

Impunity Watch is a Netherlands-based, international non-profit organisation seeking to promote accountability for atrocities in countries emerging from a violent past. IW conducts periodic and sustained research into the root causes of impunity and obstacles to its reduction that includes the voices of affected communities to produce research-based policy advice on processes intended to encourage truth, justice, reparations and the non-recurrence of violence. We work closely with civil society organisations to increase their influence on the creation and implementation of related policies.

Policy Brief: Guiding Principles of Memorialisation

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Summary

In September 2012, Impunity Watch organised the *International Memory Initiatives Exchange Forum* in Phnom Penh, Cambodia together with local partners, Youth for Peace, Kdei Karuna and Youth Resource Development Program. The Exchange Forum brought together practitioners, scholars and policymakers to discuss the findings from comparative research conducted by Impunity Watch into memorialisation in five post-conflict countries (Bosnia-Herzegovina, Burundi, Cambodia, Guatemala, and South Africa). A number of Guiding Principles have been distilled from both the Research and the Exchange Forum, intended to inform practitioner and policymaker decision-making on involvement in processes of memorialisation in countries emerging from violent conflict. The eight Principles are: Context; Critical Self-Reflection; Participation; Complementarity; Process; Multiple Narratives; Youth; and Politicisation. Each of the Principles represents an important set of considerations and values that can assist decision-making, providing a useful resource in the absence of any existing guidelines. The research was conducted to examine the contribution of memory initiatives to tackling – or indeed reinforcing – the cultures of silence that exist after violence and that perpetuate impunity. The Principles are therefore formulated with this objective in mind. Findings from the research and illustrative examples that provide background to the various Principles are presented alongside each explanation.

Overview of the Five Research Countries

	Root Causes of Violent Conflict	Main Conflict Period(s)	Major Crimes and Human Rights Violations	Estimated Number of persons killed	Ending of Violence and Type of Transition	Transitional Justice Mechanisms	Present-day Aftermaths of the Violence
Bosnia-Herzegovina	Ethnic tensions, economic and structural instability and the breakup of Yugoslavia, including declaration of independence by the Socialist Republic of Bosnia and Herzegovina	1992-1995	War crimes, crimes against humanity and genocide	100,000	Peace agreement; creation of two political entities within BiH (Federation of Bosnia and Herzegovina and the Republika Srpska)	Criminal prosecutions: International Criminal Prosecutions at the ICTY based in The Hague; domestic prosecutions and hybrid proceedings in BiH	Weak central state and state institutions, ethnic divisions, political manipulation, high unemployment, youth violence, corruption and lack of truth, justice and reparations. Peace Agreement judged to have failed to address the root socio-political causes of the conflict and effectively entrenched ethnic divisions within BiH's political and institutional structures
Burundi	Colonial legacy of violence and division, regional, clan and ethnic struggles for economic and political power, social and political inequalities, radicalisation of ethnic divisions, including violent suppression of the civilian population	Cyclic violence since independence in 1962, including major episodes of violence in 1972, 1988, 1993, and civil war from 1993-2005	Crimes against humanity and genocide	N/A (estimated in the hundreds of thousands)	Peace agreement, ethnic power-sharing arrangements, new constitution and several ceasefire agreements, including UN-monitored demobilisation of rebels	None (a Truth and Reconciliation Commission is slated for 2013)	Culture of silence and impunity, an increasingly repressive government, shrinking space for opposition, rampant corruption, extra-judicial killings, weak state institutions
Cambodia	Cold War politics, particularly the Vietnam War, political power struggles, political ideologies, violent insurgencies	Armed struggle and rebellion between 1960-1975 1975-1979 (Khmer Rouge period) Civil war between 1979-1991	War crimes, crimes against humanity and genocide	Estimates of 1.7 – 2 million between 1975-1979 alone	Peace agreement and UN-supervised elections	Hybrid criminal prosecutions based in-country (ECCC)	Culture of silence and impunity, corruption, clientelism, governmental oppression of opposition and suppression of civil society
Guatemala	Armed insurrection against government repression, emergence of guerrilla movements, political intolerance, racism, social inequalities	1960-1996	State-sponsored violence, persecution and disappearances, crimes against humanity and genocide	200,000	Transition of power from military to civilian authority, followed by Peace Accords	Recovery of Historical Memory project (REMHI), Commission for Historical Clarification (CEH), exhumations and national reparations programme	Organised crime, impunity, extreme socio-economic inequalities, weak state institutions including judicial system, corruption, extra-judicial killings, continuum of persons in power who were former perpetrators
South Africa	Colonial legacy of subjugation of the non-white population, legalised system of racial segregation and emergence of a liberation struggle	1948-1994	Apartheid as a crime against humanity, forced removals and segregation, disappearances, torture, killing	25,000	Negotiated settlement, including conditional amnesty and a truth commission	Truth and Reconciliation Commission, including conditional amnesty	Social and structural inequalities, continued physical and social separation of communities, racism, violence and high levels of criminality, poverty

Guiding Principles

Over the course of the last decade, efforts to deal with widespread violence have multiplied, bringing a corresponding increase in the time and resources invested by a multitude of actors. As we now begin to look more critically at the conventional mechanisms that characterised the first wave of responses to violence (criminal prosecutions and truth commissions), memorialisation has emerged as an important feature of post-conflict societies, countries emerging from violent conflict, and of what has hitherto been termed transitional justice.

Though practiced for centuries as an almost instinctive reaction to violence, more sustained attention to memorialisation has only recently gathered pace, with the process gradually democratised over the course of a number of years. Local, national and international actors are now frequently part of the development and implementation of memory initiatives that are intended to serve a number of purposes after violent conflict. Commonly understood in terms of commemoration, the non-recurrence of violence and symbolic forms of reparations, research now demonstrates that memorialisation must be considered beyond these traditional understandings and as contributing in much more dynamic and diverse ways to attempts to deal with a violent past, including truth and justice. In this respect, more profound participation in memory, struggles over history and debates about the relationship between the past and the present have dramatically increased.

But at the same time as these developments have taken shape, evidence to support many of the underlying assumptions associated with memorialisation or to provide frameworks for the practical engagement in the process have not kept pace. Partly as a response to these shortcomings, but also to explore the relationship between memorialisation and the reduction of impunity, Impunity Watch initiated a research programme to study memorialisation in five post-conflict countries: Bosnia-Herzegovina, Burundi, Cambodia, Guatemala, and South Africa. The results from these five research countries were analysed and a comparative analysis produced, which formed the basis of the *International Memory Initiatives Exchange Forum* that took place in Phnom Penh, Cambodia in September 2012.

The International Memory Initiatives Exchange Forum was organised together with local Cambodian partner organisations, Youth for Peace, Kdei Karuna and Youth Resource Development Program

Over five days of discussion, practitioners, academics and policymakers examined key themes from the comparative research, raising important new insight and noting – among many other things – that there are currently no guiding principles or values that can be used to inform work on memorialisation. A number of principles have therefore been distilled from the research and the Exchange Forum (notably the working group discussions), which are sensitive to the difficulties associated with developing concrete recommendations applicable across diverse contexts, as stressed by participants to the Exchange Forum. The eight Guiding Principles are intended to inform practitioner and policymaker (including donor) decision-making on involvement in processes of memorialisation after violent conflict. Each of the Principles represents an important set of considerations and values that can assist decision-making, providing a useful resource in the absence of any existing guidelines. The Principles also draw on the last decade of transitional justice practice, since as memorialisation emerges as a new addition to the assortment of conceivable responses to violence, there are a number of important lessons that should be learned to maximise the potential of memorialisation.

Though not explicitly contained in the Principles, participants to both the research and the Exchange Forum also underlined the importance of exchange initiatives for the strengthening of local actors engaged in memorialisation. The international community can take an important role in such exchange, facilitating the development of cross-cultural networks that can strengthen advocacy. Equally, by connecting people and organisations within countries, international and national actors can build upon the momentum that emerges after violence as space for civil society opens, with the potential to strengthen legitimate claims for truth, justice and reparations.

In the following sections the eight Guiding Principles are explained. The Principles have no specific hierarchical order, each one having a particular purpose in conjunction with the others as part of an informed decision-making process. For this reason there are also deliberate degrees of overlap between the Principles.

Memorialisation

For the purpose of this Policy Brief, 'memorialisation' is used to denote only deliberate action to preserve the memory of a violent past, rather than *ad hoc*, spontaneous acts of memorialisation that emerge after violence. Whilst the latter are important forms of memorialisation that affect social reconstruction, the Principles put forth in this Policy Brief are intended to inform decision-making by policymakers and practitioners on memorialisation as a planned action, rather than restrict the spontaneity and likely very personal nature of other acts of memorialisation. That being said, a number of the Principles would be appropriate considerations for any act of memorialisation. It must also be recognised that effective memory initiatives may build upon existing, spontaneous acts of memorialisation.

Memory initiatives

Impunity Watch understands memory initiatives to mean any activity that aims to commemorate or enhance understanding of a conflictive past, including – but not limited to – the erection and maintenance of memorials and monuments, the operation of museums and exhibits, traditional ceremonies and rituals, musical and theatrical performances on relevant topics, the running of educational, awareness-raising, dialogue and remembrance programmes, the teaching of history, and the gathering and preservation of information.

Transplanting models and ‘one-size-fits-all’

The idea that successful models of transitional justice can simply be transplanted from one context to another has now been significantly discredited. Nonetheless, there were many references to the damaging impact on other countries of the supposed ‘success’ of the South African Truth and Reconciliation Commission, such as the frequent sentiment that “we have been burdened by the assumed success of the TRC in South Africa”. The (assumed) success of a memory initiative in one context does not automatically guarantee success in another.

CASE STUDY: Stari Most: The Old Bridge at Mostar (Bosnia-Herzegovina)

Reconstructed by the international community as a symbol of reconciliation between two communities divided by violence, research found little evidence that the Old Bridge at Mostar had had any reconciliatory impact. This failing is partly attributable to the overly-ambitious rhetoric of reconciliation resulting from a lack of understanding of the local context and the character of nationalist sentiment still in existence.

RESEARCH FINDING: National Narratives, State Myths and the Centrality of Memory to Violence

Memories of abuse or injustice have been common to the perpetration of new waves of violence. Mistruths about the past are also commonly manipulated during struggles for political power in the production of hegemonic versions of history that attempt to legitimise a successor regime or authority. Memory is also a powerful tool to denounce opponents or weaker members of society. If unchecked, the research demonstrates that these dynamics are frequently produced and maintained at memory initiatives.

RESEARCH FINDING: TJ Opening Space for Memorialisation: Burundi’s TRC and the ECCC in Cambodia

Despite well-founded concerns surrounding both processes, the proposed establishment of a truth and reconciliation commission in Burundi and the current prosecution of former Khmer Rouge leaders at the Extraordinary Chambers in the Courts of Cambodia (ECCC) each open space for memorialisation. Where prevailing circumstances have prevented meaningful engagement with the past, such foundational moments provide important openings for new memory initiatives.

Context: Consider the root causes of the violence, the nature of the conflict, how (if at all) the conflict ended, the current social and political situation, and enduring legacies of the conflict, such as structural violence.

An awareness and understanding of context should be key to any intervention after conflict. As the Principle suggests, context denotes mindfulness to a number of essential factors that directly relate to the violence that was perpetrated, but also those factors that are idiosyncratic of the particular society or culture. Context thus implies consideration of the different contextual layers within a society, including the traditional and local, the regional and international, as well as recognising the actors involved and the roles that they play. Context also denotes recognition of the importance of societal norms and socio-cultural traditions, having regard to the inherent differences that exist within societies.

When engaging in memorialisation it is even more essential to be conscious of these factors than when becoming involved in mechanisms such as criminal justice. Memory initiatives are often much more value-driven and moulded by the idiosyncrasies of the individual context, rather than restrained by external procedures. Given the choices that will have to be made in decision-making on memorialisation, this comprehension will lead to better understanding of the potential of memory initiatives to positively contribute to dealing with violence and the risks associated with involvement. It will also avoid attempts to transplant models from one context to another, termed ‘one-size-fits-all’ approaches.

In responding to violence, a mechanism-driven approach will not achieve the same impact as a more comprehensive approach that utilises a range of mutually reinforcing methods to seek transformation in the social, political, institutional and legal landscapes that facilitated violence and that maintain impunity. If the root causes of violence are insufficiently understood, then methods to prevent recurrence will ultimately disappoint. Depending on the approach taken, the research demonstrates that memorialisation can contribute to positive transformation, but often comes to symbolise shortcomings in fully reckoning with violence and its causes.

Nature of the Transition and Transformation

Strategies of memorialisation will therefore depend on the nature of the transition from violence and the state of the transformation in the abovementioned areas. A negotiated settlement of a conflict will of course present different challenges than a military victory, as will the level of continuity in the persons holding political power. In those contexts where persons implicated in past violence (Burundi, Guatemala, Cambodia) or even convicted of past crimes (Bosnia-Herzegovina) still wield political power or influence, memorialisation at the national level will almost always be manipulated, whereas memorialisation at other levels of society will require greater support in challenging the dominant narratives. Continuation of a particular status quo from the conflict period into the present will thus negatively affect the demonstrable potential of memory initiatives with respect to objectives including truth-telling, since the incentives for former perpetrators to upset the process rather than contribute are far greater. Power relations are therefore crucial to the understanding of where memory can be wielded to the detriment of the powerless. Where there is a lack of genuine political will among the elite or identifiable entrenched interests that would subvert a memory initiative, memorialisation is better targeted at grassroots initiatives. For maximum impact, action should be taken to encourage greater political willingness, otherwise victims will not see their rights guaranteed by the state.

“[Conflict in Bosnia-Herzegovina]...*de jure* it has ended, but *de facto* it has not. Divisions are still in the minds”

In any decision-making on memory initiatives, identifying the space that exists for memorialisation is crucial. As well as the continuity in the political elite, factors that will influence the available space include: the character of the ongoing discourse about the past violence, influencing the parameters of ‘acceptable narratives’; the presence (and assessment) of other transitional justice mechanisms, which themselves can open space for memorialisation, as occurred with the ECCC in Cambodia; and the time lapse since the violence ended. If memorialisation is restricted or suppressed, then knowledge of context can help in the identification of those fora or frameworks where it nonetheless takes place, for example through oral histories. Identification of space necessarily also includes recognising the state of civil society and any restrictions upon their work.

CASE STUDY: Kirundi Proverbs (Burundi):

Digging into memories of the past in Burundi is often understood according to two contradictory proverbs - *ibuye ryaserutse ntiriyica isuka* ('the unearthed stone will not damage your hoe in the future') and *nta kuzura akaboze* ('one should not dig up what is buried').

CASE STUDY: Khmer Socio-Cultural Values (Cambodia):

The research explained difficulties within communities of pointing the finger at known former Khmer Rouge cadres in terms of the norms and traditions in Khmer society that favour 'saving face' rather than confronting responsibilities, influenced also by Buddhist beliefs.

Bones

The displaying of bones at memory initiatives will attract different reactions depending on the context. According to Mayan traditions in Guatemala, leaving bones exposed means that the dead cannot rest, whereas in Burundi the practice would prevent *levée du deuil* ('ending of mourning') ceremonies from taking place. But in Cambodia, despite Buddhist traditions to the contrary, displaying bones has become a common sight at memory initiatives in order to serve political purposes. The same is true in Rwanda, accused of "selling the bones of its brothers" to gain Genocide credit.

RESEARCH FINDING: Risks of Memorialisation

Any effort to reckon with a violent past, whether attempting to achieve truth, justice, reparations or non-recurrence, is inherently sensitive and highly-charged. Because of the central role that memory plays in the perpetration of violence, memorialisation is particularly sensitive. Unlike courtroom procedures or institutionalised truth-telling, there are few restrictions on memorialisation, increasing the likelihood that it can be instrumentalised for malevolent purposes. But even when unintentional, memory initiatives can lead to provocation, the exacerbation of tensions, dangerous simplification of complex histories, the crystallisation of dissent and the entrenchment of ideological and principled divisions within societies. Especially where ethnic polarisation is present, the risks of these destructive effects are increased. But even where ethnicity plays no major role in inter-group divisions, these same consequences can block societal progress in dealing with the past by cementing conflict identities.

In contexts where the violence was ethnically charged, there is often greater value in initiatives that seek inclusive narrative building, though space for such initiatives will frequently be limited by demands for recognition or deep-rooted animosities. Where armed conflict has subsided but has not been effectively addressed, violence often finds new expression in memory initiatives as a continuation from the past. In these contexts, memorialisation comes to represent violence and division.

Post-Conflict Realities

A key factor in any decision-making on memorialisation should be the prevailing post-conflict situation. In the first place, understanding the formal, institutional and social realities that may inhibit memorialisation will lead to more effective policies and initiatives that can tackle these obstacles. As briefly mentioned, for memory initiatives to become an effective means through which victims can claim their rights, the absence of political and institutional reform will limit the possibility of those claims being translated into redress. At the same time, the connection between past violence and present-day inequalities must be understood, especially where the consequence is continued victimisation. Structural violence, including social, gender-based, political and socio-economic, is therefore an essential contextual consideration. It will affect decisions on the value of memorialisation in a given context, particularly where there may be more pressing needs, but also the type of memorialisation, since certain initiatives will be better able to include a focus on structural violence than others, particularly those that are more education focused.

Realities after violence cannot be sufficiently comprehended without understanding post-conflict identities and how they are constructed throughout the process of violence, transition and (possible) reconstruction. Identity politics and the collective memories that are associated with the inherent subjectiveness of memory affect memorialisation in every context, but in different ways according to the specifics of each context. Thus in Burundi and Bosnia-Herzegovina we find identities rooted in victimisation of the past and constructed around ethnicity. In these contexts the status of 'victim' is central to the very identity of particular groups, once again suggesting the need for memory initiatives that can bridge this polarisation through inclusive narratives and mutual recognition. By contrast, initiatives in Guatemala have seen the rejection of the status of victim in favour of an identification as 'survivors'. Whilst this may have consequences for their demands for reparations, this identity shift has had largely positive effects, whereas relinquishing claims to the victim identity are currently unthinkable in contexts like Bosnia-Herzegovina. As the research demonstrates, memorialisation can also inadvertently become embroiled in competition for 'victim status' between but also within groups.

Critical Self-Reflection: *about each actor's role in memory initiatives in light of differing values, biases and with awareness that the very presence of different actors can influence memorialisation, taking care not to burden memorialisation with overly ambitious goals. Seek inspiration from other contexts, but simultaneously be aware of the dangers of transplanting experiences from one context to another.*

Particularly for outside actors, critical self-reflection should be undertaken when engaging in memorialisation in another context. What are we doing? Why are we doing it? How are we doing it? How can we meaningfully contribute to memorialisation when we are not locally embedded? How can we ensure that space is given to the needs of local actors? And do we recognise the consequences of our involvement? These are just some of the questions that should inform decisions-making processes, especially given the sensitive nature and inherent risks of memorialisation after violence.

Outside actors, often hyper-mobile and experienced in a number of contexts, must avoid the temptation to prescribe what they can bring to the particular contexts where they engage, but instead critically reflect on their own actions, responding to the needs and expectations generated from the bottom-up. This inherent problematisation of the role of the outsider is to recognise the fact of becoming involved as actors in memorialisation through our very presence and that we too require assistance in navigating the complexities of a given context, not least to limit the potential for doing harm.

"[As outsiders], if we are going to be useful and constructive, we have to be clear, structured and humble, recognising the injustice of trying to neatly package the complex experience of violence"

Agency and Prescription

Understanding context is thus key. Equally, outside actors must problematise their role to better grasp the assumption that they are the primary intermediaries between history, truth and justice. For while outside actors have a privileged position, including both expertise and influence, they are not the custodians of a past that is not their own. They must be conscious of the transformation that is happening without – or despite – them, attending to organic developments and avoiding the tendency to romanticise transitional justice in contexts where the reality is much different. This is important to appreciate, recognising that at times all they may contribute is money. Self-reflection to understand how to become involved as outsiders therefore rests on an understanding of our agency for acting.

But as with the wider practice of transitional justice, memorialisation has often been highly prescriptive and imposed, rather than genuinely bottom-up. This may lead to the use of particular language that has a different meaning in the context where it is being spoken or the disruption of a delicate balance between public memory initiatives and the informal, private initiatives at the grassroots. Prescribing both the notions and the actions of memorialisation, even inadvertently, may lead to adverse consequences, or a process of memorialisation that is responsive to international discourse rather than local context.

Nevertheless whilst taking care of what gets lost in translation (itself indicating linguistic and socio-cultural factors) or being attentive to local conceptions and beliefs, a balance should be struck with some of the risks associated with cultural relativism. Self-reflection must necessarily entail taking care not to impose western values and/or ideas, but should equally make clear that memorialisation must respect certain inalienable values not subject to cultural relativism. Difficult questions will still arise, but it is more important that we ask these questions of ourselves, rather than immediately having the answers. Different contexts will inevitably raise different traditions and values that may need to be respected when seeking social transformation; at the same time, transformation of these traditions may be necessary, especially where they maintain impunity.

All actors, not just outsiders, should critically reflect on a continual basis on whether their involvement is contributing to the social transformation most appropriate for the specific context. This includes recognising the danger of over-romanticising the grassroots, which can also have very negative consequences.

Transplanting Methods, Overburdening Initiatives

Critical self-reflection demands that the dangers of transplanting methods from one context to another in an almost blind fashion are understood. Here again context is important. The likelihood of these dangers will be increased when attempting to transplant positive experiences of memorialisation from one country to another that may have a very different political reality or state of transition from violence. Equally since these efforts are often urban, elite-driven the context within a particular country should be acknowledged, especially where there are significant disparities between the urban and the rural situations in post-conflict settings. Therefore just as reflection must be wary of solutions that are generated from the outside and simply exported to other contexts, locally-generated perspectives are not *per se* more legitimate. For any engagement in memorialisation, a starting point must always be a consideration of the particular context where an initiative will be situated and an identification of needs at the local level.

The tendency to overburden memory initiatives should also drive critical self-reflection. Overly ambitious, lofty objectives will be unrealistic, may heighten unrealistic expectations and may overwhelm the actual process of memorialisation. Overburdening will often also burden individuals within a post-conflict society with foreign concepts or demands that they may be little prepared to take on. The importance of timing and sequencing here will be dealt with later. And these demands can often have a more damaging impact than if greater humility were introduced, including obscuring the potential for memorialisation to assist communities after violence or indeed confining local initiative through outside involvement. Where appropriate, agency must

“Engagement by outsiders is not about demanding a process or imposing beliefs on communities, but understanding how we can help to bring memories to the forefront” but at the same time avoiding situations like “the *Germanisation of Cambodian memory culture*”

RESEARCH FINDING:

Romanticising Transitional

Justice and Grassroots Legitimacy

Particularly among international policymakers and practitioners there is a tendency to romanticise methods for dealing with past violence, eulogising about truth, justice and reconciliation being ‘brought to’ local communities.¹ This tendency may be at odds with the reality on the ground and the actual experience of transitional justice within these communities, proving the need for greater reflection and modesty. This tendency can also be seen from the disconnect between the rhetoric used at certain grand, national-level memory initiatives and the (limited) legitimacy that these initiatives often enjoy at the grassroots level.

Power Relations

Outsider actors engaging in memorialisation will always confront local power relations on the ground. In many instances they will be better placed to highlight these dynamics, their effects and challenge the hierarchies of power that may otherwise remain unchallenged or problematic for local actors to challenge.

RESEARCH FINDING: Genocide Tourism

The dynamics of a memory initiative will be affected by tourism. The target groups for initiatives will shift from local actors that have suffered violence to outside tourists, while the level and quality of involvement of local actors will also decline. In this sense, sentiments of truth, non-recurrence and justice for the benefit of the local context will be reduced when an initiative becomes a tourist attraction. This should not diminish the importance of so-called ‘sites of conscience’, particularly as symbols to represent a commitment to Never Again, but must be recognised in any involvement in memorialisation. Moreover, memory initiatives may be associated with benefits such as income-generation in contexts where socio-economic conditions are poor, which should equally be recognised. Whilst important, such initiatives will nonetheless be influenced by the dynamics associated with tourism.

always remain in the community where memorialisation is taking place, not exported to the outside or stifled by foreign demands or indicators. Just the same, we must recognise that memorialisation is a long-term process and that transformation is often painstaking, not readily subject to log frames or objective indicators. Taken as a whole, the artificial demands that local initiatives can often be subjected to – e.g. pressure on local NGOs to ‘fit’ their ideas into outside agendas – and the artificial time-frames that are commonly imposed, go against evidence of the true value of memorialisation as a method for dealing with violence and impunity.

CASE STUDY: The National Monument to All Victims in Burundi

Standing on a small hillside in the central town of Gitega, the National Monument to All Victims of Burundi’s conflicts was erected almost overnight. Stipulated under the 2000 Arusha Peace and Reconciliation Agreement, the monument is intended to commemorate each Burundian who died during the waves of cyclic violence in the country. But with no consultation or involvement of the population, the monument now stands idle and has been largely rejected by the country’s many victims.

CASE STUDY: Challenging Elite-Driven Processes in Guatemala and Creating ‘Survivors’

Memory initiatives in the Ixhil region and among the Q’eqchi’es Community in Cobán, Alta Verapaz in Guatemala directly contest the official narrative of truth in the country. In the former, the ‘Recovery of Ixhil Collective Memory’, memory is used at the local community level to challenge the official version of the truth and the misrepresentation of actors. Similarly, the recovery of memory among the Q’eqchi’es Community responds to their lack of participation and the lack of representation of their histories in the national truth project. In each case the elite-driven, dominant discourse is challenged through local memorialisation. Moreover, participation in memory initiatives has transformed ‘victims’ from a passive role after violence to becoming active rights-claiming ‘survivors’.

CASE STUDY: Communities in Bosnia-Herzegovina

In communities all over Bosnia-Herzegovina certain groups have the ethnic majority. It is this majority that has the monopoly to decide on memorialisation, with other communities excluded from the process. In this context it becomes crucial to reside in a community where one’s own ethnic group is the majority, causing memorialisation to be ethnically divided and providing little or no space for the inclusion of other narratives. Inclusive participation in the creation of local memories remains a major challenge.

Participation: *Genuine grassroots participation can ensure that local needs, traditions, human rights, and socio-cultural sensitivity are respected for the purposes of ensuring local ownership, meaningful engagement and context-sensitive memorialisation.*

The importance of local consultation for the development of local ownership over processes for dealing with the past is now recognised as a requisite component of transitional justice. Whilst this is a positive step away from elite-driven, top-down responses to violence that are transplanted from one context to another, local consultation is not enough to ensure that genuine local ownership, meaningful engagement and conflict-sensitive memorialisation follow. Consultation should seek to respect needs, traditions and create wide involvement in memorialisation that empowers grassroots actors to claim their rights. Memory must be participative. Participation (in planning, design and implementation) is therefore a crucial principle that must guide memorialisation, denoting a deeper engagement than mere consultation.

“In Burundi, memory is not participative. Somebody else says what we should think, how it was, leaving no space for integrating different views and perceptions”

In his first report, the new UN Special Rapporteur on truth, justice, reparations and non-recurrence calls for ‘meaningful participation’ in transitional justice. The research indicates that depending on the particular context, participation can involve empowerment or bridging the divides that exist within and between communities, after careful examination of local capacities and potential. In countries where a repressive central authority restricts the space for civil society and leaves the population weakened or under threat, participation in memorialisation can help to empower grassroots actors to take ownership over the defence of their rights. In those contexts where repression is not a significant problem, but memories are still suppressed, participation can enable space for local narratives. International engagement should therefore invest – where appropriate – in local capacity to challenge the restriction of rights and imposed narratives.

Genuine Participation and Local Ownership

Without genuine participation, memory initiatives will typically fail to generate local ownership, let alone acceptance. Decision-making on memorialisation should therefore recognise the above-mentioned reality that processes that are elite-driven will miss the components necessary for addressing local needs. We must acknowledge the evidence that national narratives and state-level initiatives are frequently driven by political interests, meaning that they also fail to ensure popular participation. Facilitating a deeper, two-way process of memorialisation can begin to overcome some of these challenges, as can methods that elevate local narratives to the national level. Greater commitment to decentralised efforts of memorialisation or identifying local multipliers who can work to bridge the disconnect with local communities and informal memory initiatives may also prove important for ensuring that memory is more participative.

Participation must also be related to the critical principle of Process, dealt with shortly. Indeed participation should be envisaged from the outset of a memory initiative, with commitment to a long-term engagement rather than a fleeting involvement. All too often memorialisation has bypassed this commitment, with evidence that as initiatives evolve over time their local relevance and meaning may diminish. Particularly in those contexts that are further along a transition from violence, this is likely the case. Participation should therefore be a long-term process to ensure that initiatives retain their local relevance, rather than tacit acceptance or worse, disdain. In this sense, participation should not be measured quantitatively by the number of persons involved, but rather by the quality of their engagement in meeting the needs and expectations of targeted communities. This process will also help to guard against the imposition of values and the overburdening of expectations.

CASE STUDY: Prevailing Inequalities in South Africa

Facilitating genuine participation in memorialisation can enable policymakers and practitioners to better identify conflict-sensitive strategies that complement memorialisation as part of a wider process of transformation. In countries like South Africa, where present-day inequalities often outweigh demands for memorialisation, this will be key, especially since research suggests that the symbolic value of memorialisation for delivering a sense of social justice may be overestimated. In fact, participation at memory initiatives in South Africa has sometimes heightened feelings of injustice and the sense of despair at prevailing socio-economic inequality. In this respect, wider strategies that address the enduring after-effects of conflict can be designed, without excluding memorialisation.

Special Rapporteur on the Promotion of Truth, Justice, Reparations and Guarantees of Non-Recurrence

In his first report to the UN General Assembly, Pablo de Greiff reiterated the importance of a comprehensive approach to redressing a legacy of violence. Noting the ‘individual weaknesses’ of measures of truth, justice, reparations and non-recurrence, he noted that an integrated approach is more likely to be judged positively by victims than their ‘disconnected or disaggregated implementation.’ Piecemeal prosecutions, he argued, have not quelled demands for justice, whilst truth-telling without reparations will be seen as ‘inconsequential chatter’.

RESEARCH FINDING:

Shortcomings of Conventional Transitional Justice Mechanisms

Memory initiatives (and other methods for dealing with the past) have an important role to play after violence, particularly when the shortcomings of other institutionalised mechanisms are considered. The ICTY has been prosecuting cases related to the Balkan conflicts for over 16 years, yet in Bosnia-Herzegovina the truth about the crimes committed and the historical record is still deeply contested. In Guatemala, the shortcomings of the official truth commission led communities to initiate their own ‘recovery of memory’ projects in order to ensure that their narratives did not go unheard. In Cambodia, the ECCC has failed to penetrate into local communities, many of which are almost entirely disconnected from the proceedings. In these situations, there are specific needs for methods that can complement the dominant forms of transitional justice implemented in the respective contexts.

Despite the obvious challenges in contexts where communities are severely polarised, participation will be most effective when characterised by diversity. This can help to encourage reflection and a multiplicity of discourse. Where appropriate, this also includes involving government and other stakeholders, taking into account the local traditions and socio-cultural framework. Once again related to the importance of context, the latter considerations include giving attention to local norms of expression. These local norms may affect the willingness of people to fully engage in a participatory memory process, including those contexts where citizens may not openly express themselves in the presence of government officials, women not in the presence of men, youths in the company of their elders.

At the same time, decision-making must not romanticise the grassroots or ignore some of the problems associated with local participation. The negative effects of politicisation and ethnic polarisation are evidence of the need to maintain a critical eye when engaging with memorialisation. The grassroots can oftentimes be a place where many of the negative consequences of memory after violence are cultivated and maintained, in contrast to a common tendency to idealise actors at this level. Equally, local memories cannot alone make up a historical narrative of the past or contribute to memorialisation; the many different layers of narratives each contribute to understanding the past and to memories of violence. The need for negotiation of these different memories through participation may well signify an important role for outside actors as facilitators or mediators of dialogue.

Complementarity: *Memory initiatives must be considered as part of a framework for transformative justice that includes complementary mechanisms for guaranteeing truth, justice, reparations and the non-recurrence of violence. Attention should be given to the diverse ways that memory initiatives can contribute to the goals of political and institutional reform, addressing socio-economic inequalities, demands for human rights, as well as the range of individual and community needs after violence.*

Transformation in the social, political, legal and institutional landscape should be the focus of any intervention in countries emerging from violence. Transformation should focus on the ultimate objective of a just social order where affected communities can claim their rights and receive redress from the state. The state must be viewed as legitimate by the population *inter alia* by ensuring meaningful participation, and justice must be understood beyond the courtroom. Criminal justice remains an essential goal after violence, but it should not be the only goal. Single, *ad hoc* mechanisms or processes will also rarely be sufficient for transformation and for guaranteeing the rights of victims to truth, justice, reparations and non-recurrence.

Complementarity in approaches for dealing with the past is therefore crucial. This must necessarily include a focus on addressing the root causes of violence and a clear strategy must be in place for doing so before initiating any approach.

Memorialisation should in this respect be accepted as a constitutive element of transitional justice – or what can be termed transformative justice – regardless of the type of transition or nature of the prior violence. To date, however, memorialisation has often been narrowly considered as only forming a part of symbolic reparations, usually marginalised in transitional justice. Where it has formed part of transitional justice, this has frequently been as an after-thought or as a means of supporting a state-sanctioned narrative. But evidence contradicts this narrow understanding of memorialisation, demonstrating that memory initiatives and other transitional justice approaches can be mutually reinforcing. Still, if not accompanied by or accompanying processes that contribute to a holistic tackling of violence, then memorialisation will be restricted in its impact. This will be the case when memory initiatives are established, but poverty and marginalisation remain, or when initiatives promote citizen empowerment but the institutions for protecting their rights are not in place.

“Reparations [in Guatemala] are used as a way of buying the silence of victims; a sleeping pill to pacify them”

Relationship Between Memorialisation and Standard TJ Mechanisms

Accepting the principle that a complementarity of approaches is needed after violence, we can better understand the relationship between memorialisation and the more standard mechanisms of transitional justice such as criminal proceedings and truth commissions. On the one hand, evidence demonstrates that these mechanisms can open space for memory initiatives, as referred to earlier

CASE STUDY: The ECCC in Cambodia

After the establishment of the ECCC in 2006, memory initiatives increased in Cambodia. Its establishment gave a new impetus and opportunity to Cambodians to delve into their history and memories that had largely remained unspoken and without any critical reflection.

CASE STUDY: Inequalities in South Africa

In the absence of wider efforts to address the inequalities that continue to exist as remnants of apartheid or the factors that continue to sustain impunity after the TRC, the contribution of many memory initiatives has been curtailed.

RESEARCH FINDING: Avoiding Inertia

The most effective memory initiatives that constructively contribute to tackling violence and impunity are those that are dynamic and evolving, continually relevant and bridging the past and the present. Traditional monuments and memorials are important for commemorative purposes, but for the goals of transformation memory initiatives must avoid simply acquiring a static meaning. Particularly in countries recovering from violence, static memorialisation efforts have often fallen into dilapidation or become symbols of prevailing hardships as the initiative fails to evolve as the context changes.

with regard to Context. Memory initiatives can in this sense emerge as a result of formal justice proceedings or truth-seeking, often breaking the pockets of silence that may still exist, even linking discussions of past violence to future non-recurrence. On the other hand, memory initiatives can supplement the standard mechanisms when they leave gaps in the delivery of truth, justice, reparations and non-recurrence. Justice in the courtroom and institutionalised truth-seeking without consequences or accompanying justice and reforms will often be judged as empty gestures. It is to avoid these consequences that complementarity should be put into practice. Moreover, where measures are overly institutionalised and centralised, memory initiatives can counteract with processes that are participatory and local.

Complementarity must equally find a balance between the immediate redress that is required after violence and the long-term need for transformation. Where populations continue to suffer socio-economic hardships, the benefits of memory initiatives will often not be immediately apparent. This should not come as a surprise, particularly since priorities for basic needs will usually outweigh justice claims. This being said, the two should not be considered as mutually exclusive or precluding one another and can be complementary priorities; finding the appropriate balance will depend on how we approach the subject and engage with communities. Here the ‘economics of memorialisation’ must be remembered, which should guide decisions on the appropriate resources to devote to memory initiatives when pressing socio-economic needs exist.

In contexts where a continuum of power brings former perpetrators into positions of political and state authority, discussions on transitional justice often exclude attention to power conditions and questions of structural violence. In these contexts, transitional justice is often a tool of political expediency providing a ‘veneer of legitimacy’² for a rights-shunning regime that benefits from sustained impunity and has little political will to see a genuine process of transformation. Though dangerous, memory initiatives initiated by civil society can challenge this status quo and demand change through political and institutional reform. Memory initiatives can equally sustain pressure for criminal prosecutions. These initiatives would benefit from the support of international actors.

“The Tribunal is very important for Bosnia-Herzegovina because it is the only official authority that can determine truth and guilt...Nevertheless the problem is that politicians do not accept the decisions. Then what? We always take one step forwards and two steps back, because there is no support from politicians”

Complementarity: Risks and Opportunity

A principal risk with the principle of complementarity is that it may lead to memory initiatives becoming prescriptive or sucked into a formulaic application of transitional justice that strips memorialisation of its inherent dynamism. Equally, memory initiatives could easily become substitutes or proxies for other mechanisms. And in arguing the principle of complementarity, we must also be aware of the role that memory and memorialisation have also played in the perpetration of violence. A clear understanding of context and genuine participation can help to mitigate some of these risks, but so too can better coordination between actors involved in processes for addressing violence.

Donor agencies and international policymakers should pay attention to avoiding duplication of their actions in these contexts to ensure the most effective application of efforts in the support of those processes already taking place. This involves surveying existing programmes and ensuring a complement of both activities and roles. For example, if we accept that memory initiatives can contribute to calls for criminal justice, there must be a functioning legal system capable to respond to these calls. Here again, international actors may have a role to play. Better coordination between different branches of a response to violence is also needed, using the principle of transformation to bridge the ideological and practical divide between human rights and development organisations.

Process: *Memorialisation is a long-term, participatory process that requires the sustained involvement of all actors and in particular the involvement of younger generations through inter-generational dialogue. Timing and sequencing are key factors in memorialisation.*

RESEARCH FINDING: Timing - Memory is an Evolving Process, Not an End

Timing is a key consideration in any memory initiative. Timing indicates both sequencing and the most appropriate moment for memorialisation, but also the nature of memory as an evolving process that cannot be imposed or seen as duty. The value of memorialisation after violence lies with seeing initiatives as processes of change rather than processes for simply compiling a collection of terrible memories.

RESEARCH FINDING: Memory as a Basis for Dialogue

In Cambodia, initiatives at the local community level have used memory as a basis for dialogue and for opening up those areas of the past that have otherwise remained unspoken. In a similar way, initiatives in Guatemala and South Africa have used participatory methods to engage people and reduce the social constraints to speaking about the past that exist in each of these contexts. Further, inter-generational dialogue has demonstrated important benefits for the survivor generation in Cambodia to have credence given to their suffering, but also benefits for the younger generation that previously found the violence incomprehensible.

CASE STUDY: Youth in Mostar, Bosnia-Herzegovina

Two curious initiatives in the town of Mostar in Bosnia-Herzegovina demonstrate the importance of process and dynamic engagement in memory. A statue of Bruce Lee erected to remind youths from different ethnic backgrounds of their common interests did not achieve its desired effect, instead becoming the target for graffiti and vandalism. By contrast, an initiative using innovative methods to bring youths from different ethnic backgrounds together to exchange experiences is showing signs of progress at bridging the ethnic divide. Here memories of the past and memories transferred from one generation to the next are used as the basis for dialogue.

Memory is fluid, evolving and alters with time. Though grounded in the past, memory defines the present and can shape the future. It is both individual and collective, and a way to give meaning to the past. Blurring the lines between objective facts and subjective interpretations, the construction of memory leads to blind spots, amnesia, the masking of unpalatable truths and the magnification of others out of proportion.³ In the way that memory becomes central to identity – both individual and collective – it will shape our interactions with others and will frame our understanding of how the past must be dealt with. Whether ethnic memories in Bosnia-Herzegovina and in Burundi, the suppression of memories in Cambodia, the centrality of memories of injustice to the very foundations of the state in South Africa, or the memory of silence in Guatemala, memory is inescapable.

Memorialisation must therefore be recognised as a long-term process that changes with time and that is also subject to the way that memories themselves evolve over time.

The increasing democratisation of memorialisation and participation in the production of history provide important openings for policymakers and practitioners in certain contexts. Where a memory impasse exists between polarised groups, the value of engaging people in the production of memory rather than attempting to impose memory or see it as end needs to be recognised, as does the contribution that memory initiatives can make to dialogue. Here memory is used as a starting point, a basis for discussion across ethnic, political, regional or similar divides. In those contexts where memories are suppressed or where victims are unable to claim their rights, memory initiatives can be an important tool in different ways. Initiatives can unite people in their common experiences of violence, creating a community of victims or survivors, or they can become a tool for demanding rights after violence.

In this sense static monuments are less relevant to the dynamic process of memorialisation that can contribute to transformation, notwithstanding the important commemorative role that they can otherwise play. If memory initiatives stand alone, without any accompanying programme or initiative for actively engaging memories for dealing with the past, then they will become frozen memories tied to a particular moment. Monuments that do not include attention to process risk becoming irrelevant over time.

“The most striking feature of monuments is that you do not notice them. There is nothing in the world as invisible as monuments”
(Robert Musil)

Long-Term and Sustained Involvement

Memory initiatives therefore warrant long-term, sustained involvement. This applies to engagement in the ongoing process as well as in terms of resources, social capital and inter-generational momentum to ensure that the past and present are connected. If this long-term engagement cannot be committed, then involvement should be considered in partnership with local organisations or multipliers who can sustain the involvement. If the latter can also not be envisioned, then involvement may be inappropriate. Decision-making must thus approach memorialisation with a long-term vision in mind, rejecting the implicit time frame that usually applies to transitional justice and efforts to deal with the past. Though antithetical to the traditional understanding of memorialisation, involvement should not focus on tangible, quantifiable products, but instead on the process of constructing memory and the less quantifiable effects that this has on local capacities and momentum for dealing with violence.

Resource allocation and the involvement of local actors are therefore crucial to decision-making in memorialisation. Finding ways to facilitate processes that target transformation and that are sustainable is vital. This must necessarily involve future generations in the process who did not directly experience the violence, recognising that they will be engaged in memorialisation in different ways than victims and survivors. Excluding young people will limit the transformative impact of an initiative and its lasting relevance. Including young people can help to spread a culture of respect for human rights and rejection of the violence and the persons that perpetrated that violence in the past.

CASE STUDY: Burundi

Monuments at the state level representing the (attempted) imposition of permanent truths and absolute memories exclude the possibility of dialogue and the re-casting of those truths. The memories of other communities or counter-narratives are therefore excluded from the process of memorialising.

RESEARCH FINDING: Cultures of Silence

Cultures of silence that maintain impunity after violence have various defining characteristics and a number of causes that can be found in the social, political, institutional and legal landscape after violence. Truths not fully told, the maintenance of conflict identities and negationism, hierarchies of victimhood, the composition of communities after violence, fear and social climates, post-conflict institutions, and silence instituted by law are some of the most common. As silence can be a construct, it is not limited to situations where there is no communication. Indeed, silence itself is a communicative act. In certain contexts silence results from the “cacophony” of discourse, where it is not the absence of voices that creates silence but the sheer number of voices that fail to hear one another.

CASE STUDY: South Africa

The impulse introduced by the TRC to categorise people as victims, perpetrators and bystanders may have detracted from the greater need to understand the root causes of violence. By hearing the individual testimonies of ‘perpetrators’ and ‘victims’, the TRC created an individualised language of both perpetration and struggle, shifting the emphasis from the structures and social conditions that facilitated apartheid. The underlying system of repression was therefore not sufficiently addressed.

Recognising that memorialisation is a process, we should be aware of the risks that the process can be instrumentalised, sometimes with the unwitting complicity of outside actors. During founding moments in the formative years of a state and society after violence, political transition and upheaval can be critical for the construction of new national narratives. These narratives can promote inclusivity, human rights and democracy, but can equally be instrumentalised to promote a one-sided narrative of the past. Where a military victory or similar ending of violence brings a particular group to power or where the post-conflict political landscape is dominated by ethnic or identity politics even after a peace agreement, then this risk will be increased. This risk will also be heightened where a continuum from the past sees former perpetrators forming the political elite. Here the will for a process of memorialisation that supports transformation will be affected by identifiable entrenched interests.

Particularly during transitions from violence, the political elite are usually the benefactors of silence. As such, the propensity for new regimes to seek to eradicate certain memories of the past or memory initiatives is increased. Reinterpreting these memories or initiatives would have a much greater impact than trying to wipe them out. Dynamic, local initiatives can help to counteract the misuse of memory during these transitions.

As the research demonstrates, sequencing will be another crucial factor in the process of memorialisation. Memorialisation is but one piece of a larger transformative framework after violence, whereby transformation in other areas of a state may need to take priority before memory initiatives. Whilst this does not prejudice the fact that memory initiatives can complement other approaches for addressing past violence, a consideration of context may lead to the conclusion that memorialisation may not be appropriate at a given moment. The simple conclusion is that priorities and realities emerging from the context at hand should usually take precedence.

Multiple Narratives: *There can be no one truth after violence; the multiplicity of discourse, different understandings and the value of social dialogue should be acknowledged, respected and adapted to, but recognising that this does not inevitably lead to reconciliation or require affected communities to give up their claims for justice.*

There is no absolute truth, especially after violence. There are multiple truths and a multiplicity of discourse that define the very contours of post-conflict societies. In all decision-making and efforts to engage in memorialisation this basic fact should be remembered since the sheer diversity of the experience of violent conflict means that memories of the past and historical perspectives inevitably lead to different truths about what happened and why.

The principle of Multiple Narratives consequently has two basic tenets: one is the fact of recognising that multiple narratives are constructive; the other is the importance of encouraging hidden narratives to be revealed, including the various roles played by diverse actors. In South Africa for example, efforts to include the narratives of the young men who became (sometimes reluctant) perpetrators would be constructive to the truth of apartheid and explanations of the past, but at the same time an environment conducive to the revelation of their truths must be encouraged, since at present they risk alienation. The same applies to the importance of truths that are often uncomfortable, including the role of the international community in past violence.

Since memory is usually exclusive, the challenge for truth-telling after violence is how to facilitate between multiple narratives. Truth-telling must necessarily be inclusive, finding ways to balance narratives that may be fundamentally opposed. In this respect, memorialisation can provide space for negotiating different narratives with the aspiration of at least coming to a shared history. Here, as always, context and timing will be crucial, since greater lapse in time since the violence ended may offer greater opportunity for this mediation between narratives.

“In Guatemala, we look at the victims and the military dictators, but we also have another participant – the economic elite that used the military to perpetuate their power. This narrative is not part of the current discourse. We need to know more about them. The role of the international context and the American government is also not represented. It needs to be spoken out loud”

Homogenisation of Discourse

Acknowledging the principle of Multiple Narratives means that memorialisation must unequivocally resist any homogenisation of discourse. As noted, the propensity for this appropriation of memory is increased during the immediate formative years of a state after violence. Encouraging local processes can be a way to sustain attention to the importance of multiple narratives, particularly since nationally-imposed narratives will inevitably seek to repress discourse. Where the socio-political context would bring risks for such initiatives, outside involvement must be both visible and vocal in its support. Equally, where these risks are high, the need for such involvement will likely be greater.

In any context narratives that differ from those promoted at the national level should be encouraged. Whether the national narratives being promoted are constructive or not, the truths and memories of violence at other levels of a society will often be very different. To only support national processes can lead to the amputation of particular narratives that then become the archetypal representations of the past. This does not mean that national narratives are less valuable or that narratives targeted towards political purposes should be avoided. As long as hate speech or clear incitement to violence is not being promoted, memory at all levels of a society has a potential value. Instead it points to the importance of multiplicity and for decision-making to consider the acts of memorialisation already taking place that reveal narratives at various levels.

Memorialisation should resist the temptation to oversimplify the past. Whilst often necessary during the initial phase of transition, oversimplification can lead to stylised narratives that reduce the experience of violence to certain details. In itself this has often had a destructive impact on societies trying to move away from violence, sometimes leading to justifications for further violence. And though the immediate aftermath of violence may require that victims in particular have their suffering acknowledged, which may include prosecuting the perpetrators, if the latter remain dehumanised subjects an important historical appreciation that may otherwise contribute to non-recurrence will be lost. Infusing memory initiatives with an understanding of the ‘perpetrators’ as opposed to viewing them as a homogenous group, and equally an understanding of the system of repression underlying the perpetration of violence, will in many contexts contribute to a more effective dealing with the past.

But while multiple narratives are constructive and should be encouraged, it does not follow that reconciliation or relinquishing demands for justice are an inevitable or indeed necessary consequence. This distinction should be clear. Multiple narratives and mutual recognition of suffering do not provide a justification for the crimes that were committed, and providing space for the multiplicity of discourse should not be equated with an attempt to reconcile narratives or groups. Instead multiple narratives provide an understanding of the past and the present that enables the perpetration of widespread violence to be put into a historical perspective.

Youth: *Memorialisation must prioritise and promote the active inclusion of younger generations as agents for change, for the non-recurrence of violence and for dignifying the memories of survivors, especially since youth are often left on the sidelines of memory initiatives by a focus on direct conflict actors.*

A general consensus exists that the active involvement of youth can contribute to the sustainability of a programme, irrespective of the policy field where that programme is being implemented. Transitional justice is no exception, particularly with regard to the assumed role that youth have for the non-recurrence of violence.

And yet the practice of dealing with a violent past and addressing impunity has until now not fully caught up with this common understanding. Memorialisation has often focused solely on the population that experienced violence, leading to youth being left somewhat on the sidelines. Particularly in those countries where cyclic violence has been committed or where youth inherit impunity and silence from their elders, their involvement is essential to breaking the cultures of impunity that emerge.

RESEARCH FINDING: Simplification

Reducing violent conflict to prescriptive identities of the victim-perpetrator-bystander paradigm or ahistorical narratives of the past can lead to destructive dynamics in memorialisation.

“Memorials are most effective when they create spaces for integrative narrative exploration, open up a conversation, often just stand to make a point”

CASE STUDY: Youth in Bosnia-Herzegovina

Practices of memorialisation in Bosnia-Herzegovina were characterised as “dangerous and not sustainable” in the national research report. Dependent on others having not experienced the war themselves, youths are fed an ethno-political discourse about the past that becomes part of the polarisation between ethnic groups that exists in the country. Youths are thus raised to uphold divided identities. Memory initiatives pay too little attention to young people, with a flawed education system also implicated in the unsustainable practice of dealing with the past.

CASE STUDY: Tuol Sleng Museum, Cambodia

The Tuol Sleng Museum in Cambodia is a state-run memory initiative that has been established on the site of a former torture centre used by the Khmer Rouge. Research found that many young people who visit the museum leave without a clear understanding of the past due to the lack of information that would otherwise enable a greater comprehension of the atrocities that were committed. Many young people leave the museum confused and seeking explanations elsewhere.

CASE STUDY: Civil Society Initiatives in Cambodia

In contrast to the state-run initiatives in the country, many civil society initiatives in Cambodia directly target young people. As well as providing more systematic opportunities for young people to learn about their past and empathise with those who directly suffered violence, there are positive indications that the commitment to involve younger people has marked benefits for the wider community. Moreover, youth were found to have a unique ability to mobilise others in the process of memorialisation, including their peers and other community members.

Youth for Non-Recurrence in Argentina

Certain memory initiatives in Argentina include young people in the process of producing and sustaining memories of violence by transmitting the facts about the past, transmitting values through generations, and utilising the education system as a means of transmission. The facts about past violence are transmitted to guard against forgetting, whilst at the same time values are transmitted that target young people as multipliers, demonstrating a commitment to transformation in the present. Seeing the school as an institution of democracy to create long-term institutional changes through memory is also being promoted.

RESEARCH FINDING: State-Level Memory Initiatives and Politicisation

State-level, national memory initiatives are susceptible to politicisation, often introducing hegemonic truths that may convey a one-sided version of the past. Enhanced during moments of political upheaval, these moments are favourable for memory initiatives that support the legitimacy of a new elite in power. The various political changes in Burundi were accompanied by corresponding initiatives, the very basis of the Tuol Sleng Museum in Cambodia was originally to delegitimise one regime for the benefit of another and the new memory-landscape of South Africa is frequently a place for transmitting ANC narratives.

Through inter-generational transmission of memories, we see that the identities of young people are formed and the ideologies of previous generations reproduced. In a number of contexts this has led to the creation of collective memories that are passed from one generation to the next, serving as a basis for interpreting the present and often as the basis for further violence. In other contexts the silence that is passed down leads young people to search for alternative sources to find explanations for the past which brings its own difficulties. And where education or the historical record of violence are incomplete or biased, young people and the society into which they enter as adults will of course both suffer the negative consequences.

Decision-making must therefore strengthen the capacity of local actors to include youth in their work. Since youth “have an appointment with the future”, ensuring that they are included as part of a memorialisation process that honestly deals with the past will benefit the wider post-conflict or -authoritarian society.

“Youth have an appointment with the future”

Memory initiatives can be an important place to ensure that memories are critically dealt with, counter-acting otherwise negative tendencies that manipulate the past. This will also encourage young people to question the identities and ideologies that they inherit. Moreover, encouraging youth to understand the perpetration of violence and its root causes provides opportunity for them to understand the inequalities that may exist in the present, or to identify dangerous dynamics in the future that may lead to the recurrence of violence. Memory initiatives must thus be living and relevant and part of a wider conversation about the past, linked to the present.

Timing will of course be an important factor to consider. Encouraging the critical engagement of youth directly following the cessation of violence may not be the most appropriate course of action where victims and survivors are still seeking redress and recognition for the violence that they suffered. Taking note of the particularities of the context, memory initiatives should be designed accordingly so as to reap the benefits of including youth without affronting the dignity of others. In contexts such as Cambodia, for example, where the Khmer Rouge violence was committed several decades ago, the survivor generation is benefitting from initiatives that bring young and old together, the latter indicating both dignification of their suffering and greater openness to discuss a past that still largely remains unspoken.

It is important therefore that youth are involved in memorialisation for transmitting the facts, guarding against oblivion. Equally, their involvement in memorialisation is important for transmitting values, towards non-recurrence of violence. Encouraging more socially aware citizens means harnessing the potential of youth to be instruments for change. This should be achieved through dynamic memory initiatives that actively engage young people, since static initiatives are easily ignored or judged irrelevant. Participation in memorialisation must include young people in ways that are appropriate and specific to the local context.

Politicisation: *Memorialisation is an inherently political process that can be utilised for the reclamation of violated rights or appropriated to serve malevolent purposes that can entrench impunity and subvert fundamental rights.*

Involvement in memorialisation necessitates an awareness of the inherently politicised process that it involves and the acute risk of manipulation. Memorialisation is not *per se* always constructive, especially after violence. Memory initiatives can come to represent violence and division, in some circumstances even sustaining such violence. But unlike criminal justice, institutionalised truth-telling and other methods of transitional justice that are customarily required to avoid politicisation, politicisation at memory initiatives can also be constructive in societies that have experienced widespread violence.

Awareness is thus required of both the destructive and constructive dynamics that memorialisation can introduce into a given society. Concerning the former first of all, we find that memorialisation as a political tool can eradicate histories, can institutionalise amnesia and can circulate mistruths about the past. Denial and manipulation are powerful tools for party-political discourse and memory is political fodder that serves political discourse, in many contexts to the detriment of other groups. Particularly where identity politics are at work, such as ethnic divisions,

“Politicians misuse victims to create negative images”

CASE STUDY: Guatemala

Memorialisation in Guatemala has been appropriated for political purposes at a number of initiatives.

Policies of the government to introduce symbolic reparations in the form of memorialisation have been criticised for being attempts to avoid providing more substantial redress. Other initiatives have been criticised for their overt political purposes, such as the inauguration of 2011 as the year dedicated to historical memory ahead of scheduled presidential elections.

Egypt: The Impulse to Eradicate

In the immediate aftermath of violence or political change, new regimes may seek to eradicate memories and histories of the past. This politicised process is ongoing in Egypt, where the impulse has been to simply eradicate memories of the Mubarak era. School textbooks and history education, for example, are being re-written to erase positive reference to the Mubarak era, rather than reinterpreting them for more constructive transformation and collective memories.

these dynamics will be especially damaging for transformation away from violence. Manipulation of collective memories thus commonly occurs after violence. It should also not be forgotten that politicians are often the benefactors of silence, especially in those contexts where former perpetrators form at least part of the political elite. Equally, politicians frequently use memory initiatives as means through which to mobilise political support. Where there are discernible risks of these destructive dynamics, where the political will for transformation is absent or where entrenched interests can be identified that would indicate obstacles to transformation, involvement in memorialisation should not provide support or funds to state-led initiatives.

But the politicisation of memorialisation should in other respects be encouraged and applauded. Political activism and demands for truth, justice, reparations and even the non-recurrence of violence can be mobilised through memory initiatives to bring about constructive change after violence. This has been seen in a number of contexts where memory initiatives have created the momentum and influence that has led to criminal prosecutions or the preservation and defence of historical truths. Memory initiatives can also be tools for supporting citizen-initiated political uprisings to depose regimes that systematically violate basic rights. Where politicisation should be avoided when engaging with most processes of transitional justice and tackling impunity after violence, decision-makers should not be afraid to embrace political activism that targets transformation in the social, political, legal and institutional order, nor be afraid to exert pressure on national governments to make state-level initiatives more inclusive.

Endnotes

¹ McEvoy wrote of the 'tendency of international lawyers to eulogize the glory and majesty of international law being 'brought to' previously war-torn regions'. McEvoy, K. (2007) "Beyond Legalism: Towards a Thicker Understanding of Transitional Justice", *Journal of Law and Society* 34(4): 426.

² Snyder, J. and Vinjamuri, L. (2003/2004) "Trials and Errors: Principle and Pragmatism in Strategies of International Justice", *International Security* 28(3): 33.

³ Lemarchand, R. (1999) "Coming to Terms with the Past: The Politics of Memory in Post-Genocide Rwanda", *Unpublished Paper*.

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Impunity Watch is a Netherlands-based, international non-profit organisation seeking to promote accountability for atrocities in countries emerging from a violent past. IW conducts periodic and sustained research on the root causes of impunity that includes the voices of affected communities to produce research-based policy advice on processes intended to enforce their rights to truth, justice, reparations and non-recurrence. IW works closely with civil society organisations to increase their influence on the creation and implementation of related policies. IW runs 'Country Programmes' in Guatemala and Burundi and a 'Perspectives Programme' involving comparative research in multiple post-conflict countries on specific thematic aspects of impunity. The present Policy Brief is published as part of IW's Memorialisation Project, within the wider Perspectives Programme.

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