



Centre for Peace Studies



**THE TRUTH AND RECONCILIATION COMMISSION AND TRADITIONAL METHODS OF
RECONCILIATION IN SIERRA LEONE**

by

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A thesis submitted in partial fulfilment of the requirements for the degree of

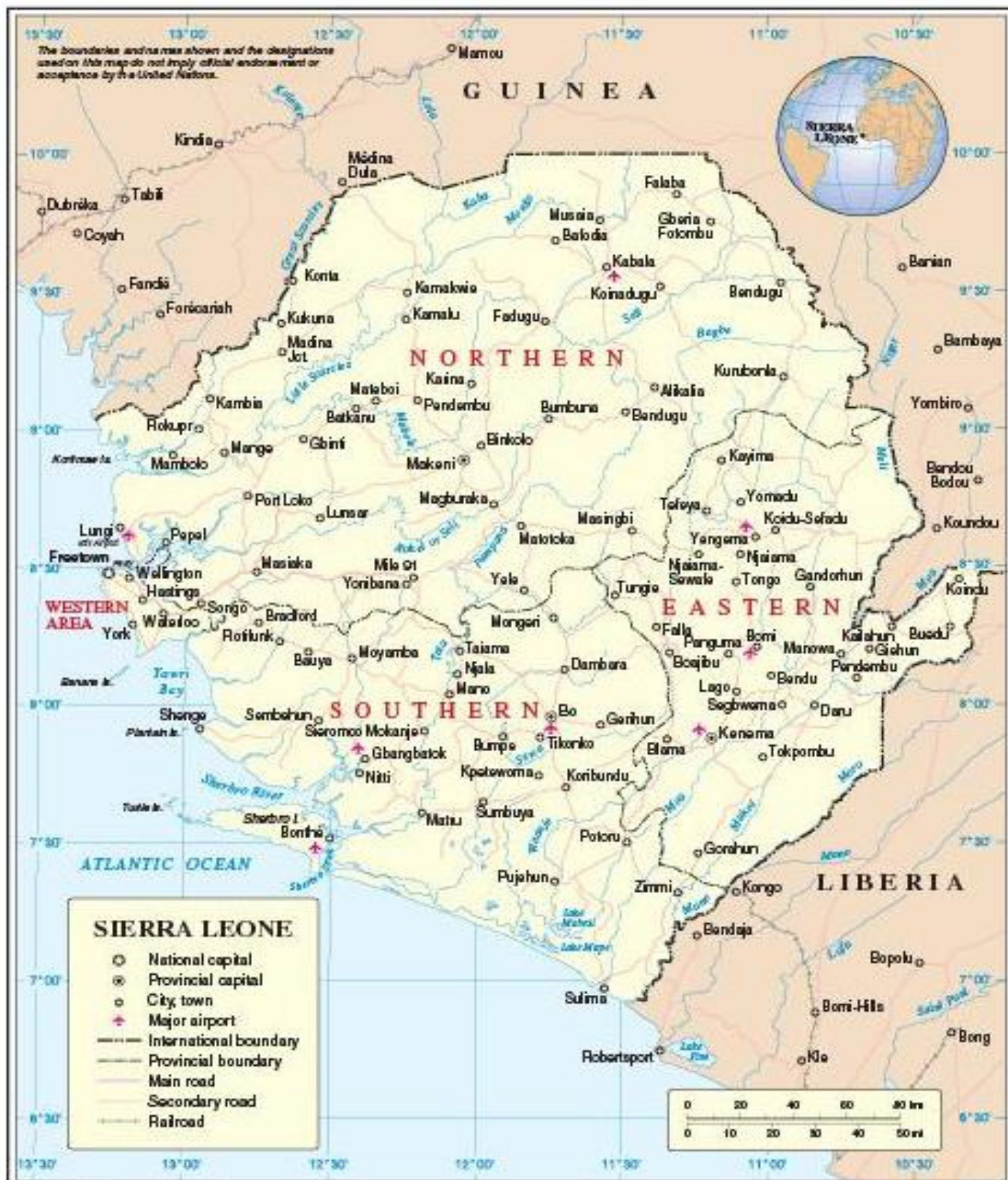
**MASTER OF PHILOSOPHY IN PEACE
AND CONFLICT TRANSFORMATION
UNIVERSITY OF TROMSØ
2009**

ACKNOWLEDGMENTS

I wish to express my sincere thanks and appreciation to my supervisor Ide Hyde for her patience, assistance and supervision and for helping me through every step of my writing process. I would also like to thank my parents for their relentless support and their encouragement in pursuing this course. Special thanks also to staff and lecturers of the Centre for Peace Studies, for their suggestions and help in various ways.

I would also like to thank the Kingdom of Norway and the University of Tromsø for their financial support through the Educational Loan Fund – Lånekassen – that enabled me to complete my Masters Programme. This thesis would also not have been written without the help and contribution of my respondents in Sierra Leone. Special thanks also to my classmates and friends at the Peace Centre, for their encouragement.

Finally, I would like to thank Finn-Are, for allowing me to use and mess up his dining room with books and papers, and for being with me right through my ups and downs of thesis writing.



Map No. 5932 Rev. 5 UNITED NATIONS
January 2004

Department for Peacekeeping Operations
Cartographic Section

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ABSTRACT

The Sierra Leone Truth and Reconciliation Commission (TRC) originated from the Lomé Peace Agreement, signed on 7 July 1999. The agreement provided for a cessation of hostilities and the disarmament, demobilization and reintegration (DDR) of combatants. The TRC was a vital part of a strategy for making the country's fragile peace permanent. Since the Lomé Accord gave all combatants in Sierra Leone's war a blanket amnesty, the TRC was intended to provide an alternative form of accountability. The TRC Act calls on the Commission to undertake research, receive statements from victims and witnesses, and hold public sessions with the aim of establishing an impartial historical record of violations and abuses of human rights and international humanitarian law related to the armed conflict in Sierra Leone, from the beginning of the Conflict in 1991 to the signing of the Lomé Peace Agreement. The Act also calls to address impunity, respond to the needs of the victims, promote healing and reconciliation and to prevent a repetition of the violations and abuses suffered. Most importantly, the TRC Act also stated that the TRC should be able to facilitate victim-offender mediation in cases where the victims welcomed it. In this thesis, I will discuss the Sierra Leone TRC and how it was influenced by traditional methods of reconciliation. We must note that the most important day to day exercise of restorative justice is to be found in the work of rural or local communities. In Sierra Leone, these communities were worst hit during the war as compared to the capital, Freetown. One of the questions which my study aims to answer is if the formal TRC system or methods of mediation were preferable to or more useful than the traditional/ritual methods of reconciliation in Sierra Leone.

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LIST OF ABBREVIATIONS AND ACRONYMS

AFRC – Armed Forces Revolutionary Council

APC – All Peoples Congress

CDF – Civil Defence Force

ECOWAS – Economic Community of West African States

NGO – Non-Governmental Organisation

NPFL – National Patriotic Front of Liberia

NPRC – National Provisional Ruling Council

RUF – Revolutionary United Front

SLA – Sierra Leone Army

TRC – Truth and Reconciliation Commission

UNOCHA – United Nations Office for the Coordination of Humanitarian Affairs

1. Introduction

Countries emerging from civil conflicts face the question of how to deal with the painful legacy of the past. Whether there are conflicts, wars or any form of organised violence, the consequences can be the death of millions of people, uncounted numbers of displaced people and wounded victims – physically and/or psychologically. Budding democracies that emerge from such conflicts therefore ask if priority should be given to bringing the perpetrators of past human rights violations to justice, thereby combating the culture of impunity that has come to characterise many civil conflicts. Or is it more important for them to focus on measures designed to ensure that peace and stability are strengthened – or should the two go together? These are not easy questions; but the nature of contemporary conflicts compels us to consider them.

Sierra Leone's eleven-year conflict was marked by extreme violence and brutality on two sides. On one side were the Sierra Leone Army, the government-aligned local militia, Civil Defence Force (CDF) also locally known as the 'Kamajors' and the West African regional force called ECOMOG¹. On the other side was the Revolutionary United Front (RUF) which was best known for its indiscriminate abuse of human rights, the amputation of limbs of innocent civilians, wide spread sexual violence and forceful conscription of children to join its fighting force. While the RUF's brutality is well known and horrific, all parties committed atrocities.

After several unsuccessful peace negotiations and accords and the government nearly losing control of the capital to the rebels² on January 6, 1999, the war finally and slowly came to a close with the signing of a peace accord in Lomé, Togo, in July 1999. Hostilities briefly re-erupted in 2000, but peace was finally and formally declared in January 2002. The Sierra Leone Truth and Reconciliation Commission (TRC) was set up because of the consequences of the war. The nation needed healing and reconciliation after years of brutal killings, atrocities and physical and psychological trauma. However, the underlying questions are: did the TRC achieve such results. For example, did it achieve the reconciliation it set out to achieve? After the war and the TRC – what next?

¹ ECOMOG is the military force for the West African organization: Economic Community for West African States (ECOWAS).

² The use of the word 'rebels' in this project, is a reference to the 'RUF'.

This research deals with not only the TRC but with the different attempts in healing the wounds of violent conflict through reconciliation. It also emphasises the effectiveness of traditional methods of reconciliation. It is important to find out if, for Sierra Leoneans, there is a significant difference between the modern conduct of the TRC and the traditional methods of reconciliation they believe in. Can traditional and modern reconciliation methods complement each other? Throughout this thesis, the reader will be coming across the words 'traditional' and 'modern'. Distinguishing between these two words for this thesis is important. 'Traditional' as used here means local beliefs and practices; the belief in ancestors, and objects and symbols that are used in traditional (reconciliation) ceremonies. 'Modern' refers to the western or official forms of reconciliation that involves public apologies, documentation of a conflict and the granting of reparations. TRCs are considered to be in this category wherein stakeholders drew experiences from lessons learned in past truth commissions to set up a new commission in a post-conflict environment. By the use of text analysis, observations, interviewing and film, I have come closer to an understanding of the answers to this question of whether traditional was preferred to modern or if the two complement each other.

Conclusively, it is expected that this study will form the basis of empirical research and create room for more research on how the two mechanisms – modern and traditional – can be used for the best to promote reconciliation. My central finding is that methods of mediation and reconciliation can reinforce each other and can simultaneously be adopted when implementing national and local reconciliation mechanisms in a country that has experienced violent conflict.

2. Background

Sierra Leone, a small West African country with a size of 27,000 square miles and a population of about 6 million people has had a rather chequered history since it got independence from Britain in 1961. Its complex contemporary situation, history, political system and conflicts can best be understood by grasping its experiences and circumstances in history. At independence the country seemed to have great promise with relatively well functioning educational, administrative, judicial and political institutions. It inherited a Westminster-style of government with modifications to accommodate the peculiarities of local conditions. However after independence in 1961, the great euphoria that welcomed the birth of a new nation turned to despair and disappointment because of the actions or inactions of the political leadership.

Thus, the conflict in Sierra Leone was preceded by a long period of political, economic and social decline. To better understand and evaluate the Truth and Reconciliation Commission (TRC) and traditional methods of reconciliation in Sierra Leone, it is needed to have background knowledge about the Sierra Leone conflict and its causes, the TRC and how it is related to traditional methods in Sierra Leone.

2.1. The Sierra Leone Conflict

The war in Sierra Leone started in March 1991. An insurgency force self-styled³ the Revolutionary United Front (RUF) invaded the country from three fronts on the Sierra Leone–Liberia border. These first three attacks triggered the war which was to last for 11 years. The RUF was led by Foday Sankoh, a former army corporal who had been imprisoned in 1971 for his alleged involvement in an attempted coup against the ruling party, the All Peoples Congress (APC). The first attack was in Bomaru in the Kailahun district on the 23rd March 1991. The second attack, four days later, was in Koindu also in the Kailahun district and the third attack on the 28th of March was in Zimmi, a strategic town in the Pujehun district. The

³ They called themselves the RUF because they intended it to be a revolutionary group against the ruling All Peoples Congress Party (APC).

RUF quickly overran the Kailahun district and they made that a strong base throughout the period of the conflict.⁴

Sierra Leone's eleven-year conflict was marked by extreme violence and brutality on two sides. On one side was the Sierra Leone Army, the government-aligned local militia, Civil Defence Force (CDF) also locally known as the 'Kamajors' and the West African regional force called ECOMOG. On the other side was the RUF which was best known for its indiscriminate abuse of human rights, the amputation of limbs of innocent civilians, wide spread sexual violence and forceful conscription of children to join its fighting force. According to a report by Human Rights Watch, there was "...widespread and systematic sexual violence, including individual and gang rape, and rape with objects such as weapons, firewood, umbrellas, and pestles. Rape was perpetrated by both sides, but mostly by the rebel forces" (Human Rights Watch, 2003:3).

Although the RUF sometimes made ideological statements and there were sketchy reports of 'revolutionary' and 'egalitarian' practices, the words of the rebels were repeatedly and dramatically contradicted by their actions (Keen, 2005:39). Initially, at its inception, the RUF consisted of a mixture of middle class students with a populist platform, unemployed and alienated youths, and even teachers. They were attracted by the RUF rhetoric⁵ and they joined the movement. Liberian fighters from Charles Taylor's National Patriotic Front of Liberia (NPFL), who had helped Charles Taylor in his quest to become the president of Liberia, were also members (mercenaries) of the RUF. However, the RUF's ideology of salvaging Sierra Leone from the corrupt APC regime quickly degenerated into a campaign of violence and became particularly known for its crude and indiscriminate human rights abuses – notably by atrocities against civilians, including widespread abduction, exploitation and sexual violence, and the coercion of their own fighters once recruited.

The RUF invasion took the government by surprise, although Charles Taylor had indicated months before that he would attack Sierra Leone, where the ECOMOG had established its

⁴ I included this detail because part of my field work and findings were done in villages in the Kailahun district.

⁵ The main aim of the RUF was to 'liberate' the people of Sierra Leone and overthrow the one-party All People's Congress (APC) government of President Joseph Saidu Momoh, which the rebel leadership described as corrupt, tribalistic and lacking a popular mandate.

base. ECOMOG fighter jets attacked rebel bases in Liberia from Sierra Leone. The Sierra Leone Army (SLA) was ill-prepared and demoralised but it had to engage in the insurgents.

On 29th April 1992, a group of Sierra Leone Army (SLA) officers from the war front in the east of the country organised a coup d'état, in protest against poor conditions on the battle field and the shabby way (the then Sierra Leonean President) President Momoh was pursuing the rebel war. The soldiers were successful in overthrowing the government and President Momoh was flown to Guinea by the ECOMOG forces. The army officers then set up the National Provisional Ruling Council (NPRC), with Captain Valentine Strasser as chairman. The NPRC vowed to quickly end the war and return the country to constitutional rule and they were initially very popular, especially among young people.

However, the situation in the army became critical as many soldiers were defecting. Some soldiers formed an alliance with the rebels and joined the rebels to attack villages. Some soldiers also engaged in exchange of weapons for diamonds with the rebels (Keen, 2005:135). Civilians called these soldiers '*sobel*s' (*soldiers/rebels*). Those who remained in the force did so for personal reasons. By 1994 the RUF had occupied the major diamond mining areas and the proceeds from the sale of diamonds were used to fuel the conflict. By April 1995, the RUF rebels were only miles away from Freetown and Captain Strasser was forced to approach the United Nations (UN) for assistance.

Democratic elections were held in February and March 1996 which brought the Sierra Leone People's Party (SLPP) back in government. The SLPP had ruled from 1961 to 1967 but was defeated by the APC party in 1967. President Tejan Kabbah of the SLPP held peace talks with the rebels and the Abidjan peace agreement was signed in Abidjan on 30th November 1996; but it was short-lived. Another military coup disrupted the democratic process on May 25 1997. President Tejan Kabbah's government were forced to flee to Guinea.

The military junta called itself the Armed Forces Revolutionary Council (AFRC), and it was led by Major Johnny Paul Koroma. The junta invited the RUF rebels to help them administer the country. This period of AFRC rule lasted from 25 May 1997 to February 1998 and it was characterised by extreme lawlessness and mayhem. It also however saw a unique form of civil disobedience against the regime. In February 1998, ECOMOG troops in alliance with the loyal soldiers of the army, police and the CDF Kamajors successfully fought the AFRC out of

Freetown. President Kabbah's government was restored but the retreated rebels threatened the countryside with continued attacks and atrocities.

The war came to its climax with the destruction of most parts of the capital Freetown, on January 6 1999. Some RUF and AFRC forces were able to pass through ECOMOG checkpoints using women and children as human shields to join their comrades who had already infiltrated the city. During this attack on Freetown, an estimated 5,000 people were killed, including cabinet ministers, journalists and lawyers who were targets. Before ECOMOG successfully fought the rebels out of Freetown, large parts of the city was burned down and about 3, 000 children were abducted as the rebels retreated.

After this final attack on Freetown, the government, the international community and civil society groups held peace talks with the rebels, and on July 7 1999 the Lomé Peace Agreement was signed. Following the signing of the agreement, ECOMOG troops were gradually replaced by UN troops who helped with the peace process. On the 18th of January 2002, President Kabbah formally declared the war over.

2.2. Causes of the war

The RUF rebel onslaught had been preceded by a long period of political, economic and social decline as well as a prolonged history of social injustice. Therefore the reasons for Sierra Leone's slide into anarchy were many and varied. According to Schabas⁶, there are two widespread explanations for the conflict. One that largely blames external forces: Liberia's Taylor, Libya's Ghadaffi and the interrelated international diamond smuggling mafias. The other focuses on internal causes: corruption, bad governance and the lingering legacies of colonialism (Schabas and Darcy, 2004).

The prevailing view among external observers, commentators and non-governmental organisations is that diamonds were the root of the war in Sierra Leone. However, the Truth and Reconciliation Commission concluded otherwise, noting that the rebel groups did not focus on controlling the diamondiferous regions until the later years of the conflict. Because diamonds are central to the country's economy, they were inevitably a factor in the conflict,

⁶ William Schabas was a member of the Sierra Leone TRC and is a Canadian Human Rights lawyer and the current Director of the Irish Centre for Human Rights at the National University of Ireland, Galway.

but their role has been largely overstated. “Schabas and Darcy wrote that “The conflict was brought on by internal contradictions, not greedy outsiders” (Ibid. :13).

One main cause of the war was misadministration. The APC ruled from 1968 to 1992 and under their regime, the gains of the early years of independence were systematically eroded by bad governance and reckless economic management, characterised by indiscriminate plunder of the country’s resources. The APC also developed dictatorial tendencies and in 1978 declared a one-party system of government. Also the concentration of political power in Freetown led to the neglect of or stunted development in the rural areas and created the conditions for the disempowerment of the rural population in particular. Thus the system was worsened by corruption, nepotism and other ills that were detrimental to the state’s wellbeing. Transparency and accountability were absent in the administrative system and the judiciary was compromised. As the Sierra Leonean historian Joe Ali puts it, “An over-centralised, inefficient and bankrupt one-party system rewarded sycophancy and punished hard work, patriotism and independent thought” (Ali, 2008).

A declining economy was another cause of the Sierra Leone conflict. The government failed to translate the country’s rich endowment of mineral and marine resources into improved welfare for the majority of the population. Another factor was a weak access to justice. The corruption and politicization of important state institutions such as the judiciary and the traditional court system led to abuse of power by judges, lawyers and local court officials. In the provincial areas, young men suffered at the hands of corrupt and high-handed local authorities. Some of the chiefs who enjoyed the favour of the APC government ruled adversely, abused and molested their subjects and connived with the central administration to intimidate civilians (Keen, 2005:20). Some of these aggrieved young men (nursing their own experiences of injustice, disgrace and humiliation) became recruits in the RUF and later returned to their communities during the war to exact revenge on their former oppressors.

The alienation of youth was also a contributing factor to the war. Over the years, poor educational facilities, inadequate and inappropriate curricular and programmes and lack of employment opportunities for young people helped to marginalise them and turn them into rebellious groups. Many became socialised in the climate of violence, drugs and criminality, and it was among this ready pool of alienated young people that many of the rebel leaders recruited their first crop of fighters.

Thus, it can be seen that there were many structural and other forms of violence existing in Sierra Leone before the conflict began. Rebel leaders capitalised on the people's suffering to pose as liberators. According to the Sierra Leone TRC, rebellion, driven by the country's frustrated and disillusioned youth, was probably the inexorable result of the post-colonial dictatorships. Regrettably, the RUF had little or no ideological underpinning, and they soon fell into the same corrupt, abusive ways as those whom they had condemned and pledged to overthrow (Schabas and Darcy, 2004).

2.3. The Sierra Leone Truth and Reconciliation Commission

Truth and Reconciliation Commissions (TRC) have emerged as a common mechanism within the toolbox of transitional justice. TRCs as strategies for coming to terms with the past in Africa came into prominence following the example from South Africa after the end of apartheid and the return to majority rule in 1994. It was on the background of the success of the South African TRC that the thought of creating a TRC for Sierra Leone was born. Since January 2002 when the then President, Ahmed Tejan Kabbah⁷ officially declared Sierra Leone's brutal eleven year conflict over, numerous efforts were made to consolidate peace in the country. The election that was held on 14 May 2002, in which the Revolutionary United Front (RUF) rebel group participated and was politically defeated, was a significant step forward. The country seemed internally secure for the first time in over a decade. Sierra Leoneans were optimistic that the country has entered a new phase. However, the challenge was that the root causes of the conflict remained unresolved, including high levels of corruption, greed, uneven distribution of revenue from natural resources, a weak and compromised judicial system, and widespread poverty (Schabas and Darcy, 2004).

A truth commission for Sierra Leone had been on the agenda for several years and had also been proposed in an earlier and subsequently aborted peace agreement to the war that was reached in Abidjan in November 1996 (Schabas and Darcy, 2004). The July 1999 peace agreement provided for a cessation of hostilities and the disarmament, demobilization and reintegration (DDR) of combatants. Sierra Leone's Truth and Reconciliation Commission was mandated by Article XXVI of the 1999 Lomé Peace Agreement, and was established when

⁷ Sierra Leone had a regime change through democratic elections in August 2007 with the All Peoples' Congress Party becoming the new ruling party.

Sierra Leone's Parliament passed the Truth and Reconciliation Act in 2000. The TRC was seen as a good strategy for making Sierra Leone's fragile peace permanent. Since the Lomé Accord gave all combatants in Sierra Leone's war a blanket amnesty, the TRC was intended to provide an alternative form of accountability. It was mandated to create "an impartial, historical record of the conflict", address impunity; respond to the needs of victims; promote healing and reconciliation; and prevent a repetition of the violations and abuses suffered" (TRC, 2000). Its reference period was to investigate abuse of human rights and international humanitarian law during the conflict from the beginning of the war in 1991 to the signing of the Lomé Peace Accord in 1999.

The commission appointed seven commissioners, from different professional backgrounds. Four commissioners were Sierra Leoneans: Joseph Christian Humper, a Methodist bishop and president of the Inter-Religious Council as the chairman of the commission, Justice Laura Marcus Jones, a former judge of the Sierra Leone high court and was also the deputy chair of the TRC, Professor Kamara, a college principal and veterinary surgeon and Sylvanus Torto, a teaching Fellow at the Institute of Public Administration and Management (IPAM) at the University of Sierra Leone, Freetown, and currently a commissioner at the National Electoral Commission. The international commissioners were put forward by the UN High Commissioner for Human Rights: Yasmin Sooka, a South African Human Rights lawyer who also served at the South African TRC, Satang Jow, a former Minister of Education in Gambia and William A. Schabas.

The Sierra Leone TRC had a twelve months mandate. In October 2003, close to the end of its one-year mandate, the then President Ahmad Tejan Kabbah granted the Commission a six-month extension, allowing it to continue work through the first few months of 2004 (Hayner, 2004). The Commission's first year was challenging and it conveniently lost its full preparatory period and the first three months of its mandate due to administrative difficulties. According to a report by the International Crisis Group (ICG), "the TRC was found to have substantial problems with its start-up performance that could undermine the hopes of many victims of the war, impede perpetrators to tell their stories and ultimately impair the institution's contribution to reconciliation" (ICG, 2000). Many specific problems faced by the TRC were rooted in the three-month preparatory phase (July- September 2000) that followed the formal launch and left it ill-prepared to begin its operational phase on schedule in October

2000. Apparent inaction in October and November (2000) resulted in a growing lack of confidence among donors⁸ and Sierra Leone's civil society.

Despite these difficulties however, the TRC undertook remarkable work in some areas. From April 2003 onwards, it conducted hearings in Freetown and the headquarter towns of the twelve provincial districts. In the provinces, scores of people typically testified and hundreds attended. The proceedings were broadcast on radio and the highlights edited into a 45 minute television show each evening. The Commission also conducted 'closed' hearings in which children and victims of sexual violence testified. Some of this testimony was also broadcast, though the identities of the deponents were disguised. In all, over 450 people testified to the Commission in thousands of hours (TRC, 2003).

Most importantly, the TRC was able to facilitate victim-offender mediation in some cases where the victims welcomed it. Thus, instead of being faultfinding or punitive, the TRC during its existence served as a legitimate and credible forum for victims to reclaim their human worth, and a channel for the perpetrators of atrocities to expiate their guilt and chasten their conscience. The process is likened to a national catharsis, involving truth telling and respectful listening (UNAMSIL, 2001).

2.4. Traditional Methods:

The explicit reference to traditional justice instruments, mechanisms and/or methods in the context of peacemaking and justice is innovative. It is one of the strongest signs of the rapidly increasing interest in the role that such methods can play during a transitional period. The shift in transitional justice paradigms has however opened up ample space to discuss the role of traditional mechanisms. After a civil war, genocide or a brutal dictatorship ends, the inevitable question arises of how to deal with those who have committed grave human rights abuses and the victims.

The term 'traditional' with its Eurocentric connotations tends to suggest the existence of profoundly internalised normative structures (Ali, 2008). It also refers to patterns that are seemingly embedded in historical as well as static political, economic and social circumstances. But it must be noted that African institutions, whether political, economic or

⁸ The entire financing of the TRC came from international donors, with the United Nations Office of the High Commissioner for Refugees (UNOCHR) assuming principal responsibility for fund-raising.

social, have never been static. They respond to changes resulting from several factors and forces. However, there is still a need to carry on tracing the processes that led to the development of some of the original practices, to the decay of others and the appearance of new ones, such as various forms of psychotherapeutic healing, like narrative therapy for example.

Doubts about the use of trials led to a search for alternative and/or complementary mechanisms to avoid the dangers of too much of and too little criminal justice. The conviction then arose among restorative practice advocates that in most circumstances, one tool alone would not be enough. A combination of measures and instruments need to be put in place or implemented. As part of this development, some post-conflict societies have now turned their attention to their legacy of indigenous practices of dispute settlement and reconciliation. The argument is that traditional and informal justice systems may be adopted or adapted to develop an appropriate response to a history of civil war and oppression (Huyse, 2008).

Former Secretary General of the United Nations, Kofi Annan in 2004 officially acknowledged this, when he stated in his August report on *The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies*, that “due regard must be given to indigenous and informal traditions for administering justice or settling disputes, to help them to continue their often vital role and to do so in conformity with both international standards and local tradition” (United Nations Security Council 2004:12).

The end of a civil war or a violent conflict creates a delicate agenda of rebuilding the political machinery and the civil service, guaranteeing a minimum of physical security, disarming rebels, healing the victims and repairing the damage inflicted on them, and the list continues. The way how this would be done depends on the setting in which it is being implemented. In some cases, trials may contradict the legal culture of a post-conflict society. For example, Arch Bishop Desmond Tutu, chair of the South African Truth Commission, argues that Western- style of justice does not fit with traditional African jurisprudence. It is too impersonal. The African view of justice is aimed at “healing of breaches, the redressing of imbalances, the restoration of broken relationships. This kind of justice seeks to rehabilitate both victim and the perpetrator who should be given the opportunity to be reintegrated into the community he or she has injured by his or her offence” (Tutu 1999: in Huyse, 2008:5).

Taking the Sierra Leone scenario, its culture does not only include traditional systems of justice and reconciliation, but it is also guided by traditional norms that encourage tolerance and forgiveness. This is seen in the krio⁹ proverb that says: “*bush nor de for troway bad pikin;*” translated as: “there is no bush where one can throw away a bad child.” This basically means that irrespective of the crimes people have committed, they are still regarded and accepted as members of the society. This indicates that Sierra Leoneans could at least find ways to accommodate and address the twin issues of for example, rebels and child soldiers. This brings us to the American anthropologist Rosalind Shaw’s discussion of social forgetting and social recovery (Shaw, 2005). In her article: “Rethinking Truth and Reconciliation Commissions: Lessons from Sierra Leone”, she points out that the majority of Sierra Leoneans preferred to heal through social forgetting and social recovery, in other words, forgiving and forgetting. She explains how a community can collectively come together and decide to forget and recover from past atrocities, by not talking about it. She notes:

“I found people and communities engaged in a variety of processes of social recovery. As far as I could tell, people had been talking about the violence when the violence was present, but once it stopped, healing took place through practices of social forgetting...” (Shaw, 2005:9).

Therefore, in other words social forgetting is a communal refusal to reproduce the violence by talking about it publicly.

Given such scenarios, Sierra Leonean communities have continued to rely on traditional forms of conflict resolution and reconciliation through existing ‘secret societies’ like the Bondo (Sande) – analogous to kinship groups – which create a sense of comradeship between its members who are strictly women. These secret societies are important avenues of re-connection, especially for those families whose children had been rebels, as they encouraged reconciliation as opposed to condemnation, ostracism and retaliation. In addition communities turned to other traditional tools and instruments including cleansing ceremonies and the use of songs, dance and proverbs that focus on tolerance and harmonious rebuilding of society (IDEA, 2006).

Traditional transitional justice mechanisms have several advantages one of which is the fact that they are accessible to rural people. Their proceedings are carried out in the local language

⁹ Krio is the main local language in Sierra Leone.

and often the venue is within walking distance. Also, because these methods are highly participatory, they give the victim, offender and the community as a whole, a commonly known voice in finding a lasting solution to the conflict. In a reconciliation process, two general goals are the healing of wounds of victims and survivors and restoring broken relationships between members of a group and between communities. The key element here is to prevent the recurrence of deadly conflict. It must be noted that traditional methods of reconciliation feature a great deal in these general goals of reconciliation. This will be expanded upon in subsequent chapters.

3. Theoretical Framework

Traditionally, political communities have relied on judicial institutions and processes to prosecute and punish collective crimes. Courts have frequently proven inadequate in confronting offences, especially when domestic and international political conflicts involve widespread human rights abuses and political violence (Amstutz, 2005). Therefore, if a just communal order is to be restored, public officials must give as much attention to reconciliation and the restoration of public trust as much as to the reparation and punishment of offences. This chapter examines my theoretical understanding on how effective a communal order could be when incorporating traditional and modern transitional justice mechanisms, as a step towards peace and reconciliation in a country that has suffered violent conflict.

3.1. Toward a Theory of Communitarianism

In his book “The Healing of Nations”, the American political scientist Mark Amstutz developed the theory of political forgiveness by using two major theories of our political society: political liberalism and communitarianism (Amstutz, 2005). Liberalism emphasises retributive justice and the promotion and protection of human rights through the rule of law. On the other hand, communitarianism emphasises restorative justice, the healing of victims and the renewal of social and political relationships. I will base this research on the theory of communitarianism to emphasise how effective traditional methods of reconciliation can be, when they are incorporated and used simultaneously as restorative or transitional justice mechanisms.

Since some offences cannot be repaired through legal retribution, the communitarian perspective promotes the renewal and healing of divided societies through the moral rehabilitations of social and political relationships (Ibid.). I am not trying to negate the need for legal accountability. I am however trying to point out that a communitarian perspective encourages the healing of deeply fragmented and alienated communities through apologies and the showing of empathy. For a society like Sierra Leone, this is really what was needed. Communitarianism thus provides a means by which communities can begin to restore their social and political relationships.

Modern-day communitarianism began in the upper reaches of Anglo-American academia in the form of a critical reaction to John Rawls' landmark 1971 book *A Theory of Justice*. Drawing primarily upon the insights of Aristotle, Hegel and other philosophers, contemporary political philosophers such as Alasdair MacIntyre, Michael Sandel, Charles Taylor and Michael Walzer disputed Rawls' assumption that the principal task of government is to secure and distribute fairly the liberties and economic resources individuals need to lead freely chosen lives (Online Stanford Encyclopaedia of Philosophy). Whereas Rawls seemed to present his theory of justice as universally true, communitarians argued that the standards of justice must be found in forms of life and traditions of particular societies and hence can vary from context to context (Ibid.).

Before continuing, let me note that debates around the communitarian theory suggest two distinctions: Philosophical Communitarianism and ideological communitarianism. Philosophical communitarianism emphasises the role of the community in defining and shaping individuals. Ideological communitarianism on the other hand is characterised as a radical ideology sometimes marked by leftism on economic issues or conservatism on social issues (answers.com). For this thesis, I will concentrate on communitarianism in the philosophical perspective; in other words the importance of tradition and how individuals interact with their social contexts and self-conceptions.

Amstutz also made a distinction between the two different approaches to communitarianism. According to him, the ideological form of communitarianism, represented by theorists such as Amitai Etzioni, Charles Taylor and Michael Walzer, emphasized the need to balance individual rights with communal bonds. Therefore this communitarian perspective emphasises the cultivation of social and political relationships and of moral values and traditions that help sustain the common life (Amstutz, 2005). The philosophical form of communitarianism on the other hand, represented by the American political philosopher Michael Sandel and others, emphasise the capacity to choose rightly. Sandel notes that the ability to pursue the common good does not only depend on the individual, but it also requires the knowledge and sense of belonging, a concern for the whole, and a moral bond with the community whose fate is at stake (Ibid.).

Therefore, the notion of the theory of communitarianism (in this sense philosophical communitarianism) is that value stems from the community and the individual. This was developed by the German Philosopher Johann Gottfried Herder (1744 – 1803), who was said to be the first to move towards a communitarian view. According to him, individuals are shaped by culture. They do not exist prior to culture, but are moderated by it. Thus communitarianism for Herder attempts to deepen an understanding of the community and society (Online Stanford Encyclopaedia of Philosophy).

Communitarianism can thus be translated to mean belongingness. This means that there is a strong sense of belonging and family ties that links the community, a clan tribe or ethnic group to a nation or a state. Linking communitarianism to the African perspective, Dr. Alex Nkabahona co-ordinator for the Peace and Conflict studies at the University of Kampala notes that the African society was and is organised around the family and community. “The community was/and to a great extent still is even today, the organic institution that shapes or moulds the way of life of individuals who belong to that community” (Nkabahona, 2007).

At a local level, traditional methods of reconciliation can be used in an attempt to come to terms with the past. A good example is Rwanda, where the Gacaca Courts, a traditional participatory court system was established after the 1994 genocide, to reconcile the Rwandan people and thereby bring an end to the vicious circle of extreme violence (Brounéus, 2003: 10). Parallel to these local initiatives, international tribunals are seeking to restore justice. In Sierra Leone, the two mechanisms were used in applying both theories of liberalism and communitarianism. The Sierra Leone TRC – Communitarianism – and the Special Court for Sierra Leone – Political Liberalism – ran concurrently. I will expand more on how these two theories affected each other in my findings chapter where I will discuss my data.

It must be noted that after large scale violent conflicts, the number of offenders is so vast that there is no possibility for international tribunals to bring all offenders before trial. Thus in some post-conflict societies, retributive justice has been ruled out in favour of restorative justice initiatives based upon communal healing techniques. In Mozambique, for example, after the civil war ended in 1992, as victims, exiles and displaced came home, communities reverted to traditional healing rituals designed to take the violence out of the individual person and facilitate reintegration into the community (Clark, 2008). Therefore it is very important

for local or traditional proceedings to be implemented to help expedite the national work of truth and reconciliation.

3.2 Reconciliation

Reconciliation aims at increasing understanding between groups and individuals caused by and connected to, conflict between them. The literature on reconciliation therefore suggests that the process needs to “work on both social and individual levels and that it includes the re-negotiation of identities, the re-humanization of self and Other, and the development of empathy between people who previously perceived each other as enemies (Cameron, 2007).

Reconciliation is a complex concept, and as with many concepts that seek to describe human interaction, there are critical discussions on its definition. Various definitions of what constitutes reconciliation have been suggested by different literatures. Truth Commission expert, Priscilla Hayner writes that “reconciliation implies building or rebuilding relationships today that are not haunted by the conflicts and hatreds of yesterday” (Hayner, 2001: 161). To ascertain whether a process of reconciliation is under way in a post-conflict society, Hayner suggests that three areas can be observed: how the past is integrated and spoken about between former enemies; if relationships are based on the present or past; and if contradictory versions of the past have been reconciled – not into one truth of the past but to versions not based on lies and denial (Brounéus, 2003).

Another leading scholar and conflict resolution practitioner, John Paul Lederach, says relationships should be the main focus in reconciliation. He defines reconciliation as being constituted by both “a focus and a locus...reconciliation represents a space, a place or location of encounter, where parties to a conflict meet” (Lederach, 1997: 30). For him, the focus of reconciliation is upon building new and better relationships between former enemies, since relationships are both the root cause and long-term solution of conflicts. Reconciliation must also involve encounters between individuals in which the past is acknowledged, trust re-established and empathy develops.

In her study of Cuba, Cuban expert and Professor, Holly Ackerman identified six steps in a reconciliation process. First, she describes reconciliation as “an event.” She argues that reconciliation is like a journey that starts with a single step and where “divided factions literally meet and sit together for the first time in an effort to begin to exchange views and

initiate a process of accommodation of past differences.” Secondly, she sees reconciliation as involving the “dissolution of conflicting identities.” She continued that in order to achieve a social conversion, individuals and institutions must recognise their past mistakes, and set out on a new path. Thirdly, she sees reconciliation as facilitating “mutual coexistence among distinct groups by building respect for differences, communicating across differences and celebrating unique ways of being.”

Fourthly, she sees reconciliation as “individual moral evolution which involves confession, repentance, atonement and forgiveness...wherein both victims and perpetrators must examine their actions and attitudes and make necessary moral corrections.” Her fifth step is that reconciliation is affected by “the rule of law via effective guarantees of human rights.” This step for her, deals with “establishing the truth of past human rights violations and then installing a more effective rule of law to protect the restored balance.” Finally, she sees “reconciliation as community building” with the central focus on “interdependence.” She notes that a nation is divided because significant numbers of citizens have ceased to see that collective well-being depends upon mutual respect” (Ackerman, 1999: 342-343). This final step can be linked with the theory of communitarianism discussed above, where reconciliation is done at the community level, bringing together aggrieved members of a society and their offenders. Therefore for reconciliation to succeed there must be a sense of community among all parties concerned wherein they agree that there is a greater advantage in uniting than in dividing.

As political scientist Andrew Rigby rightly puts it, in order to move on from the confines of past injuries and injustices, individuals must try to forsake the search for vengeance. Without this, the relationship between former enemies will not be transformed (Rigby, 2001). At the core of any reconciliation process lies the preparedness of people to anticipate a shared future; but for this to occur, people are required to forgive, not forget the past, and thus be in a position to move forward together (Ibid.)

Based on all these various definitions and discussions about reconciliation, they all cut across in that they all deal with reconciliation as involving mutual acknowledgement of past suffering; reconciliation involving the changing of destructive patterns of interaction between former enemies into constructive relationships, attitudes and behaviour; and reconciliation involving a process towards sustainable peace. Thus reconciliation mainly focuses on

remembering, changing and continuing life in peace. It could eliminate the danger that the wrongdoings of the past will create renewed conflicts; but in practice, it is a long, difficult and unpredictable process that demands a change in attitudes, in conduct and in the international environment (Bloomfield et al., 2003).

To help us understand how reconciliation can be achieved in a community setting, I will discuss in the next section, one approach that is widely used by TRCs: the narrative approach. Narrative, like communitarianism, provides a means by which reconciliation may begin when members in a community begin to reflect upon common experiences by which they can identify themselves with. TRCs for example, use narratives as a form of therapy because it is a respectful, non-blaming approach to counselling and community work which centres people as the experts in their own lives.

3.3. Narrative

Narrative can mean an account of an event or events or story telling. Narrative theory or narratology is the systematic study of narratives. It is a cultural phenomenon, partaking of cultural processes and it constitutes the interest of narrative analysis. Such a theory helps us to understand, analyse and evaluate narratives. Narratives has been with us in one form or another and thus have evolved into one of the most tangible, coherent and precise areas of expertise in literary and cultural studies (Currie, 1998). An early approach to the narrative theory came from Aristotle's focus on plot as a story's first principle (Smith et al., 2005). Aristotle characterises narratives as a "whole" composed of causal relationships comprising of a beginning, middle and an end (Ibid:335).

The use of narrative in this thesis does not only refer to the linguistic form as that of Aristotle's stated above. It however further suggests that pictorial expressions are not qualitatively different from verbal ones when telling a story or writing a narrative. As Smith et al. put it, narratives consider pictorial storytelling as an alternative or variety of the narrative form and it means that there is no privileged or fixed form. In other words, what ever it is that makes us know that we are in the presence of a story should be discernable in a gestural composition (Smith et al., 2005).

French philosopher and literary theorist, Paul Ricoeur, placed narrative at the centre of human awareness when he published his three-volume treatise *Time and Narrative* in the mid 1980s.

He proposes that narrative is a “mental structuring process through which we define our existential relationship to the movements of our earth and the planets...to our linear perspective of time typified by the invention of the calendar...to our sense of moving from past to future through retrospection and anticipation with the present as a continuing interaction point with both” (Ricoeur, IN Payne, 2006:19).

Therefore drawing from Ricoeur’s definition, the scope of work defining narrative theory and narrative analysis encompasses diverse interdisciplinary interests and applications. Recent studies have shown that narrative is not only confined to literature. Narratives are everywhere because they are modes of thinking and being. Commonly cited examples of narrative in everyday life are films, music, videos, paintings, songs even stories of our holidays. Studies using narrative analysis to understand human behaviour broaden the scope even more. In addition to applications with traditional literary forms, one finds that the narrative is being used to interpret diverse cultural texts such as personal narratives, cultural institutions and historical events. Thus by expanding the notion of narrative to include all symbolic forms of expression, researchers gain a valuable set of critical tools for examining pictorial mode of sense making as a theoretical model of understanding communication, be it verbal, textual or pictorial (Smith et al., 2005).

Narrative is as inescapable as language in general. After seminal studies such as Paul Ricoeur’s *Time and Narrative*, it is therefore not an exaggeration to regard human beings as narrative animals – the tellers and interpreters of narratives (Currie, 1998). In more academic contexts, there has been the recognition that narrative is central to the representation of identity, in personal memory and self-representation or in collective identity of groups such as regions, nations, gender and race. Therefore, the only way we human beings can explain who we are is to “tell our own stories; to select key events which characterise us and organise them according to formal principles of narrative” (Ibid.:17).

Social narratives shape the world into which we are born and our very own life histories. We are born into societies, communities and families each of which has particular stories about our ancestors. Thus from these stories we develop a particular narrative sense of our history and of who we are. It is through these narratives that we locate ourselves in the cosmos and orient ourselves for future actions (Marks and Yardley, 2004). For example, when TRC commissioners ask victims to narrate their experiences, they attempt to locate it within some

narrative structure. Sometimes it is difficult to provide a sense of order and the victim is left instead with a sense of unease and sometimes frustration. However, it is through narration that one can assert a sense of continuity and coherence in our lives. This introduces the concept of narrative therapy.

Some clinical practitioners have used narrative theory as a framework for developing a particular dynamic form of psychotherapy that combines reassessing the past story of our lives with deliberation on the shape of potential future stories (Marks and Yardley, 2004). The aim of narrative therapy is to provide a new sense of coherence to a life that previously was perceived as disordered. The inability to provide a narrative coherence preserves the memory of horror in that person's life (Ibid.). Thus, narrative therapy encourages richer, combined narratives to emerge from disparate descriptions of experience, creating a context of respect and acceptance. It assists the person involved (victim or perpetrator) to engage more fully with his ability to re-frame his experience (Payne, 2006).

Therefore as maintained in the above paragraphs, it can be argued that the concept of narrative does provide a place where therapeutic "minds can meet" with a therapeutic result. Adopting the narrative approach to research leads us to look for the narrative structure underlying everyday accounts. Even across a broad range of story telling behaviour, scholars have however found out that the use of narrative makes sense of disordered, raw experiences. It gives reality a unity that neither nature nor the past possess so clearly (Smith et al., 2005).

4. Methodology

4.1 Design and procedure

In the research process for this thesis, I tried to choose a method that would be suitable for my research topic and research questions. Therefore in discussing my topic I used a qualitative methodological approach, including field work. In using this approach, I discovered original and unanticipated findings about my research topic. This gave me the opportunity to slightly shift my research from the study of the methods that the Sierra Leone TRC used during the reconciliation process in Sierra Leone, to the methods it did not (adequately) use. One week into my fieldwork, the failure to use, or the inadequate use of traditional methods of reconciliation as a complementary tool for the TRC, kept recurring in all discussions I conducted. The use of qualitative research led me to this interesting phenomenon that thus developed into my current research topic. In using a qualitative research methodology, I became a part of my respondents' world and got their interpretations and meanings of my research topic.

My research relied on two broad sources of data collection: primary and secondary. My primary sources included interviews – both open ended and semi structured, observation, audio recordings done during my fieldwork and notes in my field journal. My secondary sources came from extensive library literature research on relevant books and materials related to my topic, the Sierra Leone TRC website and its final report, and the internet. The data obtained from these literature researches were complemented by my analysis of archived video footages of TRC proceedings I had collected while I was a reporter for the Sierra Leone Broadcasting service¹⁰, and also some photographs I took during the traditional reconciliation ceremony I witnessed in Kailahun.

4.2. Literature Search

Several methods were employed in search for literature on my topic of research. First, a computer search was conducted on the University of Tromsø's BIBYS library data base to locate theories and studies concerning TRCs, reconciliation, forgiveness, psychological healing and traditional methods of reconciliation. I also conducted manual search, thoroughly reviewing reference lists in books and articles relating to my research topic. I also did

¹⁰ Thus I was able to use data that I had collected in another position before I started this study.

extensive web search on Google and other search engines for materials. The results of this literature search resulted in over 70 articles and books of various contents and relevance to my research topic. I however selected articles and books that either evaluated or had a direct relevance to TRCs, reconciliation, forgiveness, trauma healing and traditional methods of reconciliation and used them for further research analysis. There are not so many researchers who have conducted research directly on my topic and those who had, differed greatly in their approach, content and specific topics of interests. Thus a combination of articles and books led me to come up with a unique approach on the specific topics that are included in my thesis.

4.3. Survey Area

In order to examine how the TRC worked on the ground and how traditional methods of reconciliation influenced (if it did) its proceedings, I conducted field work in Sierra Leone over a period of six weeks in June and July 2008. This approach is anthropological and ethnographic. The study was restricted to Freetown, the capital city and Kailahun, a provincial district.

Freetown is important because it is both the political and socio-economic centre of the country, just like in many other (African) states. Most importantly however, the war made Freetown the foundation of the country since it drove thousands of people to seek refuge in the capital which was a safe haven until the rebels attacked it in January 1999. Thus, many of the displaced people have not returned to their provincial homes even after the end of the war. This gave the city an ethnic mix, rich enough for my research, because there are people from all over the country who could be good respondents for my thesis. Also, all four of the national commissioners of the Sierra Leone TRC that I interviewed resided in Freetown, another reason why I chose it as one of my survey areas.

Kailahun, as mentioned earlier in my background chapter, was the first district to be attacked in 1991 when the war started. It is located in the east of Sierra Leone. The rebels maintained a strong base there throughout the period of the conflict. The district was the last to ‘achieve peace’¹¹ and so the last to receive any kind of government assistance after the war ended. Up till now, the signs of war and violence are clearly visible especially in dilapidated and bombed

¹¹ This means that Kailahun was the last place to be declared safe and arms free during the peace process.

out infrastructure. Therefore it became an ideal area for my field research. I visited several small villages in the district, talking to inhabitants some of whom are ex-combatants or were involved in the war one way or the other. I also witnessed first hand, the use of traditional methods by a local NGO: Forum of Conscience, in one of their reconciliation projects called *Fambul Tok* that is being carried out in villages in the district.

4.4. The Natural History of my Research

As stated above, my current topic was not my first or original topic. I had first wanted to carry out research about the differences in reconciliation methods between Norway and Sierra Leone, using the Norwegian Mediation Service and the Sierra Leone TRC as case studies. However, I realised that I would have a language problem on the Norwegian side because I would have had to sit in and observe how mediation is being done by the Norwegian Mediation Service which does all its proceedings in *Norsk*, Norwegian language. So I decided to narrow it down and concentrate only on Sierra Leone. Thus I went on field work with the aim of looking into the methods of reconciliation that the Sierra Leone TRC used; but as mentioned in the beginning of this chapter, I found it relevant to carry out research about truth commissions and traditional methods in the Sierra Leonean context.

This came about because when I started talking (informally) to people during my first week of research, the topic of traditional methods kept coming up not by me, but by the people I was talking to and telling how and what I was studying. So, I re-thought my topic and decided to use a new approach, which was: added to my planned interviews, I would travel up country¹² to get a first hand knowledge and experience about what the peoples' experiences of the TRC were and about the (inadequate) use or non-use of traditional methods during the reconciliation process in Sierra Leone. That was how I ended up in my fifth week of research, doing an ethnographic study of how traditional methods of reconciliation were being used first hand in a reconciliation process. Doing my research this way, gave me the opportunity to "spend time with ordinary people and listening to them on their terms" (Shaw, 2005:6) For me to understand the relationship between TRCs and traditional methods of reconciliation in Sierra Leone and how they were or were not or inadequately used, I needed to go outside of the formal TRC setting and spend some time in places where TRC hearings never took place;

¹² The provinces are the seat of traditional practices in Sierra Leone. Not that they are not being used in the capital, but such practices are more widely used and highly respected in the provinces.

and the example about the Malema Chiefdom in the Kailahun district that I will use in my findings chapter, was one such place.

4.5. Data collection techniques in the Field

When doing qualitative research, it is important to come up with a concrete evaluation and analysis of the research process, especially when trying to answer specific questions like how do I conduct a good research or how should I communicate my findings in the thesis. Therefore the methods used to arrive at a conclusion are very important. In this research, I combined observation with interviewing using audio recording and archived video recordings of the Sierra Leone TRC proceedings and reconciliation ceremonies. Audio and video recordings, as well as other visual images, are an increasingly important part of qualitative research (Silverman, 2006). Thus, the transcripts I got from especially the video footages provided me with an excellent record of naturally occurring interaction and offered me a reliable record which would help me in my analysis.

4.5.1. Interviews

I interviewed all four of the national commissioners¹³ of the Sierra Leone TRC, two civil society group leaders in Freetown and three ex-combatants that I came in contact with in Kailahun. All of these interviews were audio taped. Audio tape provides a detailed recorded account of the interview which field notes alone cannot provide. The interviews were open ended with no formal structure. I had pre-planned questions, but always my first question to these set of respondents was: “tell me your story.” The idea behind this was that there would be minimal or no interruption at all which allows the respondents to structure their own accounts. This will then lead to follow-up questions based on what they had mentioned. With the ex-combatants, I asked how they reacted to the TRC, how narrating their accounts/stories to the TRC helped them in the reconciliation process and how they viewed the reconciliation process as a whole. Towards the end of my field work, I started transcribing these interviews and finished the process when I came back to Norway.

Added to these, I had informal one-on-one conversations with thirty randomly chosen persons from different spheres of life. These conversations were not taped. I only made notes in my journal. How I ended up using this method was interesting to say the least. I had had pre-

¹³ The Sierra Leone TRC had seven commissioners. Four were Sierra Leoneans (national commissioners) and three were foreigners (international commissioners).

planned questionnaires that I was giving out to people randomly to get their views about the Sierra Leone TRC and about how successful it was in its reconciliation process. Some of the questions included what their expectations were of the TRC, what were their thoughts about traditional methods and how they were used (if they were), during the reconciliation process. However, I encountered several problems getting these questionnaires back. So I decided to use another approach. Thus, I met up with people randomly who were willing to talk to me and asked them these questions myself instead of giving them a questionnaire. This turned out to be very effective and I was able to talk to thirty respondents using this approach and at the same time getting answers to the same questions I had difficulty with when they were presented in a questionnaire. This approach also relaxed my respondents and they were not just restricted to answering a set of questions as was presented in a questionnaire. These respondents came from both Freetown and Kailahun district. So in total, I had 39 respondents that provided me with data for my thesis.

During my stay in Kailahun, I also spoke to a small number of people whom I did not register, nor did I tape record or take notes. These people felt intimidated and sometimes scared by the sight of a tape recorder, a camera and a pen and notebook. They thought I was from the Special Court. So I just put all those instruments aside and decided to just talk. I will elaborate on why people were scared of the Special Court and how that affected the TRC and the reconciliation process in my findings chapter. After such encounters with these types of respondents, I later made notes in my journal; by then I had a general idea of how people felt and their thoughts on how highly they regard their traditional way of doing things, not only with regards to reconciliation.

4.5.2. Observation

Observation was a fundamental part of my qualitative approach and it helped me gather and understand firsthand the information I needed for my research topic in its naturally occurring context. I had the opportunity to observe and experienced how traditional methods were carried out in a reconciliation process, when I went to interview the co-ordinator of a local Non Governmental Organisation (NGO) and civil society group Forum of Conscience. Half way through the interview he mentioned that his NGO was implementing a community healing and reconciliation process called “*Fambul Tok*” (krio lingua franca direct translation is “relatives talking”- meaning people coming together and discussing). He said he had to cut the interview short since he had to leave for up country (Kailahun) that day because a

reconciliation ceremony was going to take place the following day. I was quick to ask if I could accompany him and observe the ceremonies even though I knew I only had an hour to get ready for the seven hour drive to Kailahun. He was happy to extend an invitation for me to witness the ceremonies and told me that I could ride with one of his staff members that would leave for Kailahun the following day. This occasion gave me enough time to prepare for one of the most important phases of my research process.

4.6. Challenges during Field Work

I encountered a few challenges during data collection that could serve as lessons learned if I want to undertake future research in any field or topic. As mentioned earlier, I had to give up the use of questionnaires because of the negative responses from respondents. Respondents found it too time consuming to sit down and fill in a questionnaire and in most cases, they lost them. I had to practically chase people around before I finally decided on giving up that method and improvise another, which turned out to be successful. Thus if a researcher wants to combine both quantitative and qualitative methods that researcher should be experienced in both, or cooperate with another or more experienced researchers.

Another challenge which I faced was getting in touch with my target interviewees. Although I had had prior consents to talk to all the national TRC commissioners, it was very difficult for me to approach them at a suitable time because of their various busy schedules. Sometimes, even when they would have given me an appointment, they would call and tell me that they had to re-schedule because “something important” came up and they had to see to that. Also, it was practically impossible to talk to the international commissioners that were members of the Sierra Leone TRC because they were no longer in Sierra Leone.

I also encountered a few awkward moments during my observation period in Kailahun district. For example, during the traditional reconciliation ceremonies that I witnessed, I was unintentionally making the villagers and the ex-combatants nervous in general. Victims who were narrating their stories and ex-combatants and perpetrators who were confessing and asking for forgiveness became anxious because I was trying to audio record what was going on. However, after a quiet warning I realised how uncomfortable I was making my respondents feel and put away everything that would signify me as a researcher: tape recorder, camera, journal, ID etc. and decided to listen carefully and then made notes later that night. That actually worked the magic. People became comfortable and open when they gave their

various narrations. I automatically become an insider and saw myself being a part of what was going on. This caused another challenge for me. I became emotionally involved with the process.

Being a Sierra Leonean who had a first hand experience of the war, hearing things being recounted all over again opened up my old wounds and emotional experiences. I must therefore note that it was a real challenge for me to stay focused and unbiased and to not feel resentment for the ex-combatants that were asking for their communities to forgive them. I found myself being grateful that I had only a few days left for field work and would be heading back to Norway after that. However, when I came back to Freetown, I realised that I had also gone through a healing process because of that experience and the rest of my research and analysis became easier after that experience.

To suppose that any researcher enters a field without past experience or some pre-existing ideas is unrealistic (Silverman, 2005). To suppose that their presence will not create an influence on the data is also unrealistic (Ibid.). In my own case, I accepted that I was influenced by what I saw and had experienced in the past, but I could not predict how or to what extent until I was actually in the field and also after having been in the field, reworking and reordering my experiences and feelings.

4.7. Ethical Considerations

A researcher needs to reflect upon the potential harm the research process could pose for participants and informants. The researcher also needs to recognise how their own presence, personal experiences and biases can affect research findings (Kopala and Suzuki, 1999).

One challenge is that there is no particular pattern in which qualitative interviews are conducted. Therefore, sensitivity to the experiences of those being interviewed was not an afterthought during my interviewing process. All of them were Sierra Leoneans and had experienced war and trauma one way or the other; so they were not pushed to say or answer anything they did not want to. Also before I start any interview or discussion, I made sure that the respondent was comfortable with me being there and had the opportunity to authenticate my credentials by presenting them with the letter requesting permission for research that was given to me by the University of Tromsø. Other ground rules were set before I started asking any questions: for example making sure that they were comfortable with me tape recording

and taking notes and asking consent if I could quote any of them. I did this especially for the TRC Commissioners whose names and contacts were public knowledge on the TRC website, but still needed to be asked before quoting them.

However, I made sure to tell ex-combatants and the rest of my respondents that no names will be used and to start with, I did not ask for their names before starting. Where I was allowed to take pictures I did so conforming to their regulations. I took a few pictures that showed peoples' faces and those from whom I received permission knew that I would use those pictures in my thesis. Apart from these details mentioned, there were no obvious situations or happenings where ethical issues seemed to be a problem during my whole research process.

5. Empirical Findings and Results

This section is based on data collected during field work in Sierra Leone. The findings presented here are different views and perceptions of what the general perception of my respondents was, about the TRC proceedings in Sierra Leone and the use of traditional methods of reconciliation during the reconciliation process in the country. It is hoped that this section will shed more light on my earlier discussions on Sierra Leone's past and contemporary experience as well as the utility and/or limitations of the Sierra Leone TRC as a tool for post-conflict reconciliation and peace building. Thus, my findings will look into what my respondents' perceptions were of the TRC; what were their perceptions of the reconciliation process; if they would have preferred traditional mechanisms for reconciling perpetrators and victims; and what were their perceptions of the fact that the TRC and the Special Court for Sierra Leone ran concurrently.

5.1. Perceptions of the TRC Process in Sierra Leone

For the promotion of reconciliation, it is important for people to be broadly aware of the existence and activities of the TRC. It was therefore important for me to find out the extent to which respondents were aware of the commission's existence. Thus the results were that all of my main respondents (39 in all) said that they were aware of the existence of the TRC. However, among the people that I had casual discussions with in villages in Kailahun – these were people who did not allow me to record them or take notes – more than half of them said that they were not aware of the TRC proceedings. This was not a surprise since much of the publicity and sensitization about the TRC was centred in Freetown and its environs. With those that were aware, when asked about how they got to know about the TRC, 27 said it was through both radio and TV while 12 said it was only through radio. 34 respondents said that they knew about the TRC before it started its proceedings and only five said that they know about the proceedings after it started. Thus on the whole, respondents were aware of the TRC and its activities. However, the local and traditional leaders that I spoke to said that even though they were aware of the TRC, they were not consulted before it was set up.

The TRC is seen as a mechanism that would restore peace through reconciliation. Therefore I also sought to find out the views and perceptions of respondents on their expectations of the TRC. They had varied opinions which made my findings interesting. It is important to note that a significant number of respondents said that they expected the TRC to dig out and bring

to light facts about what led to the war. Other opinions from the rest of the respondents range from expecting the TRC to unite victims and perpetrators; to help victims and especially those who were worst affected, in forms of specific terms of compensation; and to name and shame perpetrators. Of the 39 recorded respondents, only 12 expected the commission to bring lasting peace. The rest of the respondents said that the commission contributed to, but was not wholly responsible for peace in Sierra Leone. A significant 28 recorded respondents said that their expectations were not met. This number includes the four national commissioners. The remaining respondents said that their expectations were partially met, and among this group are the traditional leaders.

As mentioned above, much of the publicity and sensitization about the TRC was done only in Freetown and its environments. All respondents agreed that sensitization should have been taken into the interior villages, since those were the places that were affected the most because they were used as rebel bases right through out the period of the war. However, 26 recorded respondents noted that even though sensitization was not widespread, yet they think it was satisfactorily done especially with the use of radio and television as information tools. 13 however said that publicity and sensitization was not satisfactorily done because they believe that the sensitization period was short.

Results about the duration of the whole TRC proceedings came out with 30 respondents saying that the timeframe for the TRC proceedings was too short and that contributed greatly to the fact that the commission was unable to do all that it set out to do. All four of the national commissioners agreed to this fact. One commissioner told me that they would have liked more time because the Commission's work in the provinces were slow to "get off the ground. We would have liked more time in each of the districts. We spent a week in each of the districts and that was really too short." Another commissioner noted that: "we did not really accomplish all we wanted to within the time frame. The donor support was threatened to be cut off and they actually cut it off."

When asked about their perceptions on how appropriate the procedures were adopted by the TRC during the proceedings, more than half of the respondents said that they were not satisfied with the TRC procedures during the proceedings. Their opinions varied on why they thought that way. Some respondents said "because only those in big towns got to witness the proceedings". The traditional leaders among these respondents said that they were not

satisfied with the way the TRC conducted its proceedings. They believed that many of the people who appeared before the commission did not tell the truth. One traditional leader said that “if these people were made to swear by their shrines and other local beliefs before they started their narrations that would have made them tell the truth and that would have contributed significantly to the TRC proceedings.” Another traditional leader said that even though the TRC went up to the provinces and conducted some reconciliation ceremonies using traditional methods, it was not enough because these ceremonies were only conducted in the big towns and not in the small remote villages, and they were only one-day events. Another respondent noted that: “the TRC was more like an academic research. It did well in compiling the academic perception of the war, but never captured the views of the grassroots who really suffered the burns of the war.” On the whole, 24 of the recorded respondents who said that they were not satisfied with the TRC procedures during its proceedings said that the TRC was an imported idea based on western methods.

The TRC’s main objective was to facilitate national reconciliation. Interestingly however, 15 of the recorded respondents said that national reconciliation was partially achieved after the TRC proceedings. Three of the TRC commissioners and the two members from civil society groups are in this category. Another 15 respondents said that the TRC indeed achieved national reconciliation and one of the TRC commissioners is in this category. The majority of respondents in this category said that this is because Sierra Leoneans are naturally forgiving people who just put things behind them: *e don bi, e don bi*¹⁴, so let us just move on. However, nine respondents said that the TRC did not achieve national reconciliation, and the three ex-combatants among my recorded respondents are in this category. Respondents in this category believe that reconciliation is a natural process that takes a lot of time to achieve. One of the ex-combatants believe that the TRC did not meet the expectations of the perpetrators and victims since some perpetrators have still not been re-settled in their original communities and victims have not being compensated with reparations as was stated in the final TRC report.

¹⁴ Krio dialect which means “it has happened,” or “the milk has been spilt”

Frequency Table 1.

Variable	Frequency	Percentage
TRC Achieved Reconciliation	15	38.5
TRC partially achieved Reconciliation	15	38.5
TRC did not achieve Reconciliation	9	23
Total	39	100

Therefore, as could be seen from the frequency table above, 38.5 % of my respondents believed that the TRC achieved national reconciliation. Another 38.5 % believed that the TRC partially achieved national reconciliation, and only 23 % believed that the TRC did not achieve national reconciliation.

Do these findings reflect that the TRC was not necessary for Sierra Leone? Apparently, 33 respondents said that the TRC was indeed necessary for Sierra Leone. However a majority in this category said that it was not appropriately done. For example, they overlooked key aspects such as the 100 % involvement of local and traditional leaders in communities from where these ex-combatants and perpetrators came and had committed atrocities. A respondent is quoted below saying:

“The TRC actors/directors were egocentric and short-sighted by being complacent with the on-the-spot reconciliation, without evaluating the parties’ co-existence beyond Freetown, into their localities. Suppressed animosities resurged in many chiefdoms and villages by these very participants in the TRC who claimed to have reconciled their differences. It was then too late to realize that reconciliation was achieved only partially.”

Others also noted that if the TRC recommendations were not paid attention to, especially the granting of reparations, then the whole exercise would be deemed useless. Some respondents also said that funding that was meant for the TRC was reduced so that more money would be available for the Special court to be established.

5.2. Awareness of Traditional Methods in the Reconciliation Process

My research is based on questions concerning traditional and modern methods for mediation and reconciliation and their effectiveness. In particular my aim is to find which methods Sierra Leoneans think could have been effective or preferable in the Sierra Leone context. Therefore it was important to find out from my respondents whether indigenous or traditional mechanisms for promoting reconciliation exist in Sierra Leone and if so, how and why they were used. All of my respondents said yes, traditional methods of reconciliation do exist in Sierra Leone. Further probing of the effectiveness of these methods showed that 19 of the respondents said that traditional methods would have been (and are) more successful and effective than the TRC methods. Among these respondents are the local and traditional leaders and the ex-combatants. However, 20 said that traditional methods are not more effective than the TRC methods. It is important to note that 18 out of these 20 respondents were of the view that the two methods cannot live in isolation and for the Sierra Leone context the traditional methods can effectively complement the modern TRC methods.

Frequency table 2. explains this in more simple terms. It shows that 48.7 % of respondents believe that traditional methods are effective, while 5.1 % believe that traditional methods are not more effective. However, 46.2 % said that the two methods complement each other and one cannot be used without the other.

Frequency Table 2.

Variable	Frequency	Percentage
Traditional methods are more effective than modern methods	19	48.7
Traditional methods are not more effective than modern methods	2	5.1
Both methods complement each other	18	46.2
Total	39	100

Some respondents in this category noted that the TRC concentrated on western values of truth telling and reconciliation, not being adjusted to an African environment that was far from being western. One TRC commissioner noted that while it was good to learn from the South

African experience for example, it was a mistake for stakeholders to have concluded that “because it worked in South Africa, it will work in Sierra Leone.” Another respondent noted:

“It could have been reconciliation in the traditional sense, considering the complexity of the conflict unlike the South African experience or elsewhere. Empowerment of traditional rulers, who are the real experts in their localities through training and logistics at district level, would have been more appropriate at the time. Perhaps, the TRC would have had some essence if its scope was not only confined to Freetown.”

As mentioned earlier in this chapter, the Sierra Leone TRC also made use of traditional methods of reconciliation. However, as the findings above show, they were inadequate. These methods were used only in major towns in the provinces and not in the interior villages where the war was intense and where physical and emotional scars of the war were high. Findings from archived video footages from TRC reconciliation ceremonies, showed that in the hearings outside of Freetown, the commission turned to local traditional leaders, especially paramount chiefs, to attend and take part in their proceedings. The commissioners spent a week in each province and at the end of each week, the commission held a reconciliation ceremony where victims and perpetrators would sometimes come together or where those who admitted to crimes were washed of their ‘evils’ through a special cleansing ceremony and re-accepted into society and their communities. These were powerful events, although unfortunately limited in number and only one-day events.

A detailed discussion and analysis of an example of these reconciliation events conducted by the TRC will be done in the next chapter. I have also attached a video excerpt showing an example of the TRC using traditional methods of reconciliation, with this thesis. There were also strong calls for the Commission to stay longer in the local provinces outside of Freetown, or to return later, to allow additional community-based sessions that included perpetrators’ narratives; but constraints with resources and time did not allow the TRC to have an extension of its hearings. However, when the TRC closed its sessions, part of its recommendation was to continue the traditional methods of reconciliation in the interior villages that were deeply affected by the war.

It is interesting to note that private Non Governmental Organisations (NGOs) are taking up the initiative of helping to implement traditional reconciliation ceremonies. One such NGO is the Forum of Conscience, a local human rights group. Forum of Conscience is working together with Catalyst for Peace, a US based foundation that supports locally rooted reconciliation processes. They are implementing the “*Fambul Tok*”¹⁵ community healing and reconciliation process. The direct translation of *Fambul Tok* is “relatives talking” – meaning people coming together and discussing. During field work, I travelled with organisers of this project and observed how both victims and perpetrators of the war are brought together at community level. According to the co-ordinator, this community healing process of reconciliation and forgiveness is “designed to address the roots of the conflict at local and grassroots level and to restore dignity to the lives of those who suffered from the violence.”¹⁶



Figure 1

The traditional reconciliation ceremonies I witnessed greatly involved rituals such as cleansing ceremonies, songs and dance. I witnessed a ceremony among members of the Malema Chiefdom in the Kailahun district east in Sierra Leone. This chiefdom is made up of three villages, Jojoima, Malema and Madina villages. They are from the *Mende* ethnic group so their methods are based on the *Mende* tradition. They all came together and gathered in

¹⁵ Local lingua franca Krio.

¹⁶ Interview with *Fambul Tok* coordinator John Caulker

Malema village, which is the village situated in the middle of the chiefdom. They sung songs and set up a huge burn fire. Women danced in front of the chiefs, village and chiefdom elders. During the ceremony, every member of the community came together and sat around the huge burn fire as seen in figure 1. It turned out that most people knew who their offenders were, but the majority of the offenders were not present.

However those who were around came forward one at a time and narrated their stories and confessed their wrong doings. Their narrations of what happened and what they did were very graphic. One at a time, if the affected families or victims were present, they were called forward to face their offenders and narrate what happened to them. This was really a very emotional moment and most victims were reluctant (at first) to even look at their offenders. Old wounds were being opened and the memories were coming back.



Figure 2

During the ceremony, perpetrators kneel and most times lie flat on their stomach and face in front of the whole community and their victims as shown in figures 2 and 3. Then the victims will eventually hug or touch the head of their offenders. It is noteworthy that religion played a great role in traditional ceremonies. Most victims ended up saying that “it is only because of the thought of God and our ancestors that I am willing to forgive you”. During these ceremonies, wounds of the past are being opened but for reconciliation to start, people have to talk and remember what happened before they will be able to accept who ever had offended them. In this case, it is the person kneeling or lying in front of them asking for forgiveness. At the end of the ‘remembering and forgiving’ ceremony, the chiefdom people sang songs and

danced throughout the night, embracing their offenders, and dancing with them. Music is also a very important symbol of love, healing, acceptance and togetherness in traditional settings and this was used to a great extent.



Figure 3

The following morning, the whole community prepared for a cleansing ceremony, wherein all the perpetrators that confessed the previous night would be ritually cleansed. In this particular chiefdom, the cleansing ceremony took place at a sacred stream. There, chiefdom and village elders called on their ancestors to purify and cleanse the offenders. Prayers were also said for the cleansing and forgiveness of the perpetrators. The elders used several items including kola nuts, rice (both cooked and raw), beans, corn and other grains, and threw them into the stream, symbolising the washing away of the evil deeds of the perpetrator (figure 4.). A chicken was killed and its blood drained into a hole in a small sacred hut called “*Tokomando*”¹⁷ that represents the abode of their ancestors. This hut is where libations are poured to the ancestors, invoking their spirit to protect them and their communities, as seen in figure 5.

¹⁷ A local *mende* word.



Figure 4

A chief then takes a glass of water, prays over it and gives it to the ex-combatants to drink. This gesture symbolises the “cooling of the heart” and for a chief to perform such a gesture on the perpetrators and offenders symbolically shows that the hearts of members of the community are “cooled down” and they are willing and ready to accept their perpetrators.



Figure 5

5.3 The Sierra Leone TRC and the Special Court for Sierra Leone

As mentioned in my theory chapter, Communitarianism and Political Liberalism are two political theories that can be used in the analysis of post-conflict situations. Communitarianism deals with restorative justice while political liberalism deals with retributive justice. In Sierra Leone these two theories were used in the search for sustainable peace. The Sierra Leone TRC – Communitarianism – and the Special Court for Sierra Leone – Political Liberalism – ran concurrently. The Special Court was set up in 2002 through an agreement between the United Nations and the government of Sierra Leone. It was set up to prosecute those who bear the greatest responsibility for Sierra Leone’s war. There was no clear provision in the legislations of both institutions as to what their relationship would be. Most importantly, questions were raised as to whether information that the TRC collected would be shared with the Special Court, or whether the TRC’s power to grant confidentiality to sources could protect it from requests or subpoenas from the Special Court. This was considered important because perpetrators who were inclined to speak to the Commission might request confidentiality.

Initially, the Sierra Leone TRC was presented as an alternative to prosecutions not a complement to them. However, this changed well before the TRC was established, because a resurgence in the conflict prompted the then Sierra Leone President to request that the United Nations establish an international criminal tribunal. This concept was immediately endorsed by the UN Security Council, and so the Special Court for Sierra Leone was formed (Schabas and Darcy, 2004). The then UN Secretary General, Kofi Annan, shared the view that the Sierra Leone TRC was a complementary institution to the Court. In a letter to the UN Security Council, the Secretary General noted that “care must be taken to ensure that the Special Court for Sierra Leone and the Truth and Reconciliation Commission will operate in a complementary and mutually supportive manner, fully respectful of their distinct but related functions” (Ibid:4).¹⁸

However in July 2002 when the activities of the two institutions began (almost at the same time), the question of how the two institutions were to interact was left unresolved. For 18 months, which was the life span of the TRC, the two institutions operated concurrently. In the

¹⁸ Letter dated 12 January 2001 from the Secretary-General, addressed to the President of the UN Security Council. UN Doc. S/2001/40, para.9.

end, the relationship between the two institutions was never clarified and therefore a whole lot strained. Yet, as Schabas puts it, the two institutions “worked for most of the 18 months without major incident and with a public profile of cordiality” proving that “truth commissions and courts can work productively together, even though they only work in parallel” (Schabas and Darcy, 2004:5).

Even though these two institutions worked “cordially” as Schabas noted above, it was clearly evident however, that the setting up of the Special Court impeded the workings of the TRC. As my findings showed, it created the concept of fear among those wanting to testify at the TRC hearings. In an interview I did with one of the TRC commissioners it was made clear that the setting up of the Special Court:

“affected the work of the TRC. The setting up of the Special Court affected our work a great deal and we had to work hard to convince them [the perpetrators] to participate in the TRC proceedings. This you see brings the question of the advisability of having both the TRC and the Special Court at the same time. It was a grate disadvantage.”

The commissioner also noted that perpetrators were afraid that they would be handed over to the Special Court; so at first they were reluctant to come forward. Interestingly, all the other national commissioners I spoke to share the same view and so were the rest of my respondents. One reason for this is that the TRC headquarter was located in close proximity with the Special Court; on Freetown’s Jomo Kenyatta Road; and this was not very favourable. Some people who were temporarily employed by the TRC to take statements from victims and perpetrators were later employed by the special court and this created more complications and created a perception among perpetrators who thought that information about them would be handed over to the court for their subpoena. Also, victims were afraid to come forward to the TRC because they thought that information would filter around to the perpetrators/rebels and they might undergo further victimisation from these perpetrators.

The fact that both the Sierra Leone TRC and the Special Court ran concurrently, diverted attention and interest by the international community from the TRC to the Special Court. More funding was given to the Special Court; and with less funding, the TRC was forced to finish its proceedings, leaving it handicapped to implement its reconciliation process.

6. Analysis and Discussion of Findings

This thesis discusses the effectiveness of traditional methods of reconciliation when they are incorporated into Truth and Reconciliation Commissions and used as a complementary tool for post-conflict reconciliation processes. Ideally, people seem to agree that local mechanisms for reconciliation should be used as much as possible in post conflict societies like those in Africa. Among other things, they are cheaper, community friendly and also likely to command more respect and acceptance from the people. Depending on the circumstances and how and where they are used, they could also be more effective than borrowed or western methods.

While it is important to hold offenders accountable for gross human rights violations, the far more pressing task is to restore a humane public order and thereby prevent the recurrence of atrocities. As has been established in the previous chapter, the setting up of the Special Court for Sierra Leone greatly hindered the work of the TRC. In other words, reconciliation does not begin in the courtroom as seen in the case of Sierra Leone. Rather for reconciliation to be effective, it must begin at the level of the individual; that is neighbour to neighbour, then house to house and then community to community (Clark, 2008). If more attention and time had been given to the TRC, and if local and traditional leaders had been given the motivation to fully take part in the reconciliation process, then the Sierra Leone TRC would have been more successful than it was.

Findings from my research showed that a large number of the respondents felt that traditional methods can effectively complement modern TRC methods. This could be for various reasons. Firstly, that the Sierra Leone TRC was underfunded and forced to finish without carrying out its reconciliation process. Secondly, the people believe in the traditional methods because they have been in existence even before the start of truth commissions; they represent their culture and history and thus they respect them. Another reason was that the moment the final report of the TRC was submitted and the TRC ceased to exist, all ideas of sensitizing the public, especially the grass roots, about the contents of the report died with the TRC.

When the Sierra Leone TRC ceased to exist, it left no means by which the aspirations enshrined in the recommendations could be made widely known, much less followed up by the government. The final multi-volume report was not immediately made public and this raised concerns among the citizens. When the report was finally published, the four big academic volumes were inaccessible because of very limited copies. Although a secondary school version¹⁹ of the report was made much later together with a DVD, the grass root population who carry the highest percentage of illiteracy rate, and who really suffered the burns of the war could not understand it because provision was not made for its contents to be translated to their level. They therefore considered this system very western and detached from their norms.

Most respondents said that they were happy that the TRC was held but they did not gain anything out of it because all what was ‘promised’ victims in the recommendations had not been fulfilled. Some ex-combatants said that after the TRC held district reconciliation ceremonies, their relationships with their various communities did not improve. There were no follow-up or continued mediation processes made by the TRC. This was what the TRC did not provide: a continuance of the reconciliation process. After district reconciliation ceremonies, no mechanism was left in place to help ex-combatants and perpetrators reintegrate into their communities. Local NGOs would have wanted to work more closely with the TRC from the beginning of the process. They would have liked to be more integrated into the process and even into the very structure of the TRC. That way, the TRC would have built more on existing efforts and linked to future reconciliation activities in a more cohesive way (Pettersson, 2005). The stakeholders involved in the setting up of the TRC did not take into consideration that Sierra Leone is not only made up of Freetown (the capital) but other parts as well. Involving these other parts of the country in the way they know (how) and in the language they could understand with the TRC, could have made a huge difference.

Local communities in Sierra Leone, especially in the rural areas, are of the notion that the TRC was a Freetown based Commission because it did not go deep into the villages that were actually affected by the war. It only held sessions in the district headquarter towns, which they felt was not enough. They felt that the commission should have done more on the local level instead of just concentrating in Freetown and the major towns in the provinces. Important to

¹⁹ A simplified version of the TRC report was made for readers in junior and senior secondary schools.

note however, is that the Sierra Leone TRC made use of traditional methods during the TRC proceedings and district reconciliation ceremonies that were held in the major towns of the twelve districts in Sierra Leone.

For example in Moyamba District, in the south of Sierra Leone as shown in the attached video footage, the TRC combined traditional methods of reconciliation with modern ones during the reconciliation ceremony that was held in the town. Analyzing video footages I saw on this ceremony, the TRC Commissioners gathered traditional leaders and chiefs of the chiefdom and they all came together and listened to ex-combatants telling their stories and asking for forgiveness. Then victims and perpetrators were all asked to stand together and write their grievances on separate pieces of papers. These papers were then burnt. The burning of these papers symbolized that both victims and perpetrators have forgotten what had happened in the past during the war. All bad feelings and grudge had all been burnt up, engulfed in smoke and scattered in the air, and victims were ready to forgive and accept. The chief also gave them kola nuts to eat. Each of them took a bite from the same kola nut. This symbolises welcome and acceptance.

In most African traditional settings, kola nuts are the first thing given to visitors as a sign of welcome. Sharing the same kola nut symbolises that there will be no more grudges harboured in any of their hearts and they should live together as members of the same community. The chief also gave them water which they drank from the same glass, symbolising unity. Water symbolises cleansing and acts as a cooling determinant, thus the drinking of water shows the 'cooling of the heart' from anger and hatred, paving the way for reconciliation through forgiveness. The water was also poured on the ground, and the chief then rubbed the water on the ground and smeared it on the head and chest of both victims and perpetrators. This action symbolises the involvement of the dead ancestors. Rubbing water on the ground and smearing it on their chest and heads is synonymous to asking the ancestors for the forgiveness of perpetrators and also for help in the 'cooling of hearts' of the victims.

Thus, from the above example, the TRC represents a narrative therapist, because it gave victims and perpetrators a respectful, interested attention in a safe and uninterrupted setting. Giving these people the opportunity to narrate their ordeals and the opportunity for perpetrators to ask for forgiveness from their victims helps clarify the commonality

and conflict in a community. However, the fact that traditional leaders wanted participants in the TRC to have sworn by their traditional beliefs and shrines show how they would have preferred the involvement of traditional methods in the TRC proceedings as a whole and not only at the reconciliation ceremonies. They believe that although narrating one's ordeal is therapeutic to some extent, narration alone do not bring about healing. It should be combined with the rituals and practices that the people believe in.

Communitarianism, according to Amstuz, conceives a society "as a rightly ordered society based on shared values and habits...and emphasises traditions and shared norms to advance the common good" (Amstuz, 2005:212-213). This theory seeks to heal the damaged social, cultural and political fabric of society and helps us understand the importance of reconciliation in overcoming psychological and physical destruction of the Sierra Leone conflict for example. It gives priority to the maintenance of domestic order and to the restoration of social bonds.

As Amstuz noted, in communitarianism, forgiveness gives to humans something that they would not otherwise receive: "victims are liberated from hate and anger and from being controlled by the memory of injustice whilst offenders are freed from moral and legal debts from past offences" (Amstuz, 2005:87). In Sierra Leone, many see forgiveness as a necessary step towards reconciliation with the focus being on inter-personal or inter-communal efforts of reconciling. The pursuit of individual and communal reconciliation was clearly communicated to the audience from the very start of the TRC hearings. Despite the fact that the people wanted the Commission to stay longer in the local provinces outside of Freetown, or to return later, to allow additional community-based sessions that included perpetrators' accounts, the commission was unable to do so.

As was mentioned in the previous chapter, constraints with resources and time did not allow the TRC to have an extension of its hearings. We see here that the TRC was forced to finish on a stipulated time frame, leaving it handicapped to continue the reconciliation process. This is a big disadvantage of modern methods of transitional justice: when the money finishes, so does the process. However, when the TRC closed its sessions, part of its recommendation was to continue the traditional methods of reconciliation in the interior villages that were deeply affected by the war. But that did not happen – at least not immediately.

As stated earlier, reconciliation is a chief by-product of forgiveness but people may feel reconciliation without forgiveness. Therefore most transitional justice efforts in Africa describe themselves as centrally pursuing reconciliation. As such, the word ‘reconciliation’ will “affect the design of the transitional justice measures and ultimately form one of the basis upon which the success of these efforts will be judged” (Bosire, 2006). Reviewing the Sierra Leone TRC, the human rights specialist Björn Pettersson (2005:8-9) identified several of its shortcomings which could relate to the reason why the majority of my respondents said that the Sierra Leone TRC did not fully achieve the reconciliation it set out to achieve. Pettersson proposed that first, there is the need to understand the character of violent internal conflicts before designing reconciliation packages. According to him, for reconciliation to be achieved, there should be a context-specific, home-grown and long-term process made up of a number of ingredients, including truth, justice and reparations to victims. For Pettersson, the Commission was too “process oriented”, focusing as it were on public truth-telling that was expected to lead to forgiveness, while overlooking the need to prioritize the issues of reparations, which was considered an important step towards reconciliation by Sierra Leoneans (Pettersson, 2005:14).

Building upon John Paul Lederach’s classification of approaches to peace building and reconciliation, reconciliation can be seen from three levels: the top level, the middle-range level and the grassroots level (Lederach, 1997). International and domestic criminal tribunals could be seen as top-level methods for reconciliation. These are often supported by the UN or other organizations or governments. An example is the Special Court for Sierra Leone. This method of reconciliation has a top-down effect on the populations’ rehabilitation and reconciliation. The middle-range methods include truth commissions and an example is the Sierra Leone Truth and Reconciliation Commission. As Lederach puts it this method of reconciliation has a middle-out approach because its actors influence attitudes and behaviour in both top-level and the grassroots community because they are close to both constituencies. The third level of reconciliation is the grassroots level and this deals with the bottom-up approach. The actors on this level are the people themselves and the methods attempt to involve leaders for the grassroots who then in turn spread knowledge to their communities and villages.

With the theory of communitarianism, reconciliation begins from the grassroots level, and then walks its way upwards. Therefore this level is the level to which to pay attention to. However, the Sierra Leone TRC did not pay much attention to this level of reconciliation and in all fairness, it should be pointed out that time and resource constraints lead to many of the TRC's shortcomings. The grassroots level in my opinion is very important because by strengthening and empowering the local actors for peace, the foundations for national reconciliation are being laid. This level emphasises local or traditional methods of reconciliation.

In all societies there are methods for handling conflict without violence. These methods vary according to the type of community in which they are being implemented. In every community people have their own traditional methods that they believe in; there are people who are respected and who people turn to when there are disagreements to be sorted out. There are cultural methods for reconciliation that are imperative to put into practice during conflict if possible, but most importantly, after a conflict. With communitarianism, the grassroots' bottom-up approach facilitates meetings for local leaders from different sides of the grassroots level. This level supports traditional reconciliation processes or local practical initiatives in which victims and perpetrators meet in joint ventures. My use of the theory of communitarianism in the field resonates well with my research, while I observing the community reconciliation processes.

"Fambul Tok" as mentioned in the previous chapter, is a community healing and reconciliation process which was developed after the TRC ended its proceedings. The *"Fambul Tok"* project is being implemented by the NGO Forum of Conscience, a local human rights group, and Catalysts for Peace, which is a foundation based in the United States that supports locally rooted reconciliation processes in post conflict African societies. This programme aptly applied what the theory of communitarianism is all about: confronting wrongdoings by fostering the healing of individuals and groups and the renewal of community relationships. As shown in the previous chapter, I travelled with organisers of this project and observed how both victims and perpetrators of the war are being used at community level to heal the wounds of the past. This community healing process of reconciliation and forgiveness is designed to address the roots of the conflict at local and grassroots level and to restore dignity to the lives of those who suffered from the violence. Observing this process builds a sense of the fact that our lives are not free floating, but

socially constructed. In this type of reconciliation process, people do not only come to terms with their individual identity but rather, they see the greater complexity that can exist across their communities.

Fambul Tok is purely a community driven process, using traditional methods only. The ceremonies vary from community to community depending on the norms and traditions of that particular community. But each community has a structure made up of village elders who are considered to be the local mediators. The main people that make up the structure is the village chief, the “Mammy Queen”²⁰ (usually the head of the female secret society), the youth chairman of the village, the Imam and/or the Pastor, depending on what religion is practiced in the village. In villages where there are both Muslims and Christians, there is both the Imam and the Pastor present.

These people act as permanent mediators after the traditional reconciliation ceremonies have completed and they would help re-integrate perpetrators and offenders back into their society. Thus, the process continues even after all the traditional and ritual ceremonies have ended. This emphasised the fact that reconciliation is a slow and continuous process. It is not a matter of confession offered once and for all, but rather, it is the building of relationships by performing the duties of everyday life.

As shown in the example, we see the power of the narrative, when victims narrate their ordeals at the ceremony. Their narratives created a sense of remorse in the ex-combatants who for the first time are seeing their deeds from another perspective: through the eyes of the victims. The mobility of the victims between distance and closeness, effectively determines the position from which the perpetrator views the atrocities they committed. This creates a “sympathetic bond” between both victim and perpetrator, making their positions in the whole scenario one of intimacy and mental access (Currie, 1998).

The African tradition is unique and thus, it must be noted that in most African settings their exist within the realm of nature, special trees, unique streams or waterfalls, special places of worship, special rocks or caves and many other totems, that because of their uniqueness and the role they play within the community, they are traditionally preserved and considered sacred. In the case of the people of Malema chiefdom, they believe that offering sacrifices to

²⁰ Traditional name given to a female leader of secret, and/or traditional female societies.

their sacred stream and the *'Tokomando'* which is considered to be the sacred dwelling place of their ancestors, will not only cleanse perpetrators from their evils, but will also cleanse their community. For an outsider to the African way of life²¹, this might sound not only strange, but hard to conceptualise how someone might think that a certain cave or rock has a social or spiritual significance deserving respect and reverence. However for the traditional African this is what they believe in and great respect is given to the harmonious coexistence between the spiritual world and the physical world. That is, coexistence between man and spiritual beings; coexistence between man and his neighbour; and coexistence between man and his environment and nature (Nkabahona, 2007). The fact still remains however that some people still view these mechanisms as backward and primitive; and this was probably the main reasons why the stakeholders of the Sierra Leone TRC did not make much use of such systems.

With these examples, we see how a communitarian perspective promotes the renewal and healing of divided societies through the moral rehabilitation of social relationships. However, as anthropologist Rosalind Shaw rightly noted, the reintegration of ex-combatants back into their communities was problematic; but that did not stop people in the different parts of the country to develop and adopt techniques of healing, reintegration and reconciliation often with the input from NGOs and religious groups, and most importantly from their own initiatives (Shaw, 2005).

As Amstuz puts it, “the communitarian perspective encourages the healing of deeply fragmented and alienated communities through truth telling, apologies and empathy” (Amstuz, 2005:217); and this is seen manifested in the given example above. *'Fambul Tok'* thus answers the call of the Sierra Leone TRC to create local reconciliation activities and programmes. It represents the African paradigm of restorative justice. That is: reconciliation that involves truth telling, acceptance, forgiveness and restitution or compensation. Therefore *'Fambul Tok'* in this context, is used as a case in point to show how a traditional mechanism may be used to bring about the desired therapeutic experience of a wounded people, gradually raising hopes for a genuinely healed and reconciled nation.

²¹ To be an outsider to the African way of life does not necessarily mean that one is a foreigner. One may be an African but does not know the African systems, perceptions and understandings of how reality is intertwined and relationally functions.

7. Conclusion

In this thesis, I have studied and analysed traditional methods of reconciliation and the TRC, using Sierra Leone as an example. My research questions were: Can traditional and modern methods be effectively used as tools of mediation and reconciliation? Also which of the two do Sierra Leoneans prefer? My answer to these questions is that firstly, my research found out that yes, both methods can be used as tools of reconciliation. However in terms of their effectiveness, one is not more effective than the other because the two cannot live in isolation. My research also shows that traditional methods can effectively complement the modern methods and vice versa. Secondly, Sierra Leoneans are aware of the various types of traditional methods that exist in the country and would have preferred that these methods were used more widely during the reconciliation process.

Findings however show that if traditional methods were only used it would not have been successful because some people still view these mechanisms as primitive and backward. Also, these traditional methods were not resilient enough to withstand the pressures of the war. But my research also showed that the TRC's methods alone did not achieve the lasting peace that it initially set out to achieve. It needed the help of home grown methods. Therefore, what Sierra Leone really needed was a TRC that worked the Sierra Leonean way. That is, a TRC that incorporated the knowledge and expertise of traditional leaders and rulers to use their beliefs and rituals to complement the narrative and catharsis methods of the TRC. We have seen the power of narration, how it helps when people talk about their experiences; but how can reconciliation continue if there is no continuation process or mechanism that resonates with the peoples' way of life?

All countries coming out of a devastating conflict are confronted with a formidable transition agenda. Thus the search for sustainable peace in a society after a violent conflict must begin from its own roots. It may be useful to import from other countries and other cultural contexts, ideas that can be of use; but a particular society's transformation must be based on its own unique set of traditions and cultural heritage. Therefore, tradition-based mechanisms and practices adopted as part of a national transitional justice strategy should complement official restorative structures as opposed to being brought under state control. It is also

important that sufficient time and energy be devoted to careful, contextualised assessment of how to blend different state and non-state reconciliation strategies and make local ownership of policies and strategies the rule.

Thus, in conclusion, it is important to note that a successful process of reconciliation in any country can never be imported as a magic formula to another. Every post-conflict country must find its own way to deal with its past, present and future. It is also important that representatives from all levels of society be consulted when planning to implement a reconciliation process. Donors from other countries and societies must be sensitive to the necessary interaction between what is general and what is specific in every instance of reconciliation (Brounéus, 2003). Donors must not assume that they know what is best for other societies. The reality is usually that they do not know. Therefore local people must be consulted and listened to. Hence, if external actors are to contribute to fostering reconciliation in post-conflict societies like Sierra Leone, what is needed is a paradigm shift towards recognition and understanding that reconciliation should be rooted in and responsive to the experiential and subjective realities of people's perspectives and needs. This shift in the transitional and restorative justice paradigm will open up ample space to discuss the role of traditional reconciliation methods.

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