ethnic boundaries. There has been an especially marked mass attitudinal adjustment towards pork, for instance: without such an adjustment, Arohan Foods would not have been possible. Earlier, pork was considered a 'tribal' food, hence unclean and unacceptable to the dominant non-indigenous communities. Now, it has become 'mainstream'. Like pork, other elements of indigenous/ethnic cultures are also now in popular demand, coming together, converging, coalescing and fusing with the non-indigenous. The following section discusses this in some detail.

## Reinventing Identity and Popular Culture

Bishnu Rabha, a multi-faceted Axamiyā icon, had espoused an interethnic vision of the Axamiyā identity<sup>23</sup> through his life, politics and writing (Rabha 2008). He is said to have urged another Axamiyā icon, the singer Bhupen Hazarika, to eat pork as a way of understanding Axamiyā culture. Pork, as already mentioned, was largely disparaged by the non-indigenous communities but is now becoming a common food for all. Rabha's assertion and the growing acceptance of pork (among other things) reflect the truism that Axamiyā culture/identity has been and will always be a common pool of cultural accoutrements to which the indigenous and non-indigenous, autochthonous and non-autochthonous all contribute.

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<sup>23</sup>An interethnic identity is one 'that transcends the perimeters of a particular ethnic tradition and one that is capable of embracing and incorporating seemingly divergent ethnic elements into one's own unique worldview' (Kim 2006, p. 293).

The years of manifest conflict and direct violence that followed the Assam Movement saw a reversal of this interethnic identity formation.<sup>24</sup> The various communities of Assam began disengaging from the Axamiyā identity. Overt—often militant—proclamations were made in political, intellectual and socio-cultural forums of the various communities severing ties with the Axamiyā ‘mainstream’ (cf. Goswami 2014). Incidentally, most extant literature on ethnicity and ethno-nationalist conflicts in Assam focuses on this dynamics of identity transformation. What remains inadequately explored is the process of identity formation *despite* conflict.

Because underneath all the regression and reversal of identity, even when the culture of violence was at its peak, there were certain subcultures of peace that continued working unnoticed to bring the communities together. These caused various attitudinal and behavioural changes, subverting contradictions<sup>25</sup> that are now quietly entrenched among the people. In what currently appears to be a post-insurgency lull-in-the-storm, these transformations are becoming apparent. The changes in food habits have been discussed in the preceding section. There are many other similar attitudinal changes that can be traced back to the years of militancy and violence.

Despite the huge toll those years took in terms of young Axamiyā lives and their immense potential, this period in Assam history promoted the growth of a new subculture among the underground armed groups and their ‘over ground’ sympathisers drawn from civilian populations. Conversations with former militants reveal how armed groups that drew their cadres from and had sympathisers among different ethnic and religious groups, promoted (at least in the initial ideology-driven years) a vision of a Axamiyā society without violent confrontations between communities in the future. This vision naturally encouraged adapting to and adopting the cuisine, clothing and other cultural expressions of each other’s communities. As a natural corollary of such give and take, ethnic hierarchies were shaken, often restructured.

While such transformations were occurring at home, another group of young people had been forced to leave Assam for the mainland in search of a violence-free educational and professional environment.<sup>26</sup> Once there, they were confronted by the ‘mainland mentality’ that lumped all people from the Northeast as exotic outsiders and treated them as such (cf. Baruah 2005; Goswami 2008). This had the salutary effect of drawing the migrant community closer together with the result that

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<sup>24</sup>Moments of intense stress can reverse the process of identity transformation at any time; individuals may regress towards re-identifying with their origins, having found the alienation and malaise involved in maintaining a new identity too much of a strain’ (Kim 2006, p. 292).

<sup>25</sup>Galtung (2007, pp. 22–23) theorises that conflict arises from the working of the ABC sequence (attitude, behaviour and contradiction or incompatibility of goals) among the parties in conflict.

<sup>26</sup>The turmoil in the societal fabric of Assam during the peak years of violence in the 1990’s is neatly depicted by Silabhadra in his short story ‘Praduxan’ (Pollution). The protagonist is shown as going mad towards the end of the story, besieged by fears of bomb blasts, killings and kidnappings (Silabhadra 1992).

another subculture developed. This subculture was, in effect, a peace culture that bridged structural and cultural gaps vertically and horizontally. But though it was quite similar to the one back home, it had its genesis far away from the theatre of conflict.

Recent returning migrations of members of this community have helped fuse the two subcultures. As a result, the underlying unifying tendencies of both have been brought to the fore through business practices—as in the case of Arohan Foods—as well as in the realms of literature and popular culture. Contemporary Axamiyā writers including Ratna Bharali Talukdar, Aparna Goswami and Kamal Tanti, among others, are writing about identity, politics and violence, and in the process, forcing a rethink of ethnic relations<sup>27</sup>. In English, writers like Aruni Kashyap, Uddipana Goswami, Siddhartha Sarma, Jahnabi Baruah, Nitoo Das and Kauhsik Baruah<sup>28</sup> have taken clear political stands in writing back at the Indian mainland—often from the mainland itself—while objectively analysing issues back home. Popular singers like Angaraag Mahanta and Zubeen Garg and bands like the North-East Breeze and Hurricane Gals are fusing ethnic elements to create a new kind of music that appeals to the young generation while being politically conscious.<sup>29</sup>

Meanwhile, an independent collective of young artists, Curves and Shades that was formed in Delhi is now actively operating in various states of the Northeast organising ethnic festivals revolving around food, music and other elements of culture. In fact, ‘ethnic’ festivals have become quite fashionable in Assam and are held throughout the year. Many of them had their genesis in the violent decades of the recent past. An exception is the Karbi Youth Festival that has a long history. It originated in 1974 and was initially organised by the local Karbi Club.<sup>30</sup> In recent years, it has undergone a metamorphosis with state patronage pouring in alongside the involvement of informal youth networks like Curves and Shades. The festival fuses the traditional with the modern, the ethnic with the pop. It has, consequently, been attracting a wider international audience. The increasingly inclusive nature of

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<sup>27</sup>Where Ratna Bharali Talukdar and Aparna Goswami have focused on ethnic conflicts and their human cost through their fiction (cf. Bharali 2008), Kamal Kumar Tanti’s writings reflect his strong sense of identity, belonging as he does to the Adivasi community of Assam. His poetry (cf. Tanti 2008) often expresses outrage at the disparagement of his community by the dominant communities of Assam.

<sup>28</sup>These writers have shaped a new sensibility in Indian Writing in English through their poetry, fiction and non-fiction. As the recognition for their writings rises, they are successfully combating the alienation between the mainland readers and their home in the periphery (cf. Phukan 2013; Satchidanandan 2013).

<sup>29</sup>Some of these musicians are making it big in the Bollywood film industry, winning accolades and awards. They have not, however, left their roots behind and are popularising Axamiyā music outside the state (cf. The Hindustan Times 2013; The Telegraph 2013a).

<sup>30</sup>In the initial years of its formation, the club comprised of youths and students who met and discussed various issues of cultural and political significance. Many of them were persecuted by the state and incarcerated for their activism in the 1960’s (The Thumbprint 2015).



the festival is evident from its motto in 2015: *Jutang helo kheh aharchi, kachingrum helo kheh atiri* (culture that unites and thrives through unity).

Whether through state patronage or part-sponsorship, many other festivals, like the Dehing Patkai and Brahmaputra Beach festivals, are being held all over the state. These festivals showcase the food, drinks, dress, jewellery, dance and other elements of culture of the participating communities. Despite being subject to much criticism for the alleged commercialisation of culture, these festivals have served the purposes of cultural transformation and ethnic reconciliation in a big way. Cutting across community lines, more and more people are now open to experimenting with cross-cultural dress and jewellery. Drinking the rice beer that the different indigenous communities prepare traditionally and eating pork or beef have now become ‘mainstream’. The cultural attitudes and behaviours that had earlier contributed to conflict are thus being subverted.

## Conclusion

Despite the intervening years of violence and incalculable loss, such changes in contemporary Assam are positively transforming the deep cultures and structures. There is hope, then, for a robust peace that will also be sustained. What is more, there is every indication that this peace will be economically viable to boot, empowering many from different walks of life.

Violent conflicts are usually sustained because they are lucrative and/or convenient for everybody: armed forces, insurgent armies and state machinery alike. In analysing the main stakeholders of a war economy,<sup>31</sup> Ballentine and Nitzschke (2005, pp. 17–18) point out how the combat and shadow (or black market) economies are dominated by a wide range of actors. These include ‘the security apparatus of the state (military, para-military groups, police) and rebel groups, as well as domestic and foreign “conflict entrepreneurs” who supply the necessary weapons and military material’ as well as ‘profiteers, transport sector, businessmen, drug traffickers, downstream” actors (truck drivers, poppy farmers)’. The Northeast serves as a conduit for drugs produced in the infamous Golden Triangle, on the western corner of which the region is situated. There are reports that when the rebels from the region required sanctuary and funds, they took to protect the drug lords in the Triangle, thus raising concerns beyond insurgency and separatism (Bhaumik 2005). On the other hand, there are also allegations that India’s security personnel appointed to counter the same insurgents and separatists are also involved

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<sup>31</sup>Following Goodhand (2004), Ballentine and Nitzschke (2005) differentiate between combat (‘based on economic interactions that directly sustain actual combat’), shadow (‘the broad range of informal economic relationships that fall outside state-regulated frameworks’) and coping (‘those numerous economic interactions during armed conflict that provide benefits to the civilian population, particularly the poor and most vulnerable’) economies of war and chart the different actors, motives and activities during armed conflict.

in the drug trade (The Sunday Guardian 2014). Certainly, the security apparatus posted in the Northeast has come under a lot of scrutiny for its involvement in numerous instances of corruption and scam (cf. Tehelka 2014). It is understandable, therefore, that neither of the armed parties—state and non-state—would want an end to the violent conflicts.

But the preceding discussion has shown that conflict transformation and ethnic reconciliation also can—and have been—quite rewarding. Peace businesses have already begun to show the way towards creating a new economic reality here. Popular attitudes have also changed to accommodate ethnic reconciliation; there is, in fact, a rising demand for the same. What remains to be seen is when and how these transformations begin reflecting in meaningful policy changes. A makeover of the security-centric approach to addressing the conflicts of the region is the first requirement. There is a lot of scope for new actors and old veterans of war alike to find space in formulating a new soft peacekeeping approach. With many of the former rebel groups becoming part of the establishment following the signing of peace accords and establishment of autonomous councils, it is imperative that all stakeholders revisit the conflict narrative so far, reorientate their approach to peace and rethink possible solutions by working in tandem. To this end, the transformations already taking place should be made a part of peace education curriculums in the state so that what is gained is preserved and promoted, and the potential for further advancement in this direction is not lost. In fact, instead of continuing to emphasise on what has been lost due to violence, the need is now to highlight what has been gained in terms of ethnic reconciliation and cultural and structural transformations. This might prevent violent conflicts from erupting in future, besides having a salutary effect on the ones ongoing.

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# Chapter 9

## Religious Leadership and the Forging of an Enduring Narrative of Peace in the Aftermath of the Bougainville Crisis

Scott Fisher

### Introduction

The process of post-conflict transition presents numerous challenges to achieving an enduring peace. Breaking the cycle of violence requires effective leadership within a framework of socially and culturally appropriate strategies for the society in question. The Bougainville Crisis, which lasted from 1988 to 1997, exemplifies the complexity of creating a lasting peace, with several episodes of a fragile truce devolving into renewed armed conflict before a lasting peace was finally held.

While a number of factors contributed to the viability of the 1997 Lincoln Accords, which ended the armed conflict, the emergence of a strong religious leadership played a critical role in creating the conditions for the transition to a political solution and a lasting peace. This chapter explores the dynamics of sustainable peacebuilding with an emphasis on the dynamics of reconciliation, particularly in relation to reconciliation processes that took place in Bougainville just before and soon after the fighting stopped. In the context of post-conflict settings, sustainable peacebuilding refers to a number of related activities that help to foster a lasting peace. These include repairing the physical infrastructure damaged by armed conflict (e.g. roads, bridges, homes, etc.), economic rehabilitation and promoting reconciliation. Reconciliation in the context of armed conflict refers to the process of addressing lingering hostilities between individuals, and among communities, in order to prevent future outbreaks of violence. Although no specific formula for success exists, peace researchers and practitioners have identified several necessary elements, such as truth telling, justice and forgiveness, as crucial components in creating the social climate for an enduring peace.

This chapter begins with an exploration of these elements in the context of both sustainable peacebuilding, and its interpersonal expression, reconciliation. An

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overview of the Bougainville Crisis is provided, with particular emphasis on the episodic swings between armed conflict and tentative peace, culminating in the signing of the Lincoln Peace Accords in Christchurch, New Zealand in 1997.<sup>1</sup> The last section will examine the contributions of religious leaders, individuals with both a commitment to the peace process and insight into the social and cultural dynamics of Bougainville society, in their role as facilitators and arbiters of the peace which has endured over the nearly two decades of peace.

Like many civil wars, the fault lines of the conflict evolved over time. While the Bougainville Revolutionary Army (BRA) consistently opposed the presence of the mine and sought independence from Papua New Guinea, numerous other groups fought for their own interests, some of them in alignment with the goals of the BRA, and others diametrically opposed. Additionally, as I show below, some of the violence seems to have been born out of hostilities held for a number of years and generations. Sorting through these lines of division has been complex, and also illustrates why local religious leaders, who often have a better grasp of the intricacies of the conflict, are better suited to advancing the cause of sustainable peacebuilding.

As the author is not a Bougainvillean, and does not propose to speak for the community on Bougainville, much of what is presented here comes from doctoral fieldwork carried out with religious leaders from Bougainville about their role in the reconciliation process. The information presented here represents an analysis of the contributions of some key religious leaders and describes their approaches to reconciliation on Bougainville, as well as their understandings of the efficacy of their contributions to this process.

Finally, this chapter should be seen as focusing on the process of reconciliation, as opposed to the outcome. While nearly 20 years has elapsed without a major outbreak of violence, in many ways, it is still too early to provide definitive answers on the outcome of the reconciliation process, other than to say that the peace has largely held.

## **Sustainable Peacebuilding and the Process of Reconciliation**

Armed conflicts leave in their wake a legacy of hostility, mistrust and fear of renewed violence. For civil wars, many of which have aspects of ethnic violence, recovering from this violence poses a substantial challenge. A large body of literature from the field of peace research has explored strategies, which can create the conditions for a sustained peace. Broadly speaking, these consist of security and deterrence strategies and sustainable peacebuilding approaches.

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<sup>1</sup>Armed conflicts, particularly civil conflicts, are frequently marked by episodic swings between violence and peace. I use the term 'tentative peace' to indicate the time between an armed conflict and a lasting peace. Whether the peace lasts is often determined after that fact, but usually includes the implementation of sustainable peacebuilding measures, including reconciliation strategies.

As its name suggests, security and deterrence approaches tend to focus on preventing a return to armed conflict by separating armed groups and providing little opportunity for hostile contact. By limiting or preventing contact, belligerents will not have the opportunity to renew the fighting, and over time, as hostilities diminish, a more workable solution will emerge (Walsh 1996; Kaufmann 1996). In nearly every instance where this approach is used (e.g. Cyprus, Kosovo, and the Democratic Republic of the Congo), external inputs are required in the form of foreign peacekeepers, predicated on a long-term commitment by organisations such as the United Nations. Additionally, in many countries emerging out of civil conflict, such an approach would prove impractical without substantial social disruption, a phenomenon which could potentially increase hostility among groups, and may end up displacing those individuals who have already suffered during the fighting as they are relocated to “safe zones” (Galtung 2001). While security and deterrence approaches do not automatically preclude pursuing sustainable peacebuilding strategies, monetary allocations from international donors tend to go toward establishing the physical barriers to prevent renewed violence. Because of its focus on physical separation, violence between armed groups tends to decrease in the short-term when security and deterrence strategies are implemented. However, without the ability to maintain social contact, such approaches also tend to prevent the implementation of strategies to address the physical (e.g. destroyed infrastructure) and social consequences of armed conflict. Over time, when the physical barriers are removed or eroded, the failure to address the underlying causes of violence can lead to renewed fighting (Spence 1999).

Sustainable peacebuilding provides an alternative to the security and deterrence approaches and advocates increased contact between belligerents in order to address the injustices and hostility that precipitated the conflict. This approach includes, “action[s] to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict” (David 1999, p. 26). Often, this involves strategies, which tend to increase, rather than reduce, interpersonal contact between former combatants. Sustainable peacebuilding strategies utilise a suite of approaches, which seek to address the “experiential and subjective realities shaping people’s perspectives and needs” (Lederach 1997, p. 24). Sustainable peacebuilding rests on the promotion of at least three fundamentally important elements needed to transform a society emerging out of armed conflict. These include repairing the damaged or destroyed infrastructure, facilitating economic rehabilitation and promoting reconciliation among and between former combatants (David 1999, p. 29). While each of these elements remains critical for the successful transformation of a society emerging from a violent conflict, reconciliation strategies are fundamental to the successful implementation of both economic rehabilitation and the rebuilding of damaged infrastructure. Unless some degree of trust has been restored through reconciliation, implementing the other elements could exacerbate hostilities if such projects are perceived as unevenly distributed among different groups (David 1999, p. 30).

Reconciliation strategies rest on the assumption that renewed and transformed human relationships are critical for putting an end to violent, armed conflict



(Lederach 1997, p. 26). Additionally, transforming a conflict must acknowledge the grief, trauma and fear the conflict has generated while simultaneously envisioning a shared, interdependent future. For this reason, such approaches rely on innovative and creative ways of articulating a shared future (Lederach 1997, pp. 26–29). Transforming violence in the sustainable peacebuilding model also requires face-to-face interaction between former enemies as, “successful reconciliation between alienated groups cannot take place without an adequate degree of genuine dialogue and conflict analysis of a mutual, interactive nature” (Fisher 2001, p. 28).

The ultimate goal of implementing a robust reconciliation program lies in achieving positive peace, which peace researcher Johan Galtung (2001, p. 3) describes as “the capacity to deal with conflict non-violently and creatively” by building trust and transforming hostile communities’ perceptions of one another. Reconciliation strategies that operate on both a national and local, or intergroup level, have proven most successful (David 1999, p. 28). National level approaches tend to promote goals such as good governance and the strengthening of democratic institutions, while local level reconciliation strategies often foster institutions for groups to address problems non-violently (Lerche 2000, pp. 66–68). Both national and local strategies are predicated on the emergence of a strong core of leaders dedicated to putting an end to the armed conflict.

In its most simplistic formulation, reconciliation seeks to unite, or re-unite, two or more opposing individuals or groups. In one sense, reconciliation involves a process of “healing the trauma of both victims and perpetrators” by bringing the conflicting parties together, and preparing them for renewed relations based on both justice and peace (Galtung 2001, p. 3). In doing so, the nature of the protagonists’ relationship transforms from hostile antagonism, to peaceful coexistence, to an ideal situation where both groups have active and interdependent community relations (Kriesberg 2001, p. 53). As a process, reconciliation involves several elements, each working to build and solidify trust while moving to higher levels of interdependence. Each of these elements serves the larger goal of achieving an interdependent society, where members of a community rely upon one another for their political, economic and social well-being; a process which, ideally, breaks the cycle of violence.

Although community leaders advocating for a transformed society need to keep the goal of interdependence in mind, several contributing and reinforcing steps promote its achievement. The first involves a search for the truth, and the healing that comes from such a process. Truth does not simply mean the mechanical repetition of facts, but a broader construction of meaning and context in light of the violence experienced by the community. Truth, as South African writer Antje Krog suggests, serves the process of reconciliation when narrators see it “as the widest possible compilation of people’s perceptions, stories, myths and experiences,” and an expression of the past geared toward “restoring memory and foster[ing] a new humanity” (Krog 1997, pp. 21–22).

In the wake of violent conflict, expression of people’s experiences, usually told through stories, revives the mourning process, and “helps to move it toward completion,” or at least toward acceptance (Montville 2001, p. 133). Narrative truth

telling in the context of social transformation often encourages catharsis, although leaders should also prepare for the emergence of competing narratives (Montville 2001, p. 133). The need to transform the dominant truth (or “truths”) underscores the dual challenges of narrative discourse: a balance between national amnesia, a narrative of forgetting and vengeful remembrance, which codifies victimhood and the need to violently defend one’s identity group.

In addition to searching for the truth, working through the process of reconciliation also requires acts of mercy, or openly renouncing a desire for revenge. This phase often involves four distinct steps, beginning with the perpetrator acknowledging the harm done through his or her actions, followed by an apology for the action, and assurances that the act will not occur again (Fisher 2001, p. 28). At this point, victims can choose to offer forgiveness, defer it until a later time, or refuse it, usually depending on whether they have reached a level of emotional, social and psychological readiness. While forgiveness cannot be coerced, the moment a victim renounces the desire for revenge and the hatred, which accompanies it, it often signals a breakthrough moment in the process of interpersonal reconciliation. The healing, which comes from forgiveness, often sets the stage for the emergence of new relationships.

The final element of reconciliation develops from the need for some sense of justice, an element sometimes seen as conflicting with the pursuit of mercy and forgiveness. Post-conflict societies often lack the civil institutions to implement justice, while some researchers have noted that reliance on the “blunt instrument” of the law may do more to undermine reconciliation than to promote it (Creedon 1999, p. 56; Minow 1998, p. 12). The ideal expression of justice derives from a synthesis of elements of truth telling and mercy.

An alternative to legal prosecution as a means of effecting justice comes from the implementation of restorative justice strategies. Generally, restorative justice rests on three fundamental assumptions. First, criminal acts, whether in a society with a strong legal system, or in those emerging from armed conflict, are violations of “people and their relationships” (Zehr 1999, p. 11). Second, restorative approaches seek to uncover the physical and emotional losses caused by the crime, and address the obligations of the perpetrator to the victim. Restorative approaches encourage active dialogue between the victim and the offender, a method, which also serves to promote both truth and mercy (Zehr 1999, p. 11). Third, through the process of dialogue, combined with an obligation-oriented approach, restorative justice focuses on transforming relationships, while encouraging the perpetrator to take responsibility for his or her own actions (Zehr 1997, p. 26).

Because interdependence, the goal of reconciliation, seeks both interpersonal and societal transformation, the possibility of achieving it will rely heavily on altering the values held by the society in question. Leaders working for a peaceful outcome often play a critical role in reconciliation, primarily by articulating a shared future between former combatants, although achieving a sustainable peace involves all levels of society. Lederach (1997, p. 39) identifies three distinct levels of leadership, all of which play important parts in the process of transforming

society, for better or worse, in the aftermath of a violent conflict. The first group comes from the leadership at the national level, or the top leadership within the rebel group. Characteristics of this group include their high visibility, significant levels of power and influence, and their large constituency (Lederach 1997, p. 40). While this group can have a powerful influence on the outcome of the reconciliation process, leaders at this level often find themselves under pressure by their constituency to protect their interests and maintain a position of strength (Graybill 2001, p. 7).

A second tier of leadership comes from those who occupy the mid-range levels of leadership, such as well-known religious figures, respected leaders of academic institutions, identifiable ethnic leaders and heads of humanitarian organisations. Such figures often carry prestige from before the conflict, but generally do not carry international prestige, and may not have wide national recognition either. The mid-tier frequently carries the greatest amount of potential for promoting reconciliation for three reasons. First, quite often their limited recognition inoculates them from binding “political calculations” seen at the top levels of leadership (Lederach 1997, p. 42). Second, as Lederach (1997, p. 42) points out, mid-range leaders’ “status and influence ... derives from ongoing relationships”, thus assist in the promotion of a reconciliation agenda which runs across the identity lines of the conflict. Third, mid-range leaders may have influence with both national and top-tier leadership, as well as with leaders at the grassroots and as a result they are in a position of influence at both the national and intergroup level, a position, which allows them to influence the reconciliation agenda (cf. Zimmerman-Herr 1999, p. 2). As I discuss below, on Bougainville, in particular, mid-range leaders have proven effective because of their social influence. As anthropologist Ann Chowning (1979, p. 79) has noted, Melanesian leaders tend to rely more often on their social influence rather on their ability to exert coercive influence).

Grassroots leaders represent the final tier of leadership that affects outcomes of the reconciliation process. This group often originates from traditional leaders, elders or refugee camp leaders (Lederach 1997, p. 42). While Lederach (1997, p. 42) points out that this group of leaders may actually find themselves too mired in the effort to survive to effect dramatic change, they carry a great deal of potential to influence social change and reconciliation within their narrow constituency. Grassroots leaders can often encourage social transformation, “beyond the culture of violence prevalent in war-time,” while setting the stage for “a more peaceful future” (Spence 1999, p. 208). At the very least, “those who claim to be the directors of the peace process need to listen to community needs and aspirations when planning for reconstruction and reconciliation” (Spence 1999, p. 209).

Like all leaders, religious leaders face limitations to their ability to promote sustainable peacebuilding. They are most obviously limited if they have participated in, or promoted, violence for their own gain, or for the benefit of their community over another. The value of a religious leader derives from her or his ability to gain the trust of the various factions and to bridge the conflict divide. The perception of partiality may often be enough to severely restrict the contributions of a prospective

leader. This study, however, focuses on the contributions of those individuals who significantly added to the process of reconciliation on Bougainville.

No universally applicable formula for successful sustainable peacebuilding exists. Rather, the success of any effort to transform society from one of armed conflict to a degree of interdependence relies on the application of the various elements of sustainable peacebuilding, combined with a thorough understanding of the conflict and the many social and cultural dynamics involved. In the next two sections, the focus of this chapter will turn to the armed conflict on Bougainville to illustrate how leaders, in particular, have influenced the peace process. Emphasis will be placed on the role that the religious leaders of Bougainville, those with intimate knowledge of the local cultural, religious and social dynamics, have played to achieve a lasting, sustainable peace.

### *A Brief History of the Bougainville Crisis*

While the immediate cause of the Bougainville Crisis traces its genesis to the cultural and environmental disruptions from the Panguna Copper Mine, which opened in 1972 near the end of the Australian trust territory period, the proximate causes, including the role certain institutions played, trace their roots to the social disruptions of the colonial period.

Bougainville first came under German colonial rule at the end of the nineteenth century, followed by the Australians who took control of Bougainville and much of former German New Guinea at the outset of the First World War and after the war as a League of Nations Mandate Territory (Oliver 1992). In 1941, the Japanese invaded Bougainville as part of the expansion of the Japanese Empire. In anticipation of an allied invasion, the Japanese constructed several very large military installations around the island. Bougainville was the scene of heavy fighting from 1943 until the end of the war when the allies landed in the central region of the island. In addition to severely disrupting the lives of Bougainvillean civilians, the military hardware left over from the war provided a substantial resource of weapons and explosives for the combatants nearly fifty years later.

During the early colonial period, the foreign powers' tendency to see Bougainville and its outlier islands as peripheral to their economic interests, meant that the churches frequently acted as a de facto government, providing such services as education and medical care (Wesley-Smith and Ogan 1992, p. 263 n. 8). Early in the colonial period, the Catholic Church and the Order of Mary (or Marists), in particular, consistently advocated for the social and economic well-being of the Bougainvillean community, and occasionally confronted the Australian administration over their autocratic leadership (Dennon 2000, p. 24). The commitment of religious leaders to social justice remained consistent throughout the Crisis, as numerous church leaders called for an end to violence, and suffered alongside their parishioners. As Bougainvillean scholar Ruth Saovana-Spriggs (2000, P. 27) points out, "Christianity has taken deep root in the lives of Pacific Islanders and it is now

an inseparable part of people's existence. In Bougainville, Christianity has become a cultural way of life for the vast majority of the people." The role the church has played in the social welfare of the community makes the church an ideal candidate to help in the post-conflict reconciliation process.

In the aftermath of the Second World War, Bougainville and Papua New Guinea once again reverted to Australian colonial rule as a United Nations Trust Territory. Under this agreement with the United Nations, Papua New Guinea was meant to achieve independence when they achieved a level of economic independence, "consistent with that of the rest of Australia" (Denoon 2000, p. 203). The Australian colonial government, now motivated to push for quick independence, turned to the minerals sector to provide the economic basis for independence. In 1964, copper prospecting began in the mountains of central Bougainville, with the colonial administration facilitating access for exploration (Wesley-Smith 1990, p. 10). Once the ore was found, and to make this project viable, it meant displacing those in the immediate vicinity of the ore body, as well as those who were living in the vicinity of the processing facilities. During the exploration and construction phase, several groups launched serious protests, while the colonial administration tried to ameliorate those most directly affected by providing compensation packages intended to address their concerns and encourage their support (Oliver 1992, pp. 141–148; Denoon 2000, p. 69). One significant result of these compensation strategies lay in the fact that they often favoured the older generations, who were provided cash and material items, while frequently dispossessing the younger generations of both land and material items (Oliver 1992, pp. 147–148).

In spite of these concerns, the Panguna copper mine opened in 1972, with workers removing 150 thousand tonnes of overload daily, and depositing the tailings directly into the Kawerong-Jaba River system (Denoon 2000, p. 125). In September 1975, Papua New Guinea achieved independence from Australia amid festering resentment on Bougainville over the ongoing environmental degradation in the Panguna mine area, as well as the fact that the natural resources of Bougainville were being inappropriately allocated to fund the entire nation. These frustrations translated into a growing desire for Bougainvillean independence from Papua New Guinea.

The Bougainville Crisis began in late November, 1988, when a small group of disgruntled men from the Panguna area stole a cache of explosives and sabotaged the mine facilities, including *buildings and power transmission* pylons (Dorney 1998, p. 119; Hiambohn 1989, p. 17). The government of Papua New Guinea, who had an economic interest in the revenue from the copper mine, responded by sending a detachment of the Papua New Guinea Defence Force with "shoot to kill" orders for anyone found in the Panguna area (Oliver 1992, p. 210). The Defence Force's heavy-handed response seems to have significantly contributed to the escalation of the violence (Polomka 1990, p. 81).

Early on, the efforts of the rebels, who later came to form the Bougainville Revolutionary Army (BRA), were aimed mainly at shutting down the mine. By early 1989, the scope of the BRA's goals had shifted from closing the mine to pursuing secession from Papua New Guinea. This came about in part due to the

combination of success on the battlefield and public revulsion at the lack of discipline on the part of the Papua New Guinea Defence Force (Regan 1998, p. 277). The government in Port Moresby, however, responded inconsistently by simultaneously increasing the violence while publicly seeking an end to the violence. For example, in April of 1989, the government produced a series of peace proposals for the rebels to consider. Less than two months later, however, they declared a state of emergency, effectively giving the Defence Force a free hand to put the rebellion down (Regan 1998, p. 277). This stochastic response served to erode any remnant of trust and good faith.

Drawing on their history of promoting social justice, in August of 1989, leaders of the Catholic Church on Bougainville proposed a peace plan that would decentralise Bougainville and provide limited autonomy, including a greater degree of the revenue generated by the Panguna copper mine (Robie 1989, p. 16). Like the previous peace initiative by the government, this proposal did not gain any traction with the combatants. However, it did demonstrate the Catholic Church's commitment to a non-violent solution.

By March of 1989, the Papua New Guinea government declared a unilateral ceasefire, and withdrew the Defence Force. However, the Defence Force also established a blockade around the island, including the adjacent island of Buka, which prevented virtually all supplies of any type arriving on the island. However, the success of the rebel BRA was short lived, as the violence morphed into a severe law and order problem of Bougainvillean on Bougainvillean violence. Regan (1999, p. 12) identified four types of inter-Bougainvillean violence, including local leadership struggles, internal power struggles within the BRA leadership, traditional tensions lingering from the colonial times which resulted in modern inequalities, and retributive violence from the past. Regan recounts one incident in which a group of armed men from the mountains of northern Bougainville, claiming affiliation with the BRA, burned all of the buildings constructed of permanent building materials, while leaving the traditionally constructed buildings untouched. As Regan (1999, p. 12) says, "It was a message: 'you bastards are too rich, and you've cooperated with the national government. We're mountain people, we have nothing. You're coming back down to our level.'"

The early 1990s witnessed an oscillation between intensified fighting followed by renewed peace initiatives. By January of 1991, leaders on Buka Island invited the Defence Force back to their island. Lying to the far north and separated from Bougainville proper by a narrow strait, many on Buka Island felt they had little stake in the issues associated with the copper mine. Several prominent Buka leaders felt that the presence of the Defence Force would provide some degree of normality, and would provide some form of relief from the military blockade imposed the previous year (Oliver 1992, p. 248).

Although a number of peace initiatives were begun in the early part of the 1990s, among them the Arawa Peace Conference in October 1994 proved to have long-lasting significance. Although the BRA refused to attend this conference, and a final peace agreement lay over two years away, this meeting inaugurated the rising prominence of several mid-range leaders and leadership organisations (Regan 1998,

p. 280). In particular, the Bougainville Inter-Church Women's Forum traces their genesis to this conference, and represents the substantiation of mid-range leaders, or those leaders who can bridge the gaps between the grassroots and the political leaders, as well as between various combatant groups (Lederach 1999, pp. 40–41). As mentioned above, mid-range leaders can provide an important avenue to building a sustainable peace. The fact that this group bridged two powerful Bougainvillean social forces, the church and women, the traditional landowners, gave them increased visibility and credibility.

The middle of 1997 witnessed the establishment of the Burnham Truce, which was brokered by several regional governments, including Australia and New Zealand. The Burnham Truce was signed by both the government of Papua New Guinea as well as the primary Bougainvillean combatants, and dramatically reduced the level of violence in Bougainville. The Burnham Truce also provided for a 250–member Truce Monitoring Group made up of soldiers from Australia, Fiji, New Zealand and Vanuatu (McMillan 1998, pp. 5–6). The durability of the Burnham Truce set the stage for a more comprehensive peace agreement, the Lincoln Agreement, also brokered with the help of the government of New Zealand, and held at Lincoln University near Christchurch, extended the truce to a “permanent and irrevocable” cessation of hostilities (Regan 1999, p. 22).

The cessation of hostilities and the signing of the Arawa peace agreement in April 1998 remain major milestones in the achievement of a sustainable peace. However, achieving a durable and sustainable peace requires significant work on the part of leaders at all levels of society. Among the most pressing issues, the political and economic future of Bougainville must address some of the causal factors, which initiated the violence. In order to address these issues, a degree of trust must first emerge. As described below, religious leaders on Bougainville have made, and continue to make, significant contributions to the dialogue on reconciliation and sustainable peacebuilding. Field work conducted from 2000 to 2003 with Bougainvilleans living in Australia, Fiji and Bougainville provided substantial evidence of the critical role these religious leaders are playing in establishing an enduring, just peace.

## **Religious Leadership in the Reconciliation Process on Bougainville**

Religious leaders on Bougainville have proven very effective in understanding the complexities of the conflict lines in order to promote reconciliation. As described above, the shifting and evolving nature of the Bougainville Crisis, combined with its irregular nature, blurred the lines of victims and perpetrators as well. In very many instances, individuals are both victims and perpetrators, and perhaps for this reason much work seems to have focused on reconciliation at the local village level (between formerly hostile villages), as described below.

The many contributions religious leaders have made, and continue to make, in the ongoing reconciliation process on Bougainville has resulted in their capacity to build both the trust and support among former enemies. This trust and leadership has resulted in, and subsequently reinforced, the legitimacy of these leaders to promote and advocate a vision of a renewed and peaceful society. While religious leaders on Bougainville have played a role in numerous aspects of the peace process, their role as mediators between former combatants, their ability to facilitate a new vision of society, and their role in promoting the rituals of peace (particularly as these rituals foster truth, forgiveness and justice) merit special consideration in the effort to construct a durable and just peace.

Transforming the mistrust and fear inherent in violent armed conflict requires leaders, particularly those in the mid-range leadership positions, to articulate a new vision of a society healed from the degrading influences of the conflict. On Bougainville, the mid-range leaders in the churches, particularly female religious leaders, acted as intermediaries between the warring factions, thereby playing an influential role in preventing a reversion to violence (Garasu 2002, p. 29). As Bougainvillean Catholic priest, Fr. Pinoko suggests, an enduring peace requires, “A radical conversion of mind and heart” which calls for, “a new praxis of reconciliation toward social *empowerment* and *change*” (Pinoko 2001, p. 112; emphasis original). Local religious leaders have been particularly effective, as they possess sensitivity to the nuances of the culture and history, which led to the original outbreak of violence. By capitalising on their insights, these leaders have found frequently the modes and methods that would foster a transformed, interdependent society. Howley (2002, p. 165) has provided particular insight into the ongoing reconciliation process and noted that the success of local religious leaders resulted in their ability to “set a frame of mind that brought people to a realisation of peace as a necessity for civilised living”.

The use of narrative to promote sustainable peacebuilding in Bougainville has proven particularly effective, particularly for its ability to utilise symbols and stories with cultural resonance. As a component of the peacebuilding process, narratives function to promote reconciliation when these symbols derive from people’s experiences and speak to them, “at a cultural level where signs and symbols give rise to new meanings and values that influence the way (Bougainvilleans) think and act” (Pinoko 2001, p. 12). The fieldwork conducted on Bougainville and elsewhere demonstrated the power of these symbolically rich narratives in promoting a vision of a healed society based on culturally significant metaphors and images. While religious leaders used a variety of symbols and metaphors in their narratives, frequently the two most common types of symbolic narratives included those which called for a cleansing of the past, and those that envisioned a binding of the community.



Fr. Francis Takaku from Buin in the far south of Bougainville suggested one of the most interesting symbols, the symbol of the broom, or *tugia* in the Buin language, which proved to be a valuable metaphor in promoting a narrative of reconciliation. According to Fr. Takaku, a *tugia*'s utility stems from its ability to clean up messes. However, in the way he used it in his Sunday morning homily, Fr. Takaku also spoke of the *tugia*-as representing the community. "As a community we must be like a broom, if we are not tied [together] properly we will all fall [apart]" (Fr. F. Takaku, personal communication, January 22, 2003). Fr. Takaku went on to add that the rope that ties the broom together represents both Christianity and the traditional culture, which, he suggested, remain inseparable. The *tugia* calls for communal harmony, but suggests that the practice involved in communal harmony involves dissipating any resentment from the past. The *tugia*-as community symbol suggests that the success of creating a renewed, interdependent society stems in part from the practice of strength in harmony, while clearing away the lingering hostilities created by the violence.

Another symbol of clearing away the past came from Rev. Emily Saeron, the co-director of the Bougainville Inter-Church Women's Forum, originally from Tung in central Buka. During one discussion, Rev. Saeron noted that she used the symbol of the grass knife, or *sarip*, to promote dialogue and reconciliation. She noted that symbolically the *sarip*, a tool frequently carried by Bougainvilleans due to the dense vegetation, symbolised the power of dialogue in community building, a process that functions like a grass knife as it gets to the roots of an issue. As she pointed out, "our words act like a grass knife, a *sarip*...*mus rausim*, must get out the weeds" (Rev. E. Saeron, personal communication, January 31, 2003 and February 3, 2003).

Symbols that suggest strong community ties represent a second type of symbol frequently used to promote a vision of a reconciled community. The symbol of community unity frequently used by Rev. Ben Aringan from Petats Island (an island just off Buka) involves the image of the canoe. As he explained, the canoe (or *jinih* in the language of Petats) represents a powerful image of unity and survival, as the people of Petats, like those across Oceania, rely on the canoe for their livelihood. During his reconciliation sermons, Rev. Aringan explained that the body of the canoe and the outrigger (*hatal*) represented the opposing sides in the conflict. However, when a canoe detached from its outrigger it faced the danger of capsizing. Additionally, an outrigger needs a canoe for its functional identity, or the outrigger becomes nothing more than a disembodied piece of wood. Both the outrigger and the canoe need sturdy joiners to unite them and to give them security and purpose. According to Rev. Aringan, the power of this symbol derives from both its cultural resonance as well as the suggestion that a flourishing community depends on the enduring harmony of the people.

Rituals of reconciliation have also played an important part of healing the divisions caused by the crisis on Bougainville. As Prof. Trompf (1991, p. 63) points out, rituals in Melanesia function as, “a mode of philosophical reflection and serve to indicate a range of intentions-including the desire to make war or peace”. In the context of the post-conflict reconciliation process, Howley (2002, p. 72) notes that, “one way of healing the community is by use of ritual.”

Since the cessation of hostilities on Bougainville in 1997, the ritual of breaking of weapons has become one of the most effective ways of signalling a desire to restore relationships. As Fr. Pinoko points out, the ritual of the breaking of spears represents a culturally relevant mode of indicating a desire to end hostilities and work toward reconciliation (Pinoko 2001, pp. 17–19). In the Melanesian context, where leaders often avoid publicly shaming individuals, rituals offer a form of communal truth telling while simultaneously providing the prospect for both forgiveness and justice.

While numerous local variations of this ritual exist across Bougainville, the breaking of spears ritual generally follows a four-phase pattern. The first step in this process involves prolonged negotiations with mediators, usually respected elders or local religious leaders. At this phase of the process, the mediators can focus on the specific events of the past, which fostered the hostilities, an aspect of culturally sanctioned truth telling. Through the negotiation process, participants can identify the appropriate quantity and type of goods needed to satisfy the dictates of justice. In Bougainville, the most common exchange items include vegetable items, pigs and shell money.

Once the items have been agreed upon, the mediators arrange for the mutual exchange of goods in a neutral area at a specific time and date. Following this is a face-to-face meeting between the conflicting groups where weapons are ceremonially destroyed. Often, the weapons destroyed in the actual ritual are traditional weapons, such as spears, bows and arrows. While modern weapons are occasionally disposed of during the ritual, foreign peacekeepers have been instrumental in collecting and disposing of the diverse array of weapons leftover from the fighting. The final phase of the breaking of weapons ritual involves sharing a communal meal, a symbolic expression of unity and reconciliation. When practised by predominantly Roman Catholic communities, this ritual is often followed by a celebration of the Eucharist (Pinoko 2001, p. 23).

In the view of many of the religious leaders, rituals of reconciliation on Bougainville have played an important role in preventing a reversion to armed conflict. Several informants noted the need to promote a reliance on traditional modes of reconciliation. While the narrative symbols employed by religious leaders represent a foundation for a vision of a healed society, such rituals also convey culturally appropriate modes of truth telling, forgiveness and justice. Finally,

reconciliation rituals also serve a very pragmatic role among former combatants. As Peter Makea, a member of a local council of chiefs noted, “When we make peace, it is not the food and it is not the pigs and it is not the speeches. It is the people saying ‘I forgive you. You forgive me. Let us get on with our lives’” (Howley 2002, p. 103).

## Conclusion

Peace researchers studying post-conflict societies have frequently noted that countries or territories emerging from armed conflict are particularly susceptible to reverting to violence. By analysing the conditions necessary for a sustainable peace, fostering reconciliation consistently emerges as a crucial factor in a lasting, durable peace. Sustainable peacebuilding consists of a number of necessary components, including the promotion of truth telling by victims and perpetrators, forgiveness and justice. Additionally, establishing a vision of a shared, interdependent and peaceful society remains a crucial element in this process. While leaders at all levels of society have roles to play in this process, mid-range leaders, those who are intimately familiar with the conflict and who can often reach across the lines of division, represent an important resource for sustainable peacebuilding.

The conflict on Bougainville lasted nearly nine years and had its roots in the construction of the Panguna copper mine, and the environmental and cultural disruptions that resulted from the imposition of the mine. From early in the colonial period and through the conflict, religious leaders played an important role in promoting justice and peace. This advocacy has translated into an ability to promote a vision of peace with authority. Field research conducted on Bougainville has suggested that religious leaders continue to play an important part in both creating a vision of a healed, peaceful society, and advocating for truth, forgiveness and justice. This research highlighted how religious leaders in Bougainville approached reconciliation and examined some of the processes that took place. At the same time the findings revealed how these efforts in reconciling differences assisted in preventing further violence from taking place (Fig. 9.1).



**Fig. 9.1** The Islands of Buka and Bougainville in the North Solomons Province of Papua New Guinea

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## Author Biography

**Scott Fisher** grew up in Kula, and at age 17 enlisted in the United States Marine Corps. After his discharge, he studied at Colorado State University. Scott's graduate work includes an M.A. in peace studies with a concentration in native Hawaiian strategies of peacemaking and reconciliation. His Ph.D. explored the dynamics of post-conflict recovery in a civil war on the island of Bougainville, Papua New Guinea, with a particular emphasis on how communities make wise decisions about conflicts over natural resources. Since 2003, Scott has worked for the Maui Coastal Land Trust, first as a project manager at the land trust's 277-acre Waihe'e Coastal Dunes and Wetlands Refuge and, since January of 2011, as the Director of Conservation for the Hawaiian Islands Land Trust. In this capacity, he has led all aspects of the ecological restoration work conducted by the land trust. Since 2005, he has served on the Maui/Lana'i Island Burial Council and, more recently, as a board member of the Hawai'i Wetlands Joint Venture, Public Access Trails Hawai'i and the Friends of Midway Atoll. Scott enjoys teaching people about cultural and natural history of Hawai'i and pounding poi with his kids on the weekend.

# Chapter 10

## Moving Towards Amicability: An Insider Peacebuilding Platform as a Means to Reconciliation in the Patani Conflict in the Deep South of Thailand

Nansiri Iamsuk

### Introduction

In the book, *The Moral Imagination: the Art and Soul of Building Peace*, John Paul Lederach poses a question, “How do we transcend the cycles of violence that bewitch our human community while still living in them?” (Lederach 2005, p. 5). In Lederach’s view, to achieve an effective peace, peacebuilders have to reach the root of conflict and deal with it in creative ways. In another of his books, *Building Peace: Sustainable Reconciliation in Divided Societies* (Lederach 1997), he stated that building sustainable peace requires ‘meeting spaces’ that allow conflicting parties at various levels to exchange/share their feelings, experiences of conflicts and eventually to share their envisioned future together.

The conflict in the southern-most provinces of Thailand exists between the Malay Muslim insurgency groups fighting for their right to self-determination and the Thai state. This struggle has not received much international media attention, partly because the Thai authorities have tried hard to keep it a ‘domestic’ issue and prevent the international community from getting involved in conflict resolution. This is a common phenomenon when conflicts that take place at the margins of relatively strong states are often not internationalised, such as in the cases of conflict in India, Indonesia and Malaysia (Parks et al. 2013). Similarly, Thailand falls into this category.

Although this conflict has not been internationalised, the majority of Thai people also do not have an adequate understanding about this on-going clash. Due to the strong nationalistic ideology of the Thai state, the existing diversity of ethnic groups in the country have been omitted from the narratives associated with national

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history education. As a result, the fact that Patani<sup>1</sup> had been an independent state before it was made a colony of Siam is never mentioned in any official sphere. For many Thais, the Malay Muslim insurgents are often perceived as hard-line Muslims or Southern bandits as they are often portrayed by the mainstream media, and the Thai army are seen as heroes protecting state sovereignty (Rojanaphruk 2011; Kirdnark 2012). These misconceptions remain some of the biggest challenges preventing reconciliation in the region.

Considering Lederach's view on peacebuilding and reconciliation, it is interesting to put a similar question to dealing with the situation in the Patani region in the South of Thailand. This is with regard to what more can be done to change an environment of fear and mistrust, resulting from the cycles of violence that have bewildered the region for decades, to one that provides a more amicable ambience where everyone can live together in safety with better understandings of each other's cultures and histories.

This chapter focuses on reconciliation at the level of "deep coexistence of community", where people from different identity groups can live together peacefully and have multi-faceted relationships (Rigby 2006, pp. 2–3). The chapter aims to explore answers to the above question with regards to cultivating understanding and fostering an environment of peaceful coexistence. This is carried out through the examination of an initiative at the local level that may have the potential to build a bridge between clashing groups given they hold different ideologies. This particular initiative is the Patani Insider Peacebuilding Platform (IPP) which aims to achieve a pathway to reconciliation and 'positive peace' (Galtung 1967) in the region.

The chapter will begin with a brief history of the conflict and follow with an update of the peace dialogue initiated in February 2013 and the emergence of MARA Patani, the umbrella organisation consisting of the six main Malay-Muslim insurgency groups. Later, the joint learning process undertaken by the IPP will be discussed. Finally, the chapter will consider the challenges that the IPP and other local civil society groups face, as well as the possibilities they may take advantage of in order to build reconciliation in the region.

## Background of the Conflict

The conflict between the Thai state and the Malay Muslim insurgents can be best described as an ethno-political conflict (McCargo 2008; Askew 2010). The areas in question are Patani, Yala, Narathiwat and the four districts of Songkla province:

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<sup>1</sup>In this paper the term "Patani" is used to refer to Pattani, Yala, Narathiwat and four districts of Songkla province. It has sensitive political connotations given that the term is often used by the Malay insurgents, and it is not in the favour of the Thai authority. The term "Pattani" only refers to a province in the Deep South region of Thailand. The Insider Peace Platform created "Pat(t)ani" with the intention to emphasize the need for an inclusive term acknowledging the multicultural character of the region (Anuvatudom and Ropers 2013, endnote).



Thepa, Natawee, Saba-Yoi and Chana. These areas used to be part of the Islamic Sultanate of Patani.<sup>2</sup> The origin of the conflict can be traced back to the early twentieth century when the Islamic Sultanate of Patani was annexed by Siam (now modern-day Thailand), following the Anglo-Siamese treaty of 1909.

Due to Siam's cultural assimilationist policies, Patani people were forced to adopt Buddhism and cultural practices introduced by the Bangkok-centric government. From the very beginning of the annexation, resistance movements led by Patani elites had existed against the Thai state. Throughout the twentieth century, there have been several resistance movements against the Thai state and during the 1930s and 1940s the movements were organised into insurgency operations (Aphornsuvan 2007). The level of violence varied depending on the nature of the government's administrative policies exercised in the region.

One major encounter began with the arrest of Haji Sulong, a well-known religious leader from the Deep South provinces. At the beginning of 1947, Haji Sulong urged the Bangkok government to consider seven demands concerning local governance in the southern border provinces.<sup>3</sup> Due to this proposal, Haji Sulong and other religious leaders were arrested under the charge of treason and he was imprisoned for about four years. Following his arrest, there were protests across Patani, Yala, and Narathiwat resulting in hundreds of people being killed and thousands fleeing to British Malaya, modern-day Malaysia (Aphornsuvan 2007). However, two years after his release in 1952, the Thai police took Haji Sulong and his eldest into custody and they were never seen again. The forced disappearance of Haji Sulong has remained a big question mark among many Malay Muslim people in the region.

From the 1960s to 1970s, there were different groups conducting separatist operations. These included the Barisan Nasional Pembebasan Patani—Patani National Liberation Front (BNPP), Patani United Liberation Organisation (PULO), Barisan Revolusi Nasional (BRN), Gerakan Mujahidin Islam Patani—Patani Islamic Holy Warriors Movement (GMIP) and Bersatu which is an umbrella

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<sup>2</sup>Historically Patani was originated as Langkasuka Kingdom around the second century. It was culturally influenced by Hinduism and Buddhism (Atchawanitkul et al. 2006). Roughly, around the ninth century to twelfth centuries, Islam was widely spread in the Malay Peninsula and Indonesian Archipelago. The King Phayatu Nakpa Maha Wangsa converted to Islam himself and later in 1390 he renamed Langkasuka to Patani Darussalam (Binji et al. 2013).

<sup>3</sup>The demands were: (1) the person who would govern the four southern provinces of Patani, Yala, Narathiwat and Satun should be a local-born Muslim and elected by the populace and the person in this position should be retained without being replaced; (2) all of the taxes obtained within the four provinces should be spent within the provinces only; (3) the government should support education in the Malay language up to the fourth grade in parish schools within the four provinces; (4) eighty percent of the government officials within the four provinces should be Muslims born within the provinces; (5) the Malay language should be another official language in the region alongside Thai language; (6) the government should allow the Islamic Council to establish laws pertaining to the customs and ceremonies of Islam with the agreement of the high official; (7) the government should separate the religious court from the civil court in the four provinces and permit full authority to conduct cases (Aphornsuvan 2007).

organisation of PULO, BIPP and BRN (Chalermripinyorat and Deep South Journalism School Editor Team 2013). During the 1980s and 1990s the resistance movement subsided due to the Thai government implementing a strategic counter-insurgency policy and by creating a special administration to manage the southern border provinces, offering amnesty to militants and delivering economic development projects (International Crisis Group 2005; McCargo 2008).

In the early 2000s the violence in the southern most provinces intensified again. The government at the time implemented harsh counter-insurgency operations against the Malay-Muslim insurgents. The major incident occurred with the intrusion of a group of unidentified armed men stealing a number of guns from the Thai Army base in Narathiwat province in January 2004 (International Crisis Group 2005). Considering a decade has passed since this incident, the armed struggle still continues unabated. During this time, more than 6000 people were killed, over 10,000 were injured (the Deep South Incident Database 2014), and thousands of people have lost their socio-economic development opportunities.

In February 2013, the official peace dialogue between the Thai government representatives and the BRN, the strongest Malay Muslim insurgency group, was announced publicly. This political movement proved a surprise to many people. Nonetheless it sparked conversations about the possibilities of peacebuilding initiatives in the Deep South community and beyond to ease tensions and find sustainable means for peaceful coexistence.

## **The 2013 Peace Talk**

With the facilitation of the Malaysian government, on 28 February 2013, the Thai government, represented by the Secretary of the National Security Council, and the BRN, represented by one of its political leaders, signed a General Consensus on the Peace Dialogue Process. During that year both parties met three times. Once in March, once in April and another time in June before the Thai government became unable to continue with the talks due to the political turmoil in the political centre that led to the military coup of May 2014 (Chalermripinyorat 2014; McCargo 2014).

The peace talk initiative in 2013 is the first one that was officially announced to the public. Previously there were similar talks attempted by the military and also actors representing the previous government, however, those talks were shrouded in secrecy. Considering neither side took confidence-building measures (Anuvatudom, n.d.), the peace dialogue process in 2013 did not set off smoothly. The Thai team did not seem to be well prepared for these conversations as yet, and, importantly, they received no support from the army who in fact played a crucial role in this conflict (McCargo 2014; Pathan and Tuansiri 2014). At the same time on the BRN side, many members had different takes on whether to join this peace dialogue

process as they were sceptical about the seriousness of the Thai side with respect to conflict resolution,<sup>4</sup> and about the sincerity of Malaysia in brokering these talks.

Nonetheless, it is important to note that the coming forward of the Thai government and the BRN to the dialogue table in 2013 turned a new page in the history of the Patani conflict—both sides had considered exploration of political solutions to settle this long-standing conflict.

As a result of the peace dialogue initiated in 2013, the idea of ‘peace process’ has been increasingly and actively discussed among civil society actors and even some government agencies within and outside the deep-south region. Notably, this official peace talk initiative has provoked silent groups such as the Buddhist and the Chinese who are the minorities in the southern border provinces to become more aware of the necessity for them to engage in the resolution of the Patani conflict. It is indeed important for building peace and moving to reconciliation that all conflict-affected groups start to speak up and be willing to discuss the matter amicably.

## The New Hope for Peace Process

The Thai military junta government may also be engaging better with the intuition that dialoguing is far better than taking up arms. With an agreement with the Malaysian government to facilitate the talks with the people with different opinions to the Thai state at the end of 2014, and the military government pledged to form a Steering Committee for Peace Dialogue. Prime Minister Prayuth Chan-ocha himself will administer the framework for the peace dialogue with intentions of hopefully finding solutions to end the conflict in the Deep South (The Nation, 2014).

On the insurgency side, based on the spirit of the peace talk initiative in 2013, the *Barisan Revolusi Nasional* (BRN Action Group), *Barisan Islam Pembebasan Patani* (Patani Islamic Liberation Front, or BIPP), *Gerakan Mujahidin Islam Patani* (Patani Islamic Mujahideen Movement, or GMIP) and three factions of the Patani United Liberation Organisation (Pulo-P4, Pulo-DSPP and Pulo-MKP)<sup>5</sup> have now

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<sup>4</sup>At the end of 2013, the BRN demanded that the Thai party meet five conditions, which are

- (1) Recognising the BRN as the official representative of the Patani people;
- (2) Appointing Malaysia as a mediator;
- (3) Engaging ASEAN community members, OIC and NGOs in witnessing the dialogue;
- (4) Recognising the existence and the sovereignty of the Patani Malay nation in the land of Patani; and

(5) Releasing all Patani-related political prisoners (Barisan Revolusi Nasional Melayu Patani, 2013).

These demands are indeed a great challenge for the Thai side to overcome. But before the then Thai government could explore response to those proposals, they were overshadowed by the expanding anti-government protest during the time.

<sup>5</sup>Note that Pulo-P4 has withdrawn from the group in April due to internal disagreement (Chalermripinyorat 2015).

come together under a new umbrella organisation, *Majlis Syura Patani* (Patani Consultative Council) or MARA Patani. The group was formed in March 2015 with the objective of functioning as the highest council for political movements for the struggle of the Patani people (Hafez Al-hakim 2015a, b; Kummetha 2015). The establishment of MARA Patani can be considered a momentous development for the Malay-Muslim insurgency as it shows that they have tried to organise themselves to act together under a single umbrella organisation.

The creation of these structures may enable the political-level negotiations to move the peace process forward and it could also contribute to the establishment of a reconciliation process for the Patani conflict as well. An interesting observation of the speech of MARA Patani chairman at the press conference in Kuala Lumpur on 27 August 2015 and in the press statement of the Head of the Thai's Peace Dialogue Panel released on 22 September 2015 is that both parties have invited the civil society sector to join them in working towards resolution of the Patani conflict (Al-Hakim 2015a, b; Prachathai 2015). This suggests that both parties are seriously aware of the power of people. However, we will have to wait and see if these invitations are just their ways of expanding their support base or whether it indicates that they have a genuine willingness to cooperate with other groups. But in any case, these invitations have opened up space for building reconciliation between the authorities, the militants and the people living in the Deep South.

## National Reconciliation in the Patani Conflict

Not so long after the resurgence of the armed conflict in the Deep South in 2004, Prime Minister Thaksin Shinawatra felt the need to do something to reduce the incidents of armed-violence in the three southernmost provinces. In March 2005, the National Reconciliation Commission (NRC) was thus created, comprising of 50 key actors from different sectors including the government, security, and civil society from within and outside of the Southern border provinces. However, the work of the NRC was rather too short. It lasted for less than two years, from March 2005 to June 2006. The outcome of NRC was a recommendation report supporting the concept, 'overcoming violence through the power of reconciliation' (National Reconciliation Commission 2006).<sup>6</sup> This report was composed of analyses of the violent incidents concerning three major but different aspects: direct violence, structural violence and cultural violence; an analysis of the possibilities for the escalation of violence in the future; and recommendations for three main kinds of reconciliation: immediate, sustainable, and political. Some of the recommendations are illustrated here:

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<sup>6</sup>The English translation is an unofficial to the author's knowledge. For further reference, here is the link of the original report in Thai, <https://chaisuk.files.wordpress.com/2008/09/nrcreport-thai1.pdf>.

- Forming an unarmed peace unit in the communities following Gandhi's Shanti Sena to solve conflict by using non-violent means;
- Engaging with militant groups in dialogue;
- Improving the efficiency of the justice process based on truth, the rule of law and accountability, and strengthening society by allowing public participation in upholding justice;
- Embracing Pattani Malay as a working language in the Deep South region;
- Promoting dialogue for reconciliation;
- Establishing the Southern Border Provinces Peace Strategy Administration Centre (SBPPSAC);
- Creating a Council for the Development of the Southern Border Provinces Area;
- Establishing a fund to support healing and reconciliation to provide healing for sufferers through existing community institutions, such as temples, mosques, schools, and pondok schools regardless of their religious and political beliefs (National Reconciliation Commission 2006).

The suggestions in this report seemed to be relevant to the conflict, however the report failed to discuss the original cause of the conflict (McCargo 2010). The information provided about the actors behind the violent incidents was not clearly presented in the report (Chalermripinyorat and Deep South Editor Team 2013).

Given that the reconciliation commission was formed while the conflict was still fluid and volatile, this was unlike reconciliation processes in other countries where seeking truth and justice in the post-conflict situation is the usual aim (Satha-anand 2005). This national reconciliation commission faced many challenges coming both from outside and within the commission itself. One of the main challenges was that many people, including the key commission members, could not imagine solutions that didn't reflect their perceptions that Thailand was a homogeneous nation in terms of race, religion and ethnicity, which was obviously not the case. This meant that the NRC was different from other reconciliation commissions elsewhere, in that their work intended to bring about the search for truth, justice, forgiveness, healing and other relevant matters (Bloomsfield 2003, p. 12). Due to the abovementioned, somewhat distorted perception, the NRC failed to uncover the truth and virtually blindfolded their reconciliation operation. Proposed solutions, such as making Pattani Malay a working language in the southernmost region was simply rejected by many nationalists, including the head of the Privy Council, as it would undermine the Thaification ideal that Thais must speak the Thai language only (The Nation 2006). With this kind of fixed mindset, the idea of having autonomy was just unimaginable for many members on the NRC.

Another big challenge for the NRC was the government's inconsistency in the political will that they demonstrated in encouraging reconciliation. It is possible to say that P.M. Thaksin did not really have the political will to build reconciliation in the Deep South. His intention at the time was only to reduce the tension that critics who were against his hard-line counterinsurgency policy imposed in the South. Only a few months after the NRC was established, the government issued an emergency decree to the southern border provinces. This suggested that the

government did not have much understanding about the reconciliation process. Such a decree undoubtedly did not create a suitable atmosphere at all for reconciliation.

Only a few of the recommendations proposed were realised. For instance, the creation of the fund for healing and reconciliation and the re-establishment of a regional administration centre were among those implemented.

Despite the fact that the fund to support healing and reconciliation was created, the actual delivery revolved around giving remedy assistance, mostly in monetary form, to the families of the victims who were killed or injured in the incidents of armed-violence. The usual pattern became that after the violent incidents, relief workers from government agencies as well as from CSOs would pay a visit to the families of the victims and give them an amount of money as a form of 'remedy compensation' in order for them to move on after their loss. In some cases, the military would do that as well. The families of the victims would normally receive a particular amount of compensation as a cash payment depending on how severe the case was, for example, whether the victim was killed or injured.

There was also a correlation between the social status of the victims and the amount of compensation paid. The remedy compensation paid to families was higher if the victim was a person of authority than if he or she was an ordinary citizen. While the family of a policeman received 500,000 Thai Bahts (worth approximately 15,000 US dollars), the family of a normal citizen received only 200,000 Thai Bahts or approximately 6000 US dollars) (Baheh 2014, para. 16). This remedy compensation system was part of an approach the Thai government adopted to pursue reconciliation, saying that the state was willing to assist its citizens regardless of their political views (Baheh 2014). However, it was clear that there was provision for monetary assistance, while the concern about finding and bringing the perpetrators to justice remained absent, and this did not support the reconciliation process. In fact disbursement of the remedy compensation payments has created grievances between the Patani-Malay people and the authorities. They perceive the state's remedy compensation as being an insult in suggesting that the state can end the problem by paying them money.

## **Building Reconciliation Alongside Peacebuilding**

In resolving a deep-rooted conflict, such as in the Patani instance, a political solution is highly necessary but it is also not enough by itself. While pursuing conflict resolution at the elite level, addressing wider social and economic issues must also take place. Through years of marginalisation and armed violence, the relationship between the Malay Muslim and Buddhist communities in the region had deteriorated and become severely polarised. As Galtung explained, positive peace is the absence of structural violence (Galtung 1969). In order to achieve this, all stakeholders needed to pay attention to building relationships between people living in the conflict-affected areas while taking into account socioeconomic

aspects, and understanding the history and narratives of both the Malay Muslims and the Buddhists alike, their cultural identities, education systems, and local administration that respond to locals' beliefs and practices.

Since the rebound of the violent incidents in 2004, there have been multi-faceted interventions aimed at resolving armed conflict in the region. According to Thailand's National Bureau of the Budget, the Thai government has spent over 6 billion US dollars on conflict resolution and development in relation to this conflict over the past ten years (Jitpiromsri 2014, para. 25). Still, the review of the government-led development projects showed that these were not very effective measures (McCargo 2008; Burke 2013). Instead of rebuilding relationships between state and local communities in the conflict-affected areas, the interventions delivered by the authorities have actually created more problems in the local communities. These problems are, for example, community leaders allocating benefits from projects to their relatives and cronies first, corruption among local government officers and politicians, inefficient project management and lack of community consultation and proper planning (Jitpiromsri et al. 2012). The state's relief policy is carried out in a somewhat tokenistic manner and bigger issues such as poverty, injustice and lack of rule of law in the concerned provinces continue to remain unsolved.

As politics and reconciliation are intertwined (Bloomsfield 2003, pp. 10–12), the Thai government could enhance political settlements by constructing a reconciliation process between the authorities and local communities, attentively and proportionately addressing the actual concerns of local communities of all ethnicities, such as livelihood development, access to education and health care, access to justice and upholding the rule of law.

Civil society organisations (CSOs) are another group of actors who play significant roles in restoring peace in the Deep South region. Since 2010, CSOs have become more active in getting involved in peacebuilding as a result of the Patani conflict (Ropers 2015; Jitpiromsri 2014). The work of CSOs in the Southern border provinces can be grouped based on their focus, which include: human rights, healing, public media, development of education, religious and cultural aspects, natural resources and environment, community development, women empowerment, youth development, and network building across the Deep South region (Deep South Watch 2012). The civil society actors are made up of religious leaders, academics, NGO workers, media workers, health workers, women's groups, youth groups and student associations. Quite a few civil society groups in the region are those directly affected by the armed conflict; they have volunteered themselves to help others in demanding their rights in the face of armed violence and have developed their work more organisationally.

Despite some deficiencies, such as lack of coordination, limitation of human resource development and donor dependency (O-in 2012), CSOs in the Deep South have demonstrated their abilities to broaden participation of people who have been normally left out of the decision-making processes, such as women and youth. By using the middle-out approach to peacebuilding (Lederach 1997), the CSOs in the Deep South region have been taking up roles in providing connections between the

conflicting parties and also at the grassroots level. Over the past years, they have gained recognition from the state and also from the insurgency groups as demonstrated by the positive fact that a couple of civil society representatives were invited to join in the 2013 peace dialogue.

Considering that CSOs have local knowledge and contextual understanding of the situations on the ground, they have potential to build inter-communal links, promote dialogue, and engage people across identity groups and at different levels of society that are critical to reconciliation (Prendergast and Plumb 2000). An interesting initiative of the CSOs in the Deep South region that could facilitate reconciliation is the creation of Patani's Insider Peacebuilding Platform. Different educational institutes and think tanks in the field of peace and conflict studies from inside and outside of the southern border provinces initiated the Insider Peacebuilding Platform or IPP (Anuvatudom and Ropers 2013). Those institutes are the Centre for Conflict Studies and Cultural Diversity (CSCD) and the Institute for Peace Studies (IPS) at Prince of Songkla University (PSU), the Centre for Peace and Conflict Studies (CPCS) of Chulalongkorn University, the Peace Information Centre (PIC) of Thammasat University, the Institute of Human Rights and Peace Studies of Mahidol University, the Office of Peace and Governance at King Prajadhipok's Institute (KPI), Deep South Watch (DSW), a well-known local media organisation, and the Berghof Foundation Liaison Bangkok.

These organisations have been working towards building peace and resolving conflict at different levels for several years in order to address the Patani conflict. Therefore, they have quite a profound understanding about the conflict and its dynamics. Group members had observed that there was an increasing number of CSOs working in the Deep South in recent years, however each organisation works on its own and for its own cause, thus more collaboration between them may be more successful in addressing the issues at hand. Co-operation across organisations takes place mainly between likeminded groups that are based along the lines of the same religion, same ethnicity, or share the same political views. Although there was an establishment of the Civil Society Council of Southernmost Thailand in 2011, there was no concrete strategic planning and operations among CSOs towards peacebuilding. In accordance to the belief of the IPP core members, positive peace will happen as long as ideas and actions come from 'insiders' who spend their lives amidst on-going conflict. However, peacebuilding cannot happen if the stakeholders do not talk to each other<sup>7</sup> and endeavour to work together in some ways. The group discussed and agreed that it was necessary to create a neutral space that allowed all stakeholders and also professionals in peacebuilding within the Patani conflict to come together and learn about conflict resolution and peacebuilding.<sup>8</sup>

In selecting participants to join the IPP, the core members set criteria based on the following considerations: (1) the participants can be from any part of the country but they must be committed and engaged to end political violence and

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<sup>7</sup>A core member of the IPP, personal communication, 19 April 2015.

<sup>8</sup>Ibid.



transform the conflict towards peace and justice; (2) they have to represent the different cultural, religious, political, professional and ethnic backgrounds of people affected by the conflict; (3) they must be able to reflect the mindset of a wider network of constituents and function as multipliers within their constituency; (4) they must be open-minded to engage constructively with persons from different backgrounds and with different opinions and thereby potentially bridge the gap between the core parties on one side or both; and (5) they should be interested in working towards a common platform of insider peacebuilders therefore making their joint efforts as effective and practical as possible (Anuvatudom and Ropers 2013, p. 5). Using an informal approach to invite people from various backgrounds to join the IPP was also a crucial factor; currently there are about 30–40 people who regularly participate in the activities of the group.

In the beginning, the core members of the group planned and facilitated the learning activities. Different learning and teaching tools used by the IPP were chosen to help participants develop a systemic understanding of the conflict, to vary learning activities by creatively using visualisations and, importantly, to gradually build trust and confidence among participants. These tools have helped participants to gain a more comprehensive understanding of analysis. The IPP core members paid attention to particular terms used in their activities with the intention of enhancing the most positive learning ambiance for all participants. In the context of any protracted conflict, the issues of impartiality and neutrality are very challenging for peacebuilding actors to ensure. It is important to note that the primary members of IPP are very discreet by presenting themselves only as facilitators who provide a space for participants to learn about conflict analysis. This had helped welcome participants to join in the platform and be involved candidly.

Considering the IPP was quite new to many, even to most of the core team members, one year after its commencement, the team decided to formalise their reviews as an action research exercise in order to enhance their activity planning in the future. Through a number of workshops throughout the past three years, participants in this peacebuilders platform have gained more knowledge and more profound understandings about the Patani conflict. Many participants became more open and more empathetic to the concerns of their adversaries. According to Anuvatudom and Ropers (2013), two of the core members of the IPP, some of the significant feedback from the participants follows:

- Some Thai Buddhist participants mentioned that from joining the IPP, they had for the first time realized the strength of sentiment shared by the Malay Muslims for “liberation” and “independence”. Before joining the process, they had thought that only a very small group in the region were united by such attitudes. Some of these participants also mentioned that they had started to look more critically at the media and what was often the biased information that they presented.
- Some participants had applied the tools and the working procedures within their own work. For example, some community leaders had tried to solve community conflicts by using the ‘Position and Interest Analysis’ tool, in conflicts arising from fisheries issues.

- A number of the participants expressed that the process had created a common space for people from different backgrounds to understand the on-going conflict and to develop a joint perspective for conflict transformation.

This joint learning process has been successful in forging new common understandings, shared knowledge, and beliefs among some of the participants, including those who originally had different understandings and feelings towards their adversaries. Thus, the creation and operation of the IPP can be considered an innovation in peacebuilding for the Patani conflict. So far this is the only initiative where all stakeholders, be it Malay-Muslim, Thai-Buddhist, or Thai-Chinese from diverse backgrounds, such as government authorities, military officers, civil society activists, business people, academics, politicians, media, and members of women's and youths' groups, have come to learn to analyse the conflict together. The process of reconciliation is one of a society-wide, long-term process of deep change, which finds ways to rebuild relationships, come to terms with past acts and enemies, and acknowledges, remembers, and learns from the past. Therefore it has to be a voluntary process and cannot be imposed by external actors (Bloomsfield 2003, p. 14).

The IPP's learning process has initiated a new atmosphere for peacebuilders in the southernmost provinces. It has proved that it is possible for people who come from different ethnicities, hold different religions and, most importantly, different political beliefs, can sit together and have long discussions about the problems that have been happening in their own communities and homes. It is not that they agree on everything, yet they tend to listen to each other a lot more than they did before this initiative began.<sup>9</sup> This local initiative has allowed participants to not only express their feelings and their thoughts regarding the conflict but they also have a chance to listen to their fellow citizens who either share the same beliefs or have distinct views concerning the same situation. Significantly, it has encouraged analytical and constructive thinking to occur among the participants and this is crucial to both reconciliation and conflict resolution.

The conflict in the Deep South region of Thailand has now come to the point where many people living and working in the region have begun exploring avenues for change and future reconciliation that can lead to sustainable peace. The CSOs have been proactive in generating knowledge about peacebuilding and conflict resolution through various means of communication, which include mainstream media sources, alternative media, social networks, and the organisation of public events.

Notwithstanding, many questions and challenges remain. To begin with, it would be important to find ways to follow up on how effective the IPP participants are in integrating the knowledge and skills they learned in the process. Also, the participants' organisations have their own agendas and goals, which may interfere with the effectiveness of the IPP. From the author's observation while working within the Deep South region during 2010–2011 and 2013–2014, many key social activists from the region received many capacity building opportunities; however,

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<sup>9</sup>IPP participant, personal communication, 24 April 2015.

they tended to have limitations in how they applied their knowledge to their strategic planning and work.

Considering the opportunities and challenges that have been presented, the IPP has potentially contributed to reconciliation between the communities involved in the conflict in the Deep South; for example, a political agreement was reached between the key armed parties—the Thai state and the insurgent groups. Following Lederach’s approach to building peace, the IPP is indeed meant to be a common space for stakeholders to come together to examine the conflict and to find solutions to this conflict collectively as Srisompob Jitpiromsri, a renowned academic on the Deep South conflict and one of the IPP core members said (Samoh 2012). Essentially, the work of the IPP also helped empower the middle-range actors who could potentially link the grassroots’ processes to the elite level negotiations.

In the meantime, the IPP may mitigate the polarisation caused by the violent conflict (Kalyvas 2006). Currently, IPP members are discussing the possible directions they could take. Should the IPP retain its current focus as a place of learning, where participants can acquire knowledge and skills, which would be used in their own constituencies? Or should they take more concrete actions, such as making public statements in the aftermath of incidents that take place.<sup>10</sup> The IPP could also consider integrating the planning activities of the participating CSOs and core members. This would be a response to the problem of inefficient application of imparted knowledge, as mentioned earlier. The core members, academic institutions, think tanks, and peacebuilding professionals, could discreetly lend their expertise to facilitate and improve the planning of the CSOs, which often lack such skills. This would go beyond mere training and facilitation in the direction of coordination and strategic planning towards both peacebuilding and reconciliation. This would then enable a real change; from an atmosphere of fear and distrust to a more harmonious environment where everyone could live together with demonstrating more understanding and tolerance.

The IPP and other CSO initiatives could create a peace constituency amidst the conflict that could be the basis for reconciliation once the conflict has settled. In this situation, it is conceivable that reconciliation must happen in some meaningful form for peacebuilding to be effective in delivering a more sustainable environment for development and harmonious coexistence.

When creating the desired situation in the Deep South, CSOs will undoubtedly face several challenges, most importantly, the possibilities of being manipulated by spoilers. Sadly, there is no existing prescription about how to avoid such an issue. Civil Society Organisations therefore, must find ways and means to maintain their credibility or impartiality. They need to maintain a delicate balance between taking this intermediary position and not becoming tools of the conflicting parties. Also, they need to strive to ensure channels of dialogue remain open among communities caught up in the conflict. Since violence in the Deep South is still on-going, the likelihood of future events that may create further grievances and polarisation

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<sup>10</sup>A core member of the IPP, personal communication, 19 April 2015.

remain high. Should local CSOs in the Deep South of Thailand manage to achieve these desired circumstances, it is likely that they would be in the position to support reconciliation effectively when the time is right. Still, to date, the cessation of conflict has not come to fruition, but the CSOs keep working.

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## Author Biography

**Nansiri Iamsuk** is a M.A. graduate of International Peace Studies. Through her years of working in different international development aid agencies concerning livelihood and food security and community empowerment programmes in the Southern border provinces of Thailand, she had learned about how locals were struggling to meet their livelihoods needs while being ambitious in making their peace. Since then, Nansiri has followed the development of peacebuilding in those provinces. Her interests include conflict transformation through sustainable development and building community resilience.

# Chapter 11

## Reconciliation in Australia? Dreaming Beyond the Cult of Forgetfulness

Julie Collins and Warlpa Kutjika Thompson

### Introduction

This chapter explores the history of reconciliation in Australia, the policy framework, obstacles and achievements. It draws on the experience of Julie Collins of Reconciliation in Action at Myall Creek and in the work of the community arts organisation, Beyond Empathy and also shares the experiences of Warlpa Kutjika Thompson, a Wiimpatja,<sup>1</sup> from the western district of NSW. I (Julie) have been collaborating with Warlpa Kutjika Thompson on this chapter on Australian reconciliation and other projects, in an attempt to share power and perspective. Our collaboration has led to many interesting discussions that have deepened my understanding of the complexity of what needs to happen for reconciliation to occur.

As a non-Indigenous person, I passionately hope that reconciliation between Indigenous and non-Indigenous Australians will succeed. People ask me why I feel so strongly about this when I was not even born here, and I reply that I love Australia, but it was apparent to me when I came here that it is a divided country. While coming to Australia has enabled me to escape the British class system and the discrimination I had received at times for being a northerner, it seemed to me that this new-found egalitarianism had been achieved at the expense of Australia's Indigenous peoples, who remain at the bottom of the social hierarchy in their own land; since colonisation, they have been treated with discrimination, which has an ongoing legacy. It was obvious to me as an outsider that much more needed to be

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<sup>1</sup>Wiimpatja is the word for man in the Paakantji (Barkintji) language.

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done to heal the wounds of injustice, and having lived in Australia for many years now, that is still my belief.

The well-being of all people is dependent on feeling a sense of belonging (Seligman and Csikszentmihalyi 2014; Maslow 1968); this impacts on our communities and our society in general. While non-Indigenous Australians can be preoccupied with either a sense of rightfully ‘belonging’ to or not ‘belonging’ to this land (Read 2000), Aboriginal and Torres Strait Islander peoples struggle to feel a sense of ‘belonging’ in a society, which reflects a predominantly colonial heritage.

The following is a poem written by an Aboriginal student from Drummond primary school in Armidale and published in the School newsletter.

*My Dreamtime*

I'm living right here in Armidale, but this is not my home, my home is in the dreamtime.

“It’s not like the old days”, my Nan would say. “You can hear the didgeridoos at night, the kangaroos jumping along the ground”.

“It’s not like the old days”, my Nan would say. “I could play with the Echidna that would slowly pass me by.” Sometimes I wonder will it come true?

Will I live in my dreamtime where the possums swing and the bats hang?

“It’s not like...”, my Nan would say.

The dreamtime has passed me by: It’s like it wasn’t there.

I would like to hear the didgeridoos play at night and see the fire burning blazes through the night.

It’s not like how my Nan would say to me.

By Curtis (2002)

The poem reflects a sense of loss, and a sense of not ‘being at home’ in the mainstream society, but it also articulates the survival of a distinctive cultural perspective, and one that deserves to be accommodated.

## So What Is Reconciliation?

According to the Oxford Dictionary (online n.d.), reconciliation is:

1. ‘The restoration of friendly relations’; well maybe not the restoration of friendly relations in this context, but improved relationships between Indigenous and non-Indigenous Australians are certainly a desirable outcome.
2. ‘The action of making one view or belief compatible with another’. There will never be agreement on the legacy of colonisation, but we do need to acknowledge our shared history.
3. ‘The action of making financial accounts consistent; a harmonisation’. Restitution or reparation for the deep losses sustained by Aboriginal and Torres Strait Islander people has not thus far occurred, and financial recompense is unlikely to do so.



Reconciliation has become an important focus in recent decades, with many countries, notably South Africa, Yugoslavia and Rwanda, grappling with issues such as ‘truth, justice, vengeance and forgiveness’ (Short 2012, p. 293). In countries with more long-term and pervasive conflicts between the Indigenous people and the colonising state, for example Australia, New Zealand, Canada and the USA, the concept that reconciliation can build a unified national identity is highly problematic. Indigenous peoples have defended their right to a unique identity ever since colonisation. Australia has an added complication in that, unlike our colonial counterparts, no Treaty was ever made with the Indigenous inhabitants (Short 2012, p. 294); the road to reconciliation is entangled with debate over how best to recognise our Indigenous peoples, who never ceded sovereignty.

In 1968, W.E.H. Stanner delivered a Boyer lecture entitled *the Great Australian Silence*, in which he argued that the history of invasion including theft of land and massacres had been ignored and that this ‘silence’ was ‘structural’; ‘a view from a window ...has been carefully placed to exclude a whole quadrant of landscape’ (Stanner 1969, p. 22–25). Over time this turned into ‘a cult of forgetfulness practised on a national scale’. Subsequent revisionist histories and their rebuttals led to the History Wars and an inability to reach a consensus on our shared history (Reynolds 2006; Evans 2010).

## The Council for Aboriginal Reconciliation

In 1991, after decades of activism from Aboriginal and Torres Strait Islander people, the Australian Parliament finally passed legislation creating the Council for Aboriginal Reconciliation (CAR). This Council was to promote and guide a ten-year process of reconciliation between Indigenous and non-Indigenous people and was to be completed in time for the centenary of Federation in 2001 (Gunstone 2004). While the then Minister for Aboriginal and Torres Strait Islander Affairs, Robert Tickner acknowledged, there ‘can be no reconciliation without justice’ (Tickner 1991, p. 29), the need for cross-party support ensured that ‘education’ for the non-Indigenous society became the primary focus of the process (Short 2012, p. 294).

Concerns with the reconciliation process were explained in the following terms (Gunstone 2004):

- The concept of justice was narrow; concerned with socio-economic issues rather than restitution for the wounds of the past.
- The Nationalist framework marginalised issues such as land rights, self-determination, sovereignty and a Treaty.
- While CAR advocated a shared history, this was not about recognising the reality of frontier violence and the removal of children, but about:
- ‘Actively sharing Aboriginal and Torres Strait Islander peoples’ history and culture’,

- Enabling ‘non-Indigenous Australians...to lengthen and strengthen their association with this land’ (CAR 1993, p. 1). This seemed to many Indigenous Australians to be yet another form of colonial assimilation (Gunstone 2004, p. 10).
- CAR included an apology in its *Declaration towards reconciliation*, but this was conditional on Indigenous people expressing forgiveness (Gunstone 2004, p. 11) and, a promise not to use the past to claim any sort of reparation in the future (see Digeser 2000, cited by Gunstone 2004).

The CAR policy on reconciliation was limited as it avoided an acknowledgement of the deep truths and wounds of the past. An emphasis was placed on Indigenous Australians to forget their trauma and to forgive without restitution (Reynolds 2006).

## Key Event of the Reconciliation Decade

In 1992, the *Mabo* decision recognised that Indigenous common law Native Title rights had survived colonisation. In December of that year, Paul Keating<sup>2</sup> made his famous Redfern speech acknowledging that:

We (non-Indigenous Australians)

Did the dispossessing... took the traditional lands and smashed the traditional way of life.  
... committed the murders.. took the children from their mothers... practised discrimination and exclusion (Keating 2000, p. 2).

But despite Keating stating that *Mabo* could herald ‘a new relationship between Indigenous and non-Aboriginal Australians’, the 1993 Native Title legislation was disappointing, putting the onus of proof on Native Title holders, demanding continuous connection and giving no power of veto over future land use acts (Short 2012).

In 1997, the Bringing them Home Report was released describing the forcible removal of children as Genocide [Human Rights and Equal Opportunity Commission (HEROC) 1997]. Prime Minister John Howard said he regretted the ‘blemishes’ of Australian history, but claimed that an apology on behalf of the Australian people would be inappropriate as ‘Australians of this generation should not be required to accept guilt and blame for past actions and policies over which they had no control’ (Howard 1997). Despite this lack of leadership, the Australian people took into their own hands to apologise. Sorry books appeared in public places, and many expressed their sorrow and regret to the ‘the stolen generation’. From then on, an apology was inextricably linked with the reconciliation process (Auguste 2010).

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<sup>2</sup>Paul Keating was the Prime Minister of the Labour Government then in Office.

In Rudd (2008), Rudd did deliver the long-awaited apology to the stolen generation, but he deliberately avoided using the ‘G’ word, and no reparation was offered (Short 2012). There was no apology for the massacres. The apology was an extraordinary event, with thousands flocking to public spaces and places to watch Prime Minister Rudd deliver the speech on giant television screens. However, as I huddled with hundreds of others in the Armidale Town Hall, I could not help feel some cynicism as only the day before, thousands of Indigenous Australians had marched in Canberra to protest the continuation under Rudd, of the previous Government’s policy and legislation: the Northern Territory National Emergency Response Act.<sup>3</sup>

## How to Recognise Indigenous Rights

A Treaty would still be the most apt way to acknowledge the entitlements of Indigenous Australians, but most recently the option to give Indigenous Australians recognition in the preamble to the Constitution has been gathering momentum (Twomey 2011). The Abbott Liberal Government proposed that a referendum on this issue be held on 27 May 2017, the 50th anniversary of the 1967 Referendum which allowed the inclusion of Aboriginal and Torres Strait Islander peoples in the census (ABC News 27 May 2015). This option is not supported by all Aboriginal groups as it involves the recognition of Indigenous rights within a colonial constitution, which carries an implicit acceptance of the sovereignty of the Australian nation at the expense of a never ceded Indigenous sovereignty. Abbott’s successor, Malcolm Turnbull, gave his support to the idea of a Referendum in February 2016, but the election campaigns of 2017, of both major parties, Liberal and Labour, were curiously silent on Indigenous affairs. In May 2017, a constitutional convention brought together more than 250 Aboriginal and Torres Strait Islander leaders at the base of Uluru on the lands of the Anangu people (McKay 2017). The majority supported the Uluru Statement from the Heart which called for the establishment of a ‘First Nations Voice’ in the Australian Constitution, not simply tokenistic recognition, but a federally funded representative body. The Uluru Statement also called for a ‘Makarrata Commission’ to supervise a process of ‘agreement-making’ and ‘truth-telling’ between governments and Aboriginal and Torres Strait Islander peoples. *Makarrata* is a Yolngu word, often used instead of ‘treaty’, as it means the coming together of two parties to heal and resolve a conflict (McKay 2017).

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<sup>3</sup>In 2007, without consultation, with the stated intention of protecting children from abuse, Howard introduced a package of welfare provisions and law enforcement, which curtailed basic freedoms and land ownership rights. Many commentators, including the United Nations, have denounced this legislation as discriminatory (Short 2012). While there was support for the intervention amongst some Indigenous leaders, it can at best be described as ‘coercive reconciliation’ (Altman and Hinkson 2007).

## ‘Justification not Recognition’<sup>4</sup>

A paper by Ivison (2016, p. 12) argued that ‘there is a danger in confusing the referendum process with the necessary and sufficient conditions for establishing a just set of relations between Indigenous people and the state’. The Australian constitution is based on historic injustice, with ongoing impacts on distributive inequality; in a nutshell Aboriginal and Torres Strait Islanders in our society have less material wealth and this impacts on how others perceive them; this lack of respect is internalised by Indigenous people, resulting in feelings of inferior social worth, reinforcing existing structural and material inequalities (Ivison 2016, p. 14). To counter this, Indigenous theorists propose a self-conscious reconstitution of Indigenous identities, independent of the settler state. The focus is therefore on *resurgence* not recognition, rebuilding Indigenous communities in terms not defined by the state and through a counter-assertion of alternative sovereignties. This underpins my profound belief that reconciliation can only occur between people standing on level ground and on ground of their own choosing.

Justice is not only a matter of how resources ought to be distributed, but also ...how decisions about allocations should be made. The shift is, therefore, from a focus on recognition to a focus on power, and thus to relations of *justification* (Ivison 2016, p. 16).

## Grass-Roots Reconciliation: People’s Power

In spite of the political tardiness, I cannot help but be optimistic: Reconciliation is happening, slowly, by stealth, but with an unstoppable momentum, and the driving force is from the grass roots; from the inspiration and work of individuals and local communities, both Indigenous and non-Indigenous.

In 1997, I attended the reconciliation Convention in Melbourne and was present to hear Indigenous Leader and Council chairperson, Patrick Dodson’s ‘Call to the Nation’ speech:

Reconciliation and the renewal of the nation can be achieved only through a people’s movement, which obtains the commitment of Australians in all their diversity to make reconciliation a living reality (Dodson 1997).

The Call came during the Closing Ceremony and was endorsed by the 1500 participants present with a standing ovation lasting for several minutes.

A key component of the reconciliation movement has been this people’s movement, which inspired such things as the Sydney Harbour Bridge Walk in 2000, and the development of Australians for Native Title and Reconciliation (ANTaR), which initiated the Sea of Hands project in 1997 (ANTaR, n.d.).

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<sup>4</sup>Ivison (2016).

The reconciliation process now has more than a twenty-year history in Australia. Gunstone (2014, p. 75) described several key components considered essential to the process of reconciliation, which had been identified by a number of political and academic commentators, Indigenous and non-Indigenous (Agius et al. 1999; Behrendt 2003; Clark 2000; Foley 1999; Gunstone 2009; Pratt et al. 2001; Saulwick and Muller 2000b, all cited in Gunstone 2014, p. 75). These are:

- The recognition of Indigenous rights, including cultural rights, self-determination and native title;
- The education of the wider community in Indigenous issues;
- The acknowledgement of the history of Indigenous and non-Indigenous relations, including genocide and massacres;
- Community involvement, including the development of local reconciliation groups;
- And the addressing of Indigenous socio-economic disadvantage in areas such as education, employment, health and housing.

These are the cornerstones and foundations that need to be laid if reconciliation is to occur in Australia and the benchmarks by which we should measure projects and initiatives that purport to be about reconciliation or which are fundamental to the creation of the conditions that would make it possible.

I have been involved in two sites of reconciliation at the grass-roots level, which were ‘Walking together’ and ‘Working together’. Such rhetoric of the reconciliation movement can generate a powerful embodiment of reconciliation. Both sites of local engagement have promoted reconciliation across the Nation. It is worth noting that both projects were initiated in the country of the Gamilaraay/Kamilaroi language group; two different spellings as used at the two different locations, but signifying inclusion in the same nation.

## **Walking Together at Myall Creek**

### ***‘Deathscapes’ of the Australian Frontier***

The colonial frontier, a place of conflict, massacre and disproportionate reprisal, was a place that Taussig (1987, p. 4) described as a ‘death-space in the land of the living’, a place where ‘Cultures of terror’ were ‘nourished through the intermingling of silence and myth’. Although the use of terror was never legally sanctioned, pastoralists were able to shroud what must be public knowledge locally in ‘a mantle of silence’ to the outside world (Rose 1991, p. 24). The convenient myth images of Aboriginal people, brought by white settlers to the frontier, were of the ‘Debased savage’, who was murderous and revolting, and of the ‘Noble savage’ who was stone-age and therefore destined for imminent extinction (Rose 1991, p. 24). Tatz (2014) argued that the killing era was for many akin to removing non-human pests from their land rather than warfare resulting from colonial invasion.

Myall Creek Station had been established in 1837 by Henry Dangar. According to oral history, gathered by the late Len Payne of Bingara, the Gwydir area of New South Wales exploded in an outburst of violence known as the 'Drive' or the 'Bushwhack' early in 1838 (Milliss 1992). Aboriginal people of the Wirrayaraay tribe of the Gamilaraay language group had sought refuge with the four men who worked at Myall Creek Station. However, on 10 June 1838, stockmen rode into Myall Creek station and brutally murdered 28 unarmed women, children and old men. The young and able-bodied Wirrayaraay men were away cutting bark on the neighbouring station.

Eleven of the twelve men who carried out the massacre were arrested, tried and acquitted. In a second trial, seven of them were found guilty and hanged. Myall Creek was just one of many massacre sites in the New England and north-west region (Blomfield 1992; Milliss 1992), but gained notoriety because several of the perpetrators were brought to justice. A legacy of Myall Creek was that subsequent massacres were cloaked in silence (Blomfield 1992; Goodall 1996). Massacres continued throughout Australia until at least 1928 (Tatz 2014).

I first attended the Myall Creek Annual Commemoration ceremony in 2000. This was the first year that the Memorial Rock and Serpentine Walkway had been established to tell the story of the massacre through commemorative plaques and to provide a focal point with a huge memorial stone for an annual ceremony (Collins 2012). It was awe-inspiring to approach along the Delungra Road and to see hundreds of cars parked in a paddock by the Myall Creek Memorial Hall (a memorial for soldiers killed in the First World War). On this day, it appeared as if commemorating this later tragedy had obliterated the earlier event. There was quite a buzz of anticipation in the crowd, with lots of high-profile Australians like Linda Burney, Rick Farley and John Anderson in attendance. People had travelled from all over the state and beyond to be there. There was euphoria and optimism apparent on the day arising from the reconciliation Walk across Sydney Harbour Bridge, where thousands of people, indigenous and non-Indigenous had demonstrated their support for reconciliation on Sorry Day, 26 May.

The following transcript was presented as a welcoming speech by Paulette Smith, who was a member of the Myall Creek Committee (Collins 2007, vol. 2, p. 90).

**Paulette Smith:** It's been 35 years since Len Payne, a Bingara resident, first proposed the erection of a memorial. In January 1965, the headlines in the Bingara Advocate said 'Memorial to be erected at Myall Creek'. A story followed describing Len Payne's desire to construct a memorial using the hinges and stick rails from the Myall Creek stockyards. The monument would take the form of a symbolic gate suspended from a concrete pillar on the site of the massacre. However, in the following week a Bingara resident wrote a letter to the Bingara Advocate condemning Len's proposal, and said, 'The whole idea is ill-conceived, unconsidered, mischievous and an insult to the Bingara people'. Len attempted to reply to this condemnation but his letter was refused publication. Apex decided against supporting the memorial and the idea was banished.

During the 1980s, Len met with Jim Millar (an Indigenous activist and former UNE Academic) and others from Armidale every June 10 to lay a wreath. Len never lost hope that one day a memorial would be built and up until his death in 1993 he continued to visit the site on every anniversary.

In October 1998, a Conference on reconciliation was held at Myall Creek at the suggestion of Sue Blacklock, a descendent of those who survived the massacre. The group decided on that day to erect a permanent memorial. This was to acknowledge:

If our descendants and we are to live in peace in Australia, then we have to tell and acknowledge the truth of our history...we want Australia to be an inclusive society where Aboriginal and non-Aboriginal are honoured and respect each other. This cannot happen until the history includes the stories of how Aboriginal people experienced history.

At our first big group meeting on March 20, John Brown, a Uniting Church Minister and Chairperson of the Committee, put a very important question to the group. John asked whether the descendants of Myall Creek people wanted the participation of non-Aboriginal people in this project or would they like to take it on themselves. The group was unanimous in its support for a project involving both indigenous and non-Indigenous people. The group decided that the memorial was also for the purpose of reconciling Aboriginal and non-Aboriginal people.

But what I really want to talk to you about is the people. We started out as a group of strangers from all around this area, all united in the common ideal of truth, justice and reconciliation. As the meetings progressed, we became closer. I can remember the days when we all sat round the large table at lunchtime and shared food amongst us, the Johnny cakes cooked by Carmine, the sandwiches from Moree and the plates of fruit from Tamworth. Lyall (Munro) always kept us amused and Roger Knox enlivened our meetings because of his beautiful singing and his wonderful stories.

The day that Des Black, a descendent of one of the perpetrators, arrived was memorable. We had not expected to hear from any of these descendants, but months later Buala Adams came to a meeting and when she and Sue Blacklock hugged we felt that we had really taken a step into the future. I feel that we have all been privileged to be part of the Committee and all the time and effort we've put into the memorial is insignificant compared to the personal gains we've made.

After the welcomes and introductions, we were invited to take the short walk up the hill to the Memorial at the massacre site, remembering the day that those who had been massacred had made the same walk. I think the best part of the whole experience was the walking and the yarnning. As we walked, up the hill to the Memorial site or along the walkway, we talked and made friends, or deepened existing friendships (Collins 2012).

At the beginning of the memorial walk, the Nucoorilma Dancers welcomed us, and a ceremony was conducted with woomeras<sup>5</sup> and a bull-roarer<sup>6</sup> to call up the good spirits. A ritual smoking for purification protected us. Along the walkway were seven smaller rocks on which plaques sequentially told the story of the Myall Creek Massacre. Each plaque was unveiled by an Elder, and its inscription was read out in English and in the Gamilaraay language. The speaking of words in language was tremendously significant. The words were recorded in time and space, etched in memory for the future and reached back in time to the spirits of those who had died in this place.

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<sup>5</sup>A hooked wooden stick used by Aboriginal people for hurling a spear or dart.

<sup>6</sup>A musical instrument or device that produces a howling sound when whirled through the air. Usually, a flat piece of wood measuring 10–35 cm in length and fastened at one end to a thong or string, its pitch is determined by the speed with which it is whirled.

The first plaque emphasised the ecological and spiritual aspects of the Wirrayaraay people's relationship to the land and the importance of land to the Wirrayaraay identity:

From time immemorial, the Wirrayaraay tribe of the Gamilaaraay lived here, caring for the land and harvesting the animals, fish, root crops, grains and fruits in a seasonal cycle. The identity of the Wirrayaraay derived from their spiritual relationship with the land.

At the end of the walkway, at the large Memorial Rock, Minister John Brown and Elder Sue Blacklock greeted us. The Memorial Rock is situated on a site overlooking the place where the massacre occurred. The exact location is protected and only known to descendants and traditional owners. We then participated in a ceremony, involving the descendants of perpetrators and victims.

To witness the reconciliation between the descendants of those massacred and those who carried out the massacre as part of the ceremony was very moving, as was the involvement of local children, both Aboriginal and non-Aboriginal. The day was all about reconciliation (Collins 2012). Here is a short excerpt from the ceremony in 2000 (Collins 2001, vol. 2, p. 96):

A candle was lit.

**John Brown:** We light this candle in memory of those who died on the slopes below... We honour all those people who throughout our history have reached out to one another across the racial division and dreamed of a more just respectful and caring ways of sharing this land. We acknowledge that violence continued at places all over the country for a hundred and forty years, that it was all part of the taking of the land without negotiation or payment.

...We commit ourselves to the continuing search for more respectful, equitable and just ways of living together in the land: When a person's lot will no longer be determined on the basis of their ancestry or skin colour; when young people will no longer bear a grudge against the society because it treats their people and history and culture unjustly.

A bull-roarer is heard from behind the rock.

And we pray that the creator spirit will reward and bless our efforts and grant healing and peace in the land.

In 2000, everyone who attended had been invited to contribute to the final Memorial by bringing a stone to be laid at the Memorial Rock. Those stones are still there, piled up against the Rock and in a circle marking out a ceremonial area surrounding the large memorial rock. Many are buried by dirt now but those stones came from all over NSW and other parts of Australia, and they create a physical reminder that Myall Creek is symbolic of the history of all Australia and a part of all of us who live here today.

## A Cathartic Ritual

To witness the reconciliation between the descendants of those massacred and those who carried out the massacre as part of the ceremony was very moving, this was particularly important to the people who were descendants, but their emotional



encounter was one we could all witness and empathise with. The ritualisation of repentance and forgiveness and the spiritual overtones emphasised the communal and iconic nature of the encounter. I found the movement along the Memorial track, stopping to read the inscription on every stone, reminiscent of the Stations of the Cross (Collins 2001). The traditional smoking ceremony further underscored the theme of cleansing and communality, and the use of the bull-roarer and also the burning of candles provided a ceremonial context. The two cultures came together to produce a ceremony of hybrid origins, but with its own dynamic innovations, hopefully, meaningful for all the participants.

## Creating a New Sacred Site

The use of rocks as Commemorative symbols was iconic, not only for gravestones, but also as a sense of being at one with the land. Like a traditional sacred site, the Memorial was part of the landscape. The fact that participants also brought stones, many from far afield, gave the sense that their presence too would be forever remembered; their stones eternally bearing witness to the presence of many people from many places, sanctifying the sacredness of the site. It became a place where a spiritual ceremonial experience had occurred and could reoccur in the future. The use of rocks to create a memorial also was reminiscent and a counter-narrative to what historian Griffiths (1997, p. 5) described:

By the early to mid-twentieth century, three main types of monument had been erected in the Australian landscape: they were memorials to overseas wars, cairns marking the paths of European explorers and monuments to the last of the tribe'. It is hard to avoid seeing these three as closely related, all establishing and proclaiming the legitimacy of European possession of the Australian continent.

The Myall Creek Memorial by contrast reinscribes an Aboriginal presence on the colonial landscape, and the ceremony held every year, attended by generations of descendants, is a reminder that Aboriginal people and their culture survive in the Australian landscape. The annual gathering has in no way lost momentum. The present site is a tribute to the work of so many Myall Creek Committee members and the Friends of Myall Creek; it is a symbol of reconciliation; and it is a promise for the future, for all of us.

## Reconciliation

The word reconciliation was mentioned often. The process leading up to the day of the commemoration was in this instance extremely important. The coming together of Aboriginal and non-Aboriginal people to work towards the unveiling of a memorial had provided an opportunity for people to work towards a common goal. The process continues to this day, with annual commemorative events. The coming

together of so many people on that day in 2000 had compounded and magnified the act of reconciliation, turning Myall Creek from a place that was shunned by both Aboriginal and non-Aboriginal locals, to a place of peaceful contemplation. It was as if that place that had such a horrendous history, was being transformed by all the positive energies of the people present.

Sadly, the Memorial is not without contention; the stones were vandalised in 2005 (Sydney Morning Herald 2005). But now there are plans to develop an Education and Cultural Centre of national and international significance at Myall Creek, with both a real and virtual presence. This is a place where people can come together to learn about history, culture and healing. There could not be any better place to acknowledge the true story of this country. It represents some of the worst aspects of our history, the unacknowledged massacres, but also the best, the work of reconciliation that has gone on at Myall Creek since before 1988 when the first memorial ceremony occurred on the 150th anniversary of the massacre.

This was a response to a Blog I wrote about my visits to the Myall Creek ceremony over the years in 2012 (Collins 2012):

**Lynette Muirhead:** Julie, the opening of the Memorial was an extremely special time for our family. Walking up the hill carrying our stones, the sound of the Bullroarer at the start of walk, then side by side with other like minded individuals - magic. Then the ceremony... too precious to forget.

While the feel-good atmosphere of the annual commemorative event is apparent, it is useful to consider how this project can be evaluated using the criteria described by Gunstone (2014, p. 75). First and foremost, the Memorial and commemorative event is about acknowledging the history of Indigenous and non-Indigenous relations. It not only acknowledges the massacre at Myall Creek, but identifies that this is only one of many massacres, and that the ceremony is iconic of what happened all over Australia.

The rights of Indigenous people as custodians of this site and this country are recognised here. The site and ceremony seek to educate the wider community about Indigenous issues, and the planned Education and Cultural centre, in real and virtual realities, will extend the reach and scope of this event beyond our shores. The project has undoubtedly involved the community—a very broad community, with local involvement—with people travelling from Sydney and Canberra to participate in the Committee, to be involved as the Friends of Myall Creek. The project does address Indigenous disadvantage in a limited capacity; the proposed Education and Cultural centre would provide some employment for local people. It could also be argued that the promotion of healing of the people and land at this site could have long-term health benefits for those involved:

Aboriginal and Torres Strait Islander health is viewed in a holistic context, that encompasses mental health and physical, cultural and spiritual health. Land is central to well-being. Crucially, it must be understood that when the harmony of these interrelations is disrupted, Aboriginal and Torres Strait Islander ill health will persist.

(Social Health Reference Group for National Aboriginal and Torres Strait Islander Health Council and National Mental Health Working Group 2004, p. 6)

## Working Together with Mubali

The second initiative for discussion involves *Mubali*, a Beyond Empathy project that was initiated in Moree, in north-west of New South Wales in 2004. Beyond Empathy (BE) is a Community Arts and Development organisation, based in Armidale and the Illawarra, that works across regional Australia. Their stated purpose is to ‘enhance the well-being of marginalised individuals and communities’. They seek to create ‘extraordinary art and through that, develop the skills and tools people and communities need...to succeed beyond anyone’s expectations’ (Beyond Empathy, n.d.). Many of Beyond Empathy’s projects involve the Aboriginal community in Armidale and Moree. Young people are placed ‘at the centre of its activity’ (Woolcock 2015, p. 5), as ‘they are the future...of Aboriginal communities’. Projects are inclusive but encourage excellence from talented artists, for example, one of their protégées, Photographer Raphaela Rosella, a young Aboriginal woman living in Moree, was the winner of the portrait category in the World Press Photo awards 2015 (Powell 2015).

While reconciliation is certainly not the specific goal of Beyond Empathy, their projects encourage self-efficacy and cultural resilience, providing mentoring opportunities that encourage young people to be aspirational. If, as I believe, reconciliation needs to occur between two peoples standing on even ground, then Beyond Empathy is creating opportunities for this to happen, by addressing the disadvantage of Indigenous communities.

I have worked on a number of Beyond Empathy projects since 2012; two performance projects that were staged at the showground here in Armidale, Silver City Songlines (2012) and Rainbow Ridge (2013), but the project I would like to discuss here is *Mubali/Sea of Bellies*, which began in Moree in 2004. *Mubali*, meaning pregnant in the local Kamilaroi language, engages women, often very young women, in prenatal education through the incorporation of creative arts, especially the belly casting of the pregnant form, into the care programme. Subsequently, the castes are painted by an artist, often one of the Aunties, or by the pregnant women themselves. The legacy of the programme is far reaching with similar projects now being run in several centres in New South Wales, Queensland and Western Australia.

This paper takes a snapshot view of Mubali at the *Yinaar Yarnup* get together of project participants, held in Moree in May 2013. I was contacted by BE and asked if I would be willing to come and make a short film at this women only event, interviewing workshop participants and cutting together a short documentary promotional video for a funding application. *So, I said yes ...Yinaar Yarnup* was ‘a two day workshop bringing together young Mums, and Elders from the Kamilaroi Nation, with health workers, midwives and support workers from all the Mubali communities’ (Collins 2013a, para 1).

To quote from a Blog I wrote for BE at that time (Collins 2013a).

It was a wonderful opportunity for the women to come together and share their stories, whilst learning traditional creative skills such as basket weaving and language. For me, as a new BE employee it was a revelation to understand the depth and scope of the work undertaken by BE, but also to experience the nurturing and supportive atmosphere of women only workshop.

The benefits of the program for the women involved were numerous: increased birth weights; more knowledge of child development; more engagement with health services; greater connection with grandmothers and Aunties; a peer group of other young mothers to share experiences with; the realization of artistic skills; stronger community; and, perhaps most importantly, an increase in confidence and self-esteem in the girls.

Everyone involved in Mubali expressed their joy at celebrating motherhood, and the many opportunities for cross-cultural learning the project provided. The whole event was awash with babies and children, the best evidence of the success of Mubali!

## Health Impacts of Mubali

Obviously, this workshop was just a snapshot, a qualitative appraisal of *Mubali* from a small group of people at a particular point in time. In order to reflect more deeply on the impact of *Mubali*, from a purely health focussed perspective, Indigenous Mothers are twice as likely as non-Indigenous Mothers to have low-weight babies at birth, i.e. under 2.5 kgs; 10% of all Indigenous births are low birth weight babies (Indigenous health infonet, n.d.). This has an impact on the lifelong health of these individuals, as low birth weight predisposes a person to developing diabetes, cardiovascular and kidney disease later in life (Luyckx and Brenner 2005). Therefore, if birth weights increase amongst *Mubali* Mothers, this is significant in improving the lifelong health outcomes of Indigenous Australians. To focus here on reconciliation, the aspirations and efforts to recognise Indigenous and non-Indigenous Australians as citizens with the same lifelong, health expectations and outcomes require a commitment to providing equity of opportunity from birth.

*Mubali* promotes a strength-based approach (Brough et al. 2004), by recognising the role of the community, the extended family, community organisations and events, in delivering good health outcomes amongst Indigenous Australians. It also draws attention to the significance of the arts and narrative in promoting health and well-being. Crucial to the success of *Mubali* is the belly casting project, the production of artwork and the involvement of local Elders: it was their stories that glued the whole fabric of the project together; oral history and the health information from both Aboriginal and non-Aboriginal health workers was interwoven into a cohesive storyline within this context. What could have been an intimidating encounter for young pregnant girls, with a predominantly non-Indigenous health system, became through *Mubali*, a place of cultural safety and interconnectedness. The role of Aboriginal health workers was also very important in facilitating an environment that was culturally safe (Best 2012).

## Reconciliation

Looking through the prism of reconciliation, two very important sites of connection occurred: everyone involved in *Mubali* was delighted by the success of the programme and by their opportunity to participate in a place of cultural exchange. Non-Indigenous health workers expressed gratitude for their opportunity to be involved and learn from the Aboriginal communities and Elders; they also expressed respect for the strength and resilience displayed by many of the young Mothers. Unlike the deficit model<sup>7</sup> of Indigenous culture inherent in the Closing the Gap policy, which defines Indigenous culture in terms of what it lacks, *Mubali* recognises the strengths of culture, which can flourish given the right environment, allowing the leadership potential of both Aunties and young Mothers to emerge.

The second site of reconciliation was between the Aunties and the young women. Many Aboriginal people have said to me that the process of colonisation left their own communities fractured and in need of reconciliation. The young girl interviewed in the film I made (Collins 2013b) expressed how important the input of the Aunties was to her; their stories their 'very rare stories', encouraged the girls to share their own experiences, creating peer bonds that continued to be important after the birth of their children. The intergenerational bonds that were created by the programme had an enduring impact on the well-being of the whole community.

## Creative Level Ground

The project created a place of level ground, where mutual respect and reconciliation developed; it also gave these young women equitable access to a high standard of antenatal and post-natal care and education in a culturally safe environment. Cultural safety is an important prerequisite in providing appropriate health care to Aboriginal and Torres Strait Islander peoples; it is an approach to nursing practice which encourages reflexivity and cultural understanding in practitioners (Best 2014). Demystifying the attitudes and preconceptions prevalent amongst non-Indigenous medical staff, this approach encourages empathic interactions with clients and involves them in decision-making processes. It is an empowering and decolonising process.

Again considering Gunstone's (2014) criteria for reconciliation, the *Mubali* project recognises Indigenous rights, especially cultural rights, to celebrate and tell

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<sup>7</sup>Deficit-based approaches have traditionally been used by the helping professions as they look for ways to address the needs and problems within a family or community. This emphasis communicates that there is failure, and it can create feelings of helplessness, low expectations and a dependency on outside resources and solutions.

the story of pregnancy through oral history and visual arts; and it celebrates the role of the Aunties, the Elders, in the ritual of pregnancy. The project educates the wider community, through the involvement of non-Indigenous midwives, health care workers and artists, who are exposed to the cultural knowledge shared through the project. The project involved many members of Aboriginal Communities at multiple sites of engagement. It addressed Indigenous socio-economic disadvantage through the education of the young women involved. It also sought to develop leadership skills in the participants, developing self-efficacy and self-esteem that could transfer into employability skills down the track (Potgeiter 2012).

It did not dwell on the history of Indigenous and non-Indigenous relations, including the genocide and the massacres; but as Indigenous playwright and director Wesley Enoch commented in a discussion pertaining to the television version of *Secret River*, the story of colonisation is not one Indigenous Australians want to dwell on anymore. They want to tell more contemporary stories, stories for the future; yet the history of colonisation is a discourse that non-Indigenous Australians are still preoccupied with (ABC Radio National 2015).

At a recent presentation I gave on this topic, I was asked how *Mubali* could be a project of reconciliation when it is predominantly a project involving Aboriginal mothers and their communities. On reflection, I would say that the point of *Mubali* is to create the level ground in order that there is at least a possibility that reconciliation can occur. For genuine reconciliation to occur, we have to envision ourselves living and working together as equals. A future in which this is not evident will not be sustainable (Lederach 1997).

### *Warlpa's Story*

I first heard Warlpa Thompson speak at the official handover of the title deeds of Mutawintji National Park in 1998 to the traditional owners by the then Premier Bob Carr. Warlpa was then a young man, who spoke with pride at the ceremony in the Paakantji language. He was the only person to speak in language that day, and it was very memorable to hear those words spoken on Country. It impressed upon me that language is vital and will survive as long as there are people like Warlpa to breathe life into both the words and the country they describe. In 2012, I connected with Warlpa and made plans to collaborate. Warlpa is now the Senior Leader in Community Engagement at Wilcannia Public School. His role is to provide an Aboriginal perspective across the school and in the classroom and to ensure that the local language, Paakantji, is taught in school.

**Warlpa:** I grew up in Wilcannia, living in a tin shed with my Mother and Father until I was 9 years old. My mother and the Old People taught me language and culture, whilst my father taught me a scientific perspective, but he also reinforced the importance of the language and culture of my mother's people.

## Reconciliation

Warlpa perceives a crucial role for both English and traditional languages in the reconciliation process, as language sets the parameters for discussions as well as reinforcing the recognition and pride that is integral to an Indigenous cultural identity. The following points express Warlpa's insights into the process of reconciliation.

- Without recognition that the conflict between Indigenous and non-Indigenous Australians was a Frontier war, deserving of some post-war reconstruction or reparation, the socio-economic disadvantage of Indigenous Australians will persist.
- It disappoints many Wiimpatja, including Warlpa, that even the concept of Native Title only exists within a British legal system that goes back to the Magna Carta thus Indigenous people are still the Queen's subjects. This was, Warlpa said, 'A notion met with hostility by any Wiimpatja that I have raised it with'.
- However, like myself, Warlpa is continually impressed by the many individual acts of reconciliation he experiences in his everyday life; he perceives community reconciliation to be just as important as the need for structural change.

Warlpa recounted his own very personal story of reconciliation (Warlpa's wife is a non-Aboriginal woman):

My wife has three great uncles who are catholic priests, only one, Uncle Paul, is alive and he performed our wedding ceremony out at Mutawintji National Park. Mutawintji, a sacred place to us Wiimpatja, is where I met my wife about ten years before and a part of my mother's country. Before the wedding Uncle Paul had to seek special permission from the bishop because the ceremony was going to be held outside of a church. The response from the Bishop was that Mutawintji was a sacred place long before churches were built in Australia and it would be more than acceptable. I have my suspicions that this was mostly due to Uncle Paul, because of his humble nature and his own input into reconciliation here in Australia and also in Japan. He saw that my wife and I have a role to play in this reconciliation process, however I don't think he means a magnanimous one, just that our lives were intertwined and our acceptance of one another, embodied the movement.

Our wedding was an amazing mix of three cultures. After being called into Country and then smoked with emu bush, people gathered at the front of one of our overhangs, full of our Ancestors' hand stencils, to hear Uncle Paul use English for the Catholic part of the ceremony, and my father use Paakantji for the Wiimpatja part. But before he started to speak Uncle Paul removed his shoes and announced that this was to show his love and respect for all the Aboriginal people who had walked this land before him and to recognise the hurt and injustice that they had endured. I watched my mother in-law do the same and I remember the warmth that radiated through me because of this humble act. Uncle Paul, a knowledge holder and teacher in his own culture, and my mother in-law, barefoot in my Country, showing two of the things most valued by my traditions, 'Respect and Humility'.

I have been involved in a number of my wife's family traditions and see them for the wonderful expressions of love and humanity that they are. From the feasts that my mother

in-law prepares as a strong matriarch, to my father in-law wishing me “long life” on my mother’s Yahrzeit,<sup>8</sup> so many traditions have similarities across cultures and others are amazing to be invited into. Although there is a need for structural and social reconciliation, these personal acts of reconciliation are equally important and are crucial for meaningful and enduring reconciliation.

Warlpa is a traditional owner at Mutawintji and on the Board of Management of the National Park.

If we think about what has happened at Mutawintji, we might consider it to be an act of reconciliation. We as local people fought for our rights to be recognised and respected and that is eventually what we got. Wiimpatja have lived through the experience of autonomous culture, dispossession, being a crucial part of the pastoral industry, then being cast out and living on the fringes of towns. The Mutawintji Historic Site was gazetted in 1967, and people were coming and going into our sacred sites in large numbers and in an inappropriate way. At that time the national fight for recognition and justice was thriving and there was local action with a blockade of Mutawintji by Traditional Owners in September 1983. This eventually led to limited access to the more sacred parts of the park and local Wiimpatja taking tours through the public areas.

On 5 September 1998, the 76,000 hectare Mutawintji National Park in the far west of NSW became the first park returned to its traditional Aboriginal owners and then leased back to the New South Wales (NSW) National Parks and Wildlife Service.

Throughout the process from pastoral lands to national park, Wiimpatja discuss and negotiate internally and externally with NSW Government and National Parks to get a joint management arrangement similar to those at Kakadu and Uluru. At Mutawintji we established a Board of Management to run our Country; made up of a majority of Wiimpatja, two representatives from each family, as well as one from the local Land Council, the local Shire Council, Nature Conservation Council, National Parks and Wildlife Service and a local Farmer. Our people, in consultation with the NSW government, created a structure that values input from each of these other groups, and that allows us to make more informed and inclusive decisions without losing cultural integrity. This is an act of practical reconciliation; the things that we can influence we must, and in a way that builds us all up.

## Conclusion

Reconciliation can only occur between people standing on level ground; with equitable opportunities to good health, education, employment and other social determinants. Full reconciliation cannot occur until the state goes beyond symbolic gestures of apology and commemoration and formally acknowledges that Aboriginal and Torres Strait Islander peoples never ceded sovereignty of their land and sea. There needs to be recognition of Indigenous rights, including

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<sup>8</sup>The yahrzeit is a time of remembering the dead by reciting the Kaddish (a hymn of praises to God found in the Jewish prayer service), lighting a 24-hour candle and remembering the person who has died.



self-determination, with reparation for past injustices. This is not unproblematic; the historic injustices and ongoing distributive inequalities, which underpin the Australian constitution, may challenge the state's legitimacy to justly recognise the rights of Indigenous Australians. The state has to overcome a legacy of domination and exclusion, to include Indigenous Australians within the nation respectfully as equals, sharing both power and resources.

All Australians have a responsibility to continue on the journey of reconciliation in order that we may live in a just society; change at the grass-roots level is fundamental in facilitating a move towards equitable power sharing, mutual respect and an equal distribution of all the benefits inherent to being an Australian citizen. The two projects discussed in this chapter, *The Myall Creek Memorial* and *Mubali*, and the narrative of Warlpa's wedding, illustrate what can be achieved, when mutual respect, power sharing and recognition of the strengths inherent in Indigenous communities are allowed to develop and flourish. Reconciliation may never reach a final destination in Australia, and it is a dynamic process, residing in the hearts and minds of individuals; but we should continue to ask the hard questions of our Political leaders and demand that they deliver to us a more equitable society, where justice prevails and we all can stand on level ground.

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## Author Biographies

**Julie Collins** has been a lecturer in Indigenous studies in the School of Humanities at the University of New England since 2012. Outside of academia, she has worked with community arts and development organisations working on Indigenous programmes including: as a Youth support worker for the Yalari Foundation, a charity providing scholarships for Indigenous children from remote areas; and Beyond Empathy, a community arts organisation producing Arts and Performance projects involving Aboriginal children and young people. As an educator, Julie has worked for several years at the New England Institute of TAFE, where she has taught Aboriginal health workers studying Population Health and Fitness. Julie has also worked as a lecturer in Aboriginal studies at Charles Sturt University, Australia. While empowering Indigenous Australians has been the underlying principle behind the work Julie has been involved in, the theme of reconciliation has been ever present; without empowerment there can be no reconciliation.

**Warlpa Kutjika Thompson** is a Wiimpatja from far western New South Wales (NSW), Australia. He grew up in Wilcannia, living in a tin shed with his Mother and Father until he was 9 years old. As Warlpa was growing up, his mother and the Old People taught him language and culture, while his father taught him a scientific perspective, but also reinforced the language and culture of his mother's people. Warlpa was the Senior Leader in Community Engagement at Wilcannia Public School. His role was: to provide an Aboriginal perspective across the school and in the classroom; to foster relationships between community, Government agencies, school and staff; to improve student outcomes and post-school options. Also, Warlpa had to ensure that the local language, Paakantji, was taught in school. There is a crucial role for both English and traditional languages in the reconciliation process, as language sets the parameters for discussions as well as reinforcing the recognition and pride that is integral to an Indigenous cultural identity. Warlpa is a member of the Mutawintji Land Council.

# Chapter 12

## Reconciliation in the Asia-Pacific: A Concluding Review of Ten Case Studies

Bert Jenkins, Kathy Jenkins and D. B. Subedi

*Forgiveness is the fragrance flowers give when they are crushed!*

Sufi saying (unknown source)

There are enormous challenges when it comes to ‘burying the hatchet’ or reconciliation, so to speak, and the struggle to move on with life after violence, death and post-traumatic stress has drastically disrupted every aspect of a populace’s existence. The impact of conflict and armed violence is clearly distressing and thus cannot be addressed merely through cognitive strategies. Indeed, the notion of forgiveness gives special meaning and importance to the centrality of interpersonal relationships that allow reconciliation and healing. Healing is a significant part of reconciliation—healing between ex-combatants, involving perpetrators and the public, including bystanders, and the numerous people who are the victims. After a violent conflict ceases, hurt persists on all sides of the struggle. Persecution, torture, maiming and killing give rise to intense negative feelings and pain, both psychological and physical. Still, the importance of addressing the emotional aftermath of violent conflict can often be neglected, dismissed, minimised or ‘tokenised’ in the rush to return to normalcy.

In this concluding chapter, we look closely at the finer-grained linkages and recurrent themes that arose out of the reconciliation processes exhibited in the Asia-Pacific region and extend from individuals to groups and broader societies. In so doing, we review the studies included in this collection of chapters. We are particularly interested in examining interactions that occur at the local level, where it is understandably difficult to deal with reconciliation, yet where it is most likely to produce effective results when it works to affect change. Such change evolves from the bottom up, starting at the grass roots and moving to higher levels to influence wider changes in society. Our particular interest focuses on horizontal relationships, between individuals, groups and communities, which we suggest can be instru-

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mental in positively encouraging governments and entire societies to engage in national reconciliation. This does not mean that we totally disregard the top-down or vertical approaches to reconciliation that may contribute to bringing about positive change. Undeniably, these mechanisms, which include truth commissions and tribunals, hold great symbolic value and can be instrumental in applying political leverage that encourage individuals and groups to reconcile their differences following a period of extreme violence.

Although we require governments and the international community to support reconciliation, we are of the opinion that the difficult challenges remain at the local and interpersonal levels. It is at the grass roots that the hurt is felt intensely and where the quality of future interactions and possibilities for generating a shared vision for peace depend on the ability for people to agree to live together in spite of the pain of past violent experiences. For community peacebuilding, healing of broken relationships is the key to future coexistence and longitudinal continuity.

Reconciliation is a means of strategically addressing the effects of violence on individuals and society (see Galtung 2001). As Lederach (2005, p. 160) reminds us: 'It is not possible to cognitively plan and control healing'. According to Charbonneau and Parent (2013) to approach bottom-up healing, it is necessary to include justice processes that prompt us to consider the historical context of building peace after violent conflict. The contradictory nature of the 'justice–peace dilemma' has already been discussed in the introduction and hence will not be pursued further. We concur, genuine reconciliation can heal and rebuild relationships, and by its very nature and purpose focuses more on victims than perpetrators and looks more to the future rather than dwelling on the past (see Fletcher and Weinstein 2002).

It is widely recognised that initiatives for healing have to be nurtured at the local or community level, while justice initiatives are more likely to be national and international responses, often based on legal matters of precedence (see Pankhurst 1999). Instead of the focus remaining on reconciliation and healing, efforts to deal with delicate emotional issues at the local level can be overlooked and substituted with national priorities that are related to placating international demands, leaving broken relationships where the harm and hurt actually occurred locally to remain inflamed and tense.

The push for development and employment creation are important to pursue at war's end and are often provided to a country through aid to stimulate economic recovery. Emphasis could be misplaced on restoring infrastructure and stimulating development in a bid to advance reconstruction and economic aspects of building peace rather than investing in difficult psychosocial challenges. Adopting economic development as the main strategy for recovery after war could risk a return to violence or urge the state to justify the use of force to contain ex-combatants and treat them harshly. Such responses could be precautionary or driven by fear of violence disrupting a fragile peace. In these situations, we query whether underlying conflicts have been truly addressed?

Reconciliation practices are expected to lead ultimately to the end goal of peaceful coexistence; this is immersed in hope of peace being finally restored and a

wish that it will endure, but this requires adequate time, the right circumstances and positive attitudes. How long it takes to reconcile is a moot question. Anyone involved in reconciliation will know it is impossible to put time restrictions on healing. As we fully appreciate, the faster it happens the more cost effective it is, which is often a bureaucratic pressure. Yet applying this principle to reconciliation is unrealistic. It takes time for anger to subside, for compassion to grow and truth to emerge with sufficient understanding to enable healing of broken relationships and qualify the co-visioning of a common future. It begs those affected by violence to pay innocuous regard to painful experiences of the past and permit a blossoming of forgiveness, hence time is of the essence in rebuilding broken relationships.

Across the Asia-Pacific, there are countries with varied cultures recovering after violent conflicts. Effective reconciliation must involve reflecting on and incorporating a variety of beliefs and practices in diverse settings. Reconciliation processes have to be culturally and socially sensitive in catering to the needs of many sociocultural groups involved in any fray. A reconciliation model engineered to be unresponsive to culture and context is unlikely to work in instigating genuine conflict transformation. It could erroneously prioritise economic development over social development and psychosocial healing.

In this final chapter, we outline the essence of the reconciliation initiatives outlined in this book and undertaken within each unique context in the Asia-Pacific. Notions explored by the chapters' authors include: the importance of the grass-roots, cultural appropriateness, the inclusion of all sides in presenting stories about what happened—aspects of truth—as seen through the eyes of those present, the 'tentativeness' of terms such as victim and perpetrator or even bystander, and the uniqueness of a system where perpetrators willingly bring cases to hearings. In some studies, post-war reconstruction and economic development were used as means for promoting reconciliation. There is a case where Islamic religious ideals were encouraging reconciliation and also examples illustrated within ongoing conflicts, where all sides worked together to prevent violence and advance transformation. Furthermore, cases where perpetrators isolated themselves from society and congregated in communities were presented.

Appropriate reconciliation practices, whatever they are and wherever they are practised—innovative or conventional—can lead to preventing further violence and enhancing peaceful futures. Ending warring, as a means of resolving conflict, is an unparalleled goal that humanity must strive to achieve, given violence leaves pain, anger and destructive residuals, these emotions could, if disregarded or treated with indifference, allow conflict to reignite. Reconciliation prevents conflict from entering a cycle of perpetual violence; hence it is worth pursuing.

**CAMBODIA:** In the first study, we are looking at Cambodia that is recovering after the Khmer Rouge (KR) inflicted horrific violence between 1975 and 1979 under the notorious Pol-pot and his inner group. This chapter looks at reconciliation from the perspective of coexistence for victims/survivors and perpetrators who must negotiate to share the same space and/or belong to the same community. McGrew looks at interpersonal reconciliation at the individual level but also considers the broader concept of community reconciliation, which relates in varying degrees to

how probable coexistence might be in localities comprising a number of villages in proximity to each other.

Under the KR, atrocities were so massive that to expect forgiveness to be a possible outcome seems improbable. Likewise, getting on with life after experiencing great emotional pain in an environment in which one is constantly confronted with seeing community members who harmed you and/or your family as you go about living your life seems inconceivable. The urge to hate and take revenge would be ever present. How is it possible under these dire circumstances for anyone hurt so immensely and who carries this burden continually, to tread lightly, keep a level head and carry on? Using an example, McGrew explains the ordeal of a person who shares space in a community with someone living in the neighbouring village who during the crisis had led his family away to be killed, even though he was not the leader who gave the order. Undeniably, this person would be faced with enormous difficulty of reliving their grief when seeing this perpetrator every day. How can these people reconcile?

From the completely opposite perspective, McGrew urges us to imagine what it might be like to be the perpetrator. In this case, the person who herded people to their execution would be isolated and having to skulk around the village with fear of reprisal always lurking. Everywhere they looked would be reminders of who they were and what they had done. Still this person was forced to comply with the wishes of the KR regime and their leaders, or be killed.

The people of Cambodia were affected psychologically during the crisis under the KR regime, and the effects continue today as fear, anger, pain, grief and enduring distrust. Cambodia is clearly in a state of negative peace. According to McGrew, 'if victims focus on their victimhood to the exclusion of all else or if perpetrators live separate lives as paralysis, or trumpet their impunity, society cannot move forward'. This is exactly why reconciliation is arduous but imperative. McGrew's statement describes the challenges in Cambodia today and in similar circumstances elsewhere.

Lines drawn between categories of victim/survivor, perpetrator and bystander are blurred because there is no clear mutual exclusivity. The words victim and perpetrator are words that are commonly used in the study of post-conflict reconciliation, but the category of bystander needs further attention. McGrew describes the bystander as someone who did not actually commit crimes but may have observed or benefitted from crimes of others. The question that arises is whether this person is an innocent bystander? Did they do nothing when they could have done something to stop the carnage but couldn't through fear? Or were they informed bystanders who stood to benefit and were complacent, accepting the crime even if they did not carry it out? Although bystanders may not have enacted crimes against other humans, are they implicated morally?

The majority of Cambodians believe they are victims of the KR regime in one form or another. Notions of guilt and innocence become fuzzy and are not mutually exclusive, which makes it difficult to distinguish between who is a victim and who is a perpetrator. McGrew points out links between reconciliation and transitional justice where goals and outcomes are related to what happens after prosecution of



those responsible. The concern is that reconciliation is associated with ethical dilemmas, a compromised concept perhaps; it can be excessively religious, political and at times entangled in cultural issues.

More than three decades after the conflict, a tribunal has been hearing cases against senior KR leaders in the pursuit of justice. The ECCC (Extraordinary Chambers in the Courts of Cambodia, or KR Tribunal) was set up in 2006. It took almost a decade to complete one case and has partially completed a second. The courts intend bringing half dozen senior KR leaders to trial, with little support from the government. Hence, justice and upholding human rights norms have proven extremely difficult and time-consuming. The KR leaders brought to trial are ageing fast, and some have died since the courts began proceedings. Could this be a strategy whereby time is sorting out the matter through court delays? Nevertheless, the Cambodian people are pushing for these cases to be completed especially in relation to charges of genocide. The victims/survivors argue that many crimes carried out between 1975 and 1979 were done by choice, knowingly, with intent to kill and create social chaos and therefore leaders who were responsible, and still alive, should be prosecuted and punished accordingly.

An important idea that McGrew emphasises in regards to reconciliation is how it relates to coexistence. Coexistence is possible in the fullest sense if social and psychological resilience allows it to happen, and depending on what kind of violence was experienced, it could happen partially. McGrew refers to surface coexistence and moderate coexistence that are partial (see McGrew 2011). This is where parties involved in violent conflict are living alongside each other, but their relationships are fragile due to lack of trust and incomplete healing. These situations of surface and moderate coexistence in Cambodia seem to be common, indicating reconciliation is far from 'done and dusted'. This is to be expected given the KR regime targeted and broke important social relationships that relied on trust among families, between neighbours, friends and colleagues. The KR used fear and brutal means as part of their social and psychological destabilisation.

McGrew identified factors that determine a person's willingness to reconcile with those who had harmed them including the severity of their experiences, hardships faced (starvation, repression, trauma), family support, luck, religious beliefs and individual personalities. Some victims/survivors were able to take into account the mitigating circumstances under which perpetrators were forced into committing atrocities and crimes against their own people—relatives, friends and neighbours. If they didn't comply, they faced persecution and death or their families were at risk. Empathy was a factor that enabled victims/survivors to extend generosity, which helped facilitate coexistence but reconciliation still remained a distant reality because living among perpetrators was tenuous. Pol-pot encouraged the recruitment of people who had poor education, some of whom never went to school. They were trained to be lower-level leaders and were instructed to do the 'dirty work'. The victims/survivors recognised these lower-level leaders were uneducated, hence ignorant about the world, and easily misled to kill and hurt people for the KR cause. The KR cadres were often young, without much life experience, which was another reason why they were easy to manipulate. There was

much antipathy among victims/survivors for the way the KR regime had corrupted youth and made them participate in heinous activities.

Religion is a major influence when it comes to reconciliation and is often intermingled with cultural traditions. The majority of Cambodians are Buddhist, and Buddhism is central to their identity. With respect to reconciliation, there are three points worth mentioning because these are Buddhist ideas and common beliefs in many countries across Asia. McGrew brings two of these to our attention. The first is the concept of mutual forgiveness. Suffering is worse for anyone who is unwilling to forgive those who have wronged them, and this works both ways; it needs to be reciprocated. Otherwise, if one does not forgive themselves for harm they have done to others, then their own suffering will be worse because they have to carry the burden of guilt and the pain of suffering it brings, and this reflects badly on their relationships and ultimately on the person's rebirthing prospects as per the law of karma. The second point, (after McGrew 2000) is that for a Buddhist, only love can appease hatred, therefore cultivating loving kindness would be the best means of dealing with hate. The third point, about impermanence, is one that McGrew does not mention. It is related to time, which is a crucial consideration. Nothing is permanent; everything changes over time. Neither pain nor suffering nor the effects of harm are permanent. Here is the propagation of an idea and potential solution that time is the ultimate healer, meaning that 'doing nothing, will allow time to heal'. Note, in the last chapter in the book on reconciliation in Australia, it is very poignant in relation to how time has not been the best healer.

NGOs in Cambodia are incorporating ideas about culture and religion in their efforts to engage local people in reconciliation. McGrew reports that Buddhist ceremonies, including the culturally based 'water blessing' rituals, are helping local people reconcile at the village level. These practices encourage trauma healing, facilitate dialogue and raise awareness and acknowledgement of the victims' suffering as well as respect for all those who died during the crisis.

The absence of trust and social cohesion that results due to the actions, policies and hardships of war makes community-level reconciliation in Cambodia difficult. Even after the Hun-Sen government invited KR leaders and cadres to return from hiding to reintegrate back into society, many continued living in isolated KR enclaves because they were unable to coexist with victims/survivors. Perpetrators who had escaped being killed, out of revenge, had taken refuge among isolated KR populations where they lived among other ex-KR; they were afraid to face victims/survivors in their former villages of origin. There is a similar pattern in Nepal in the next study where ex-combatants gathered to live in urban communities or rural collectives because they could not return home.

The UN and Royal Cambodian government planned tribunals to deal with certain senior KR leaders. They urged Cambodians not to focus on the past, which on closer examination is time-related and future-oriented advice. After the ECCC began, there were simultaneous efforts to expedite reconciliation through various NGO activities focussing on issues of truth, justice and reconciliation supported by media campaigns. Furthermore, community memorial projects and the application of a joint narrative approach (see Galtung 2001) were underway so victims/survivors could

meet face to face with perpetrators with a view of promoting healing. This is a worthwhile idea but it would require help from expert facilitators to overcome obstacles when focusing on ‘joint sorrow’ and ‘shared pain’ (see McGrew 2011). McGrew provides a case where at the village level, when former KR cadres were willing to confess to victims/survivors as to what atrocities and crimes they had committed, this process of telling assisted coexistence in that village. Similar activities are continuing to take place at the village level through NGO projects. In giving perpetrators and victims/survivors opportunities to dialogue and remember together, reflection may come into play to help those affected to understand how the KR had used people to carry out gruesome plans to reform society through brutal means. As ‘time’ passes and understanding grows due to these processes, those who were harmed may move towards normalcy when they understand how and why the conflict came to pass. This progression could possibly lead to healing and restoring of trust thus paving the way for coexistence and peace at the village level as well as in entire communities. Again, this will require more time and effort to work effectively.

In many localities across Cambodia, reconciliation may not be the foremost priority; other immediate matters like livelihood may dominate people’s concerns. Hence, tensions remain below the surface. Interestingly, McGrew found that in communities where the population of perpetrators were similar in numbers to victims/survivors and also where former KR cadres outnumbered others, reconciliation remained a distant proposition. This was especially true if the villages in which the former KR cadres were congregated were in close proximity to villages in which victims/survivors are living. This reluctance to engage in reconciliation is possibly due to the residual anger and lack of trust, which makes coexistence taxing. Since the ECCC began its proceedings, it has opened up space for civil society organisations and NGO projects to encourage reconciliation at the local level and thereby promote coexistence at the individual and group levels as well as at the broader community level. Reconciliation remains a challenge in Cambodia, which is unsurprising given the extent of atrocities and social upheaval the violent conflict caused.

NEPAL: Following civil war, reintegration of ex-combatants into their villages of origin in Nepal is an exercise in regaining trust; it involves reengaging with families, neighbours and former community. Reformation of these relationships is necessary for a sustainable peace. As far as the peace process in Nepal goes, reintegration of ex-combatants has proved illusive. It is questionable whether adequate efforts and resources have gone into reconciliation support and provisioning of social space. After the government released ex-combatants and provided most of them with cash incentives to facilitate resettlement, many were unable to return home. Lack of adequate transitional justice mechanisms and reconciliation processes are possible reasons for this failure.

Although the government deemed it necessary to establish a Truth and Reconciliation Commission (TRC), this took far too long. The Supreme Court in Nepal called for two commissions, one to deal with unexplained disappearances and a TRC. This led to the passing of legislation: the TRC Act of 2014. Little has

come to fruition since this move due to political stalling. Subedi and Jenkins remind us that it would take considerably longer than the 2018 deadline, possibly decades, to hear and process tens of thousands of stories, making a mockery of procedures. Delaying the TRC provides impunity for the perpetrators while those who were harmed remain frustrated and angry as they lose confidence in the process. Furthermore, it alienates ex-combatants and isolates them from society—making reintegration a distant hope.

There is a reluctance to bring people involved in war crimes to justice. Due to agreements made between political parties, the government is not willing for victims and perpetrators to meet. One distinct possibility for the slow response is that people responsible for carrying out atrocities are currently involved in making decisions or they are prominent figures in society. What results here is an inability to address healing. The offer of a blanket amnesty, which goes against internationally accepted norms for justice, was the only consolation.

Subedi and Jenkins call for processes that enable ex-combatants to enter into dialogue with their communities to renew confidence and facilitate reintegration into their villages. This dialogue for reintegration is crucial to enable social-capital formation for individuals (see Cilliers et al. 2016). The cultural context requires careful thought. For example, inter-caste marriages that took place during the crisis were accepted due to the common ideology shared among Maoists but after the war was over, this proved culturally unacceptable, especially for female ex-combatants trying to re-enter a village community. Sociocultural factors can lead to psychosocial issues that can obstruct family reunification.

Social stigmas associated with being a Maoist combatant make it difficult for ex-combatants to re-enter their villages. There is, for instance, an unwillingness to return without the economic means to do so. Others feel ashamed of being unable to explain their reasons for joining the Maoists. Many ex-combatants retreated into urban spaces where they chose to live with others in the same situation. Disengaging from the war family appears to be difficult. Former fighters feel comfortable living among their own kind and depend on their own networks, making it all the more problematic for reintegration. In some districts, ex-combatants successfully formed farming cooperatives. These initiatives solved immediate livelihood and security problems but did not assist reintegration or reconciliation with their communities because they are isolationist survival strategies. People of the Maoists had displaced during the war resented any successes of former rebel collectives, and hence division prevails.

NGO projects enabling reconciliation and a few others instigated by the ex-combatants themselves are working partially. Subedi and Jenkins suggest there is room for peacebuilding projects at the grass-roots level to assist reintegration, but such efforts may fail without a formal reconciliation process supported by government. Reconciliation is needed in Nepal to facilitate the transition of ex-combatants into civilian villagers; this calls for a great deal of accommodation.

**SOLOMON ISLANDS:** We ask whether it was possible in the Solomon Islands to promote national unity via a Truth and Reconciliation Commission (TRC). Our interest in this TRC delves into the possibilities that this process could bring about

reconciliation and healing for individuals and communities. We are dealing with an international approach within which local traditions and cultural context are accommodated to some extent, but not altogether. In the Solomon Islands, a blending of traditional cultural perspectives with Christian religious views is necessary in addressing reconciliation. A TRC approach to transitional justice worked well in other contexts, such as South Africa, so it is a proven practice. But does this mean a similar process would work in the Melanesian cultural context?

On the surface, the conflict in the Solomon Islands is an ethnic conflict between groups on the main island of Guadalcanal and migrants from the island of Malaita, who having settled there allegedly violated local *kastom* with respect to land and ownership. The problem stems from colonial times when people from Malaita were brought to work in government jobs, agriculture and mining on Guadalcanal. The migrants were prominent in governing the nation and became dominant players in the Solomon Islands police force. Inter-marriage between locals and migrants complicated matters even more because it created animosity and internal fighting among friends, relatives and families connected through marriage. However, it must be noted that the level of violence overall was relatively low in the Solomon Islands conflict when comparing it with civil wars in Bougainville and East Timor. Up to 30,000 people were displaced but only around 200 deaths took place during armed violence in the Solomon Islands. Many of the displaced were from Malaitan migrants. Militant youth on Guadalcanal objected to the colonisation of their land, and youth from among the Malaitan migrants responded by forming a militant resistance. The conflict became heated when the Malaitan group obtained semi-automatic weapons from the police armoury. Fighting resulted in a forced change of government, which initiated intervention from neighbouring countries, particularly Australia. Although a peace agreement was signed, a breakaway group continued to resist and terrorise communities on the weather-coast, a remote part of Guadalcanal.

The Australian-led regional peace mission, RAMSI, stopped the fighting; it lasted ten years. Reconciliation and peacebuilding were not part of this mission. RAMSI brought stability and restored law and order but had little to do with matters of reconciliation. Civil society and the churches of the Solomon Islands embarked on the tasks of restoring peace and were instrumental in proposing a TRC as a means of addressing violence. The TRC was set up five years after RAMSI began its operations and endured for two years; it produced a final report in 2012.

It was important to design a process that fitted the cultural context of the Solomon Islands. In terms of *kastom*, there are many and varied approaches used across the islands (see Allen et al. 2013). In common, as practised across all islands, reconciliation must involve dialogue, negotiation and acceptance/exchange of goods, and must be done according to *kastom* (see McDougall and Kere 2011). Peacekeeping tasks involved disarming rebels, and important decisions included—who to prosecute, amnesty and setting up of an impartial judiciary to carry out the functions of the TRC. Pursuit of ‘truth’ was seen as the path to reconciliation, from which national unity was expected to emerge.

According to Vella and Maebuta, the commission never defined what reconciliation meant. The meaning of reconciliation is well understood in the Solomon Islands as per its Christian connotation and how to go about reconciling according to *kastom* at the interpersonal and community levels. Most Solomon Islanders viewed the outcomes of the TRC process as devoid of elements that are sacred aspects of their culture. This confusion questions whether cultural-context requirements were actually met in setting up the TRC. Also, many people had already engaged in reconciliation ceremonies at the village level outside the TRC process. Importantly, they could not see how the TRC process could lead to rehabilitation and compensation, as per *kastom*. National reconciliation was neglected because the agenda was about statebuilding rather than peacebuilding and reconciliation (see Braithwaite et al. 2010). This is contrary to the intended plan to address reconciliation at multiple levels—interpersonal, inter-village and national. This did not eventuate and neither did reconciliation take place alongside truth telling. The TRC Act stipulated the process would endeavour to restore human dignity for victims and promote reconciliation. It was set up to allow victims and perpetrators to disclose their own recollections of what had transpired and for reflections on these accounts to enable reconciliation but this proved difficult.

The TRC was unable to accomplish its goals for reconciliation. To succeed, the process must be voluntary, and it cannot be imposed. Vella and Maebuta argue that the TRC could not uncover the truth because it was unlikely to reveal what had actually come to pass. The truth can change with circumstances, as it relies on memories that are continually adjusting relative to present and future considerations. The truth is more likely to emerge in private settings more so than in public hearings. Also, holding public hearings to listen to private stories is not the Melanesian way; it is culturally unacceptable, making genuine truth telling improbable. The Solomon Islands TRC did not offer amnesty, hence those who could be incriminated were unlikely to reveal their secrets in fear of the consequences for their personal safety and the welfare of their families. Hence, there was a tendency to listen to ‘truth’ according to victims and not perpetrators. In such a process, the victims were able to relate their experiences, and these stories were often heard by large audiences and became widely known but all the details were not necessarily declared. Therefore, restorative justice was difficult and prosecution impossible. Of course, there were instances where the stories opened up opportunities for perpetrators to come forward and defend themselves or it prompted some to ask for forgiveness, but these occasions were uncommon and did not lead to exposure of crimes committed. There were also cases where individuals identified as both perpetrators and victims. The fact that compensation is expected under *kastom* may have led to the exploitation of this condition in the hope of gaining material benefits. The suggestion is that a promise of incentives may have motivated at least a few people to come forward to relate stories with an expectation of being rewarded.

Statements were collected in a manner that did not conform to the traditional storytelling style. Stories were extracted in a bid to find the ‘truth’ rather than allowing people to narrate stories in an organic way. The transcripts collected from

individuals proved to be useful in determining the range of violations that took place. Documenting these as records gave strength to the survivors who felt their stories had been heard. To many people who told their stories, it was a cathartic and healing experience to reveal what victims had felt and seen.

Another situation that made matters difficult for the TRC is where interpersonal and inter-village reconciliation ceremonies had already taken place. According to *kastom*, once such matters had been heard and deemed reconciled, it becomes 'tabu' (Taboo) to mention again. People who had participated in ceremonies could not come forward to give their accounts nor could they be approached to give a statement because the 'tabu' *kastom* was an impasse. This interfered with compilation of complete data sets. There was acknowledgement of how local conflict resolution processes and mechanisms could work against public disclosure. If a local process had led to forgiveness, then nothing more could be said or done; the matter was closed.

When it came to the violation of human rights issues, internationally accepted norms and conventions were not meaningful to local people nor did they sit well with Solomon Island culture and *kastom*. In our view, international law must prevail in these situations because comparative analysis would otherwise be impossible if it were marred by cultural relativism. We understand this was confronting to Solomon Islanders participating as perpetrators accused of war crimes and atrocities, but this is hardly surprising wherever it happens.

Culture and *kastom* in Melanesia make truth telling via a TRC questionable. Moving to peace from violent conflict and living in peace after the violence had stopped were considered more important than knowing or dealing with 'truths'. Reducing it to a 'whole of community' endeavour for national reconciliation proved culturally problematic. Vella and Maebuta found the TRC was about truth seeking—the collection of statements and organising of data—rather than truth telling; we agree. At best, it provided some victims cathartic release.

**SRI LANKA:** Sri Lanka, like Nepal, is reluctant to deal with war crimes and atrocities; it is relying on time and amnesia to deal with reconciliation while everyone is either busy with reconstruction or caught up in surviving.

Sri Lanka is recovering after a long period of violent conflict that ended in 2009. It is assumed, at least in the mainstream politics, in Sri Lanka that the 'LTTE war' happened due to a flawed post-independence development strategy rather than structural deficiencies. Unlike many of the countries mentioned in this book, it has thus far made only symbolic moves at applying a formal reconciliation process. The main approach adopted is a fairly unique way of dealing with justice and reconciliation. The government implemented a strategy for 'post-war development and reconstruction' as its vehicle for recovery after armed conflict. This strategy fits in with the narrative of a 'victor's peace'; it offers the promise of longer-term national security and economic recovery simultaneously. But is such an approach working and is it a substitute for formal reconciliation processes similar to commissions held in Cambodia, the Solomons and East Timor? Rather than deliver reconciliation and healing, the development-for-peace tactics have effectively marginalised war survivors in the North and East in the worst affected areas where there is a lack of trust

in the government's institutions and policies. Genuine efforts are needed to build trust through reconciliation, transform problematic relationships and prevent further violence due to ongoing conflicts (see Kelman 2008).

The state did set up a cosmetic commission in 2010, the Lessons Learned and Reconciliation Commission (LLRC); this mechanism did not deliver peace dividends but rather intensified the feelings of mistrust in the North and East. In fact, the LLRC concentrated on administrative matters such as legislation to prevent further armed violence. Little was done to engage with the very people in the North and East who experienced the brunt of violence and destruction. Responses pertaining to recommendations of the commission for the return and resettlement of displaced peoples, investigations into people who had disappeared and assistance with the livelihoods of the most vulnerable require much more energy to be exerted in spite of the National Action Plan launched in 2012. Issues relating to the military killing civilians during the closing stages of the war have still to be addressed adequately. The government is not dealing with these delicate realities, and hence, there is no accountability. Subedi and Bulathsinhala report the disturbing claims of observers; they suggested that the commission's process in northern Sri Lanka 'lacked empathy towards the plight of victims'. They found the top-down approach had 'disregarded the voice of the citizens' the LLRC was set up to serve. Overall, the commission had trivialised the issue of human suffering during the war, which has led to further resentment among survivors rather than supporting reconciliation and healing.

The continued presence of large numbers of military personnel in previous war zones in the North and East has made matters worse because it reinforces the government's agenda for national security and is an obstacle to reconciliation. In spite of recommendations to stop private land being taken over by government agencies, including the military and military personnel, this trend continues (see Verité Research 2014). Demilitarisation is needed to move from the security-driven agenda currently in place to one that concentrates on social development and psychosocial healing.

Since the change in government in 2015, more has been done to support reconciliation and transitional justice through civil society organisations (CSOs) and non-governmental organisations (NGOs) at the community level. The government does not have the support of the majority Sinhalese population to respond further to LLRC recommendations in spite of a separate Ministry for National Integration and Reconciliation headed by the president and an Office for National Unity led by a former president. The question is whether these mechanisms are strategic stalling mechanisms?

There appears to be one-sided statebuilding where the majority Sinhalese constituency associated with winning the war is favoured over minorities in the country. The overwhelming emphasis about reconciliation among the Sinhalese population is that reconciliation should be about 'national reconciliation' where every citizen is expected to embrace nationalism. But how will this be accepted in the North and East and can this kind of nationalism solve ethnic and religious



divisions? We cannot see this leading to reconciliation due to the residual pain, anger and suffering that people experienced during the war.

According to Subedi and Bulathsinhala, the survivors believe ‘dignified truth seeking is a first step towards post-war healing and reconciliation’ in Sri Lanka. They ascribe the LTTE war as being flawed statebuilding that created ethnic divisions due to Sinhala–Buddhist nationalism in a largely multicultural nation. Thus only structural changes will allow a multi-ethnic and multi-religious state to flourish.

The next two case studies involving conflicts on the islands of East Timor and Bougainville occurred within the states of Indonesia and Papua New Guinea (PNG), respectively. They are transitioning from the colonial period when their current neighbours, Indonesia and Australia, became respective neocolonial administrators of these islands. As they journeyed towards self-determination, East Timor moved to gain independence first from Portugal and then Indonesia while Bougainville, a former German colony, is seeking independence from PNG.

**EAST TIMOR:** The formal reconciliation process in Timor Lesté took two years in trying to resolve conflicts at the grass roots and encourage national unity. Tobias critically analyses the formal process adopted in post-war Timor Lesté to address restorative justice and reconciliation. According to Tobias, the process ended in setting up new power relations between different generations of Timorese, who had tackled self-determination by alternative means. This step proved a consequence of the prevailing sociopolitical situations, which had been present at respective times during their youth. There are two distinct periods. The first began around the time of decolonisation when the Portuguese administration was leaving East Timor and continued while the Indonesians were recolonising the island. A socialist resistance movement in East Timor evolved into an armed struggle against the Indonesian military. The second phase involved Indonesian occupation of East Timor. Youth resistance at this stage included those affected by the Santa Cruz massacre, students who were schooled in the Indonesian education system and were among those who adopted civil–disobedience and unarmed combat as strategic means of resisting Indonesian rule. Some of these youth formed a social movement of university students, who operated both inside and outside Timor. Later, groups from the same youth movement formed martial art gangs, and apart from resisting Indonesian rule, they objected to unfair changes in the post-independence period.

The suffering that took place during the colonial period and during the Indonesian invasion and occupation is seen as the cornerstone of identity formation in the new nation of Timor Lesté. All those who suffered during this period came to be known culturally as ‘povu’—meaning—those who were poor, suffered together and prevailed in troubled times. According to Tobias’s analysis and interpretation, those who fell outside these parameters of the myth of suffering were considered non-sufferers who did not benefit from the formal transitional justice and reconciliation process. This oversight meant the narrative of suffering consolidated during the formal transitional justice process and remains entrenched as the basis for national identity in Timor Lesté today.

The formal reconciliation process, Commission for Reception, Truth, and Reconciliation (CAVR), was set up after independence. It had two main mandates; the first was centred on human rights violations that took place between 1974 (decolonisation from Portugal) and 1999 (ending of Indonesian occupation). There were two distinct periods of unrest and trauma, including major events surrounding the invasion, occupation and exit of Indonesia. The second mandate of the commission concentrated on reconciliation at the local level along with reintegration. The commission perhaps concentrated on accomplishing too much, given the complexities of people with varied histories who were trying to negotiate a common future with the aim of forming a new nation state. One could argue that a form of nationalism was being encouraged with the expectation that it would become the vehicle for unification? An obvious dual purpose existed, with the examination and clarification of history on the one hand and the provision of opportunities for catharsis for victims on the other. The commission produced a report, which documented in detail what numerous victims had said as well as the human rights violations. There was also a 'final report' based on interviewing households and an extensive analysis of public graves. These reports helped qualify and quantify CAVR findings.

Besides the work of the CAVR, there were numerous Community Reconciliation Processes (CRPs) held to investigate 'truth' at the local level where they incorporated culturally legitimate dialogue. The CRPs enabled perpetrators to re-enter their communities offering a path to reintegration—meaning that perpetrators could return home even if they were guilty of certain crimes. Tobias describes these as instruments for 'seeking' out the truth with respect to what had transpired so that it could address grief, disillusionment and 'suffering' in local arenas. Serious crimes were referred to United Nations' organisations that dealt with crimes against humanity. These CRPs were made up of local leaders. Both victims and perpetrators were present in hearings along with elders and community members. The CRPs were recognised as effective means of restoring broken relationships (see Philpott 2010). Catholic values—confession and absolution—underpinned community reconciliation.

Overall, Tobias attributes the successes of the CRPs to how they were culturally relevant in terms of symbolism and tradition and contributed to 'social repair'. In Tobias's view, the CRPs are more effective means of achieving healing and reconciliation than trials. The method utilised by CRPs is unique because it was a perpetrator-led process. A known perpetrator who accepted the presumption of guilt would write a letter admitting to certain crimes; this would initiate a local hearing. They were already presumed guilty as per their own admission. The crimes investigated in CRPs were of a lesser nature than those requiring more stringent justice mechanisms to prosecute serious perpetrators. An interesting question is whether severe offenders were examined at a higher level or whether they were relegated to the 'too-hard basket' and escaped prosecution.

The completion of the formal reconciliation (CAVR) process denoted an end to Indonesian rule and the beginning of self-determination for Timor Lesté. The reports produced demonstrated historical significance. They documented the

transition from Portuguese colonial rule through Indonesian annexation and occupation to democratically attained independence. Tobias points out that the formal reconciliation process did little in the way of promoting justice and did not contribute much to healing at the national level either.

There is hesitation in heralding the commission's work as having been successful in revealing 'truth'. For many, it is as good as it gets because only a version of the truth can ever emerge from such a process. There is a sense that the CRPs could not lead to accurate reflections of what took place because they relied heavily on collective memory (see Nannelli 2009). The CRPs on closer analysis were victim-oriented outcomes where minor crimes were aired in public while severe perpetrators may have escaped entirely and are enjoying liberty in the new sovereign state.

Majority of the little people involved in small crimes are 'povu'; they still suffer poverty and hardship due to disadvantage and lack of employment. The reconciliation process therefore resulted in the politicisation of suffering, adding to the struggle-for-liberation narrative. Tobias found that this meshes well with the cultural context of East Timor where reconciliation is about claiming victimhood, and this is considered a desirable outcome.

Tobias argues that the formal reconciliation process marginalised the second generation of youth who were children and younger at the time of the Indonesian invasion. The first resistance movement that followed Marxist ideology and engaged the Indonesian military in guerrilla warfare was favoured. According to Tobias, this resulted in an elitism that fed into the mythology of suffering that had built up around socialist resistance fighters and their families. Yet in reality, the younger generation of youth had also accomplished much to form a resistance movement and had suffered greatly under Indonesian rule. The second generation of youth for example had contributed to the political demise of the Suharto regime, largely through non-violent means. Ultimately, both groups had suffered, but the former group was glorified more in terms of myth making, which was in line with ancestral respect as per Timorese culture. This disregard led the younger generation of youth to invent ways in which they too could be recognised as co-sufferers. Youth unrest and the activities of the martial art gangs in 2006 were part of this bid for recognition (to identify as sufferers) and protest against their marginalisation.

Two years of formal reconciliation is too short a time frame in which to expect genuine healing to take place for those who had experienced immense pain and grief. More importantly, reconciliation depends on the politics of identity in East Timor, which is related culturally to what 'took place' in the ancestral past. This cultural view of time does not fit with international expectations where a reconciliation process is considered to be a means to a desired end—the building of a secure state. The formal reconciliation process was fraught with problems of legitimacy because it did not deliver an outcome where the two distinct groups of youth could share in the way they had suffered, regardless of their generational approaches to how they had struggled to free their country. The consequence is that national unity is a challenge for the new nation state of Timor Lesté. Instead of

national unity, the formal process of reconciliation resulted in divisive politics because not everyone could share equally in a glorified national identity.

**BOUGAINVILLE:** Scott Fisher discusses how religious leaders on Bougainville played a crucial role in the transition from armed violence and civil war to a more sustainable peace. Bougainville is an Island that remains reluctantly a part of Papua New Guinea (PNG), but historically has closer cultural and linguistic links to the Solomon Islands. It was for many years the North Solomon Province in PNG until it gained the status of an Autonomous Region in 2005. Bougainville has been pushing for independence since the 1960s; a referendum to be held in the next few years will decide whether it remains with PNG or not.

The armed conflict on Bougainville stemmed from opposition to the Panguna mine. What is particularly significant is how reconciliation is related to dealing with root causes of conflict. The mine polluted land, rivers and the ocean left many landowners disgruntled. Besides, only a small proportion of the profits flowed to the local people who were experiencing pollution and loss of resources. Revenues generated from the mine were mostly serving the whole state of PNG, a national focus that left meagre funds for development and employment on Bougainville. The mining companies have to date not cleaned up the pollution nor paid compensation to those who were adversely affected, which continues to be a contentious issue on Bougainville. Fisher reminds us that reconciliation strategies must consider economic rehabilitation and rebuilding of damaged infrastructure as part and parcel of post-conflict peacebuilding. However, Fisher qualifies his statement when he suggests fervently that restoration of trust must take place before launching infrastructure and development projects. There are lessons here for Sri Lanka.

Fisher advocates adopting creative means for perpetrators and victims to meet and dialogue with the intention of understanding the conflict better and dealing with traumatic experiences in preparation for a shared future. The preparation for sharing a future must begin with renewing relationships broken during the crisis. Storytelling is a culturally acceptable way to address past grievances in Melanesia. It can help to revive mourning, allow truths to emerge and bring people closer together to move towards closure through catharsis. At this point in the reconciliation process, acts of mercy are possible and the urge for revenge or retaliation may subside as understanding dawns to reveal through the haze as to who might be perpetrators and victims. Ideally, this would lead to apology and forgiveness in a Christian community where focusing on God's willingness to forgive and exercise grace when it comes to human wrongdoing facilitates people to forgive those who have wronged them. Healing follows forgiveness.

Fisher reminds us that such actions must be matched with genuine promises guaranteeing similar misdeeds will not be repeated. This process of Christian reconciliation is a very difficult expectation given the extent of pain and sorrow inflicted upon people during a civil war. Combined effects—including renunciation of the desire for revenge and rejection of hatred, according to Fisher—would herald the possibilities of forgiveness, as it opens the door for reconciliation and paves the way for renewed relationships to form. Yet how can there be genuine peace without justice? Fisher suggests that a synthesis of 'truth telling' and extending mercy

enables the realisation of justice. Face-to-face dialogue between victims and perpetrators, as blurred as these categories are in relation to what transpired during the crisis, encourages restorative justice.

This study examines the role of leadership in reconciliation processes. Political leaders are respected and hold much power at the top of the societal pyramid, but they cannot approach the problem with impartiality because they belong to a specific side in the conflict. Nevertheless, political leaders have an important role in stopping a war. Lower down the pyramid are numbers of ethnic or community leaders, such as chiefs and elders, who have respect and followings locally but may themselves be caught up in the conflict at the grass roots. As a result, they can only realistically effect change in terms of what is happening in their spheres of influence, within their own communities. Local-level leaders can exert pressure on conflicting parties in bringing them to the negotiation table and facilitating reconciliation ceremonies. Voices of local leaders have cultural meaning; they deal with community issues.

Fisher acknowledges the importance of upper-level and lower-level leaders in terms of how they may influence reconciliation, but he concentrates his analysis on middle-level leaders, particularly religious leaders. In Bougainville, these intermediary leaders are not those with political power nor are they necessarily chiefs who are culturally significant leaders of their clans; they are church leaders. Some of these clergy may be chiefs in their own right, but have forfeited those rights when they became leaders of congregations of people who belong to a church. Generally, the majority of Bougainvilleans attend church. Christianity in Bougainville is a significant part of the fabric of life and culture (see Saovana-Spriggs 2000). Religious leaders in Bougainville are trusted in the communities in which they live and work. Furthermore, they are regarded as impartial as part of their service to the community, and they understand local customs (*kastom*) and culture as well as the social dynamics of the population. Hence, the church and church leaders (nuns, pastors, priests) were well placed to contribute in significant ways to reconciliation in post-conflict Bougainville. It was the Catholic Church, the biggest church in Bougainville, which showed its hand at making peace in 1989 when it tabled a non-violent proposal to end the deepening armed conflict. Women, as middle-level religious leaders, played a prominent role in stopping the violence (see Garasu 2002). Religious leaders in Bougainville were able to convince people of the Christian and Western perspective that reconciliation, as it is linked to the ideal of peace, is a civilisational necessity (see Howley 2002). In addition to the relevance of religion and the function that religious leaders played in reconciliation efforts on Bougainville, the narrative approach adopted in reconciliation processes and ceremonies were rich in symbolism and constructed from elements of culture that are significant to the people. Culturally specific images (spears, bows and arrows—traditional weapons; the broom; the grass-knife—traditional tools) were used in creating stories that facilitated healing at the personal and community levels. Fisher explains that common to all stories, using symbolism and culture, were the ideas of ‘cleansing the past’ and the ‘binding together of community’ to enhance strength.

Public shaming is not an acceptable means of punishing wrongdoers according to Melanesian custom (*kastom*). Apart from stories and sermons based on rich symbolism and culture, rituals were also used to address healing during local reconciliation ceremonies. For example, the breaking of weapons in public truth-telling ceremonies was adopted as a symbolic gesture epitomising the willingness to stop fighting and reconcile differences without using violence (see Howley 2002). Other ceremonies included dialogue among tribal elders, the chewing of beetle-nut, and the exchanging of gifts such as pigs and shell-money, which are all traditional means of paying compensation. Having completed these complex negotiations and exchanges, it is important for victims and perpetrators and their families to meet and share in a communal meal where there would be further rituals, speeches, exchanging of gifts, singing, praying and feasting together in good will so that matters of the past are put to rest, not to be mentioned again, and from these acts, the promise of a shared future dawns. A church service involving communal worship would follow such ceremonies.

Reconciliation ceremonies connecting the rich tapestry of cultural symbolism and communal bonding can work to prevent further conflict and are traditional legal means of dealing with conflict and function as modes of directing reconciliation. According to Fisher's research, traditional rituals and communal gatherings organised locally to address reconciliation are known to have led ex-combatants to apologise and forgive each other (see Howley 2002). Unlike East Timor and the Solomon Islands, formal mechanisms were not set up to deal with justice, reconciliation and healing after the Bougainville crisis.

Reconciliation in the next three case studies involves discrete conflicts on the margins of larger and relatively stronger states. Existence on the periphery of large states and marginalisation for peoples in these areas permeate these accounts.

PAKISTAN: Saira Oraksai regards reconciliation, or *Ta'lif* according to Islamic values and teachings, as a way forward for the Federally Administered Tribal Areas (FATA) of Pakistan to achieve a peaceful future. Although FATA is a 'buffer zone' mentioned throughout colonial and modern history, an ongoing conflict in the post-9/11 'war on terror' increased its visibility. These tribal lands have historically suffered armed violence at different times via wars involving Afghanistan, Britain, Russia and Pakistan. Struggles frequently developed due to the strategic position that FATA held on the northern border of Pakistan. The enduring conflict within FATA is complex, 'spatially diverse' and reflects efforts of non-state (Taliban, al Qaeda) and state actors (governments of Pakistan, Afghanistan and the USA). As a result of continuous fighting, these lands are subject to social injustices and developmental discrimination.

Orakzai points out that not only has Islam been exploited as a major contributor to the conflict but advocates that it can be employed as a means of reconciliation. Focusing on two Qur'anic notions: *Sakinatul Qulub* (tranquillity in the heart) and *Taleeful Qulub* (reconciling hearts), rather than ideas forming the basis of conflict and terror—*Tehrik-e-Qulub* (shaking/trembling of hearts)—accomplishing tranquillity and healing would help to realise peace and reconciliation. The Islamic

values inclusive of mercy (*Rehma*), forgiveness (*Afu*), justice (*Adl*), equity (*Qist*), kindness (*Latif*) and 'relational empathy' could facilitate peace.

International practices to suspend fighting, such as peace agreements and peacemaking interventions, are often required to bring initial cessation to direct violence, although this has not proven successful in FATA. Oraksai purports this failure could be the result of liberal peace projects, which emphasise peacebuilding but not indigenous cultural-religious contexts, as they should. Indeed, these initial interventions are significant, yet are short-term measures.

In the 'longer term', Orakzai encourages application of Islamic notions of reconciliation and trauma healing as genuine conflict resolution processes, for enduring peace in FATA. Engaging in 'relational empathy' means recognising and understanding other people's feelings, which would prove helpful in counteracting conflict between individuals and the society in which they live.

Genuine reconciliation processes, according to Orakzai, need to be communal, comprehensive and inclusive, locally and globally. This inclusivity is necessary to rebuild authentic, positive relationships following societal conflict and aid in transforming a violent society into one that is peaceful. Importantly, Orakzai recognises reconciliation as a long-term process, thus the Islamic value of 'patience' is important to enshrine if reconciliation is to come to fruition.

INDIA: This is a case about Assam, on the periphery of India, and its distinctive setting, where South, East and Southeast Asia meet. Goswami outlines how Assam's unique development approach to transcending conflict is also about transforming relations. Reconciliation is evolving at a less conscious level, through people working together on projects for mutual benefit.

Assam, situated geographically on a well-travelled migration route, was a multicultural and multi-ethnic region long before colonial times. Thus, it has long been an environment for ethno-nationalist conflicts. Colonial and post-independence involvement and actions on the Indian subcontinent led to the breakdown in traditional structures that enabled ethnic 'co-habitation' in Assam, which ultimately led to conflicts. Fighting between ethnic groups spread within Assam and 'independentist resistance' and violence aimed at India grew. Violent encounters between Assam's diverse inhabitants were also common.

Goswami affirms that conflict could be seen as transformative rather than destructive, thereby identifying with Lederach and Maiese (2003) that conflict is natural and could be perceived constructively in order to facilitate reconciliation. Although some violence still endures in Assam, Goswami views promising aspects of ethnic reconciliation and sees the gap between the peripheral region and state of India narrowing. These perceptions are based on a decade of ethnographic research indicating that 'a subconscious peace culture' is emerging through 'Civil Society initiatives, in industry and entrepreneurship, in literature and scholarship, in contemporary arts, culture and similar other connections'. Goswami illustrates something called effective 'Peace business', which has been founded and operates on a basis of social justice, non-violence and ecological sustainability. In an example from the case study, three people from different backgrounds partnered to form a company, which employed a multicultural, multi-religious work force. The

initiative produces positive relationships between the business owners, workers, their families and the whole community. It follows that this business mutually benefits all those involved.

Not all aforementioned aspects typically come to mind when considering reconciliation; however, Goswami rationalises how economic, societal and cultural aspects existing outside the domain of government lead to transformation via the building of positive relationships between diverse peoples of Assam and India. An expected outcome of the advancement of these aspects was the reinvention of identity and popular culture of the people of Assam, a society that allows inclusivity.

Goswami insists certain facets in Assam require further work in relation to improving civil military relations, developing a peace education curriculum, increasing collaboration between NGOs and the State and the standardising of economic development projects subject to Peace and Conflict Impact Assessments (PCIA). Goswami calls for a 'new reality', one that has the potential to include all concerned in decision-making and 'highlights what has been gained in ethnic reconciliation and cultural and structural transformations' rather than looking back into the past at what was lost due to violence. It is a constructive approach that establishes projects that benefit everybody across ethnic and political boundaries; it is a business approach to violence prevention.

**THAILAND:** Conflict still continues in the Deep South of Thailand on the margins of two robust states, Thailand and Malaysia. A particular collaboration between Civil Society Organisations (CSOs) and academics established the Patani Insider Peacebuilding Platform (PIPP) to progress the mitigation of conflict with the hope of working on reconciliation for the future. The clash represents an ethno-political conflict between the Thai Government and a group of Malay Muslims, considered to be insurgents, who are fighting for self-determination of Patani—once an independent Sultanate. The conflict is based on a historical struggle between Muslims and Buddhists in this border region of Malaysia and Thailand.

Despite ongoing violence, Iamsuk points out how steps towards reconciliation have eventuated recently. For instance, the National Reconciliation Commission (NRC) set up in 2005 endured for two years. The NRC's activities and recommendations have contributed substantially to reconciliation efforts. Iamsuk stresses that notwithstanding the necessity for high-level political solutions, it is important to address poverty and injustice at the community level in the marginalised Patani region. Building constructive relationships between Malay Muslims and Thai Buddhists needs to include informed understanding of their histories, cultural practices, socio-economic issues, education systems and religions.

Iamsuk illuminates the achievements of CSOs in the region, and the PIPP in particular. The PIPP, due to local knowledge and understanding, has connected grass-roots factions who are in conflict. Increased community participation in decision-making (inclusion of youth and women) and creation of a safe, impartial space for stakeholders to learn from professional peacebuilders about each other has empowered the reconciliation process. Complex issues are discussed with



impartiality. In general, a ‘joint learning process was successful in forging new common understandings, shared knowledge and beliefs’.

Iamsuk is optimistic about past and future operations of CSOs and sees that the Patani Insider Peacebuilding Platform is capable of empowering middle-range actors to connect grass-roots actors with higher echelon negotiators, which is a positive step towards reconciliation. The PIPP has proven that it is possible for people from diverse backgrounds with differing beliefs to come together and discuss local issues to find common interests; their continuing work is a precursor for future reconciliation initiatives.

Collins and Thompson in the final chapter of the book demonstrate that if reconciliation is not addressed sooner than later, after centuries pass, time may not have resolved the underlying issues yet—resulting in an enduring ‘cult of forgetfulness’.

AUSTRALIA: Collins and Thompson present us with the idea of reconciliation as ‘unfinished business’. Throughout Australia, discrete acts of reconciliation continue often under the patronage of community groups wishing to reconcile indigenous and non-indigenous Australians. These involve wellness and artistic ventures that promote reconciliation in an incidental fashion (*Beyond Blue*), everyday events and celebrations among Australian friends and families.

The authors discuss the limited history of reconciliation enduring at the political level in Australia; they illustrate case studies initiated at the grass roots to promote reconciliation, which forms a strong component of the Reconciliation movement. As no treaty ceding sovereignty was ever formulated or signed by indigenous and non-indigenous peoples following colonisation, the history of invasion and ‘a cult of forgetfulness’ have arisen, which tend to silence stories about injustice, violence and occurrences of massacres.

Prerequisites for reconciliation, elucidated by Collins and Thompson, require indigenous and non-indigenous Australians ‘to stand on level ground...with equitable access to decision-making power, good health, education, employment, housing and other resources’. Today, this is still not the case, as wrongs from the past still produce inequality and prejudice.

The authors draw attention to the formation of the Council for Aboriginal Reconciliation that promised reconciliation within a ten-year time frame, and by the centenary of Federation in 2001 (see Gunstone 2004). Limiting reconciliation ‘time-wise’, to a decade, to grant healing and forgiveness for over a century’s injustices appears incongruous. The Council avoided addressing deep pain from the past, which undoubtedly affected success of this venture because in Aboriginal culture, it is important to acknowledge the consequences of occupation and dispossession.

Events such as the 1992 *Mabo* decision which recognised Indigenous Common Law Native Title and the 1997 Bringing them Home Indigenous Report describing forcible removal of children as genocide (Human Rights and Equal Opportunity Commission [HEROC] 1997) appeared hopeful in regard to reconciliation. Still, all fell short of promises for reconciliation for both indigenous and non-indigenous Australians who grew disillusioned with lack of political will and leadership. Even

the long-awaited apology the Australian Prime Minister Kevin Rudd orated in 2008 to the stolen generation did not acknowledge massacres and extreme violence to which indigenous people were subjected. Promises to hold a referendum to recognise indigenous people in the preamble of the Australian Constitution have been stated but remain contested by factions of indigenous and non-indigenous Australians.

The authors employed two case studies and Whalpa's narrative to exemplify how the power of people can slowly but surely enable reconciliation at the local level. The memorial, erected at Myall Creek, was a result of 'walking together', a project aimed at reconciling indigenous and non-indigenous descendants of those who were massacred and those who committed the massacre, as well as all those informed participants who witnessed proceedings. People involved in this ceremony worked together to achieve a common goal—the memorial—to denote a 'symbol of reconciliation', which indicated lifting of the 'culture of forgetfulness' that had silenced events of the historical carnage for so long.

Collins and Thompson mention another form of reconciliation, *Mubali* (2004), a Beyond Empathy Arts-based project that involved marginalised youth (young women). Young indigenous mothers, older indigenous Aunties and non-indigenous medical staff all worked together towards the common goal of accessing and understanding the need for a high standard of antenatal and post-natal care. Throughout the process, respect for the indigenous people involved and their culture were evident, and positive intergenerational bonds grew between indigenous and non-indigenous young mothers and the Aunties.

Warlpa's narrative—about himself as an indigenous man marrying a non-indigenous woman—proved inspiring as it demonstrated aspects of reconciliation being achieved through individual and personal actions between families, friends and at the community level. For example, Uncle Paul's removal of his shoes to exhibit his 'love and respect for all the Aboriginal people who had walked this land before him and to recognise the hurt and injustice that they had endured'. His story bears witness to practical acts of respect and humility being carried out between individuals on a daily basis.

The authors assert that it is only when 'people stand on level ground; with equitable opportunities to good health, education, employment and other social determinants' that reconciliation can occur. The two case studies and Whalpa's story exhibit mutual respect for non-indigenous and indigenous people alike, as well as mutual participation in decision-making and also equity in opportunities.

## **Concluding Synthesis of What Has Been Learned**

The Asia-Pacific is a geographic term that aggregates great many lands, peoples, cultures, traditions, ways of life and religions. Often amassed together by this term, it does not clearly exemplify the colour, diversity and uniqueness that make up the various parts of the whole Asia-Pacific. Undoubtedly, this diversity can also dictate

the uniqueness of the conflicts, which have evolved here, as well as the distinctiveness of the reconciliation processes that have been used and proven effective within each context.

The nature of reconciliation outlined by the authors in this collection of chapters is often discrete; however, there are times where recurrent themes are exhibited. Reconciliation processes are significant but finding the right balance between them is an essential ingredient in respect to many of the aspects emphasised in the case studies.

Accordingly, it is clear that genuine and effective reconciliation takes time; it cannot be rushed for the sake of expediency. However, it must also be counter-balanced by not taking too much time as this can be perceived as neglect or inaction on the part of victims.

Working to enhance healing and forgiveness at the grass-roots level must be balanced by working at the broader community, regional, state and international levels. If this is not the case, power could still be concentrated in the hands of the elite who may have perpetrated or been involved in committing war crimes in which case those at the community level remain fearful, angry, vengeful and traumatised. Cultural appropriateness of the reconciliation practices is a necessity if individuals and communities in the Asia-Pacific are to learn to trust and engage in the process. Conversely, this needs to be balanced by international and humane reconciliation processes that are regarded as upholding the human rights of victims who have been subjected to atrocities and war crimes. Even though post-war reconstruction and economic development can facilitate reconciliation to some extent, this can only eventuate when people come together through genuine efforts to work for mutual benefit and that the post-conflict reconstruction and development are socially just endeavours. Again, this needs to be offset by other processes whereby people's basic needs are addressed through the provision of health and education facilities, activities that do not produce an immediate economic outcome. The terms of victim and perpetrator should be utilised judiciously, as the distance between these terms can become fuzzy. Victims can become perpetrators and perpetrators victims. For example, ex-combatants in Nepal and KR cadres in Cambodia tend to congregate for their own safety thus becoming new victims in their post-war circumstances. Using impartiality and balance when employing this discourse after the violence has ceased is important. Balance and fairness are obligatory when notions of 'truth' are being explored, as all sides of the story must be told and listened to. If this is not the case, then the truth that is discovered may be the narrative of one side of the conflict and not a wider reflection of what might actually have occurred.

Being balanced about war crimes and those who have committed them is a different matter. Those who have committed atrocities and war crimes need to be identified and prosecuted, or reconciliation is hindered by a total disregard for justice and conflict transformation. Any formal justice mechanism to deal with war crimes must not be dragged out or stalled over long periods. Waiting for

perpetrators to die rather than prosecuting them is distorting time as a solution and not sending a clear message to others who might consider doing the same thing elsewhere. Formal reconciliation processes in Sri Lanka have thus far been symbolic. Nepal, Sri Lanka and Cambodia are adopting stalling mechanisms; Timor Lesté and the Solomon Islands have had relative success although the formal processes themselves involve aspects that are culturally inappropriate. In Bougainville and Timor Lesté—local grass-roots processes were successful where they carefully incorporated traditional culture and religious elements to engage people in communities. In Timor Lesté and Sri Lanka, formal processes proved to be divisive rather than promoting national unity. The use of religion to assist reconciliation is working in Pakistan and Cambodia, and it also worked in Bougainville. Mutually beneficial business practices seem to be working in Assam, and a continued dialogue process continues in Thailand to prevent violence and cultivate common interests among neighbours. Time can heal, but the manipulation of time does little more than allow hate and anger to fester like an infected sore that re-erupts into painful violence. In every case study, residual levels of violence persist; evidence suggests that negative peace prevails to various degrees. Healing is a long-term project; forgiveness is challenging but local success stories from Cambodia, Bougainville, Timor Leste and Australia suggest it is possible.

Regardless of the contextual diversities of the cases presented in this volume, a common theme that runs across the chapters is that ‘transformation’ remains an underlying theoretical concept and guiding principle for reconciliation. It is clear that in all the cases, reconciliation efforts, whether in situations where armed conflict has already ended (Nepal, Sri Lanka, the Solomon Islands, Cambodia) or in places where violence is ongoing (North-East India, Pakistan, South Thailand), have aimed at transforming the bitter relationships between victims and perpetrators. The social identity of victims and perpetrators has both individual and collective dimensions, depending on the nature of the violence that took place (whether violence was inflicted on individuals or groups, for instance the Tamils in Sri Lanka). Therefore, both horizontal and vertical dimensions of reconciliation processes are needed to create a ‘social space’ that is conducive to helping victims, perpetrators and bystanders, where relevant, to work together towards negotiating a collective future.

As the case studies in this volume have amply shown, such efforts whether taking place at the local and/or national level remain illusive unless there are genuine efforts made to: address the underlying causes of past violence, be accountable (by the state but also perpetrators) for past atrocities, consider basic human needs that are crucial for victims’ physical survival, create an environment of security and trust (not only social trust but also trust with state institutions) and support psychosocial healing. When these dots are connected together, the insight that can be drawn is that genuine reconciliation during or at the end of an armed conflict has social, economic, psychological, security and institutional dimensions. Progress lagging in one or many of these dimensions means that reconciliation

becomes just a cosmetic process, as is the case in Nepal and Sri Lanka, Timor Leste, Cambodia and the Solomon Islands. This volume does not refute, rather it supports, the idea that justice is central to effective reconciliation; justice can include social justice and/or restorative justice. However, in arguing that reconciliation is a multidimensional process as stated above, the idea of justice must be expanded and interpreted based on the context of preceding and ongoing violence and the political economy of peace and reconciliation processes. As the volume has explained at length, transformation and justice deeply intersect and hence must be integral elements of reconciliation across time, cultures and societies.

While transformation may entail such elements as forgiveness, healing, social justice, human security, mercy and peace, the idea of justice must incorporate restorative justice but also in a broad sense address the inequalities, exclusions and root causes of conflict and violence that have subsequently given rise to the need for reconciliation. Simultaneously, throughout these practices, it is essential to also maintain and fulfil the basic norms and principles of human rights and accountability. This is a complex endeavour and not an easy task. However, the practice of and insights into reconciliation in the Asia-Pacific reveal that formal and institutional methods, such as a TRC alone, are not sufficient to transform the relationships and enable people to detach from anger, trauma, hatred and revenge, and reconcile with adversaries. Rather, the focus must be on the nature of adversarial relationships, identities that shape these relationships, creating an environment of trust and facilitating processes of healing and finding ways and means of how justice can be located at the centre of these elements of reconciliation. This is where the idea of transformatory peacebuilding discussed in the introductory chapter is relevant and necessary.

Transformatory peacebuilding, however, may require a bold and context-sensitive approach—one that seeks to provide authority and legitimacy to local processes in ways that seek to transcend the boundaries of liberal peacebuilding. On the basis of the cases used in the volume, we believe that although the practice and insights into reconciliation in the Asia-Pacific are mixed, at best, and patchy at worst, there exists a powerful call for an alternative to liberal peacebuilding. This call endures for a variety of reasons, but also as part of the resistance to liberal ideas and values in some of the conflict-affected countries, such as Timor Leste, Nepal, Bougainville, Pakistan and others. This view also directs us to reiterate the point that transforming conflicts and fostering reconciliation in the Asia-Pacific must go beyond the normative framework of liberal peace and on to finding locally viable means of reconciliation thus positioning justice, mercy, forgiveness and healing at the centre of the process. The chapters in this volume emphasise that a transformatory peacebuilding framework is already in existence in the Asia-Pacific often working at the local level. Although transformatory peacebuilding appears a slow enabler of conflict transformation and reconciliation, the powerful narratives of reconciliation ‘from below’ as evidenced in the case studies in this volume are certainly essential to employ and hard to ignore.

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