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Reconciliation: an Introduction

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1.1 Democracy and Reconciliation

Our starting point for this Handbook is a conviction that the best form of post-conflict government is a democratic one. This is not so much a principled stand as a pragmatic one. Winston Churchill famously expressed a similar pragmatism when he remarked: “Democracy is the worst form of government except all those other forms that have been tried from time to time”. It may not be perfect, but in an imperfect world it is the best option available. As universal human rights become increasingly accepted as the core principles of governance, democracy becomes more and more clearly the most effective way of implementing those principles - equality, representation, participation, accountability and so on. Quite rightly, every democracy is unique in some aspects, depending on context, culture and values. But each has those principles at its heart.

Additionally, though, democracy is unique among forms of governance in its capacity to manage conflict. And this is a key attribute in a post-violence context. Democracy is a system for managing difference without recourse to violence. Differences (of opinion, belief, ideology, culture etc.) are a natural part of every society. And conflict arises from such differences. Rather than eradicating or removing differences, or excluding some groups who differ within society, democracy functions as a process through which differences are brought out, acknowledged and dealt with in a way that permits them to exist without threatening the whole system. It is, in other words, a system for managing conflict. This process of conflict management involves debate, argument, disagreement, compromise and cooperation, all within a system that permits opposing points of view to coexist fairly without recourse to violence. Of course, sometimes democracy fails, but evidence from around the world suggests that it succeeds more often than the alternatives.

This makes democracy particularly relevant given the changes in the nature of violent conflict since the end of the cold war. Most violent conflicts in the world now originate as intra-state conflict, that is, they begin as internal struggles within a state - civil wars, internal oppression of minorities, uprisings, ethnic or religious rivalry, perceived resource inequities and so on - as opposed to the previously prevalent pattern where they originated most often between separate states. In general, the resolution of intra-state conflict requires not new or reformed government structures that have not eradicated the difference(s) over which the conflict was fought, but rather structures that are designed, through a negotiation process, to manage those differences peacefully. And the most popular way to construct such a system nowadays is to base it on the principle of respect for human rights in the form of democratic structures. As we move away from either-or, win-lose solutions to conflict, democracies become the practical manifestation of cooperative, win-win solutions.

Democracy is a system for managing difference without recourse to violence.

A functioning democracy, then, is built on a dual foundation: a set of fair procedures for peacefully handling the issues that divide a society (the political and social structures of governance) and a set of working relationships between the groups involved. A society will not develop those working relationships if the structures are not fair and, conversely, the structures will not function properly,

however fair and just they are, if there is not the minimum degree of cooperation in the interrelationships of those involved.

This realization has in recent years been absorbed and assimilated by the international community. Thus, for example, the United Nations (UN) now speaks of democracy as being not only the holding of regular elections but the development of a “democratic culture” within a society, so that the patterns of democratic discourse, of conflict management, filter through to all levels of political and civil society and manifest themselves in constructive relationships between society’s differing constituencies and opinion groupings. There is still considerable debate on exactly what a democratic culture means and how to promote it, but clearly it suggests the need for cooperative relationships to implement the structures of democracy.

The conclusion to all this is that relationships matter. And that is where reconciliation comes in.

In what are nowadays termed “post-conflict” societies, the pattern is generally that the warring sides negotiate a settlement in the form of new structures for governance. Almost always, these structures are democratic. So former enemies - often with a long history of violence between them - find themselves faced with the challenge of implementing the new negotiated structures for the future management of their differences on a minimally cooperative basis. One of the biggest obstacles to such cooperation is that, because of the violence of the past, their relations are based on antagonism, distrust, disrespect and, quite possibly, hurt and hatred. It is hardly a recipe for optimism, no matter how effective or perfect those new structures may be.

So there is a pressing need to address that negative relationship. Not to make enemies love each other, by any means, but to engender a minimum basis of trust so that there can be a degree of cooperation and mutual reliance between them. To achieve this, they need to examine and address their previous relationship and their violent past. Reconciliation is the process for doing exactly that.

While democratic compromise produces the solutions regarding the *issues* in conflict, then, reconciliation addresses the *relationships* between those who will have to implement those solutions. It is important to point out, though, that this applies not simply to the politicians and the deal-makers who are engaged in the compromise. It applies to the entire population. The relationship which must be addressed is not simply that between parliamentarians or leaders, but between whole communities. It is entire communities who have to begin to reorient themselves from the adversarial, antagonistic relations of war to more respect-based relations of cooperation. The very best democratic system in the world produced by the most able democrats will not survive if the general populations to which it applies are not minimally prepared to trust the system and each other and at least try it out. A key element of that process of developing a democratic culture is to engender the relationships necessary for good democracy between communities, neighbours, constituencies, individuals and so on.

In a very important sense, then, reconciliation underpins democracy by developing the working relationships necessary for its successful implementation. Likewise, of course, democracy also underpins reconciliation: at many points in this Handbook, the authors repeatedly point out that reconciliation - the healing of relationships - needs the underpinnings of economic justice, of political and social power-sharing, and so on. Democracy and reconciliation are intertwined, indeed, interdependent.

Again, we return to the point made above: we promote democracy and reconciliation for pragmatic reasons. There is a moral case to be made that reconciliation is the right thing to do. But there is also a powerful pragmatic argument to be made: positive working relationships generate the atmosphere within which governance can thrive, while negative relations will work to undermine even the best system of governance. Reconciliation, though not easy, is the most effective way to address those

relations. (Indeed, the case study of Cambodia that follows chapter 3 warns against trying to deal with reconciliation purely through politics. Issues and relationships are separate, though intertwined, elements; and politics and reconciliation are separate but interdependent processes.) As this Handbook demonstrates, all the experience around the world teaches the importance of this point. Reconciliation is not a luxury, or an add-on to democracy. Reconciliation is an absolute necessity.

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1.2 The Process of Reconciliation

1.2.1 What is Reconciliation?

Reconciliation is a complex term, and there is little agreement on its definition.

This is mainly because reconciliation is both a *goal* - something to achieve - and a *process* - a means to achieve that goal. A great deal of controversy arises from confusing these two ideas. This Handbook focuses very firmly on the process. The goal of reconciliation is a future aspiration, something important to aim towards, perhaps even an ideal state to hope for. But the process is very much a present-tense way of dealing with how things are - building a reconciliation process is the means to work, effectively and practically, towards that final goal - and is invaluable in itself.

A second source of complexity is that the process of reconciliation happens in many contexts - between wife and husband, for example, between offender and victim, between friends who have argued or between nations or communities that have fought. The focus of this Handbook is on reconciliation after sustained and widespread violent conflict. Typically, we have in mind what is often called a post-conflict situation: war has ended, a settlement has been reached, and a new regime is struggling to construct a new society out of the ashes of the old. Part of that task of construction is to build better relationships between the previously warring factions. This Handbook concentrates on such specific situations, typically the aftermath of civil war or the end of a brutally oppressive regime, because those are the contexts around the world today where the need for reconciliation is most pressing. But we hope and believe that the tools offered here will be useful in other, different contexts.

Reconciliation is both a goal and a process. This Handbook focuses very firmly on the process.

Reconciliation is an over-arching process which includes the search for truth, justice, forgiveness, healing and so on. At its simplest, it means finding a way to live alongside former enemies - not necessarily to love them, or forgive them, or forget the past in any way, but to coexist with them, to develop the degree of cooperation necessary to share our society with them, so that we all have better lives together than we have had separately. Politics is a process to deal with the *issues* that have divided us in the past. Reconciliation is a parallel process that redesigns the *relationship* between us. This is an immense challenge, and no one should think that it is quick or easy. But the effort carries a great reward: effective reconciliation is the best guarantee that the violence of the past will not return. If we can build a new relationship between us that is built on respect and a real understanding of each other's needs, fears and aspirations, the habits and patterns of cooperation that we then develop are the best safeguard against a return to violent division.

And so we reach our basic definition of reconciliation: it is a process through which a society moves from a divided past to a shared future.

1.2.2 The Process

We can make three simple, but very profound, observations about this process, which underpin most of what follows in this Handbook:

- It is not only a process: unfortunately, it is a long-term process. There is no quick-fix to reconciliation. It takes time. And it takes its own time: its pace cannot be dictated.
- It is also a deep process: it involves a coming to terms with an imperfect reality which demands changes in our attitudes, our aspirations, our emotions and feelings, perhaps even our beliefs. Such profound change is a vast and often painful challenge, and cannot be rushed or imposed.
- As defined in this Handbook, reconciliation is also a very broad process. It applies to everyone. It is not just a process for those who suffered directly and those who inflicted the suffering, central though those people are. The attitudes and beliefs that underpin violent conflict spread much more generally through a community and must be addressed at that broad level. So, while there is a crucial individual element to reconciliation, there is also a community-wide element that demands a questioning of the attitudes, prejudices and negative stereotypes that we all develop about “the enemy” during violent conflict. This is because our definition of the enemy is rarely limited to a few politicians or fighters, but rather grows to encompass a whole community (e.g., “Palestinians”, or “Irish Protestants” or “Tutsi”) or a regime and all its supporters (“Sandinistas” or “the Taliban”). Even those who have suffered or benefited little from the past absorb the beliefs of their community and their culture, and those beliefs can effectively block the reconciliation process if they are left unaddressed. So reconciliation needs to be a broad, inclusive process.

Reconciliation applies to everyone. It is not just a process for those who suffered directly and those who inflicted the suffering.

If it is to be a properly broad process, reconciliation must be inclusive of the many and various interests and experiences across a society.

Gender Aspects

The most obvious and pressing example of this need concerns gender perspectives. This requires an understanding of how violent conflict involves and affects different social groups beyond the most immediate impact, such as torture and displacement. A gender perspective illustrates some of the “small conflicts” that lie beneath the main conflict and which need to be addressed in order to create a sustainable peace and a democratic society. For example, women have experienced sexual abuse in the form of mass rape, forced marriages and prostitution, with social stigmatization and marginalization as a consequence. For such women reconciliation involves offences against them being recognized and punished, illegitimate children being recognized as legitimate with full rights, and resources being allocated to deal with the physical and psychological consequences. For war widows, reconciliation would be expected to include compensation and to address existing inheritance laws and practices that dispossess them or hinder them in fulfilling their new obligations as family providers.

A gender perspective also entails looking at how men are affected. In the context of reconciliation it is perhaps necessary to recognize that armed conflict encourages a “warrior identity” while at the same time doing damage to the male self-perception as provider and protector of a family. The frustration and anger this may give rise to can be a serious threat to a reconciliation process. Establishing trustful and respectful relations between men and women, and between particularly targeted groups of men and women, is essential for fashioning a democratic society. Such relations require full recognition of how a particular conflict has involved and affected men and women in different ways.

Gender is an indispensable dimension of reconciliation at the official and institutional levels. Most

experience demonstrates that women (and often also other politically marginalized groups) have limited access to peace negotiation processes and little or no representation in government and other decision-making bodies. This lack of involvement in political processes seriously reduces their possibilities to voice their concerns and interests and ensure that these are recognized as political concerns at a crucial point. And this may again result in a certain alienation from the nation and the state.

1.2.3 Truth, Justice and Reconciliation

This Handbook recommends a wider view of the reconciliation process than is often used. For example, in many post-conflict contexts, people talk about “truth and reconciliation” and often establish commissions of enquiry with exactly that title. Seeking for accuracy about the past is a vital step in the reconciliation process, according to our wide definition, as is allowing victims to tell their stories. But “truth” in itself will not bring reconciliation. Truth-seeking is a key ingredient, but only one ingredient, in reconciliation. In the same way justice is a vital requirement for healing wounds, making offenders accountable and re-establishing relations of equity and respect. But justice alone does not bring reconciliation. Truth and justice are not separate to reconciliation: they are key parts of it.

Box 1.1: The Reconciliation Process

The process of reconciliation is not:

- an excuse for impunity;
- only an individual process;
- in opposition to/an alternative to truth or justice;
- a quick answer;
- a religious concept;
- perfect peace;
- an excuse to forget; nor
- a matter of merely forgiving.

The process of reconciliation is:

- finding a way to live that permits a vision of the future;
- the (re)building of relationships;
- coming to terms with past acts and enemies;
- a society-wide, long-term process of deep change;
- a process of acknowledging, remembering, and learning from the past; and
- voluntary and cannot be imposed.

Many people, especially the victims of great hurt, are suspicious of reconciliation and see it as an excuse to belittle or ignore their suffering. It can indeed be misused in that way. But this is the result of thinking of reconciliation as only a goal, not a process. These people often, and rightly, suspect that a fast move to a state where everyone is apparently reconciled to the past and to each other is a way of short-cutting proper processes of justice, truth-telling and punishment - that it means they must “forgive and forget”. This is not the aim of this Handbook. That state of reconciliation is a very

long-term objective, which can only be reached after all the important ingredients of justice, truth, healing and so on have been addressed. And the overall process in which all these and other issues combine is the reconciliation process.

Most of what follows in these pages is about examining the complex relationships between these issues as they make up the process.

1.3 The Necessity of Reconciliation

There is nothing simple about the reconciliation process. Especially in the immediate aftermath of a negotiated settlement to a violent conflict, it can appear to be an impediment to more important

priorities. With the urgent political pressures to establish the newly agreed democratic structures, resource pressure and time pressure, it is in fact very tempting, especially to politicians, to concentrate on the political process. Indeed, they may genuinely not see how to include reconciliation in the mass of work ahead of them. Thus reconciliation can be delayed until other priorities are completed, or can be reduced to a quick commission of enquiry which will acknowledge the painful past and rapidly move on. Everyone wants to get on, to move fast, to get away from the past as quickly as possible.

It can seem as if slowing things down, dwelling on the painful past and the unfinished thoughts and feelings around past violence, would endanger the new political and social structures. The argument runs something like this: “How are we to expect our politicians to begin establishing the patterns of future cooperation in government if we spend time digging up and examining in public the very things that divided them in the past? That will surely just undermine the fragile cooperation that we are attempting, by holding on to the past instead of looking to the future. Would it not be better to concentrate for the time being on our similarities and leave our differences to a later, less tense time?”

This is understandable, but it is counterproductive. Such reflection on the past is as necessary as it is painful because a divided society can only build its shared future out of its divided past. It is not possible to forget the past and start completely fresh as if nothing had happened. Indeed, the motivation for building a future is precisely to ensure that the past does not return - and so a clear understanding of, and a coming to terms with, that past is the very best way to guarantee it will not come back to haunt a society. The past must be addressed in order to reach the future. Reconciliation, if it is designed and implemented in a genuine and meaningful way, is the means to do that. Throughout this Handbook, tools are offered for such examination of the past, the use of which will generate a more cooperative present in order to begin to develop a safer future of coexistence.

The past must be addressed in order to reach the future. Reconciliation is the means to do that.

At the political level, failure to address the past through a reconciliation process - easier option though it might appear - will almost guarantee the failure of the future. Politicians reach agreement through negotiation over the issues in conflict. They find compromises, bargains or pragmatic ways to cooperate within the bounds of their self-interest. That is their job, and it is a vital part of transforming a situation of former conflict into one of future peace. But their best efforts will be totally undermined if they do not also address the broken relationship between the communities they represent, as well as the issues that broke it. The very best democratic system in the world will not endure if sections of its population do not have a modestly cooperative relationship underlying their agreement to work with the new structures.

This is the basic, pragmatic reason why every new post-conflict democracy has to reconcile. Where reconciliation, at first glance, may seem to be a hindrance to establishing working democracy, in fact it is a necessary requirement for the long-term survival of that democracy. This is not the easy answer, but it is the reality. Meaningful reconciliation is a difficult, painful and complex process, but it must be grasped, because ignoring it sows the seeds of later, greater failure. On the other hand, effectively reconciling the divided elements of a society will, with time, permit the development of truly cooperative patterns of working and envisioning the future, which will be among the strongest guarantors of successful democratization.

1.4 No Easy Answers

Reconciliation is never a theoretical matter, but always happens in a specific context.

There is therefore no simple recipe for success that can be described here and which may then be applied around the world. There is no single correct way to devise such a process. Reconciliation is not a problem with one solution. As every conflict is different, and every democratic settlement (indeed, every democratic system) is different, so a reconciliation process will differ from all others in important respects, even as it shares many similarities with them. That is why this Handbook does not prescribe a single solution for all contexts. The only thing which applies to every post-violence transition is the need to address the issue of reconciliation.

Beyond that, it is important to remain flexible and creative about designing a specific process to achieve reconciliation in a specific context. Since the experience of the South African peace process it has become almost automatic to emulate that example and establish a truth and reconciliation commission as part of a settlement. Clearly, for all its imperfections and limitations, the South African Truth and Reconciliation Commission (TRC) played a vital and very high-profile role in embedding new and peaceful patterns of interaction in that previously deeply divided society. Much can be learned from it. But one lesson that cannot be assumed is the absolute need for a TRC in all circumstances. (Northern Ireland, for example, continues along the rocky road of implementing and bedding down its new settlement structures without such a commission. Its settlement did, however, provide for a Minister for Victims to address the issues of the past violence in a way appropriate to the Northern Irish context and culture.)

Resources

The issue of resources, financial and human, is another element where there are no easy answers. It would be pointless to prescribe state-of-the-art ideal reconciliation processes that demand huge financial resources, since the sad reality is that most post-conflict societies are precisely those who have fewest resources to spare. Yet a reconciliation process is not necessarily a cheap option. So how can resources be found?

This is impossible to answer in general terms, but various options have been noted in different contexts.

Reparations schemes, in particular, tend to be hugely expensive. Following Iraq's 1990–1991 invasion of Kuwait, the United Nations Compensation Commission (UNCC) set up a system to pay compensation to victims of the invasion from money garnered through a tax on Iraqi oil exports. In South Africa, the possibility of levying a tax on the incomes of those who had indirectly benefited from the apartheid system was proposed, but never implemented. (See chapter 9 for a discussion of such issues.) In Rwanda, a public fund has been set up from which reparations payments will be drawn at a future date. (Of course, the challenge still remains for Rwanda to convince more international donors to actually put money into the fund.)

Comparatively, some aspects of reconciliation are not that expensive. The case study from Northern Ireland (following chapter 6) demonstrates that many reconciliation activities rely above all on one resource which is usually plentiful - ordinary people who are prepared to pay a personal, rather than a financial, price to achieve progress. Indeed, much reconciliation work is about small-scale human interaction. Symbolic forms of apology, reparation and restitution - public ceremonies, awards, memorials and so on - can also be effective and low-cost (though certainly not sufficient on their own). Reparations in the form of access to services - for instance, education or medical help on a free or subsidized basis - also reduce the real cost without reducing the value.

Some post-conflict societies tend to look within their own culture and traditions for existing, home-grown mechanisms for reconciliation and justice (see chapter 7). The fact that these are usually cheaper than importing huge Western-designed models is one reason to encourage this development. (Another reason is that, since such mechanisms are anchored in existing values and relationships, they are more likely to win broad support. But this does not mean that they are the perfect answers. Adaptation is still needed to ensure that such “local justice” tools function inclusively and fairly, particularly with regard to women and their interests, experiences and rights.)

While it may sound almost trite to say that the international community is a potential source of finance and expertise, there is a growing degree of truth in this. Increasingly, bilateral and multilateral donors, as well as multilateral and regional actors, are beginning to realize the importance of reconciliation as an ingredient in conflict prevention, human development, human security, the elimination of poverty and peace-building, as has been shown by recent declarations from the Organization for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC), for example, or the literature produced by several development cooperation agencies in the West. Such donors are more prepared than before to see reconciliation as fitting their general parameters for assistance.

Above all, lack of resources must not become an excuse for not beginning the process of reconciliation. Some elements are low-cost; some elements will attract donors. Economic constraints can, and always will, impinge on the process design, but even economics is not a good enough reason to avoid completely the necessity of effective reconciliation.

Every attempt has been made to illustrate all assertions in this Handbook with a concrete example from the real world. This has not been straightforward, and it has not always been possible. Reconciliation as a concept is still a comparatively new element in peacemaking, and some of its ideas remain untested or unaddressed; others have only been applied in real situations once or twice. Consequently, it has sometimes been necessary to fall back on making general points without a specific example. Nonetheless, the generalizations made here are based on impressions gathered from close examination of many varied reconciliation initiatives, peace-building efforts and conflict management strategies.

There is no universally applicable, perfect reconciliation method or model.

What is perhaps most important is to emphasize that no one has produced a perfect reconciliation method or model - indeed, of course, there is no such universally applicable thing - and therefore those who face the challenge of post-conflict peace-building should trust their own capacities to take what advice they can get from elsewhere but to be creative in developing their own original process.

What follows in this Handbook is a wealth of information and advice, tools and methods, to assist such a process. For now, in a brief conclusion to this introductory chapter, we simply offer the following very basic general principles which should underpin the design of every reconciliation process, and which may assist readers as they work through this Handbook:

- Begin early, when attitudes are most receptive to change and challenge.
- Stick to the commitment, and deal with the hard issues: they will only get harder with time.
- Give it sufficient time: it cannot be rushed.
- Be transparent about the goals, the difficulties, the time span and the resources.

1.5 How to Use This Handbook

The pages that follow present an array of the various tools that can be, and have been, employed in

the design and implementation of a reconciliation process. There are some practical ideas borrowed from academics and practitioners. (In the interests of readability, full reference details of individual citations are provided in the “References and Further Reading” sections at the end of each chapter.) Most of the tools, however, come from the experience of others grappling with the issues of reconciliation in various contexts.

There is no “right answer” to the challenge of reconciliation, and so we do not try to prescribe a one-size-fits-all solution. Instead, we present the tools, with their strengths and weaknesses: they are to be adopted and adapted, changed or replaced, as they suit the specific context to which a reader applies them. Some will be appropriate, while some will not. The business of carefully thinking through their relevance or otherwise (including asking the question, “Why won’t that work here?”) should be an illuminating one and a positive step towards providing the most suitable process for the context to hand.

Part I examines the basic concepts and general principles of the process of reconciliation (chapter 2) and the context within which it takes place (chapter 3). The points it makes are illustrated by case studies from Zimbabwe and Cambodia. Part II looks in depth at the people involved at the core of the process - the victims (chapter 4) and the offenders (chapter 5). Part III examines the key instruments - healing (chapter 6), justice (chapter 7), truth-telling (chapter 8) and reparation (chapter 9). It is illustrated by case studies from Northern Ireland, Rwanda, South Africa and Guatemala. Part IV looks briefly at the supportive role of the international community (chapter 10), followed by a brief summary and conclusion to the entire Handbook (chapter 11).

Annexes at the end provide information on relevant organizations and useful internet sites.