Preface to Dossier on Rethinking Post-Conflict Resolution

Both "reconciliation" and "transitional justice," the topics of this dossier, have been defined in multiple ways. The definition of the former has always determined the conceptualization of the latter, which has in turn involved sets of mechanisms and techniques that aim to confront past violations of human rights and to tackle the social and economic inequalities that underlie conflicts. The best known of these mechanisms include prosecutions, truth commissions, the creation of memorials, cleansing of security forces, reparations programs, and development projects.[1] For a long time, these responses to violence won widespread acclaim and transnational emulation. But compared to just a few years ago, new critical perspectives seem possible.

For some contributors to this dossier, ethnographic situations have changed dramatically. For others, it is precisely stagnation, despite the passing years and new global political developments, that continues to affect those with whom we work and to force us to think through our analysis. Not least, the events of the Arab Spring and debates about intervention in Libya and Syria have also put questions of post-conflict transformation, political reconciliation, and transitional justice in a new frame.

There is an enormous field of scholarly literature devoted to these topics in which particular debates, such as the one between retributive versus restorative justice, have dominated.[2] Over the last two decades, institutional structures like national tribunals and international courts have become normalized mechanisms rather than exceptional ones. In this political context, reconciliation projects have become global industries, with ever more humanitarian interventions and adjudications of international standards of human rights and a mandate to encourage "post-conflict reconciliation," as Richard Ashby Wilson indeed predicted in 2003.[3]

This dossier does not aim to reproduce earlier debates and discussions on reconciliation and transitional justice. It revisits and expands a set of concerns that were neglected in earlier work, and is chiefly preoccupied with allowing a larger place for ordinary people coming to terms with mass violence. Our essays attempt to understand how transitional justice projects (regardless of their success in fostering reconciliation) are integrated into the everyday grammar of survival in zones of protracted conflict. But rather than seeing reconciliation processes as mechanisms that resolve disputes or develop systems of justice, essays in this dossier address such projects as they are embedded and enacted within "normal" and everyday political and social life, with all the messy desires, ambiguous outcomes, and persisting contradictions that inevitably ensue.

In other words, this dossier does not judge these processes in relation to their avowed aims but rather as potent sites of disputation, desire, and political imagination that cannot be ignored. Zerrin Özlem Biner, Mariane C. Ferme, and Sharika Thiranagama argue that reconciliation processes are experienced less as forms of forgiveness, recovery, or reintegration into already known communities than as performances (both of the state and the citizens) under the rubrics of humanitarianism, nationalism, and culturalism. These performances are to be understood not only in terms of legal and moral interventions (for example, trials, commemorative practices, truth commissions, and compensation payments) but also through the capture of the acts and moments of transgression that lie in and outside the law and that find their expression in both speech and silence.

In essays by Diana Allan and Isaias Rojas-Perez, the dossier takes up questions of memory and trauma not only in relation to official and sometimes hegemonic (even if victim-centered) narratives of the past but as they are lived in often disavowed presents and futures. Essays by John E. Drabinski and Jill Stauffer also point to how the violence imagined to be "repaired" in such processes can be for many a constitutive experience of relationships with the state, the community, and others rather than an aberrant moment to be "fixed."

All essays in the dossier bring out the fact that, for individuals or communities, the violence we write about is far from over and done with, even if the "conflict" has ended. Our essays do not attempt to offer an alternative discussion to the theoretical and political polemics about the "efficacy" of current interventions. They instead aim to open up new ethnographic and political spaces that will help us as political activists, academics, experts, and witnesses to reconsider our ethical assumptions concerning the dichotomies between the economic and the political, remembrance and forgetting, denial and recognition, past and future, reconciliation and vengeance.

NOTES

1. For detailed explanations of the historical emergence of transitional justice movements and institutions, see Neil Kritz, *Transitional Justice: How Emerging Democracies Reckon with Former Regimes: General Considerations*, vol. 1 (Washington, D.C.: United States Institute of Peace Press, 1995); Elazar Barkan. *The Guilt of Nations: Restitution and Negotiating Historical Injustices* (Baltimore: John Hopkins University Press, 2000); Ruti G. Teitel, *Transitional Justice* (New York: Oxford University Press, 2002).

2. Some examples of work on restorative justice: Martha Minow, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence* (Boston: Beacon Press, 1998); Priscilla B. Hayner, *Unspeakable Truths: Confronting State Terror and Atrocities* (New York: Routledge, 2001); Michael Ignatieff, *Human Rights as Politics and Idolatry* (Princeton, N.J.: Princeton University Press, 2001); Stanley Cohen, *States of Denial: Knowing about Atrocities and Suffering* (Cambridge: Polity, 2001); Mark Osiel, *Mass Atrocity, Collective Memory, and the Law* (New Brunswick, N.J.: Transaction, 1997); Naomi Roth-Arriaza and Javier Marriezcurrena, eds., *Transitional Justice in the Twenty-First Century: Beyond Truth versus Justice* (Cambridge: Cambridge University Press, 2006). Examples of work on "retributive" justice: Teitel, *Transitional Justice*; Michael Feher, "Terms of Reconciliation," in *Human Rights in Political Transition: Gettysburg to Bosnia*, ed. Carla Hesse and Robert Post (New York: Zone Books, 1999); Diane F. Orentlicher, "'Settling Accounts' Revisited: Reconciling Global Norms with Local Agency," *International Journal of Transitional Justice* 1, no. 1 (2007): 10–22; John Borneman, *Settling Accounts: Violence, Justice and Accountability in Post-Socialist Europe* (Princeton, N.J.: Princeton University Press, 1997); Richard A. Wilson, *The Politics of Reconciliation in South Africa: Legitimizing the Post-Apartheid State* (Cambridge: Cambridge University Press, 2001); Brandon Hamber and Richard A. Wilson, "Symbolic Closure through Memory, Reparation and Revenge in Post-Conflict Societies," *Journal of Human Rights* 1, no. 1 (2002): 35–53.

3. Richard A. Wilson, "Anthropological Studies of National Reconciliation Processes," *Anthropological Theory* 3, no. 3 (2003): 384.