

Reconciliation in Post Civil War Societies of African Continent-Perspectives of Political, Social, and Transitional Justice

1. ABDULLAHI AHMED ALI
Ph.D. Research Scholar, Department of Political Science and Public Administration
Annamalai University
2. DR. NEELAM PANDEY,
Assistant Professor, Department of Political Science and Public Administration,
Annamalai University

Abstract

The reconciliation of the African countries after the civil war in late 1990s was so ensuring and encouraging for the peace in the region. All the nations of the African continent were on the ways of peace and prosperity. Present research paper makes places of interest in the societies of Africa in various viewpoints. The paper makes an attempt to know the social, political and transitional justices of the African countries in the era of post civil war.

Key words, Reconciliation, political reconciliation, Social reconciliation, Transitional justice

1. Introduction

In the aftermath of World War II and the creation of the United Nations (UN) followed by the end of cold war, the world did not become a stable instead violent unities takes places in every regions of the world. The extremely horrible acts that have taken place in whole African Continent and mainly in South Africa, Rwanda and Somalia. In the 1990s, in the wake of increased civil conflict characterized by systematic and massive violations of human rights and international humanitarian law, consensus evolved about stopping atrocities and bringing those responsible for such acts to justice. This violence and conflicts often takes place on intra-tribes and intra ethnic group level rather than the conflicts taking place between states. Nevertheless, the practice of international crime tribunals, the foundation of the International Criminal Court (ICC), and most significantly the Universal Declaration of Human Rights (UDHR), has played significant steps towards a more unified mechanism when dealing with severe crimes. The society's most effectively recovering from conflict and mass atrocities, in order to become stable and peaceful states, has been of main concern within the international

community. However, what mechanisms are efficient in ensuring peaceful coexistence and stability in a post-conflict situation, is reconciliation that is the vital goal. After mass atrocity, and civil wars reconciliation is the key element of political and social reconcile and that Citizens need to learn to live together in peace.

Justice and reconciliation are often encounter, the conditions where powerful individuals and institutions act as they desire without fear of reprisals, Proponents of reconciliation, however, recognize that reconciliation is crucial to the attainment of lasting peace, political stability, social cohesion, prevalence of justices and a just society governed by the rule of law. During the apartheid in 1995, the South African government passed the Promotion of National Unity and Reconciliation Act, which provided for the creation of a truth and reconciliation commission. The South African Truth and Reconciliation Commission (TRC) hoped to provide an incentive for perpetrators to come forward of their own accord.

Rwanda provides a far-reaching example of experiments in justice and reconciliation in 21s century. Reconciliation and transitional justice are two fundamental concepts in every society's strategy to deal with the past and the key to open the door towards a more peaceful future. Reconciliation is a means of establishing accountability, justice, peace and democracy for all community.

2. Reconciliation in African Countries

Reconciliation plays a foremost role to reintegrates the perpetrators and foster apologies and forgiveness, promoting and reconstructing relations in the societies. Reconciliation has been closely linked to restorative justice. South Africa Truth Reconciliation Commission promoted understanding of national reconciliation between society and state, pursued through participatory civic nation-building and democratic reforms. Second, an understanding of national reconciliation is important to address the legacies of conflicts. The reconciliation orientation is, to hearing testimony from both victims and ex-combatants, was designed to allow all parties to express their experience of what had happened and have it taken into seriously as an important step with implications for future development. Promoting reconciliation as the “only way forward,” and necessary for future peace and development. Reconciliation may involves restoring torn relationships between ethnic, tribes, religious, regional, or political groups, between neighbors, and between political parties, reconciling itself with its past, and groups

reconciling with each other. This is exactly what War torn societies needs. In the post-genocide in Rwanda, the government has tried to make depth reconciliation process more successful through three instruments: history, law and politics. Considering the history, Rwandans have been taught that there had been no problems between people living in the country before colonialist powers came and colonist were the only responsible for bringing division the Rwandan. First of all, removing use of the terms Hutu, Tutsi and Twa from the identity cards was of great importance steps , being followed by many legal changes and Constitutional exchange. The side of politics is about preserving power of The Rwandan Patriotic Front (RPF) and Kagame, who only seems to be supported by majority of people and prevent that government commit crimes again.

The three instruments of reconciliation of Rwanda, gacaca courts of functioning Forgiveness, acknowledgement, apology, truth and justice are all seen in Rwanda The role of the gacaca courts in Rwanda can be compared to role of the Truth and Reconciliation Commission (TRC) in South Africa. Both of them had aim to reconcile different groups in society following horrible crimes, in Rwanda's case genocide and in case of South Africa decades of racial oppression. Reconciliation has five interrelated themes. First, reconciliation develops a shared vision of an independent and fair society. Thus it is a search for truth and justice, forgiveness and healing. Second, reconciliation is about acknowledging and dealing with the past. Actors in a conflict must look critically at their own role in the conflict in a constructive way. Third, reconciliation is about building positive relationships. This theme addresses the building of trust, reduction of prejudice and intolerance. The fourth theme revolves around embracing differences in a multicultural, multi ethnic society. Finally reconciliation is about significant cultural and attitudinal change. The aim is to break the culture of suspicion, fear, mistrust and violence. The theme focuses on human rights and the development of a sense of ownership by all citizens in a political process based on respect.

3. Social Reconciliation

A consensus exists among conflict theorists that uncovering the past is an essential step in the social reconciliation process. Social reconciliation is often creating grass-roots structures to maintain peace. Variously known as peace committees, peace commissions, or citizens groups, these grass-roots organizations mobilize local leaders and community members to prevent eruptions of violence and to foster tolerance. This may involve a number of tasks, such as countering violence and exaggeration,

advocating nonviolent solutions to conflicts, offering peace education through community programs. Local ownership of peace was also an important factor, in promoting reconciliation and building understanding edge between past participants. During the transition, the peace commissions facilitated negotiations over the release of prisoners, demobilization and reintegration, refugee repatriation, and amnesty. Peace committees in South Africa helped reduce the magnitude of violence. They helped create a social space for dialog and contributed to crisis prevention in many communities. In many respects, the experience of peace committees in South Africa is not different from that of peace commissions in Rwanda. Both Peace commissions have performed communication and mediation functions to promote peace and reconciliation. In social reconciliation, Justice is inherent to post-conflict reconstruction and is expected to right previous wrongs, contribute to reconciliation and prevent future violence. Social reconciliation include communication and dialogue between opposing groups, and mutual tolerance of formerly antagonistic groups , reconciliation also is promoting by bringing together perpetrators, victims and community members.

As cited Transitional Reconciliation commission (TRC) may also address reconciliation through reparation programmes. The South African TRC made therapeutic and social services as well as material reparations available to the victims of Apartheid. socila reconciliation can also be stimulated by ad hoc, nongovermental orgovernmental organizations,many of wcich rise up from the ashes of conflitcs. These groups are often effective in promoting social reconciliation, becuas they grow organically from the socities itself, often they undarstand the needs and the vulnerabilitis of the sociaty better than national or international organizations.many such groups see themselves as primaryl devoted to other issues such as the reconstruction of the social fabric,disamament, conflict prevention,peacebuilding, improvments in the metarial lives of the poor,and rehabilitation.

4. Political Reconciliation

Political reconciliation involves in identifying of conflicts and human rights violence and then changing the social, economic, and political structures that led to intensify the conflict, replacing them with structures that can consider inclusiveness, that includes all political actors in a ways of fairness, equality, justice that should be effective as pre planed. It is also crucial that mutual misperceptions, divisive memories of politicians and its legacies are addressed, since, it continuance can brings into the distrust among political actors. Political reconciliation referred to as a “multi-

dimensional process that is political, social organizations involving many different actors, including civil society, non-governmental and religious institutions, and difference groups and the media and schools as well as scholars, writers and artists has played the major role to reconcile those different groups with conflict interests. It is better that political actors discuss their political difference on table, that each part express their ideas as constructive manner in which all parts can see their interest, in ultimately brings towards future vision for all parts. However, Political leadership is one of the critical factors in that process of rapprochement and reconciliation for political stakeholders. The political leadership should understand the really situations facing the societies and political difference, that the political leader to be looked in depth, the challenges, crisis, the situation of the country, to persuaded the other political rivalries to bring together into the reconciliation process.

Reconciliation has seen instrument, and solution for post civil war societies in Africa to be forward to the peace and development. It meant by that it is a process involving the creation or restoration of relationships on political and societal levels. It was underlined that reconciliation can take place between political actors and is based on notions of trust, equality, acceptance of differences, partnership, mutual or joint interests and positive perceptions of the other who's formerly rivalries and revives politician sprit. Reconciliation allows for building bridges, between within political actors and their societies.

Political reconciliation takes a form which brings together politically active actors from the society. In particularly, Figure Members of Parliament, young leading politicians as to address common issues such as justice; political reform and reconstructing political system of the country. These initiatives must be involve all sectors of society for that in reconciliation processes should be include, Vision of the society, common interest, leadership, and removing past acts from politician difference, it should be a sense of personal responsibility and commitment on the part of political leaders, are crucial for advancing reconciliation processes.

Reconciliation cannot happen if leaders lack the political will and fear the consequences of taking risks. The Fundamental of reconciliation were also personal relations between leaders and effective channels of communication. The need for frankly communication between leaders was seen as essential. Symbolic gestures on the part of political leaders were also important. One of the most determining factors of post-conflict reconciliation is the balance of power between the previous regime and its successor at the point of the transition.

- Political reconciliation often comes from three Different types of source. Where a formerly oppressive regime has been completely overthrown the power, where a civil War has ended through a crucial military victory gone for one side that has ended of the other side from struggle is the best example in Mengistu regime in Ethiopia in 1991.
- Where change come up at the initiative of reformers within the regime in power and take the initiative and play the decisive role in ending the political divisions (for example, the former Soviet Union).
- Where transition may result from joint action, including the negotiation between the former government and opposition groups. The forces of the previous regime have not lost all power nor have the former insurgents gained absolute control. Instead, in the new context, Every aspect of life must be negotiated between them (for example, South Africa).

5. Transitional Justice

The approach of transitional justice has emerged in the late 1980s and early 1990s, primarily in response of many civil wars and political changes in Latin America and Eastern Europe, and Africa. In the past two decades, scholars and practitioners, human rights activists, have made efforts increasing attention on the question of how countries and societies can tackle to terms with past violence and war, oppression and human rights violations. Those efforts were attempting to establish transitional justice (TJ), has come to play a prominent role in nation-building and state reconstruction, and has gained widespread support from international organizations. Judicial procedures and prosecution of individuals suspected to have committed gross violations of human rights, truth commissions designed to establish a record of wrongdoing, abuse, mass rapes, reparations to the victims. Transitional justice should reflect on the positive role that ex-combatants can play in transitional justice efforts and face justice for their past acts.

Transitional justice in societies, it is act of finding of solving political turmoil and civil strife with attendant gross abuses of human rights. Transitional justice is a social response, efforts against widespread violations of human rights. Each war-ton societies trying to seek acknowledgment for victims and promotion of possibilities for peace, and that main aim are towards reconciliation and democratic institutions through basic principles of transitional justice.

The many problems that consequences from past abuses are often too difficulty, too complex to be solved by any one action however any post civil war societies advocates the one following instrument, Criminal prosecutions. The judicial system and it's functioning should be strong that can make transparency investigations of those responsible for human rights violations and those has committed mass killings would get justice without bias. Judicial system must be based on justice and equality, in which all parts of victims trust its procedures. Prosecutors investigate suspects considered most responsible for massive or systematic crimes. However, transitional justice might prevail where judicial system is independent of its functions. Truth telling commissions, those commissions which have the primary purposes of inquiry, investigating, and reporting on key periods of recent abuse. They are often made of official state bodies that make suggestion and recommendations to remedy such abuse and to prevent its recurrence. Reparations programs, these are government-sponsored initiatives that designed to help repair the material and moral damages of past acts abuse. They usually distribute a mix of material and importance benefits to victims, benefits that may include financial compensation and official apologies. Security system reform are typically efforts which attempts seek to transform the military, police, judiciary system and related state institutions from instruments of repression and corruption into instruments of public service and integrity.

6. Conclusion

Reconciliation is the antidotes to impunity, the conditions where powerful individuals and institutions act as they desire without fear of reprisals, reproach, retribution and recrimination. Uniformly fundamental, the AU has embraced declarations against impunity to promulgate this norm of justice and reconciliation within its multiple institutions and sub regional bodies, such as the Regional Economic Communities (RECs). Nationally, states have endeavoured to build up constitutional structures with requirements for respecting human rights and dignity, and that acknowledge political, socially and economic inclusiveness as the first lines of defence against abuses of power. Globally, the United Nations Charter, the Geneva Conventions, and numerous instruments on human rights serve to guarantee the international human rights order.

Due to political reconciliation after the end of civil war, in African nations has emerged as a central term of political discourse with the societies divided by the history of political violence with social restrictions. African nations where supported for the

emergency of the social development, research project and help to come out from the social conflicts and other issues of societies. For that transitional justice where played a major role in judicial and non judicial measures and implementation of political transaction from violence and repression to societal justice. After the colonial period, African most states built on these universal norms and enshrined them in domestic legislation and practices as they attempted to reconcile the imperatives of national independence with adherence to international law. But Africa also witnesses the commonness of undemocratic and dictatorial regimes that were characterized by gross violations of human rights, extrajudicial executions, and violent change of power. Afflicted for a long time with wars and violence, Africa has made strident attempts to solution the culture of impunity at the national, regional, and continental levels. The confronts and challenges in Africa has been to create secure institutions that balance reconciliation with justice in the context of broadening political, social, and economic freedoms. African attempts to deal with justice and reconciliation have reinforced significant principles and norms, in particular the importance of public participation, public hearings, and the restoration of civic trust; the right to the truth and reparations for victims; and the centrality of institutional reforms. Furthermore, these experiences have recognized some significant and vital precedents for the international justice regime also.

Reference;

1. *Reconciliation, transitional justice. b, v. (2012, 12 feb). Actors in the Process of Reconciliation and.bloomfield. (2006).*
2. *David Bloomfield, N. C. (2003). Reconciliation after violant conflcit a handbook. Printed by: Bulls Tryckeri AB Halmstad, Sweden*
3. *der, H. v., & Lamb, M. a. (2009). Transitional Justice and DDR:The Case of South Africa. International Center for Transitional Justice .*
4. *duthie. (2008). The truth of truth commissions: Comparative lessons from Haiti, South Africa, and Guatemala, Human Rights Quarterly. Journal of Social Work Values and Ethics .*
5. *Dywar. (2001). Hybrid trc and national reconciliation in serion and peru.*

etal, t. (2008). Transitional Justice and Reconciliation: theory and practice.

6. *Hayner. (2011). RECONCILIATION AS A CONDITION FOR THE LASTING in bosna and herg.*

7. *Wormer. (2009). Truth and Reconciliation Commissions (TRCs): An International Human Rights Intervention and Its Connection to Social Work . the british journal of social work .*

