

UBUNTU: A NEW APPROACH TO INTERNATIONAL POST-CONFLICT
PEACEBUILDING

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ATEŞ FURKAN AYDIN

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submitted by **ATEŞ FURKAN AYDIN** in partial fulfillment of the requirements for
the degree of **Master of Science of International Relations, the Graduate School of
Social Sciences of Middle East Technical University** by,

Prof. Dr. Yaşar KONDAKÇI
Dean
Graduate School of Social Sciences

Prof. Dr. Ebru BOYAR
Head of Department
Department of International Relations

Assoc. Prof. Dr. Işık KUŞÇU BONNENFANT
Supervisor
Department of International Relations

Examining Committee Members:

Prof. Dr. Zuhale YEŞİLYURT GÜNDÜZ (Head of the Examining
Committee)
TED University
Department of Political Science and International Relations

Assoc. Prof. Dr. Işık KUŞÇU BONNENFANT (Supervisor)
Middle East Technical University
Department of International Relations

Assoc. Prof. Dr. Zerrin TORUN
Middle East Technical University
Department of International Relations

I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.

Name, Surname : Ateş Furkan AYDIN

Signature :

ABSTRACT

UBUNTU: A NEW APPROACH TO INTERNATIONAL POST-CONFLICT PEACEBUILDING

AYDIN, Ateş Furkan

M.S., Department of International Relations

Supervisor : Assoc. Prof. Dr. Işık KUŞÇU BONNENFANT

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This thesis explores the prospect of including practices based on the South African notion of *ubuntu*, an old concept that emphasizes shared humanity among all human beings, within the structure of international peacebuilding efforts. The qualities of *ubuntu*, and the conflict resolution methods influenced by the concept will be examined, while the experience of post-apartheid South Africa will be utilized as an influential example of embracing the values of *ubuntu* in peacebuilding. After discussing the current state and shortcomings of international peacebuilding efforts, the thesis will argue that *ubuntu* can indeed contribute to these undertakings with its emphasis on reconciliation, forgiveness, and truth-seeking.

Keywords: *Ubuntu*, Post-Conflict Peacebuilding, South Africa, Truth and Reconciliation Commission

ÖZ

UBUNTU: ULUSLARASI ÇATIŞMA SONRASI BARIŞ İNŞASINA YENİ BİR YAKLAŞIM

AYDIN, Ateş Furkan

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Bu tez, Güney Afrika merkezli eski bir kavram olan ve tüm insanlar arasındaki ortak insanlığı vurgulayan *ubuntu*'nun, uluslararası barış inşası çalışmalarının yapısına dahil edilebilme ihtimalini incelemektedir. *Ubuntu*'nun özellikleri ve söz konusu konseptten etkilenecek ortaya çıkmış çatışma çözümü yöntemleri incelenecek, apartheid sonrası Güney Afrika'nın tecrübesi ise *ubuntu*'nun değerlerinin barış inşasında benimsenmesine dair etkili bir örnek olarak kullanılacaktır. Günümüz barış inşası çalışmalarının mevcut durumu ve eksiklikleri de tartışıldıktan sonra bu tez, *ubuntu*'nun uzlaşmaya, affetmeye ve hakikati aramaya verdiği önem üzerinden söz konusu çalışmalara önemli bir katkı sağlayabileceğini öne sürecektir.

Anahtar Kelimeler: *Ubuntu*, Çatışma Sonrası Barış İnşası, Güney Afrika, Hakikat ve Uzlaşma Komisyonu

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To a reconciled future.

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LIST OF ABBREVIATIONS

AD	Anno Domini
ANC	African National Congress
CSVr	The Centre for the Study of Violence and Reconciliation
DEIC	The Dutch East India Company
ICTR	International Criminal Tribunal for Rwanda
NGO	Non-Governmental Organization
NP	National Party
OS	Operating System
PAC	Pan-Africanist Congress
SANNC	The South African Native National Congress
SASO	South African Students' Organization
TRC	Truth and Reconciliation Commission
UN	United Nations

CHAPTER 1

INTRODUCTION

1.1 Subject of the Thesis

Over the course of their existence, human societies had never fell short on producing and sharing values, ideas, and worldviews. This thesis concerns itself with one such worldview, originating from the southern regions of the African continent. Known as *ubuntu*, this simple yet complex concept that denies a direct translation to other languages emerged during the pre-colonial periods of the modern-day Republic of South Africa. Championing the humanistic values of communication, forgiveness, reconciliation, and strong communal bonds within any given group of people, *ubuntu* is the ultimate manifestation of shared humanity among all people. Its famous mantra, *umuntu ngumuntu ngabanye abantu*, commonly translated as ‘a person is a person through other persons’, discloses *ubuntu*’s devotion to connection between human beings and the perpetual sharing of life, without which it is impossible to claim that an individual is indeed a human being in its fullest sense.

While the elements that construct *ubuntu* are by no means unique to the concept itself, it had a particular chance to present itself to the world at large in the last years of the 20th century. After the decades-long apartheid rule, which itself had followed centuries of colonialism based on racial hierarchy, leaders of the new Republic of South Africa chose to accept the guidance of *ubuntu* and the related historical procedures to confront their past so that their future could be built. Based on the *ubuntu* values of forgiveness and reconciliation, South Africa’s response to

a legacy of violent oppression attests to the concept's restorative potential in fragile, post-conflict settings.

1.2 Research Question

This thesis explores whether *ubuntu* and procedures and institutions which are informed by *ubuntu* can serve a function within the framework of international responses in post-conflict regions. These responses are regarded under the discipline of peacebuilding and generally comprise of various reconstructive attempts on the local and national level, aiming the betterment of state structure, security, economic development, welfare services and social restoration. Taking into account the tenets of the concept of *ubuntu*, which prioritizes the human element in a conflict of any form, this thesis analyzes the ways in which *ubuntu* can be attached to these peacebuilding initiatives with respect to its own particular strengths and offerings.

1.3 Framework of Analysis and Methodology

This research undertakes a twofold examination, first of *ubuntu* and its recent utilization in the case of post-apartheid South Africa, and then of the current state of global peacebuilding paradigm to determine the pitfalls of its contemporary applications. This is done so in order to specify the elements that can be offered by *ubuntu* to create more comprehensive peacebuilding operations, leading to a state of sustainable peace.

While *ubuntu* in its pre-colonial sense constitutes the core of this research, its handling in a modern and institutionalized manner by South Africa is also acknowledged and regarded as the main reference point when *ubuntu* is considered as a necessary extension to peacebuilding efforts. Similarly, this thesis traces the evolution of contemporary peacebuilding models from a critical perspective and lays out the differing methods and priorities that had been changing through years. Ultimately, the main line of reasoning of this thesis lies on observing and

ascertaining a multi-faceted exploration of contemporary international peacebuilding on one hand, and the possibilities of improvement through *ubuntu* on the other, which had proven to be effective in such operations owing to its relatively successful utilization in South Africa.

Accordingly, the underlining aspiration of this thesis is to provide a detailed and versatile picture of both *ubuntu* and varying methods at peacebuilding and therefore, it mainly uses secondary sources such as articles, reports, books, news, and speeches to present such picture of different perspectives. Moreover, first-hand documents such as constitutions, official documents and declarations are also included and were attained from online public databases. Both qualitative and quantitative methods are used, yet it must be noted that the latter is limited to a discussion section of apartheid victims' opinions and answer percentages. Therefore, the majority of the thesis adopts a qualitative approach.

1.4 Organization of the Chapters

The ensuing second chapter of this thesis explores the meaning of *ubuntu* and discusses the core elements that collectively construct the concept. After providing a fixed definition, the chapter concludes with the perceived disadvantages and shortcomings on a hypothetical level.

The third chapter lays out the process of reconciliation based on *ubuntu* which was also reflected on the proceedings that took place in South Africa after apartheid.

The fourth chapter focuses on the history of South Africa, beginning with the pre-colonial years of the greater southern African region and concluding with the abolishment of the apartheid regime.

The fifth chapter discusses the immediate years following the end of apartheid and the transition period under the helm of Truth and Reconciliation Commission of South Africa.

The sixth chapter delves into the peacebuilding paradigm of the recent past, the liberal peacebuilding, its characteristics, history, and its current state.

The seventh chapter examines the latest attempts at revising the liberal peacebuilding paradigm in the form of hybrid peacebuilding that recognizes the human and local elements which had been sidelined before, and how *ubuntu*'s methods can be complemented to the international peacebuilding efforts under this framework.

In conclusion, the last chapter presents the concluding remarks.



CHAPTER 2

UBUNTU

2.1 Introduction

The main function of this chapter is to pinpoint different conceptualizations of *ubuntu* and ultimately deliver a workable definition about a concept which is widely regarded as difficult to properly define. Since *ubuntu* is the starting point of this research, this chapter attempts to perceive it from different angles and ascertain the theoretical and practical implications of its tenets, which are in their core based on the extensive importance given to intra-human communication, sharing and the value of common humanity among all.

2.2 Defining *Ubuntu*; A Contested Concept

The concept of sustainable development had occupied a core position within the debate and implementation of environmental law and politics. First popularized by the so-called ‘Brundtland Report’, the report of the United Nations Commission on Environment and Development, the concept found its way into the immense global gathering of Rio Conference and the Rio Declaration on Environment and Development that followed (Dobson, 2002). However, despite its universal popularity and the attempts to provide a definition, it was not that clear what exactly it and its extent meant (Hunter, Salzman & Zaelke, 2015). Its broad and ambiguous conceptualization deprived the term from a unifying understanding. To be fair, some common ideas were there, as the fourth principle of the Rio Declaration (United Nations, 1992) clearly indicates that the protection of

environment and the developmental efforts constitute an indivisible process. Similarly, the Brundtland Report underlines the necessity of balancing the needs of today against the needs of generations to come (United Nations, 1987) and another influential report, called 'Caring for the Earth', links "the quality of human life" with "the vitality and diversity of the earth" (IUCN, UNEP & WWF, 1991, p. 9). Yet, these attempts did not amount to a decisive and clear-cut definition, and with expansive concepts such as 'need', 'environment' and 'development', they only arrange a general set of ideas.

Regarding the definitions, Dobson (2002) holds that some prominent ones, the ones provided above, are useful as common reference points for the term and they are able to paint a sufficiently clear picture. Problems only and crucially emerge when the concept is applied to practicality. After all, a clear concept does not always translate well into a clear road map. For his part, Dobson (2002) declares sustainable development a "contested concept" (p. 25).

Contested concepts, according to Dobson, are "complex and normative" (2002, p. 25) concepts that involve two levels of understanding. The first level consists of short, specific, and ambiguous definitions of which there can be dozens. Dobson explains that no matter how numerous the definitions can be, there are undisputable 'core values' that covers all and without which there would be no concept to begin with. In essence, these values, though often broad, are necessary ingredients for the concept. The second level, however, is where the heated discussions take place. It deals with how the first level is carried out in practice. It is in this level that the varying interpretations of the first level's core values clash with each other. Dobson (2002) cites democracy, social justice, and liberty as other examples of contested concepts, and notions such as peace and freedom can easily be added to the collection.

It is not too far-fetched to claim that *ubuntu* is another example of a contested concept. The social, political, and intellectual weight that entrusted to it makes it highly challenging to shortly work it down to a coherent and comprehensive clarification. The recent popularity of the term also added into its general ambiguity

(Venter, 2004). In their attempt to deliver an over-arching definition for the term, Sindane and Liebenberg (2000) recognize that as concept, *ubuntu*, means different things for different people, which only takes on a new significance considering *ubuntu* is a common ground for a variety of diverse languages of sub-Saharan Africa (Kamwangamalu, 2007). They, too, use ‘democracy’ as an example to further illustrate their point. They also use ‘culture’ as a reference point to underline the flexible, shape-shifting, and interactive nature of *ubuntu*. It is not entirely unexpected for such a widely recognized concept to assume differing yet resembling connotations along the way.

It may be that *ubuntu* is a broad and vague concept within which numerous definitions reside. This, however, very much like sustainable development, does not inhibit the exploration of what lies within the foundations of *ubuntu*. Following this logic, the next section delves into perceptions of the concept in *ubuntu* literature and assesses whether there is indeed a ‘core’ of *ubuntu* that can serve as a first level of meaning.

2.3 What Is Ubuntu?

In terms of linguistics, the word ‘ubuntu’ contains “u-”, the pre-prefix, “bu-” or “buand-”, the abstract noun prefix, and finally, “-ntu”, the noun, which roughly means ‘humanness’, ‘person’ or ‘personhood’ (Kamwangamalu, 2007; Akinola, Uzodike, 2017). From a historical perspective, it is a remnant of an era in pre-colonial Africa where the socio-economic order was centered around the institutions of chiefdom, clans, and extended families (Venter, 2004). Today, *ubuntu* often appears in the Bantu group of languages prevalent in southern African regions (Hailey, 2008), although, as mentioned above, variations of the word can be found all over Sub-Saharan Africa. Examples include *botho* in Sesotho or Sesotho, which is sometimes used interchangeably with *ubuntu*, *bomoto* in Bobangi (Congo), *bumuntu* in kiSukuma and Kihayi (Tanzania), *gimuntu* in Kikongo and giKwese (Angola), *umunthu* (Malawi), *umundu* in Kikuyu (Kenya), *umuntu* (Uganda), and *vumuntu* in shiTsonga and shiTswa (Mozambique)

(Akinola, Uzodike, 2017). Consequently, its presence in these various communities and countries throughout the continent is more than enough for Kamwangamalu to deem *ubuntu* a “Pan-African” concept (2007, p. 24).

In its essence, *ubuntu* is an African worldview, a lens that attempts to capture humanness to its fullest extent (Murithi, 2006). Indeed, Venter (2004), Kamwangamalu (2007), Mnyaka and Motlhabi (2005), and Louw (1998) give a direct translation of *ubuntu* simply in parentheses as either humanity or humanness to present a first impression before providing a more detailed account. Furthermore, Le Roux (2000, as cited in Venter, 2004) demonstrates the various ‘components’ of man, or *umuntu*. *Umuntu* is comprised of *umzimba* (body), *umoya* (air), *umphefumela* (spirit or soul), *amandla* (vitality), *inhliziyo* (heart), *umqondo* (intellect or brain), *ulwimi* (language), and *ubuntu*, translated as ‘humanness’. What is worthy of note here is the separation of ‘spirit’ and ‘humanness’. While the former is a given for every human being, it does not come with the latter. This gives the impression that while *ubuntu* is a necessary component of being a human, it is a quality that is acquired later. Relatedly, *ubuntu* has also been characterized as the “art of being human” (Kamwangamalu, 2007, p. 37) and an elemental African social philosophy (Nussbaum, 2003), introduced as a collection of values which may be too great for a human being to ever fully live up to, perhaps much like a true philosophical journey. Within this worldview, there are some common keywords that can be found across the literature to illustrate what related values are. Examples include sympathy, solidarity, generosity, sharing, forgiveness, reconciliation, caring, empathy, reciprocity, harmony, interdependence, and more. It is only through such merits that one can express his or her humanity.

When it comes to presenting a fully-fledged definition for *ubuntu*, on the other hand, no contribution comes close to the popularity of the insights shared by South Africa’s Archbishop Desmond Tutu. While scholars share their own take on *ubuntu*, Tutu, a primary figurehead during his country’s critical transition period from the apartheid rule to a modern democracy, holds a unique place in the *ubuntu*

discussions. In what probably is the most referenced excerpt about *ubuntu*, Tutu (1999, p. 23) explains that:

Ubuntu is very difficult to render into a Western language. It speaks of the very essence of being human. When we want to give high praise to someone we say, 'Yu, u nobuntu'; 'Hey, so-and-so has ubuntu.' Then you are generous, you are hospitable, you are friendly and caring and compassionate. You share what you have. It is to say, 'My humanity is caught up, is inextricably bound up, in yours'. It is not 'I think therefore I am'. It says rather: 'I am human because I belong, I participate, I share'. A person with ubuntu is open and available to others, affirming to others, does not feel threatened that others are able and good, for he or she has a proper self-assurance that comes from knowing that he or she belongs in a greater whole and is diminished when others are humiliated or diminished, when others are tortured or oppressed, or treated as if they were less than who they are.

One of the things that stand out in Tutu's remarks is the appreciation of people who 'possess' *ubuntu*. This line of reasoning is compatible with Le Roux's description of *umuntu* where *ubuntu* is an independent component of a human being. Therefore, *ubuntu* is not a quality that we are born with; rather, similar to culture, it is thought and learned. This is what makes the possession of *ubuntu* and the compliment 'Yu, u nobuntu' so valuable for individuals. The fact that *ubuntu* must be earned is a crucial aspect of the concept. The active willingness to share and being friendly and trusting is what gives a shell of human his or her humanity. Thus, humanity is an end in itself. It does not lead to a separate reward other than the sense of humanness.

Another important point, perhaps even more so than the first one, in Tutu's take is the communal component of *ubuntu* (1999). In an apparent rejection of Western/Cartesian individualism, Tutu emphasizes the primacy of community in individuals' self-realization. It is definitely an outstanding feature that the possession of humanity is directly linked to the existence of a community with which an individual interacts and shares. As a bizarre notion to a Western pair of eyes, Tutu's *ubuntu* withholds humanity from a person who does not belong to a larger entity. This includes a sentiment of connectedness, interdependency, and loyalty, since on top of the necessity of a community for one's own humanity, community members' separate humanness is also linked to each other. What

follows is that the experiences of community members, whether positive or negative, are shared and reflected by other fellow members. On the extreme end, this also means that if one community member commits a crime that hurts another person in any way, the culprit loses a portion of his or her humanity and the shame of the act is felt collectively. As Tutu further dictates: “What dehumanizes you inexorably dehumanizes me” (1999, p. 23). Consequently, in what can be explained as a reciprocal web of humanity, a community is more than the sum of its parts and it acts as an immense yet coherent microorganism.

On this topic, another common point of reference is the well-known Zulu maxim: *umuntu ngumuntu ngabanye abantu*. It is most often translated as ‘a person is a person through other persons’. As it can be seen, the maxim conveys a similar correlation between individuals and their respective communities in the sense that interacting with surrounding human beings is still the primary liability to attain a level of humanness. It is the mantra of *ubuntu*’s take on humanity. The idiom can alternatively be read “a human being is a human being through human beings” and “the being of a human being is noticed through his or her being human through other human beings” (Van der Merwe, 1996, as cited in Louw, 1998, p. 36). The last interpretation adds a new layer to this relationship as it recognizes the process in which humanness gained by other human beings is also being acknowledged by them. Therefore, it can be argued that this specific apprehension illuminates the reciprocal communication of a community much clearer. Subsequently, the maxim suggests a community of utmost harmony as a result of its’ members respect and realization of their need for each other based on their shared humanity.

Aside from the Zulu mantra, other *ubuntu*-influenced idioms can be found across the continent with meanings pointing to a similar celebration of community. Examples include:

- *Motho ke motho ka batho*, translated as ‘a person is person by other people’ (in Sesotho of Lesotho and South Africa) (Mvuselelo, 2009)

- *Ali iwiri ndi anthu ali ekha chinyama*, translated as ‘those that are more than one are people and he who is alone is an animal’ (in Malawi) (Tambulasi & Kayuni, 2005)
- *Umuntu umuntu ngabantu*, translated as ‘a person is a person through or by means, of other people’ (in isiZulu of South Africa) (Mvuselelo, 2009)

The mindset behind the Zulu’s local wisdom and Tutu’s insights was echoed in the official levels as well. South Africa’s White Paper on Welfare in 1997 defines *ubuntu* as “the principle of caring for each other” and mirrors the maxim by stating “people are people through other people” (p. 10).

When the discussion is taken to the realm of scholarly efforts, an abundance of definitions, conceptualizations and debates can be found. *Ubuntu*, being a broad concept with implications for multitude of disciplines, unifies a cast of scholars with varying backgrounds in their pursuit of producing a comprehensive definition. The following are some of the examples from the literature:

- “Ubuntu is a value system... against whose values the members of the community measure their ‘humanness’. These values... are not innate but are rather acquired in society and are transmitted from one generation to another.” (Kamwangamalu, 2007, p. 27)
- “Ubuntu is a way of life that sustains the wellbeing of a people/community/society” (Sindane, 2000, p. 38)
- “Ubuntu is a standard of measure by which the members of a community evaluate individual and collective behavior or conduct in the dimension of humanness and ... it is an acquired or learned value” (Idoniboye-Obu & Whetho, 2013, p. 233)
- “[Ubuntu] is a spiritual foundation, an inner state, an orientation, and a good disposition that motivates, challenges, and makes one perceive, feel, and act in a humane way towards other. It is a way of life that seeks to promote and manifest itself and is best realized or evident in harmonious relations in society” (Mnyaka & Motlhabi, 2005, p. 218)

- “Ubuntu... is well understood to prescribe honoring relationships of sharing a way of life and caring for others’ quality of life” (Metz, 2014, p. 71).

The first example, which is provided by Kamwangamalu, portrays an *ubuntu* not dissimilar from a list of virtuous qualities that dictates an elbow room for those who are adhered to it. Thus, it has an external characteristic in a manner that it exists independently, and it is human beings who have the choice of following its tenets or not. By the same token, Metz (2007) takes things to a next level by proposing a brand-new moral theory informed by *ubuntu*. Deliberately sidelining the viewpoints of *ubuntu* which display it as a worldview or a way of life, he concludes his ambitious undertaking by arriving to the following statement: “An action is right insofar as it promotes shared identity among people grounded on good-will; an act is wrong to the extent that it fails to do so and tends to encourage the opposites of division and ill-will” (2007, p. 338). Unsurprisingly, Metz’s morality hinges on the much-focused communal belonging à la *umuntu ngumuntu ngabanye abantu*. Indeed, it is noteworthy how central the maxim’s implications are for many of the definitions. Lastly, contrasting the approach that externalizes *ubuntu*, Mnyaka’s contribution places *ubuntu* deep within the human soul. *Ubuntu*, in his account, is an active force of nature that plays a role in how human beings behave.

It is up to one’s own apprehension to place *ubuntu* in this wide spectrum. Here, however, considering the concepts discussed until this point, the following basic conceptualization will be adopted: *ubuntu* is a nurtured inclination towards a life that earns its meaning through an understanding of shared humanity among other human beings. Although it is brief and very general, not to mention its gravitation towards the question “What is humanity?”, it is a sufficient enough description that does capture the basics of *ubuntu* without listing its related numerous values and virtues.

Indeed, it is now possible to comfortably observe some underlying commonalities, the ‘core values’ in Tutu’s commentary and given definitions, along with local

proverbs. They are the expressions of *ubuntu* in its most general but also most foundational sense, and they also provide an encompassing framework that covers all other terms which are usually associated with *ubuntu* in some ways.

Some observes present their own core values. Kamwangamalu (2007) has two main pillars to offer. The first one is communalism. Although an unsurprising contribution, the inspection here is not about the spiritual aspect of community that gives human beings their humanity, but rather about the real-life and practical translation of such a highly valued institution. Accordingly, he reiterates that the individualistic concerns of a community are sidelined to give way to the communal good in an *ubuntu* society. This means that a member of a community is a member first, above any identification as a solitary human being. There is no room for a self-serving goal as the one's responsibilities to the community outweighs any individual aims (Venter, 2004). What follows is a group of people with inseparably interwoven lives. Everybody belongs together, and those who do not are potential threats to the community (Mnyaka & Motlhabi, 2005); it is a source of security as well. Moreover, in an utmost communitarian fashion, children are subjects to all the adults around them, even though their biological parents are known and they are not exclusively raised by the community as a whole (Kamwangamalu, 2007). In a similar vein, a community member may address his or her peers as 'sister' or 'brother' without any biological preconditions and everyone who are of the same age with their parents are 'mother' and 'father' to them. Mnyaka and Motlhabi (2007) highlight communalism as a main component of *ubuntu* as well, and they point out the inclusive capacity of a community. An *ubuntu* society respects the common humanity we all share; therefore, it struggles to give a home to a person without any family or relatives (Mnyaka & Motlhabi, 2007). It gives people a chance to belong, to fulfill their humanity. The result is a group of people with a shared humanity, who also share their love, their empathy, their food, their homes, their experiences, and ultimately, their lives.

Kamwangamalu (2007) presents the following Bantu proverbs to further illustrate this aspect of the communal aspect of *ubuntu*:

- Ngonga umwe katu udila mukaba, translated as ‘one bell cannot ring on the belt.’
- Tshiadima umwe tshiadia bangi, translated as ‘harvested by one, eaten by many.’
- Babidi kabakukumi batu bakushiya diulu nsoso, translated as ‘if two people fight against one person, they will win the fight’ (p. 28).

The second pillar of Kamwangamalu is interdependence. It can be thought as a complementary aspect to communalism, as interdependence is what gives a community its *ubuntu*-esque identity, it is what elevates a group of individuals with a scheduled task distribution to a unitary entity. After all, *ubuntu* explicitly ties individuals together in an existentialist plane. Interdependence is also highly evident in the famous Zulu maxim. When human beings extract their humanity from each other, it is expected that there would be a strong link between them. This is accurate for both levels of interdependence, between self and the community and between separate selves within the community. In addition, Kamwangamalu points to interdependence as the origin of merits such as loyalty, respect, sympathy and sharing (2007). It all flows from the recognition of the necessity to have each other for all aspects of life.

Although he does not categorize it as being a ‘core value’, Mnyaka and Motlhabi hold that ‘person’ is “the basis, centre and end of everything” (2005, p. 219). Considering what has been discussed to this point, it may seem a bit odd to prioritize the individual person to this extent, yet this is a good opportunity to take a closer look to *ubuntu*’s take on an individual. Mnyaka and Motlhabi (2005) focuses on the non-discriminatory nature of *ubuntu*. Each person deserves respect solely on the basic fact that they are human beings. Religious, sexual, and political identities play no part in how a human being should be viewed, nor does their social status. *Isidima*, meaning dignity, is a sacred quality possessed by all human beings and this necessitates an appreciation of every individual with respect to their humanness. In other words, equality in respect is the norm. A human person is also

described as “the foundation of society” (Mnyaka & Motlhabi, 2005, p. 219), which accords them a higher value than a singular being.

Communalism and interdependence are natural picks to define *ubuntu* in its core. They are inevitably tied with the concept and as themes, they will always emerge to shape *ubuntu* to grant it its identity. It is difficult, on the other hand, to be so sure about ‘person’ as a value. Although it is important to acknowledge its place in *ubuntu*’s world and the attention given to equality and respect, a person is always overshadowed by the community. Its main functionality is to work together with other cogs to ensure the machine is running well. It is not given a room to perform separately, which definitely takes away from its precedency. Just reminding that *ubuntu* denies a person humanness as long as he or she does not belong in a community is a case in point.

Nonetheless, there is another ‘core value’ which was not mentioned by its name in the previous definitions and perspectives, yet it adds a critical layer to all of them. *Ubuntu*’s presence in the White Paper on Welfare was not the only time it was recognized officially. The term was also referenced in the Interim Constitution of South Africa in 1993. The document, a cornerstone in South Africa’s modern history as it was adopted during the first few post-apartheid years and symbolizes the country’s break from its cloudy past, called for “a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for ubuntu but not for victimization” (1993, p. 139). Here, *ubuntu*’s explicit comparison with victimization matches with the discussion above where a perpetrator would dehumanize the related community as a whole with his or her actions. More significantly, however, the text is more interested in the humanity of the perpetrators themselves rather than the rest of their community, which is related with the generally underlying concept of the quote: reconciliation.

Reconciliation is important since, as it does with many other concepts, how *ubuntu* approaches to conflict hints at a great deal of what it tries to accomplish. In *ubuntu*’s strictly interwoven, interdependent community, where members find their humanity in each other, it naturally follows that the response to any kind of rivalry

or clash would not lead to something similar to a zero-sum game or a permanent removal of an individual from the community. Their humanity is bound with each other, therefore, any closure that takes away from a person's humanity is unacceptable. This entails, echoing Mnyaka's remark on 'person', respecting and defending the integrity of every single community member.

Elaborating on what she calls the "reconciliatory wisdom" (2003, p. 5) of Africa, Nussbaum shares an illuminating recollection regarding reconciliation. Working in a Zimbabwe based NGO, she and one of her colleagues got into a discussion that lasted a couple of hours. When she offered him to "agree to disagree" (2003, p. 5), she was declined so that they could continue to talk until they both agree with each other. When the desire to seek consensus and establish a communication in this simple interaction is amplified to a community of linked humanities dealing with graver matters, the way of *ubuntu* shows itself in the community's struggle to keep everyone within the community and help them reclaim their humanity. In a conflict, reconciliatory efforts are the only way that can protect the humanity of the parties involved (which also means the humanity of the community as a whole) and ensure a healthy future, free from resentful feelings and lust for revenge. What hopefully follows is forgiveness, as "ubuntu's understanding of the indivisibility of humanity creates a capacity for forgiveness" (Graybill, 2004, p. 1119). *Ubuntu* recognizes and respects the humanity in everyone, thus, the path it champions is one of forgiveness and letting go of poisonous feelings. The opposite would only lead to a black stain in everyone's memories of a lost human.

Overall, aside from a general definition, three core values for *ubuntu* are designated to act as pillars of *ubuntu*'s first level meaning. These three are communalism, interdependency, and reconciliation. In basic terms, the first two complete each other in creating a harmonious and consolidated society in which the greater good precedes the individual self. Reconciliation is where the real wisdom of *ubuntu* emerges, as it leaves no doubt that the protection and nourishment of humanity among human beings is the primary goal.

2.4 “I Slept Well, If You Slept Well.”

Now that the definitions and core values are handled, it would be convenient to briefly survey how *ubuntu* is realized in today's world to attain a more comprehensive view. Some examples are already mentioned, such as the collective responsibility of the community for the children, but these are old practices that predate the modern South African history by a long margin. Today, on the other hand, *ubuntu* shows its effect on many different areas of modern life, some being more subtle than the others. In a usual Zimbabwe morning, for example, people would greet each other, saying “*Mangwani, marara sei?*”/Good morning, did you sleep well?”, and the reply would be “*Ndarara, kana mararawo*”/I slept well, if you slept well” (Nussbaum, 2003, p. 4). Similarly, in the afternoon, the answer to the question “*Marara sei?*”/How has your day been?” would usually be “*Ndara, kana mararawo*”/My day has been good if your day has been good” (Nussbaum, 2003, p. 4). These simple yet revealing every-day interactions capture the interdependent and interwoven nature of *ubuntu* perfectly. In an *ubuntu* society, one's happiness is another's happiness.

Nussbaum argues that fragments of *ubuntu* behavior can be observed even in the United States of all countries (2003), where the atomistic individualism heavily contradicts with the communal overtones of *ubuntu*. Nonetheless, the argument goes that the overwhelming mobilization to aid those affected by Hurricane Allison in 2001 and the September 11 attacks in the same year signals that the great compassion showed by the American people is a portrayal of their recognition of a collective humanity (Nussbaum, 2003). This can be viewed as an overly romantic misreading, considering those were one-off events in moments of emergency. Still, there is an argument to be made that the sense of belonging to a greater scale of humanity is within every human being, regardless of whether it is suppressed or not.

A fine example showcasing how flexible *ubuntu* can be is the Ubuntu computer OS in Linux (Hailey, 2008). Borrowing its name directly from *ubuntu* as a

worldview and applying its ideas to software development, it is an open-source system which welcomes any input from anyone. It was developed by a South African entrepreneur living in the United Kingdom, and the *ubuntu* as an OS is significantly more popular than the *ubuntu* of Africa. It is not just software development either; *ubuntu* has influenced an ethical framework to be utilized in public health (Sambala, Cooper & Manderson, 2019), there is an Ubuntu Security Company, an Ubuntu School of Philosophy, and an Ubuntu Education Fund (Matolino & Kwindigwi, 2013). Companies in South Africa, ranging from banks to private airport management firms, use *ubuntu* in their marketing to highlight that their business model is based on the moral values of *ubuntu* (McDonald, 2010).

However, it is safe to argue that no single individual or institution can ever hope to embrace and personify *ubuntu* as it had been done by Nelson Mandela. Leaving aside his political struggles, his life is filled with little nuances that exemplify *ubuntu*'s teachings in their clearest sense. Most notably, after the establishment of the modern Republic of South Africa, he visited the widow of Hendrik Verwoerd, who is considered to be the architect of the apartheid regime, Percy Yutar, the prosecutor of the trial which resulted in his life-long imprisonment sentence, and P.W. Botha, one of the presidents of the apartheid state (Mwipikeni, 2018). With these visits, Mandela was determined to exhort that forgiveness is essential in the way human beings relate to each other.

2.5 Other Side of the Coin

On the whole, *ubuntu* has a fairly positive aura around it. Its earnest wisdom regarding human relationships has generated a positive reaction. What also helps is its recognized role in South Africa's transitional period in 1990's, details of which will be given in the later chapters. Respectable leaders such as Tutu and Mandela have been promoting the values defended by *ubuntu* by openly referring to it ever since, and the South African experience in general have been an exemplary success story from which many other countries can take notes. Yet, conversely to this eager appreciation, some concerns have also been voiced about

what *ubuntu* represents. Overall, criticisms directed at *ubuntu* can be categorized under two main issues: one regarding its narrow depiction of meaning and the other its communal approach.

2.5.1 One *Ubuntu* of Many

The problem with defining *ubuntu* in the literature is twofold. First, the usual interpretation of *ubuntu* can be kept broad and vague. As such, Mboti refers to “a magical bag without a bottom” (2015, p. 129). *Ubuntu* has become such an expansive concept that it can carry anything that is thrown to it. It is not difficult to picture that, on top of the imprecise scholarly efforts to ground *ubuntu* within a specific plane of meaning, companies and businesses in South Africa riding the wave of *ubuntu*, capitalizing on its popularity by branding their products and services with a proud sticker of *ubuntu*. This leaves *ubuntu* in a muddy state, a concept with no meaning but only a silhouette. The further consequence of this is the unpreparedness of such an *ubuntu* to deal with the complexity of real life. Comprehensive concepts such as ‘harmony’ and ‘humanness’ are so grand in their scope that they cannot respond to every-day intricacies of our lives. Thus, for all their grandiose, they remain limited.

The second and more troubling issue is that when *ubuntu* is indeed more specific, it is monolithic. Mboti refuses to adhere to what he calls “the selective privileged reading” (2015, p. 133) of the maxim *umuntu ngumuntu ngabanye abantu*. He refers to the interpretations of the maxim that derive harmony and good-will from it. The phrase, which evidently informs a great deal of definitions and conceptualizations of *ubuntu*, directs its focus only on the appealing side of *ubuntu*; the shared humanity, the harmony, the mutual respect and the sharing. It defines humanity in light of these values. Human relations, on the other hand, cannot be expected to mechanically follow such ideal patterns. “Relationship between persons can be broken or fractious, or harmonious and pleasing. Neither... should be seen as being better than the other. Both are. Both are not” (Mboti, 2015, p. 132). Moreover, as Mboti (2015) further illustrates, concepts such as ‘harmony’

should not always connote a positive relationship, since oppressive modes of interactions can be harmonious as well. Harmony in itself does not reflect the nature of its state. It is commendable that *ubuntu* champions our common humanity which it claims to lead to such positive interpretations and values, but the remaining ones cannot be tossed away as damaging or unpreferable in what would essentially be a wishful cherry-picking. Ignoring these factual realities of life only takes away from the validity of *ubuntu* and renders it an overly optimistic naivety.

The centrality of *umuntu ngumuntu ngabanye abantu* caused further discussions in the literature. Tagwirei (2020) questions this centrality itself. In his allegory not too distant from Dobson's explanation of 'core values', he posits that *ubuntu* has gone through a process which he calls 'nucleation', meaning that a nucleus of essential elements has formed over the years without which there can no longer be an *ubuntu*. The discussion, therefore, only revolves around within a space that is limited by the borders of the nucleus, excluding any unwarranted interventions in the form of alternative views. While Dobson views the possession of core values as an asset upon which to have open ended and productive debates towards more personalized accounts, Tagwirei characterizes them as closed and imposing set of ideas that ultimately dictates what is in the scope of discussions. In the center of the nucleus, meanwhile, resides *umuntu ngumuntu ngabanye abantu*. The maxim's teachings enjoy a certain monopoly over how *ubuntu* should be elaborated, it is everywhere where *ubuntu* is in need of defining and indeed, the two are linked together to an extent that the maxim serves as a quasi-definition itself. Within this framework, Tagwirei (2020) also criticizes the particular reading of its translation, 'a person is a person through other persons', specifically how the word 'through' is handled. Similar to Mboti's observation that 'harmony' is not intrinsically a positive concept, being through other persons does not automatically convey a relationship of sympathy and reciprocal identification between parties. It is not explicitly stated in what form this relationship will emerge, it is only signified that it will emerge 'through other persons.' It is highly possible to draw out various other conclusions from the maxim that focus on more nuanced approaches to

people's relations. The collective wisdom, on the other hand, insists on handling the issue around this specific commentary.

The issue of *umuntu ngumuntu ngabanye abantu*'s pivotal position becomes even more suspicious when numerous other phrases found in *ubuntu* societies are taken into account. In Shona language of the Bantu group, for every *rume rimwe harikombi churu* ('one man cannot surround an anthill') there is an *mbeva zhinji hadzicheri mwena unoenda kure* ('too many mice do not dig a big enough hole'), and for every *shuro yamutswa neruzhinji yave nyama* ('a hare hunted by a group is easily killed'), there is an *aita twake ndihombarume* ('he who does his own thing is an expert') (Mareva & Wasosa, 2015, p. 123). Clearly, there are sayings in the same culture that reflects complex and context-based quality of life and there is nothing inherently faulty in acknowledging these types of natural contradictions. The maxim and *ubuntu*, on the contrary, deliberately confine themselves to a limited understanding through which it is difficult to claim a universal appeal. The question is, then, why *umuntu ngumuntu ngabanye abantu* among others is in the middle of it all?

In his unique and important contribution to the discussion, Gade (2011) hints at a possible explanation for *umuntu ngumuntu ngabanye abantu*'s curious centrality. He uncovers that prior to the 1980's, *ubuntu* was associated by its depiction as a certain quality that a human maintains. Towards the end of the decade, a new wave approached *ubuntu* as a basis for ethical and philosophical framework. *Ubuntu* as a 'worldview' and 'African humanism' are the next steps of its journey. The more significant find here, however, is that *ubuntu*'s affiliation with *umuntu ngumuntu ngabanye abantu* began fairly recently. To be precise, Gade (2011), notes that the first links were established in the period between 1993 and 1995, which, of course, coincides with the transitional years of South Africa. This overlap leads to the consideration of *ubuntu* as a part of South African 'narrative of return'. These narratives usually attempt to capture the allure of the popularly recognized glory of the past and proposes to build a future by returning to the old ways. In the case of South Africa, and Africa in general, history can be split into three broad phases:

the romanticized pre-colonial phase; the phase of colonialism and slavery; and the phase of healing and restoration (Gade, 2011). In this context, *ubuntu* is the remnant of the glorious past and symbolizes a return to greatness. Its connection with the version of *umuntu ngumuntu ngabanye abantu* which prioritizes communal values above everything else thus provides a logical explanation in its deliberate application in a society which had been victimized by systematic racial segregation for decades. Tutu's famous celebration of *ubuntu*, while feeding into the narrative which is deemed 'narrow' by scholars like Mboti and Tagwirei (2020), is perfectly in line with what he was trying to achieve with the Truth and Reconciliation Commission. The vision for a brand-new South Africa required a climate of forgiveness and mutual identification among its citizens in a moment of extreme vulnerability. Therefore *ubuntu*, with its African roots and its promising communal teachings, had to be utilized, particularly with the black majority population in mind (Wilson, 2007). Notwithstanding the novelty of its motivations, there is substance to the argument that *ubuntu* in its present state reflects only a minor fraction of what it could have been, and it does not take kindly to competitor readings.

2.5.2 Over-Communalizing

The second issue with *ubuntu* is perhaps the more obvious one since some elements of its worldview stand out in first glance. The indications here are fairly straightforward. *Ubuntu*, with its total dedication to communal harmony, sharing, collective identification and its rejection of individual autonomy, draws dangerously close to totalitarian levels of communitarianism, or an "oppressive collectivism" (Louw, 1998, p. 38). In any setting, there has to be a delicate balance and the failure to protect it would easily result in majoritarianism along with complete eradication of individual values and identities.

As mentioned above briefly, the traditional Western pledge to uphold individual against the communal is contrasted with Africa's (and East's) commitment to community above the individual (Praeg, 2009). *Ubuntu's* overemphasis on

community, however, can be regarded as one step too far. The determined pursuit of strong communal bonds in the name of harmony and mutual identification can give way to a regime of an overbearing conformity (Hailey, 2008). In this “dark side” (Hailey, 2008, p. 18) of *ubuntu*, individual self-realization and identification is under the risk of being sacrificed to remain committed to the group. Important merits for a communal life such as loyalty and obedience are double-edged swords. If abused, it is only too easy to empty their meanings to a state that promotes mindless following of majoritarian dictations.

Another dangerous aspect of *ubuntu*’s communalism occurs in the level of community itself. As explained above, the narrative of return that houses *ubuntu* emulates a community that precedes urbanization, colonization, and slavery. Yet, what must be considered here is the fact that these communes were small in numbers, keen on their blood relatives and most importantly, intolerant towards everyone and everything they were not familiar with (Matolino & Kwindigwi, 2013). Similar to the case of loyalty and obedience, high levels of harmony and interdependence is open to corruption, which would lead to a sense of disdain to every form of ‘other’. Individuals from other communities, unfamiliar ideas and different forms of expression would be seen as a threat. Therefore, an *ubuntu* society would be defined through its exclusionary tendencies.

2.6 Conclusion

If there is a generally underlying point here, it would be that *ubuntu* as a concept is highly complex and multifaceted. Multiple views and interpretations on multiple areas of interest makes it harder to fully comprehend it. Perhaps that is why it was adopted in so many different aspects of life, because there indeed are core values of *ubuntu*, or in a more cynical phrasing, it has a ‘nucleus’. What they would imply for the second realm of meaning is everyone’s game. Even though it was important to understand *ubuntu* as much as possible, this thesis is not interested in what, among different takes, is the most ethical, efficient, or realizable one. Alongside influencing an operating system and a public health doctrine, *ubuntu* also was the

basis of a truly unique method of post-conflict peacebuilding, and that is where the focus will be shifted towards.



CHAPTER 3

THE WAY OF *UBUNTU*

3.1 Introduction

This chapter introduces and lays out what will eventually form the basis of the takeaway of this research from *ubuntu* when presenting its main arguments. That is, the *ubuntu*-influenced indigenous conflict resolution methods are the focus of this chapter. Preceding the modern and colonial history of South Africa by a long margin, these methods embody the worldview and values of *ubuntu* which were expressed in the previous chapter and present a striking practical implementation of them. After laying the groundwork of the regional context in which *ubuntu* and such conflict resolution practices had emerged, the chapter explains the five basic steps of the process.

3.2 Early Communities

South Africa is and has been a unique region for numerous reasons, yet it holds a truly special place within the context of human history. Clues from the oldest ancestors of humankind had been found in the southern most end of the African continent (Clark & Worger, 2013). These include fossils that are more than 3 million years old, thereby providing information regarding some of the most primitive humanoid beings, *Australopithecus africanus* (Clark & Worger, 2013). They were succeeded by *Homo erectus*, who managed to utilize stones and light fires (Cottrell, 2005). Evidence regarding the ensuing *Homo sapiens* had also been discovered and indicated signs of archaic life, belonging to over 100,000 years ago.

Among them are the earliest clues for modern upright posture, and thousands of paintings on the walls of caves and on rock surfaces (Clark & Worger, 2013). The paintings, which were performed by black, red, and white colors, illustrated the usual game of the time, eland, and hunters with bows while the combination of two within a single body was also a theme (Davenport & Saunders, 2000). These signal the existence of a society, somewhat organized in its structure.

The earliest of these societies could be found in the greater southern region of the continent. They depended on hunting, gathering, and fishing (Clark & Worger, 2013). Known as the San people, by 15,000 BC, their areas of activity were extensive. Their patrimonial clusters varied between 20 to 200 hundred people, and they had to adapt a nomadic life to guarantee their access to food (Davenport & Saunders, 2000). They had a shared understanding of the world and their place in it, which was reflected in oral literature, mythological teachings, and the aforementioned paintings (Ross, 1999). While there was a chief, there is not enough information suggesting an organized system of authority (Davenport & Saunders, 2000). He was merely an obligatory-male leader of a closely related group. Their skin is described as “yellowish and copper-hued” (p. 13), and eventually they would be called ‘bushmen’ by the European settlers (Cottrell, 2005). The San spoke a Khoisan language which to this day is very recognizable with its unique ‘click’ sounds.

The San people’s extensive reach inevitably led to their encounter with the Khoikhoi, to which the Europeans will refer as Hottentots (Cottrell, 2005). While the San were hunter-gatherers, the Khoikhoi were pastoralists. Speaking the same Khoisan click language and possessing similar physical attributes, the two groups would eventually be known simply as the Khoisan peoples. (Cottrell, 2005).

The Khoikhoi’s emergence from the Northern regions of the continent paved the way for a so-called “pastoralist revolution” (Worden, 2012, p. 10). Through this revolution, herding and stocking was introduced to a society incapable of curbing the forces of nature for their advantage. These early steps of domestication of southern African land occurred just a few thousand years ago, which was very late,

and perhaps the latest, compared to the rate of progress of the other major regions of the world (Ross, 1999). Ultimately, however, what began initially in the northern Botswana progressed through the southern areas of the continent.

Even though the Khoikhoi and the San have been referenced to under a unifying name, there were significant differences between the two peoples, mostly in terms of social and political structure of their groups, due to the nature of their respective ways of life (i.e., hunting-gathering and pastoralism). Ross (1998) addresses a few specific aspects with respect to these distinctions, first of which are the size of the tribal groupings. Herding made possible much greater collection of individuals in a single given group. This, in turn, meant that the close, family-like relationship between the members of the San's tribes was not a feature in the Khoikhoi. They were simply too populous for such familiar ties. Moreover, what was present in the Khoikhoi is the emphasis on the males of families. Coupled with the fact that herding animals led to a system of ownership and property accumulation, a component which was expectedly absent within the San society, the Khoikhoi males could hand down their cattle and sheep to their sons. The owners of the animals could also lend their properties to other members of the tribe and thus create an owner-client relationship with their fellow members. The impending power derived from such resources is inevitable, and these individuals also become political leaders of the group. Thus, power was linked to wealth.

Beginning by 300 BCE, the last piece of what Ross (1998) calls the "tripartite division" (p. 7) of the southern African people started arriving from the further north. These Bantu speakers, unlike the Khoisan, were agriculturalists and crop cultivators, some of them were also able to mine and utilize iron and copper (Worden, 2012). The Bantu had darker skin than the Khoisan, and contained various cultural groups on its own, such as the Venda, the Sotho-Tswana, the Tsonga, and the Nguni (Davenport & Saunders, 2000), even though the differences were basically on a linguistic level.

The lines between these various peoples were blurry. The Bantu owned cattle as well, and they were settling where the geography allowed them to farm and were

raising chiefdoms (Cottrell, 2005). Yet the Khoisan and the Bantu alike were hunting and gathering together, and trade between the groups was a common practice. With time, significant amount of Khoisan were assimilated and adopted the Bantu languages (Ross, 1999). As pastoralism and agriculture were both established in the region, the “mixed farming regime” (Ross, 1999, p. 10) of agro-pastoralism began to conquer vast areas of the region. With the emergence of the Iron Age, the social and economic structure had become larger and more complex. The livestock was increasing with settled cultivation and herding, so was the population. Buildings made of stone and potteries distinguished by various local cultural styles started to appear (Davenport & Saunders, 2000). The ones who had control over the trade and wealth established polities and chiefdoms (Worden, 2012), some of which could expand and evolve into more centralized kingdoms. While the trade between remaining herders and settled cultivators continued, clashes concerning valued lands also occurred (Worden, 2012). It should also be noted that there were no divisions between groups based on different ethnic ancestries. As Worden (2012) puts it, “ethnic tribalism was a product of the colonial era” (p. 11).

Once again Ross (1999) identifies common socio-political and economical norms regarding these societies. One of the underlying elements was the disadvantaged position of the women. They were not allowed to deal with cattle. Likewise, they were kept absent from daily pastoral activities. What naturally follows is women’s exclusion from the political realm. What they mostly dealt with was the agricultural work, gathering food and water, preparing the food, and collecting firewood. The overall cleanliness of the household was also the responsibility of women. Livestock, on the other hand, was a man’s job. Other duties of men included building houses, milking, producing leather items, and of course, politics and war.

These norms were made clear and imposed to the younger members of the community at a very early age. While the girls helped their mother in their household duties and were expected to learn how to be a good wife someday, the boys were guiding the herds and were trained to become warriors. The women were

in an inferior position even to their sons, further illustrating the subordinative nature of the relationship between sexes. In marriage, as well, the women had little input. Marriage itself was nothing more than a tool to unite two families. Women had to remain extremely respectful to their new families and the pressure was permanent throughout their lives. Their value in a marriage, other than their daily tasks, was dependent mostly on their fertility.

As mentioned above, political power was tied to the successful accumulation of wealth, cattle ownership, and number of subjects, which was mostly dependent on the first two. There were a multitude of chiefdoms varying in scope, size, and power in different areas of the region. Even though the political structure was aristocratic, and the office of chiefdom was hereditary, a chief's performance as a ruler was the main determinant of continuing obedience of his people. Mirroring the aforementioned remarks regarding ethnicity and tribalism, tribal ties meant little when it comes to following a certain political leader. When men of the communities were dissatisfied with their chiefs, they would leave, taking as many cattle as they could on their way out. Conversely, however, this also meant that a successful ruler was able to maintain the integrity of his community not through the threat of force or fear but based on the people's consent.

Within the context of this study, an important illustration of this consent-based relationship were the institutions known as *kgotla*, *kgoro*, or *indaba* in different Southern African regions. Male habitants of the community would gather in an open area under the leadership of the chief and would discuss the possible punishments or outcomes with respect to a variety of crimes. Chief would listen to the suggestions and perspectives, ultimately settling on a final decision informed by his subjects.

Ross (1999) cites Nelson Mandela as how he was influenced by these methods in his dedication to reconciliation. Without a doubt these practices bear the traces of *ubuntu* in how they were carried out and would inform a nation building struggle dozens of centuries later. Therefore, a more complete picture of Southern African *ubuntu* processes in pre-colonization era will now be laid out.

3.3 The *Ubuntu* Resolution

It would be an easy effort to argue that peace is another contestable concept. It can mean any number of things within different contexts, yet in a general sense, the agreed-upon segregation of the concept in international relations and other relevant scholarships is two-fold: negative and positive peace. These terms, coined by Johan Galtung (Price, 2010), lay out a spectrum of peace. Negative peace simply implies the absence of violence. Webel (2007, p.11) calls this “weak, or fragile, peace” and notes that in addition to the violence, in negative peace, the list of absentees include societal justice, equity, and social satisfaction. Negative peace takes the necessary first step towards a peaceful environment, but it stops there. The rest of the hard work is conceptually covered by positive peace, dubbed by Webel (2007) as the “strong, or durable, peace” (p. 11). Here, the lack of armed and/or physical conflict is also supported by the attempts to scratch the underlying social, economic, and political reasons off of the society, which had given rise to the conflict in the first place. The goal is to render the hard-earned peace sustainable by adopting a much more comprehensive roadmap that touches upon multiple facets and issues of the society.

Therefore, it is naturally expected that what *ubuntu* generates as a platform would fall under the category of positive peace. Its insistence on solidarity and the overarching commitment to human connection would completely invalidate the tenets of negative peace. In an *ubuntu* society, maintaining the dependent, forgiving, and trustful bond between the members of the community through the achievement of reconciliation is the utmost priority.

The process that promotes such environment after incidents of crime or more violent experiences is as striking as it is simple. The gatherings called *lekgotla/inkundla* were the platforms through which a finalized resolution would be decided upon (Murithi, 2007). There were multiple levels of functionality, and it could materialize on a scale of familial gatherings to confrontations between nations (Murithi, 2009). As it was explained in the previous chapter, a crime

committed by a single member also binds his or her society to the act. Underlying mentality here was to eliminate the threat to the well-being and solidarity of the community which can be brought by these criminal acts. This entailed that the process of conflict resolution was also communal, and the members were all involved in different stages (Murithi, 2007), notwithstanding the relatives of the perpetrator and victim. Everyone could make their opinions heard. This even included directly addressing to the culprits and the victims themselves (Murithi, 2007). Council of Elders and the Chief were the main decision makers within the institution with the former undertaking the investigative duties prior to the gathering and advising the latter (Murithi, 2009).

Murithi (2009), who champions these processes as an inspiration for other nations of the world, clarifies five fundamental stages in the *lekgotla/inkundla*. The initial one included the encouragement of the perpetrator to come forward and admit his or her responsibility on the matter. This, of course, required prior investigation by the Council of Elders through which all the facts regarding the incident were collected and witnesses, perpetrator(s), and victim(s) were listened. What is noteworthy here is even if the investigation left no doubt about the perpetrators' involvement and guilt, the acknowledgement was still expected from the perpetrators themselves and no final judgements were given, not even by the Chief, until such acknowledgement took place.

The second stage further illustrates the particular nature of *ubuntu*. After the disclosure, the culprit would then be asked to show remorse and repent for the past wrongdoings. This stage is notably important as this was the perpetrator's chance to regain lost humanity, and therefore the humanity of the community as well. An earnest desire to atone in this context is an imperative part of the quest towards collective healing.

What naturally follows this act is the perpetrator's appeal for forgiveness. Though this request was primarily directed towards the victims and their close relatives, it would not be inaccurate to interpret this as an indirect call to every member of the community, from another member who was seeking to become human again. What

makes this stage so crucial above all, however, was the subsequent encouragement of victims and families to show mercy. Therein lies the essence of *ubuntu*; in the face of ache and discomfort, a chance to protect the collective humanness of all. This should not be confused with forgetting the past, rather it is a most astonishing exhibition of the power of forgiveness. Acknowledging and facing the memories of a haunting past and showing the willingness to overcome it is a defining feature of *ubuntu* when faced with a conflict.

In the fourth step, and in cases when it is possible and advised, a compensation would be determined to be paid to the victims' side. Crucially, however, Murithi (2009) underlines that this compensation was nothing much than a symbolic token. Its main goal was to strengthen the remorse showed by the perpetrator and not to cover any amount of financial loss suffered by the victims, thereby giving priority to moral and spiritual healing rather than physical.

In the final stage, both sides of the conflict would be encouraged to commit to total reconciliation, which would generally include the families and friends of the main figures of the incident. They would be asked to try to repair the damage between them and live together peacefully once again. This was the ultimate attempt to repair an impaired community for good. To accompany it, a bitter herb from the *Oput* tree was drunk by the parties. The drink's harsh taste personified the experienced hostility, and the gesture of drinking it meant that all were ready to leave it all behind.

The process as a whole covers the essential grounds of *ubuntu* and its principles. The shared humanity, along with the integrity of the community, are prioritized above personal grudges. There is no room for individual vendettas and instinctive acts of vengeance. Concordantly, forgiveness is the principal tool to repair what is broken, to ensure the protection of the ties that fundamentally bond individuals together. Even in the most extreme of cases, such as murder, death penalty was not an option. Loss of human life would render the loss of humanity permanent for the ones who remain. As can be derived from the influence of forgiveness, rebuilding broken relations is the only viable path for *ubuntu* societies. Murithi (2009)

summarizes this by explaining that “the wisdom of this process lies in the recognition that it is not possible to build a healthy community at peace with itself unless past wrongs are acknowledged and brought into the open” (p. 229).

On the other hand, there are easily detectable holes within this process. On the occasion that a party is reluctant to go forward with what was being encouraged, an unsolvable deadlock would emerge. Considering that the perpetrator, even if he or she is sincere with the remorse that had been shown, may not want to relive the incident or disclose the offenses in front of the whole community, or the victims and their families may not want to forgive the perpetrator and grant he or she amnesty so easily, this possibility should not be ignored. While the process has no solution for this, it should still be recognized that when everything proceeds in the desired way, the outcome is quite powerful with respect to sustainability and efficiency. As will be discussed later, this line of thought would be the main defense of Tutu towards similar criticisms of the South African experience (Tutu, 1999). When it works, it works spectacularly.

3.4 Conclusion

As touched upon in the beginning of the chapter, the proceedings of *lekgotla/inkundla* are as close as being a complete representation of what *ubuntu* stands for. The insistence on keeping the humanity intact of everyone involved to a maximum degree, the bravery to face the past, and the struggle to forgive are challenging yet rewarding qualities when one decides what the future must look like. While that may be, it is also possible to overestimate the impact of the tools provided by *ubuntu*, especially in the context of a modern society in which many dynamics of social, political, and economic life are obviously quite different from an era of chiefs and wall paintings. Yet, this is exactly why the interpretation of *lekgotla/inkundla* by the modern South African state is quite important, and frankly speaking, impressive. Before that is discussed, however, it is necessary to provide the history of the country that more often than not presents a bleak story.

CHAPTER 4

COLONIALISM AND APARTHEID IN SOUTH AFRICA

4.1 Introduction

To determine the impact of *ubuntu* and the transition of South Africa from a state of absolute racial divisiveness fueled by a legacy of a strict hierarchy and systematic oppression, this chapter presents an historical account of South Africa. It covers an extensive period, to put it lightly, initiating its undertaking from the first steps of expanding Europeans taken in the 1400's. As the chapter moves from the British rule towards the height and fall of apartheid, it traces racial segregation as a commonality throughout the centuries.

4.2 Arrival of the Europeans

The ordinary existence of the native peoples of southern Africa had remained undisturbed for centuries. This coexistence, however, was about to be challenged beginning by the late 15th century. Ships sailed from Portugal were gradually following the continent's seaboard towards its southern end. Reaching the inevitable, it was Bartolomeu Dias from Lisbon that had first observed the shores of South Africa in 1487 (Cottrell, 2005). Rehearsing what would later be a European route to India and Asia, he rounded the Cape peninsula and climbed the eastern coasts of Africa. His path was followed by a fellow Portuguese, Vasco da Gama, a decade later, during a journey to India (Thompson, 2000). This route became a regularity for the Portuguese in the following century. By that time, the colonization of the Americas had already begun, and the Portuguese had been exporting slaves from East and West Africa (Thompson, 2000), yet they had no

significant presence in the southern regions. While they were able to build ports and bases within the northern regions, the dangerous currents surrounding South Africa prevented them from landing there (Clark & Worger, 2013).

Nearing the 17th century, more Europeans had adopted the route. Apart from the Portuguese, ships with Dutch, French and English flags were rounding the Cape and sailing to Asia (Cottrell, 2005). Eventually, occasional landings started to take place. This also meant that the first contacts with the Khoikhoi transpired. The relationship was based on trade as the Europeans exchanged goods of iron and copper in return for their daily needs such as water, sheep, and cattle (Thompson, 2000). The Cape had a useful role in restocking the necessary supplies to expeditions which would usually take dozens of weeks to complete.

This line of reasoning was the exact justification behind the proposal made by the Dutch in the mid-17th century to establish a permanent presence in the Cape (Thompson, 2000). In 1652, the year which is regarded as the “beginning of South Africa” (Worden, 2012, p. 11), the Dutch East India Company (DEIC) laid foundation of a fort at Table Bay. Aside from the quote being a little dramatic and fairly dismissive of the natives, this was indeed a monumental incident considering the colonial struggle for South Africa in the following centuries.

While the initial settlement has a historical significance now, DEIC had nothing major planned for the Cape colony in the early years. The base was merely a supply point among many others. The Company was the biggest of its kind in the world at the time, acting as “a state outside the state” (Thompson, 2000, p. 33). It also embodied the reach and success that the Dutch businessmen enjoyed in a global sense. Within the grander scheme of the Company’s scope, the base at the Cape only served as a meeting point and a stop to resupply with materials acquired from the locals (Clark & Worger, 2013), ultimately appealing only to ships with a very specific route.

The Dutch got off on the wrong foot with the natives from the beginning, and it never really recovered from there. The Khoikhoi were not happy with the way the

Dutch were handling their trade as it seemed that they were always leaving more advantageous (Clark & Worger, 2013). The picture became more bleaker for the herders when the newcomers started to utilize their own territorial fields (Sonneborn, 2010); the Dutch did not linger too much when it comes to expansion. The rapid colonial advancement left no doubt in the minds of the natives regarding the threat to their lands, but the power of the European weaponry was a sufficient enough leverage for the Dutch (Cottrell, 2005). An all-out war had already begun as early as 1659 (Stapleton, 2010). Numerous clashes varying in scale would follow during the ensuing years of the Dutch rule, with majority of them saw the Khoikhoi defeated and scattered. The lack of substantial response to the weapons and horses of the newcomers was one thing, but they were not the only things that the Europeans had brought. Smallpox was equally, if not more, devastating for the Khoikhoi. Outbreaks in 1687, 1711 and 1755 skimmed the numbers of the natives (Wilson, 2017) and helped increase the momentum of their downfall.

The newly acquired lands were then being settled by the Europeans for commercial use, who themselves were importing slaves (Clark & Worger, 2013). Contrary to the Americas, the majority of the slaves in South Africa were not from the African continent and instead were brought from places such as Madagascar, Malabar, and Malay Archipelago (Clark & Worger, 2013). More than 60.000 slaves were brought to the colony until the end of the 18th century and in the year 1700, the slaves outnumbered their white, colonizing masters (Wilson, 2017). The slave workforce was further supported by the ever-weakening Khoikhois. Even though the natives were not slaves themselves, their inability to answer to superior firepower and territorial expansion left them with little choice but to work for the Dutch in their farms (Sonneborn, 2010). The fact that this was the case as early as the 1670's (Sonneborn, 2010) shows that the near-total subjugation of the local community took only three decades for the Dutch.

Principles of property rights had also been brought from Europe. Newly acquired lands could be bought from the Company with the option to sell them or hand them down to heirs (Worden, 2012). This was, of course, a part of the continuing colonial

expansion at the expense of natives. These owners were farmers, usually with very large families, and separated themselves from the settlers in Cape who worked for the company (Cottrell, 2005). They came to be known as the Trekboers and were the basis of an emerging Afrikaner identity.

With a combination of company employees, white farmers, natives, and a population of slaves with varying backgrounds, a complex societal dynamic emerged within the 150 years following the arrival of the Dutch. The main element of division was the racial hierarchy. The top of the social order was reserved for the company employees, while the Trekboers followed next (Sonneborn, 2010). On the opposite side of the spectrum were the slaves and the Khoikhoi (Cottrell, 2005). The 'mixed' community, offspring of European men and Khoikhoi or slave women (Clark & Worger, 2013), were placed somewhere in the middle. On top of the lack of meaningful difference in treatment, the Khoikhoi were even more despised by the whites than the slaves (Berger, 2009). The Dutch even introduced a pass system for the natives (Sonneborn, 2010). Through a restriction which would be infamously repeated to greater extents centuries later, the Khoikhoi had to present proper documentation to access certain areas of the colony. Notwithstanding the strict economic barriers for a working Khoikhoi, the native communities were also banned from marrying whites and receiving education with whites (Mnguni, 1988). Eventually, the racial segregation was apparent in virtually every aspect of life in the colony. The whites had taken possession of all the land that was worth possessing but relied entirely on the black work force (Thompson, 2000), whether slave or 'free'. They themselves were not monolithic by any stretch; discomforts over tax issues, military service, and land use were present between the Company representatives in Cape and the Trekboers (Cottrell, 2005). Yet, there was no argument over their shared sense of superiority over the natives and slaves. All in all, by the end of the 18th century, the Dutch had installed an institutionalized feudal system that co-existed with Trekboer's subsystem of the same feudal nature (Terreblanche, 2008), both of which rested on the racially

oppressive pastoral labor relations. A simple idea for a resupplying and restoring settlement had dramatically outgrown its original disposition.

The British entered the scene in late 18th century. The Empire was expectedly disturbed by France's European expansion following the French Revolution. London was also aware of the critical position of the Cape in the Asian trade route (Stapleton, 2010). The capture of the colony would deny Napoleon a link of his own overseas empire. British troops captured the Cape Colony in 1795, but it was not effortless. In an ironic turn of events, the Dutch had to rely on hit-and-run tactics and ambushes to resist the British (Stapleton, 2010), strategies obligatorily used against them by the Khoikhoi in the past. Just like the defense of the Natives, the Dutch failed. However, Britain ceased control of the colony in 1803 when it was thought that the French danger was over, only to recapture it in 1806 (Berger, 2009).

The British Empire went through similar phases in their handling of the Cape colony. Now, the British Empire was on the top of the global food chain with its superior economic and military power, capturing India before its arrival in the Cape (Mnguni, 1988). Just like the Dutch before them, they had initially no intention to expand the borders of the colony (Clark & Worger, 2013). The only aspect of importance of the colony derived from its strategical position for them as well, and it seemed no further attention was necessary. Too keep the costs low and any undesired troubles limited, they were keen to cooperate with the Dutch (Worden, 2012). Yet, they soon realized that extensive farming and pastoral activities were necessary for their continuing presence, due to the environmental conditions and the non-existence of close-by markets (Clark & Worger, 2013).

The consequence of this British realization was the further destruction of the lives and farms of the natives. The British were no gentler towards the indigenous people than their fellow European forerunners. Soldiers were sent to push the African farmers from their lands and a series of clashes ensued. The banished were not only the Khoikhoi, but the Bantu speakers as well. Throughout the course of the century, Bantu people of Xhosa, Sotho, Ndebele, Zulu, Pedi and more, desperately

attempted to stop the European influx to no avail (Wilson, 2017). There were occasional instances of small victories for the Natives, but overall, they stood no chance against the combined aggression of the Brits and the Dutch. In their stead, Britain sent thousands of British immigrants for permanent settlement (Berger, 2009). The process of European infiltration had been moving forward without much interference.

While the colony continued to rely on subordinate labor, mainland Britain was experiencing the outcomes of the industrial revolution. The updated means of production signified an end to the complete dependence on human workforce. Coupled with the liberal ideas that had been stemming from the revolutions in France and America, and the emergence of a religious community, referring themselves as the 'humanitarians' (Berger, 2009), the morals of slavery had started to be questioned. The humanitarians in particular felt a responsibility towards the indigenous peoples faced with colonization around the world, the number of which had been steadily increasing in direct proportion to the British Empire's and other colonizing nations' expanding global reach. Ultimately, their influence resulted with a ban on slave trade in 1807. Slavery as a whole was to be abolished in 1833. Despite being technically free, however, not much had changed in the lives of former slaves. Alongside with the Khoikhoi, they were still residing in the lowest possible rank in the racial hierarchy. They had to keep working for their masters since there was no land for them to own (Berger, 2009). The social, economic, and political barriers were as intact as ever. Neither the Dutch nor the British benefited from letting the Blacks become more than a poverty-stricken group of people, wholly dependent on the Whites to attain basic needs. After all, setting the common mindset of racial superiority aside, the colony still needed an uninterrupted workforce.

On the other hand, the Dutch and the Boers were not quite comfortable with the arrival of British settlers. Their freedom was dwindling, and the British were running things on their own terms. Not only did they capture Cape Town, but they also established authority throughout all the colonized areas (Thompson, 2000).

Even the Boers, living in their farm away from the colonial center, could feel impacts of the new order. The British, aside from their soldiers, had also brought over their institutional structures and values; abolishment of slavery being only a single example. They adjusted the judicial processes in light of their own system, replaced magistrates, and altered the administrative architecture (Thompson, 2000). The Dutch also felt left out and underrepresented (Worden, 2012). Moreover, there emerged troubles over land ownership and increasing debt to the new rulers (Berger, 2009). Still, the major blow came only with the emancipation of slaves. Crucial to the Afrikaner way of organizing social structure, the slaves' removal from the workforce was unacceptable to the preceding settlers. It symbolized the nature of oppressive British rule, and how they came and tore down the established order of life in the Cape colony.

In response to the culmination of these disruptions, approximately 15.000 Boers decided to embark on a mass migration in 1938 (Sonneborn, 2010), leaving behind the Cape and its British rulers. The journey was crucial in forming the Afrikaner national identity. The Great Trek, as what it later came to be known, was about the aspiration for Afrikaner autonomy and freedom, as well as the refusal of British domination over their people (Stapleton, 2010). Within this narrative, the blacks and the British provided the necessary historical antagonists. Three autonomous states were the concluding results of the Trek. One of them, the Natalia Republic, closed off the British connection to the sea, so the British captured it, renamed it Natal, and brought Indian workers to produce sugar (Sonneborn, 2010). The other states, known as Transvaal and the Orange Free State, retained their independency. Though not as strong in their structure, the republics allowed the Boer to establish their own rules. Citizenship was reserved only for white males, the absence of equality between whites and non-whites was outlined directly in their constitution, and even though they did not reintroduce slavery, they continued to rely on an impoverished black workforce by capturing nearby farms (Berger, 2009).

4.3 The Mineral Revolution

With the emergence of two Boer republics, a vulnerable but sustainable status-quo had been reached. In addition to two Boer states, the British colonies of Natal and the Cape and various African states managed to coexist despite occasional clashes over land and an overall restless environment. Yet, within 20 years, a major paradigm shift took place. The discovery of diamond in 1867, and of gold in 1886, spearheaded an era of major transformation for the region. This so-called ‘mineral revolution’ and the subsequent wealth set the fuse for Southern Africa’s entry into industrialization (Saul & Bond, 2014). Companies and investors started pouring capital into the region, which itself became significantly more economically advanced than the rest of the continent (Saul & Bond, 2014). The ultimate metamorphosis of the peoples of South Africa from a collection of “agricultural and pastoral communities to a predominantly industrial urban society” (Omer-Cooper, 1994, p. 126) had begun.

Within this framework of grand alteration, it was inevitable that the relationship between the usual inhabitants of the region would be affected. In its core, the discoveries deepened the rift between the different peoples of South Africa; “British and Boer, white and black, rich and poor” (Clark & Worger, 2013, p. 14). On top of the required financial resources, commercial mining of the minerals necessitated a cheap and populous workforce. Therefore, it is not surprising that the blacks were the real victims of the discoveries. The British were quick to conquer more African chiefdoms and states, forcing their people to work under dreadful conditions (Sonnenborn, 2010). They had to leave their family behind for 6 months or a year, as specified in their contract, to work in the mines (Thompson, 2000). There, they were not provided beds, and had to stay with up to 50 more men in the same room under strict disciplinary regulations. The white workers, on the other hand, had been earning 8 times more than the black workers, with humane living conditions and no oversight from their supervisors (Thompson, 2000).

While the coercive and oppressive nature of the whites' dominion over the blacks had peaked going into the 20th century, the tension between the British and the Boer had also become harder to suppress. This tension also peaked in light of the fact that the gold reserves were situated in Transvaal. On one hand, the region was controlled by the Boers, but on the other, most of the capital and the ownership of mines belonged to the British. The reciprocal provocations and disagreements carried the situation to a point where the only feasible solution was open war. The ensuing South African War, sometimes referred to as the Boer War, began in 1899. With the might of an empire behind their back, the British underestimated their enemies (van der Waag, 2018). It took 3 years for them to finally crush the Boer forces.

It was not easy for Boers to finally sign the treaty of their surrender. The British side had no intention to let the Boers maintain their independence. Still, in 1902, there was still a formidable Afrikaner military force. During the internal discussions among the leaders of the Boer republics, temperate figures such as Smuts and Botha managed to convince the hardliner likes of Hertzog to surrender to at least keep their cultural and national identity, even though they would be a part of the British crown (Charles Rivers Editors, 2020).

Following the war, and via the executive leadership of Alfred Milner, the British masterplan involved an autocratic supremacy that strips the nationalistic tendencies away from Afrikaners and flooding the region with British immigrants (Thompson, 2000). The endgame for Milner was to create a "self-governing white community supported by well-treated and justly governed black labor" that prioritizes the gold-mining industry above all else (Legassick, 1995, p. 46). However, the desired amount of British presence was never reached, and as always, Afrikaners were constituting more than half of the white population of the colony (Thompson, 2000). They were also even more united in their culture and national pride following the defeat. A few years after the surrender, Botha and Smuts had already been vilifying Milner's rule (Thompson, 2000).

In 1906, the liberal cabinet of Campbell Bannerman was instituted in Britain's government, whose distaste regarding the South African War was no secret (Clark, Worger, 2013). His grant of complete self-government to the two Boer republics paved the way for the eventual unification of all colonies. At the core of this alliance, however, lay the joint desire to ensure the continuing corrosion of the native population. As Ouvrier puts it, "for several decades there was an open conflict between modern colonialism and the peasant Boer communities. But at the bottom of this conflict ran a permanent war led concurrently by both sides against the native African population" (n.d., p.5). The whites recognized their mutual gains "at the expense of African workers" (Clark & Worger, 2013, p.20). Moreover, a union made in sense in security terms as well. It was true that Afrikaners outpopulated the British, but Africans outpopulated them all. The resulting Union of South Africa, established in 1910, was a marriage of convenience, to protect the White's supremacy over the Black.

4.4. Segregation

The underlining rationale for the establishment of the Union quickly made itself highly tangible in early 1910's. This era of segregation aimed to further intensify the white dominion in the country while making sure Africans posed no threat to the establishment. Considering the ever-deteriorating conditions of the African population with the rapid industrialization of the region, these segregationist policies were preventive measures to keep the climate safe and profitable (Dubow, 1989).

The Mines and Works Act in 1911 reserved the skilled jobs in the mining industry to whites (Clark, Worger, 2013). This was an obvious attempt to render blacks, forming nearly 80 per cent of South Africa, desperate for low-income jobs. The same year also saw the enactment of Native Labor Regulation Act. The Act governed the recruitment of blacks in urban areas and demanded that they were to be given special passes (Sonneborn, 2010). The only way for Africans to enter cities was the presentation of these documents. The Act also prohibited the

Africans to break the terms of their initial working contract, meaning that they were not allowed to resign. The punishment to do so was getting arrested and to be put into hard labor for two months (Clark & Worger, 2013).

The influx of poor Africans to cities with hopes of employment gave rise to industrial slums, alarmed the whites and necessitated government intervention. 1913's Natives Lands Act was a particularly critical development that would influence the racial relations for decades to come. It excluded Africans from buying or renting houses or lands which are situated outside of government designated reserves (Feinstein, 2005). These reserves, sometimes referred to as 'townships', amounted only to 7 per cent of the Union's land, and later increased to 14 per cent in 1936 (Ouvrier, n.d.). Taking into account the Africans' overwhelming majority, it did not take too long for these reserves to become overcrowded, unsanitary, poverty-ridden, and humiliating areas of concentration. They slowly became "reservoirs of cheap, unskilled labor" (Thompson, 2000, p. 164) for the industry and the farms of whites. The institutionalization of segregation became even more entrenched with the establishment of the Department of Native Affairs in 1927. Now, the policies regarding the African population had been separated from the rest of governmental decision-making (Clark & Worger, 2013).

African resistance to separation had begun immediately afterwards the first relevant legislations. The South African Native National Congress (SANNC), to be renamed African National Congress (ANC) in 1923, was found in 1912 to resist against the implementation of the exclusionary laws. Yet, SANNC was moderate in its actions, seeking reform rather than chasing a bloody revolution (Sonneborn, 2010). More direct resistance to the Union government came from workers and labor leaders. Strikes and protests were organized throughout the years. However, regardless of the jobs or demands of the protestors, the minority government did not hesitate to answer with overwhelming force and violence. In one exceptional case, about 190 people were massacred by the police within 10 minutes (Clark & Worger, 2013). In the end, the African resistance had amounted to no consequential change as the half point of the century was getting closer.

The worsening of conditions for Africans also went hand in hand with the rising Afrikaner nationalism. Louis Botha and Jan Smuts, leaders of the ruling South African party, focused on rapprochement between the Boers and the British (Davenport, 2000). While the Union was designed to be dependent on the British crown in international matters, Botha and Smuts accepted to become a member of the British Empire as well. One of the most controversial decisions, moreover, was to side with Britain in the Great War, which displeased especially the low-income Afrikaner farmers in whose minds the British was still coded as the enemy. Their ideas, on the other hand, was being vocalized by J. B. M. Hertzog, who was fed up with Botha and Smuts' conciliatory efforts. Hertzog's new National Party was promising cultural and economic protection of Afrikanerdom with increasing autonomy from the Empire (Thompson, 2000). After Hertzog's election victory in 1924 and a coalition government with the Labor Party, he formed an alliance with Smuts in 1930's, winning the 1934 elections under the banner of United Party, born out of the merger of Smuts and Hertzog's respective parties (Clark & Worger, 2013).

While the economically turbulent years of 1930's were comparatively lacking in terms of organized African resistance, the improvement in prosperity in the 1940's motivated the oppressed to demand better and fairer treatment. Between 1939 and 1945, more than 300 hundred worker strikes took place (Clark & Worger, 2013). In 1946, however, a protest of mine workers gathered 70.000 workers. The following waves of violence had brought up a short-term solution to the issue, but the whites were once again struck by the realization that their privileged status should not be taken for granted. It was this deep fear hinting they were still one major act of defiance away from losing control that made them demand an immediate intensification of African oppression (Sonneborn, 2010).

4.5 Aparthness

Apartheid as an official set of policies had first been introduced by the Reunited National Party. Riding a similar wave as Hertzog did, D. F. Malan undertook the

responsibility of concerned Afrikaners in the face of rising African threat. Hertzog himself had joined his ranks, leaving the United Party. The number of people who found Smuts ineffective against African demands and British influence had been growing (Sonneborn, 2015). The miners' strike in 1946 was the last straw. Malan took control of the South African government with the elections in 1948.

The National Party had already assigned a committee to present them a roadmap to tackle the 'African problem'. The final document, Sauer report, proposed extensive segregation and further reinforcement of reserves. It was conflictual in the sense that the Africans' complete removal from the rest of society was a main objective, but they also needed to be available at all times to be exploited on a white boss's whim (Thompson, 2000). This broad policy was simply called *apartheid*, meaning 'apartness' in Afrikaans. For a while, no one was sure what its realization in practicality would actually mean. Some political figures, like Smuts, also criticized it based on its feasibility. Yet, regardless of the technical details of the policy, it was clear that the underlining motive was establishing an unchallenged white dominance. As Trevor Huddleston (1956), who had been criticizing apartheid from its infancy, unreservedly wrote, "it is not white self-preservation that is considered a sufficient motive force today; it is white *supremacy*, that and nothing else [emphasis in original]" (p. 253).

Acting in accordance with its racial framework, the new NP quickly begun legislating regulations that will shape the country's grim realities for the rest of the century. Most of these legislations mirror the arrangements that had been adopted before in the country, whether it was in segregation era or in early colonial years. This, in turn, has enabled apartheid to be understood, among other interpretations, as a continuation of the colonization efforts that had been in place for centuries. One of the earlier acts was the Population Registration Act of 1950, through which the population was classified under the categories of 'white', 'colored', and 'Native/Bantu' (Clar & Worger, 2013). This act had a constructive role in the sense that apartheid's blocks would slowly be built based on the racial separation that it officially laid out. The system of racial identification also served as the basis for

the updated passes throughout the country. From 1952, every black individual older than 16 had to carry reference books that contained fingerprints and employment information with the introduction of the most ironically named act of all, the Abolition of Passes and Coordination of Documents Act (Morris, 2012). The same year also saw the approval of the Native Laws Amendment Act, which ruled that 72 hours was the upper limit a black individual could stay in an urban area unless very specific exemptions were shown (Morris, 2012). In 1953, apartheid was made visible in the streets of South Africa. With the adoption of the Reservation of Separate Amenities Act, public facilities of all kinds, from movie theaters to buses, were separated by signs reading whether they are 'Whites only' or 'Non-whites only' (Beck, 2000). Needless to say, facilities reserved for whites were in much better condition than the rest. Separation of South African's daily lives were not limited to the public sphere. The successive legislation of The Prohibition of Mixed Marriages Act and The Immorality Act instituted restriction on marriages and sexual relationships between whites and non-whites (Clark & Worger, 2013).

By the mid-1950's, apartheid's overarching goal of racial separation and white supremacy was in full swing. Unable to access rich lands or establish businesses in urban areas, the African population continued to struggle for survival in extremely compact, crowded, and poor areas. Their race now designated the progression of their lives more than ever, which were "beginning in a racially segregated hospital and ending with burial in a racially segregated cemetery" (Beck, 2000, p.125). While incomparable to the conditions of the black population, the regime was relentless to whites as well, when it deemed it necessary. They were living under the rule of a police state and a simple remark that signals a rejection of the institutionalized racism could result in imprisonment and torture (Ouvrier, n.d.). The possibility of an African upheaval also lived rent-free on their minds, keeping their fears always fresh.

Racial separation in South Africa's daily routines was therefore glaringly obvious to even the most oblivious observer. However, a more sinister, long-term, and subtly damaging move from the government came with its adjustments in

education. 1953's Bantu Education Act gave the government total control over the education of black children, who were previously receiving education from various religious groups' mission schools (Sonneborn, 2010). After the passing of the act, the nurture and development young Africans was entrusted to a government which intended to carry out a vision for them which was as specific as it was predictable. The structure of the education system transformed into an engine to produce ignorant masses of Africans who think themselves as inferiors to whites. On the subject, the future prime minister Henrik Verwoerd, then the minister of 'native affairs', clarified how "absurd" it was to try to educate the native population: "There is no place for [the Bantu] in the European community above the level of certain forms of labor... What is the use teaching the Bantu child mathematics when it cannot use it in practice?" (Morris, 2012, p. 62-63)

With use of a carefully designed curriculum, they were forced to be incarcerated in "a spiritual and intellectual ghetto" (Tabatha, 1980, p.37), reducing the meaning of their existence to the cycle of working and providing more workers.

4.6. Resistance

The strengthening grasp of apartheid was being enjoyed by many white residents of South Africa. National Party secured consecutive election victories in the 1950's. In the closing years of the decade, Verwoerd had assumed the responsibility of carrying the white rule's vision into the future of his country. Meanwhile, however, the oppressed masses of the country had been organizing with no intention to surrender so easily.

ANC was the focal point of the African resistance. Following the end of the Second World War, waves of rejection arose from the rising members of the organization. Originally representing an association which demanded more direct action called the Youth League, these young leaders, among which was Nelson Mandela, pressured the ANC to act more boldly. The resulting 'Defiance Campaign' of 1952 led to numerous protests and acts of civil disobedience. While the campaign

rendered the ANC more recognized, the official response to it was intensified repression, thousands of arrests, and a more frightened white population (Beck, 2000). Indeed, every bit of objection to apartheid was met with overwhelming response from security forces.

Unwilling to back down, the ANC decided to build a coalition with the other anti-apartheid organizations to increase their overall strength. These included groups consisted of Colored people, Indians, and whites. In 1955, thousands of protestors assembled to form the Congress of the People (Sonneborn, 2010). The Congress declared its Freedom Charter, outlining their vision for a democratic South Africa with equal rights for all citizens. In response, the police raided the meeting, arrested leading figures, and sent them to a lengthy trial for treason. The possible spreading of the Freedom Charter also gave the government the excuse to pass the Customs and Excise Act and the Official Secrets Act to censor and ban the entry of cultural and multimedia materials as they saw fit (Clark & Worger, 2013).

In spite of the efforts of the ANC, the haunting reality remained that there was nothing to show for; no amount of real progress was achieved, and the situation only got worse with each step of defiance. It was inevitable that voices of opposition would rise within the ranks of the ANC, accusing it for being too soft to take more direct, or harsh but ultimately necessary actions. In 1959, united under the slogan 'Africa for Africans', a group of radicals severed ties with the ANC to form Pan-Africanist Congress (PAC) (Sonneborn, 2010). In the year after its establishment, The PAC organized a massive protest against the passes in Sharpeville, one of the African townships. Leaders of the PAC encouraged people to leave their passes at home, then to gather in front of a police station in Sharpeville, demanding to be arrested. The protest was nonviolent, but the sheer amount of people gathered there was enough to alarm the police. In the ensuing violence 69 people were killed, much more was wounded. It would later be discovered that most of the victims were shot in their back, trying to run away from the chaos (Clark & Worger, 2013). The Sharpeville Massacre, as it would be known, ignited a wave of protests throughout the country. In its wake, a state of

emergency would be declared by Verwoerd, 18.000 protestors would be arrested nationwide, and the ANC and the PAC would be outlawed. The massacre was a turning point in the sense that violence was slowly becoming a viable option for all leaders of anti-apartheid movement, who now had to stay hidden and lay low. It was also the event that made the world acknowledge what was really happening inside the borders South Africa, even though substantial action did not come until decades later due to the mostly Anglo-American investments that had been devoted to the country (Sonneborn, 2010).

4.7 Grand Apartheid

The 1960's were the years of setback for the black resistance movement. With their leaders rendered ineffective and their protests brutally suppressed, the movement was too weakened, too depleted, and too afraid to carry on with its active rebellion (Nugent, 2012). Violent struggles of an armed wing of the ANC led by Nelson Mandela himself, *Umkhonto we Sizwe*, meaning 'Spear of the Nation', was also short lived. The leading cadre of the movement, including Mandela, was arrested by 1963, to be released only decades later. Opposite to this "defeated air" (Saul & Bond, 2014, p. 60), however, Verwoerd's regenerating apartheid was mounting. Contrary to international pressures, apartheid was quite popular with domestic constituencies. Combined with foreign investments and a workforce that was being paid the absolute minimum for survival, the South African economy was thriving (Sonneborn, 2010). After Verwoerd's withdrawal from the Commonwealth following increasing scrutiny, South Africa was ready to confidently march to its own beat. The country had become a true anomaly in a world of post-colonization, African nationalization, and liberation.

Within the renewed, 'grand apartheid' of Verwoerd, the most revered development was the establishment of the so-called homelands, or Bantustans. Upgrading the position of early reserves, the homelands would eventually become independent entities. The groundwork had already been laid by 1959's Promotion of Bantu Self-Government Act, which designated eight, and later ten, eventual homelands for

Africans to live in. With this move, ethical questions regarding the Africans would be easily brushed off as they would lose their political ties with the South African state (Worden, 2012). It should also be noted that the government's strong urge to erase "black spots" (Clark & Worger, 2013, p. 70) played a strong role behind this decision as well.

The process was initiated with Transkei's self-governance in 1963. The region would be completely 'independent' in 1976, followed by Bophuthatswana, Venda, and Ciskei throughout the 1970's and early 1980's (Worden, 2012). Needless to say, no other world government recognized their independence. The South African government, on the other hand, did not hesitate to remove huge numbers of Africans with force from their homes. Even with a large number of Africans evading their transfer to the homelands with varying methods, the total number amounted up to 3.5 million people. While the removed population could only take with them what they could carry, the remaining homes were destroyed (Sonneborn, 2010). Following the tradition of early reserves, homelands' facilities were severely lacking. What little social and economic investment provided by the government was further decreased since it currently had no responsibility to provide for an 'independent' state (Clark & Worger, 2013). Verwoerd also prevented any amount industrial investment in homelands as well; the apartheid system still relied on black workforce. As the elimination of the backbone of apartheid economy was not an option, ensuring economic dependence while granting political independence was fulfilling the favorable relationship for the South African government with the African population (Giliomee, 1985).

Resurgence of African resistance after years of relative quiescency was finally initiated, not by workers or nationalist leaders, but by students. Organized within the African-only universities, young students stepped up to take the directive role of the likes of the ANC and the PAC (Denis, 2010). Within this context, South African Students' Organization (SASO), founded in 1969, and their leader, Steve Biko, had been spearheading the movement. SASO and Biko's underlying philosophy was the Black Consciousness ideology. While the more practical

activities of SASO involved various communitarian development and health care efforts since most of the member students were from medical faculties (Hadfield, 2010), the philosophy of Black Consciousness yearned for something deeper. Biko (1978) himself recognized that the priority was “to make the black man come to himself; to pump back life into his empty shell; to infuse him with pride and dignity, to remind him of his complicity in the crime of allowing himself to be misused and therefore letting evil reign supreme in the country of his birth” (p. 29). The conventional tactics of prior groupings were therefore insufficient on their own, Biko indicated. What was also necessary was a realization of one’s self-worth, identity, and pride, all of which had been systematically attacked, eradicated, and taught to forget.

SASO was active with its various boycotts and protests in the early years of the 1970’s. A major uprising, however, came after the Ministry of Bantu Education’s decision to impose Afrikaans as the only language to be used in schools. Setting aside the functional obstacles such as the lack of educational material or teachers efficient with the language, the underlying source of rejection of Afrikaans resided in the fact that it was the language of the oppressor. It was received as an offensive, ill-intentioned measure. The projection of this rejection came to life in the township of Soweto in 1974. About ten thousand students came together, some as small as 6 years old. Even though the protest was peaceful, the police opened fire, killing many students. One witness would recall the event, claiming “They simply opened fire... Small defenseless children, dropped down like swatted flies” (Mathabane, 1986, p. 260). Killings in Soweto had generated an unmatched fury among the black community in Africa. As cries of revolt echoed through every township of the country, the police were gunning down dozens of citizens (Hirson, 1979). Steve Biko was among the victims of South African police. After his arrest, he could not survive the ‘interrogation’ tactics. The death of such an influential and visible figure made Biko a martyr and fueled the courage of a new wave of African resistance.

Soweto Massacre was the juncture where it was acknowledged by everyone that the social and economic substructure of apartheid could not realistically be sustained as it had been known up to that point. Already by the early 1970's, the level of income of Africans was so low that they could not purchase the goods produced in South Africa (Sonneborn, 2010). They also were so desperate that they risked entering into cities to survive at the risk of arrest, as the impoverishment of the townships had reached extreme levels (Clark & Worger, 2013). The aim to create exclusively white urban areas was therefore failing. Moreover, white businesses were getting anxious as well. Aside from the violent volatility of the general situation, the combination of non-existence of worker unions to formally negotiate a solution and a workforce feeling they had nothing to lose made the employers vulnerable to illegal strikes (Sonneborn, 2010). The South African economy, on the other hand, had been leaving behind its dependence on unskilled labors and looking for more qualified employees for its manufacturing industries, further complicating the issue for obvious reasons. The images from the massacre had also started to circulate the global media, offering a clear look to the apartheid regime's rule for the first time for many. The increasing domestic African pressure was thus combined with and supported by the anti-apartheid movements in Europe and the United States (Berger, 2009). Foreign capital was steadily leaving the country, causing a severe economic recession. A multi-faceted campaign against the apartheid was emerging; repercussions ranged from the country's exclusion from international sports event including the Olympics to the United Nations Security Council's decision to ban any arms sales (Guelke, 2018). Even more troubling for the government was the continuing wave of independence sweeping through the African continent. South Africa eventually lost its buffer states between itself and the independent Africa (Berger, 2009). The surrounding neighbors, therefore, became potential hubs for the anti-apartheid movements, which would naturally be utilized. By the time 1980's arrived, South Africa's global desolateness had been cemented.

‘Total strategy’ was the given name to the collection of reforms and rearrangements the country had undertaken in the face of such challenges. It must be stressed here, however, that this attempt was merely an effort to sustain the racial hierarchy within the country. Abandoning control was never an option, and the so-called ‘total strategy’ represented nothing more than a group of calculated compromises overseen by the new prime minister, P. W. Botha. Among the compromises was the allowance for Africans to lease and eventually buy homes in white South African neighborhoods, increase of state budget with regards to the African facilities, easing of restrictions to White universities and an overall removal of segregation in the public sphere that was introduced by the Reservation of Separate Amenities Act (Beck, 2000).

The main body of reform, on the other hand, was a renewed constitution to resolve the issue of representation. The new government apparatus now abandoned the office of prime minister and state presidency was introduced in its stead, while 3 separate parliamentary bodies were reserved for the white, colored, and Indian population of the country. As such, the Africans were not still given even a symbolic position within the government. And for the ones who were, it did not amount to real political capacity since, in light of the real goal underlining these reforms, Botha tried to walk a line that foresees a power-sharing arrangement in which the real control still resided with himself (Thompson, 2000).

4.8 The End of Apartheid

It seemed that a point of no return had been passed in South Africa. The reforms of Botha’s government were too late, too little. While the disintegration of the South African economy was persevering, the government’s harsh responses to the Africans’ absolute rejection of the apartheid erupted the country into a bloody circle of violence in the mid 1980’s. Still banned and operating from outside the country, the ANC’s resistance was bloodier as well; attacks on government buildings were frequent, and some specific actions would be classified as acts of terrorism (Cottrell, 2005). Nelson Mandela, who had been in prison for decades

now, had also reached a public hero status. The core of the black resistance, however, was on the streets. Equipped with the confidence refined by the Black Consciousness movement, the African youth's final resistance was unplanned rather than organized, bloodstained rather than restrained. They assumed control of the black townships, aiming to make them completely ungovernable with their self-made system of boycotts, protests and if necessary, punishments (Beck, 2000). The most popular type of punishment was called 'necklacing'. It involved placing a tire around the victim's neck, filling it with gasoline and setting it on fire.

Two years after the installation of the new constitution, Botha was desperate enough to offer Mandela freedom in return for his moderating support. The imprisoned leader refused without a thought, asking:

What freedom am I being offered while the organization of the people remains banned? What freedom am I being offered when I may be arrested on a pass offense?... What freedom am I being offered when I must ask for permission to live in an urban area? . . . What freedom am I being offered when my very South African citizenship is not respected? (1994, p. 521)

Unable to stop the country's plunge into chaos, Botha declared a state of emergency, during which hundreds were killed, tortured, and electrocuted (Sonneborn, 2010). The situation of South Africa was now being properly followed by the international community, further damaging the economy due to collective global measures (Clark & Worger, 2013). A decade away from the new millennium, the southern tip Africa was embroiled in a seemingly hopeless cycle of destruction, poverty, and violence.

It was gradually being recognized by all relevant parties that the country was locked in a bloody stalemate. It was apparent that the apartheid would eventually meet its end, but neither the blacks were powerful enough to put an end to the white rule, nor the whites capable of suppressing the black resistance (Clark & Worger, 2013). The catalyst for real change came with Botha's illness and the subsequent assumption of his duties by the new leader of the National Party, F.W de Klerk. After he took over in 1989, de Klerk was quite swift with the new path he would take his country. Half a year later from his first day in the office, de Klerk

announced that dozens of anti-apartheid organization previously banned were to be given their legal status again, including the ANC, and Nelson Mandela was to become free again (Clark & Worger, 2013). Moreover, he declared that the crackdown on the media would be lifted, political prisoners would be released, and the doctrine of equality would be adopted (Morris, 2012). In 1991, the defining apartheid legislations that were the basis of nation-wide segregation were abandoned as well (Worden, 2012). This initially confusing, unforeseen and “out of character” (Morris, 2012, p. 192) advancement by de Klerk would eventually earn him a shared Nobel Peace Prize with Nelson Mandela, but it also demonstrates how utterly impractical the apartheid system had become to the extent that the established white rule not only recognized that there was a problem with it, but it willingly let it cease completely. Aside from the domestic as well as international pressure and the economic isolation, the system could not adapt to the new technological progress which was totally at odds with apartheid’s reliance on unskilled workers (Worden, 2012). Its economic norms were based on outdated notions which could not justify societal segregation anymore.

The country itself, on the other hand, was carrying the accumulated hostility of generations. Therefore, de Klerk and Mandela were aware of the importance of haste if there was ever to emerge a sustainable solution. After overcoming a number of obstacles during the negotiating process, an election date was finally set. Designated to form a government free from racial division, the first ever truly democratic elections of South Africa took place in 1994, without a serious setback (Sonneborn, 2010). To absolutely no one’s surprise, the ANC won, and Mandela was elected president by the new parliament. For the first time in centuries, the blacks of Africa would have a say in how their lives will be governed. In his monumental inauguration speech in 1994, Mandela addressed his ‘rainbow nation’:

The time for the healing of the wounds has come. The moment to bridge the chasms that divide us has come. The time to build is upon us... We know it well that none of us acting alone can achieve success. We must therefore act together as a united people, for national reconciliation, for nation building, for the birth of a new world. Let there be justice for all. Let

there be peace for all. (South African Government, 1994, para. 14-16, 26-28)

4.9 Conclusion

In a span of more than 500 years, this chapter laid out the history of South Africa from multiple angles, which, at the same time, also served as the country's history of racial division and oppression, reaching its peak with the apartheid rule. The point in which the chapter ends its documentation, moreover, is a historical turning point for the country. Accordingly, the next chapter discusses how the leaders and the people of South Africa attempted to reshape their country, and particularly important for this research, how the tenets of *ubuntu* came into play in these efforts.

CHAPTER 5

TRUTH & RECONCILIATION

5.1 Introduction

Following the horrors of apartheid, the oppressed peoples of South Africa had finally landed a chance to reclaim their future on the verge of 21st century. Under the leadership of Nelson Mandela and Desmond Tutu, how South Africa had opted to deal with its past have been a major influence for many other nations in comparable situations. Accordingly, this chapter discusses the institutional and normative structure of South Africa's attempt at building a new nation. In particular, it delves into how the concepts of truth, justice, and reconciliation, as well as the issue of reparations, are handled. Lastly, it examines the perception of ordinary and affected South Africans on such undertakings and ideas.

5.2 The Third Way of Ubuntu

With Mandela at the helm of his country, the renewed South Africa stepped into a new, hopeful era. Millions of citizens were now free of the apartheid as a systematic, deliberate, and organized policy of government. The emotional pay-off carried the weight of dozens of years of brutal oppression and countless victims. The following processes had all the venues, events, and mannerisms of a legal initiative, but it was driven by a quasi-irrational sentimentality (Skinner, 2000). Yet, apartheid's towering legacy could not be left behind within a span of years.

While the future of the country had to be carefully envisioned, the matter of how to deal with its dark near past was a crucial issue as well.

The act of dealing with the past was a decision in itself that had to be made. Not too far from South Africa in both geographical and historical terms, Rwanda and Mozambique provided two oppositional examples on how to move on as a nation. Majority of Rwandans, after the horrors of the Tutsi genocide, did not entertain ideas resembling anything other than pure, traditional punishment, resulting with the establishment of International Criminal Tribunal of Rwanda (Graybill, 2004). Mozambique, on the other hand, preferred the antithetical route. After a lengthy civil war which had claimed more than a million civilian lives, there were no significant calls for justice, revenge, or punishment. After the official declaration of general amnesty, Mozambicans simply turned their back on the past and walked away. The South African experiment, therefore, lays in the middle. Though the new government had avoided the polar extremes, Mandela and Tutu's efforts were no less controversial.

At the core of South Africa's transition to democracy, there was a finalized negotiation between two parties. One of the defining facts regarding the end of apartheid was that it did not come through a definitive victory. It was born out of an unsolvable standstill. Thus, neither the National Party nor the ANC had the power to dictate the other on what the roadmap should look like. This made a Nuremberg influenced international tribunal akin to the one in Rwanda redundant, as it required the will of a victor's justice (Goodman, 1999). Moreover, the apartheid had left in its fall a divided, mistrustful society, and criminal proceedings, which would mostly involve trials of white citizens, would only electrify the tension (Battle, 2000), risking a full-blown civil war. This line of thought was shared between Mandela and De Klerk to work towards a mutually acceptable solution, whereas Mandela also recognized the need for the white minority to continue their duties and responsibilities, if South Africa was to survive first, and achieve progress second (McGregor, 2006). Combined with the lack of resources,

time and capabilities of the South African legal system, the Nuremberg option was out of the question.

The other option, on the other hand, was also unacceptable, especially for the ANC. Borrowing from the mantra that suggests the forgotten past will only lead to repeated mistakes, the cadres of ANC was determined to face the horrors of the past as a way of focusing on the future. As the future chair Desmond Tutu (1999) explains, “unless the past was acknowledged and dealt with adequately, it could put paid to future as a baneful blight on it” (p. 21). Another reason behind this mindset was to protect the victims from another wave of victimization, this time through a collective amnesia which would encourage forgetting the events that had deeply touched and changed so many South Africans. Therefore, the option of blanket amnesty was rejected.

The logic dictated a workable middle path should be reached; what Tutu called a “third way” (1998, p. 22). In what would end up quite a unique workaround, the South African leaders decided upon a conditional amnesty, a system in which perpetrators would be granted amnesty only if they are willing to disclose factual information and if the impulse behind their acts are regarded as ‘politically motivated’ (Nagy, 2002). This solution was institutionalized with the establishment of Truth and Reconciliation Commission (TRC), to be chaired by the archbishop Desmond Tutu. Even the commission’s name was a compromise, formed by the two initial suggestions for a transitional organization: ‘Truth Commission’ by the ANC and ‘Reconciliation Commission’ by the National Party (Battle, 2000). Within a short amount of time, the TRC would prove to be “the largest, most ambitious and most public truth commission to date” (Nagy, 2002, p. 323).

5.3 TRC Structure

TRC’s structural planning and establishment was completed as early as mere 15 months after the historical elections (Graybill, 1998). In its final form, under the

leadership of Tutu, it was formed by three separate sub-committees. The Human Rights Violations Committee was the principal organ that had the final decision on whether a given act should be considered a gross violation of human rights. This committee actively collected testimonies and also held hearings in which the relevant institutions were questioned regarding their activities during the apartheid years (Leman-Langlois, 2000). It was also tasked with carrying out the public hearings of victims, the events that most probably have contributed the most to South Africa's global publicity during its transitional years. The committee received around 20.000 applications from victims, and in return, asked 2.000 of them to give their testimony in public (Byrne, 2004). Through these testimonies, victims were given the chance to be heard, and let their story be known by their country and by the world. It was possible by the commission's work that what really happened to Steve Biko also came to light (Goodman, 1999).

The Amnesty Committee, on the other hand, was entrusted with the "carrot of amnesty" (De Vos, 2002, p. 210). It collected and evaluated applications from perpetrators who demanded amnesty, claiming they were 'politically motivated', as it was stated in the amnesty conditions. The TRC's final report, published after the end of the commission's activities, clarifies the limits of what should be considered 'politically motivated'. According to the report, TRC concludes that if a violation was conducted in the name of any "publicly known political organization or liberation movement" that seek to further its political ambitions, or if the perpetrator was a part of "the state or... of the security forces of the state", engaging with "a publicly known political organization or liberation movement engaged in a political struggle against the state... or any person in furtherance of a political struggle" (Truth and Reconciliation Commission, 1998, p. 82-83), the perpetrator would be eligible for an amnesty. That is, if he or she accepts testifying in public, of course. The perpetrator had to come forward and provide the TRC a complete picture of what had taken place. This exchange of 'truth for amnesty' is the core of the South African experiment, even called by some as its "miracle"

(Mooney, Nieftagodien & Ulrich, 1999, p. 215). It is TRC's definitive quality that makes it or breaks it depending on how one perceives 'justice' and 'reconciliation'.

Finally, the last of the committees was the Committee on Reparations and Rehabilitation. Dealing with one of the most controversial aspects of South Africa's TRC years, it was the main body through which the victims applied for various compensations for their experiences in the past. Crucially, the committee did not hold any executive powers and its capabilities were limited with offering recommendations to the head of state (Graybill, 1998).

As a collective entity of three interrelated committees, the overall mandate of the Commission, meanwhile, was underlined as "to promote national unity and reconciliation" (Truth and Reconciliation Commission, 1998, p. 55). Among the methods cited by the TRC that will make such an ambitious goal plausible are, of course, the promised amnesty to perpetrators who are willing to come forward with factual data, and also, the creation of a "complete picture as possible of the causes, nature and extent of the gross violations of human rights.... as well as the perspectives of the victims and the motives and perspectives of the persons responsible for the commission of the violations" (Truth and Reconciliation Commission, 1998, p. 55). This signifies the official rejection of the amnesia option for South Africa since establishing a shared, complete and unrestrained account for the nation was given as a primary tool of handling the past and catering the wounds.

5.4 *Ubuntu* and Restorative Justice

When looking into the methods and proceedings of the TRC, it is difficult to overlook the thematic similarities between the ancestral tenets of *ubuntu* and modern South African efforts for reconciliation. The resulting 'amnesty for truth' approach can be explained by political negotiations behind closed doors, but it can also be read as an attempt to protect the humanity of both sides of the conflict and give them a chance to hold on to it, provided that they uphold their honesty. Punishment in the traditional sense is not a prioritized goal of TRC, instead the

most valued outcome is the re-creating the tattered bonds of any given individual to the society and the members of the society to each other. This is most directly accomplished through offering the perpetrator an opportunity come forward with the truth, and the victim a chance to face the past, learn what happened if desired, and thus leave behind the mark of victimhood that would have otherwise followed him or her for a long time. By making use of these opportunities, these people may yet become a functioning part of the society again; not by falling victim to the past, but by the strength of giving and receiving forgiveness. In other words, the TRC wants to welcome them back to the society, if they are willing for it.

The philosophy of *ubuntu* had already been mentioned in the interim constitution of South Africa. Expressing its grand design for the upcoming years, the text yearned for “a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for *ubuntu* but not for victimization” (Constitution of the Republic of South Africa Act 2000 of 1993, 1993, p. 193). Referencing the constitution’s acknowledgment of *ubuntu*, the TRC also highlights its importance for the realization of its on tasks in the final report. Crucially, however, this revival of the ways of *ubuntu* does not take place under the same name. Indeed, the modern adaptation of the old wisdom was mostly correlated and framed under what was in the 1990’s an exciting set of fresh methods: restorative justice.

While it was used within similar contexts before the 1990’s, ‘restorative justice’ as a term that denotes an alternative form of justice had become a popular umbrella term during the last decade of the 20th century (Gade, 2013). In its most general terms, restorative justice refers to a toolkit that offers different methods when compared to what had been traditionally followed in the matters of justice, crime, and punishment. Thus, there is a natural connection between the TRC and the concept of restorative justice.

Still, as it is the case with many terms with a certain grandiose, such as *ubuntu* itself, it is quite difficult to pinpoint what exactly restorative justice means with a clear-cut definition. Indeed, echoing Dobson’s remarks regarding contestable concept, restorative justice itself had been described not only as a vague term, but

as a “deeply *contested* concept [emphasis in original]” (Johnstone & Van Ness, 2007, p.1). While there are many different ideas on what it is, the sudden boom in popularity of the term also muddled its meaning since it was adopted by a multitude of disciplines and humanities (Daly, 2016). Illustrating the term in a broad sense, it was described as “a process to involve... those who have a stake in a specific offense and to collectively identify and address harms, needs, and obligations, in order to heal and put things as right as possible” (Zehr, 2014, p. 31) and a promotion of “peace and order for the community, vindication for the victim” through which “justice is not based on punishment inflicted but the extent to which harms have been repaired” (Gilbert, 2007, p. 7). The forward-looking point of view of the term is instantly recognizable and compatible with the case of South Africa, and so does the prioritization of victims and individual and collective healing instead of penalizing what had already been done. In a sense, restorative justice is a form of damage control, aiming to ensure minimized damage to a common future.

Restorative justice is usually pitted against the traditional methodology of what is framed as ‘criminal’ or ‘retributive justice’. The distinctive nature of these two types of justice is a norm, and both of them are believed to have contradicting goals and tools. While the retributive justice is more concerned with the broken laws, the responsible parties, and the corresponding punishment; its restorative opponent cares more about the needs and necessities of the victims, and who must take care of them (Zehr, 2014). Simply put, restorative justice is victim oriented. Adversarial confrontation is only a property of retributive justice as well, and this confrontation leads to the encouragement of perpetrators to hold on to the relevant information and keep them to themselves (Kohen, 2009). Moreover, if a punishment is deemed necessary as a result of this confrontation, that serves as a satisfactory conclusion both to the breach of law and to the needs of victims (Kohen, 2009). Retributive justice fails to provide a more personal involvement to the victims and their close ones. This is mostly related with the fact that it does not burden itself with the healing of a given community, and the appropriate punishment to the perpetrator is a sufficient closure to the process. In a clear contrast, community healing and

betterment are among the main goals of restorative justice, and punishment is meaningless by itself. As the goal should be compatible with the method, restorative justice encourages communal participation and seeks to involve the general public throughout the process.

This binary of ‘restorative’ against ‘retributive’ has been challenged by Dally. Indeed, she traces the emergence of this binary to Tutu and TRC in the 1990’s. According to Dally (2016), TRC equated *ubuntu* with the ideals of restorative justice, and in the process, excluded such terms vengeance and retribution to the justice mentality of the past. Dally rejects the opposing duality of these ideas, and defends that what people call ‘restorative’ or ‘retributive’ justice are parts of two separate “justice mechanism” (2006, p.18) structures. The real binary is between “conventional” and “innovative” (Daly, 2006, p.18) justice mechanisms, in which retributive and restorative ideas are respectively a single aspect among others. Still, her definition of restorative justice does not fall far from the remaining contributions, and it is given as “mechanism to address crime, disputes, and bounded community conflict” via a “meeting of affected individuals, facilitated by one or more impartial people” (Daly, 2006, p.21).

Together, *ubuntu* and restorative justice has provided the TRC the necessary grounds of justification for its efforts. It has been argued that even if the restorative justice as a concept is alien to the people of South Africa, it should be considered a problem since it carries the spirit of *ubuntu* (Tutu, 1999, p. 51). The defense of one through the other is also not unimaginable with the roles reversed. Aside from the ‘spirit’ of the two concepts; prioritization of victims, involvement of greater community and the emphasis on healing rather than punishment suggest that *ubuntu* and restorative justice can support each other at least in the area of immediate practical implementation. Consequently, the TRC had adopted their roadmap in handling the highly sensitive and delicate matters such as justice and forgiveness in the aftermath of the apartheid. Quite naturally, their methods and ideas were controversial to say the least.

5.5 Truth, Reconciliation, and Amnesty

5.5.1 Truth

To what extent the uphill battle of TRC in transitioning the country to a new future in a satisfying way in a successful manner is a topic of heated discussion even to this day. However, before going further with any argument, it must be stressed that the fact that South Africa had not experienced an ethnic civil war after decades of brutal and systematic oppression is an immense achievement in itself and must be recognized. When it comes to the specific aims and details, on the other hand, matters become more complicated.

There are several crucial concepts that identify the basis of the efforts of TRC and its vision for South Africa. Nearing the territory of buzzwords in academic and political discussions, these key elements often interlink with and depend on each other to be fully realized. One of them is obviously ‘truth’, the first adopted concept for the name of the TRC. The Commission was highly specific about what ‘truth’ meant to them and what they wanted to bring to the table as opposed to the traditional conceptualizations. In the final report, the TRC lays out 4 different types of truth (Truth and Reconciliation Commission, 1998) and first of them is called the “factual or forensic truth” (p. 111), which refers to the accurate, evidential information that are acceptable at the scientific or legal level. The second type of truth, the personal truth, however, recognizes truth as an individual perception and values personal interpretations. The one described as the most relevant to what the Commission aims, on the other hand, is the social truth. This is the truth that emerge from the collective experiences and interactions of a given community. Lastly, there is the healing truth, in which the recognition of what happened is supported by bilateral acknowledgment as to ensure reciprocal healing is encouraged.

Clearly the TRC’s uniqueness comes from its emphasis on the last three truth’s. This does not mean that the Commission had completely disregarded the factual

evidence for the sake of convenient personal stories, but it certainly meant that it *also* valued the personal and social weight of how the rule of apartheid had affected the country from a humanitarian perspective. It aimed to create what Stanley calls a “new truth” (2001, p. 528), a truth that molded by the people of South Africa and not one that was served to them from the top. This mentality was crystalized most clearly in how the TRC treated the victims in hearings. To the commission, victims were holding a position of “truth-holding” (Leman-Langlois, 2000, p. 156), as individuals with historical accounts which would later become accounts of South Africa’s own history.

On a grander scale, this endeavor was seen as a critical part in achieving a nation-wide reconciliation. The TRC believed firmly in the truth’s ability to bring reconciliation. The motto of “truth: the road to reconciliation” decorated the walls of the halls where public hearings took place (Leman-Langlois, 2000). The TRC likens the harsh truth of the past to a wound that needs opening up to be cleansed properly in the end (1998). Truth, in this sense, is the first step. Only after courageous acknowledgment of the past can a victim hope to gain “vindication, inner peace and to help conclude the mourning process” (Leman-Langlois, 2000, p. 155). This, it had been argued, is mostly made possible with acknowledgement and apology. Goodman recalls his own personal interactions with the South African whites who initially rejected the gravity of the apartheid years and dismissed the TRC (1999). However, the Commission, he explains, was able to make everyone acknowledge the irrefutable oppression and the abuse that took place under the apartheid. This acknowledgment cements the past as a shared, indubious history in the collective memory of the nation. Then, what ideally follows is the apology, what has been hailed the “promise for the future” (Nagy, 2002, p. 342). An apology is a testament to one’s own morality and is crucial in recovering the victim’s pride and dignity (McGregor, 2001). Together, acknowledgement and apology vouch for the offender’s desire to do their part to mend what was broken.

Of course, the focus should not only be on the victim and their own truth's. Reconciliation, it is argued, is only attainable if the truth is handled in a multifaceted fashion (Clark, 2008). Trust goes both ways; a healthy ground cannot be reached by disregarding a portion of the population, even if they are regarded as 'offenders'. Consequently, the TRC had reportedly challenged the accepted truths, norms, and social perception by giving voice to people from different ethnic and social backgrounds (Stanley, 2001). As a result, it was uncovered that some white residents had been oppressed by the grip of apartheid, as well as some supporters of the ANC who had been involved with acts as violent and brutal as the white government's. Such destruction of fixed perceptions and traditional truths can be also argued to be a steppingstone towards a peaceful co-existence.

Another celebrated highlight of truth-telling is its effects on the personal level. Starting the process of reconciling from the degree of the individual, coming out with one's own truth in front of the nation have been defended as a moment of liberation and the end of victimhood. The experience had been called "cathartic" (Hamber, 1998, p. 21) and "uplifting" (Battle, 2000, p. 181). As described by Battle (2000), "When they were tortured in the prisons, they were told: 'Yell as loud as you wish, nobody will ever hear you!' Now the nation hears. And the accounts of their suffering are received into the memories of nation" (p. 181). The extensive media coverage of hearings made sure the stories were heard in all corners of the country (Rosenberg, 1999). Now, with lessened burdens of their traumatic past, the TRC is believed to give a chance to victims to look forward once again, to be in peace with themselves as well as with the society, rather than be kept a prisoner by what had already been taken place.

When the focus is shifted towards the truth which had been actually revealed to allow the above observations to emerge, the picture is less positive yet still encouraging. Rosenberg (1999) notes that owing to the amnesty provisions which encouraged the perpetrators to reveal what happened, the TRC was able to uncover relevant accounts and details in hundreds of cases through its hearings. While these achievements were especially consistent with the lower chains of the apartheid

hierarchy, they were also utilized in the inspections of other offenders who did not volunteer to confess. Stanley (2001), on the other hand, exhibits what would first seem a statistical insufficiency as she recalls the official numbers of TRC; out of an estimated 14.000 deaths in the later part of the resistance, for instance, only around 5.600 was recorded by the Commission. Yet, she also admits to TRC's accomplishment in unearthing the hidden stories which would most probably would have gone unnoticed. Letting everything else aside, this "consolation prize" (Goodman, 1999, p. 172) is a commonly recognized feature of the TRC. It is also an outcome of great significance for South Africa as countless people were released from the painful burden of not knowing what happened to their loved ones, or where their bodies are. To reiterate it one more time, that is a healthy first step towards more ambitious goals.

On the opposite side of the coin, however, there are some valid criticisms of the overall process. Most obviously, there is the issue of how much truth did the TRC actually reveal. It had been observed that many perpetrators, as well as the victims, hesitated to come forward and share their stories (Stanley, 2001). While the motivation for the former is obvious enough, it proved also difficult for a significant number of victims and their close ones to stand in front of thousands of people and give them a detailed report on their tragic past. While the sharing aspect is challenging enough, it was also noted that going through the experienced pain once again did trigger a traumatic response in some cases (Skinner, 2000). Therefore, there is no guarantee that testifying would definitely be a positive experience for the victims, and the TRC was criticized by many for being ill-equipped to properly respond to psychological drawbacks (Nagy, 2002).

Moreover, on the more political level, it is difficult to overlook the fact that what truth the TRC had managed to unearth mostly come from the offenders with lesser influence and power. As the 'big fish' either managed to compress the amount of truth they were ready to disclose, use them to their strategic and political survival or outright hide them altogether (Stanley, 2001; Goodman, 1999), the TRC fell short in unveiling the deep-seated narratives and relationships at the structural heart

of the apartheid. Notwithstanding the high-level white officers and politicians who survived the fall of apartheid unscratched, this was also the case with some ANC figures. Winnie Mandela, for instance, had lacked the levelness of her husband and her less than conventional incidents while Nelson Mandela was in prison were gone unnoticed by the TRC.

5.5.2 Reconciliation

No matter the amount of truth the TRC was claimed to attain, it is certainly a much more demanding task to reach a sustainable level of reconciliation. The word itself is susceptible to individual interpretation and it is once again one of those concepts that seems to defy a universal definition. Indeed, as the concept had increasingly been adopted within multiple contexts, disciplines and become an everyday word, it was even suggested that no other concept can challenge reconciliation in its vagueness and undefinable nature (McGregor, 2006). What reconciliation is not, however, is forgiveness. While these terms are closely related, it would be misleading error to equate them to each other. The divergence comes from the act of acknowledgment, acceptance of liability on the part of the perpetrator as to begin the process of reconciling (Kohen, 2009). To forgive, none of these are necessary as victims can forgive the offender in their own account.

Within the boundaries of its peace-building agenda, on the other hand, the TRC approaches the concept from a multiple-level angle (Truth and Reconciliation Commission, 1998). After the truth was faced, reconciliation occurs in two separate levels; while first level concerns the individual relationship between the survivor and the offender, the second level is larger in scale and is about communal and societal reconciliation. In both levels, rejection of the hostile legacy of the past conflicts and the removal of divisions between various sectors of groups determined by race, age, gender, and ethnic background can be cited as an overall objective of the TRC with respect to reconciliation.

Within the context of international politics, ‘national reconciliation’ had been an influential buzzword beginning with the transitions into democracies in multiple countries by the 1980’s (Humphrey, 2006). Applying the themes of reconciliation to the level of nation-states, this project, aiming to ensure a secure power transition in fragile contexts, had since become a part of international intervention mechanisms as peacebuilding initiatives. The importance given to national reconciliation is reflected in the arguments that claim it as an absolute necessity in the path towards nation building and in the face of threats of reoccurring violence and enmity (Mooney, Nieftagodien & Ulrich, 1999).

This centrality of reconciliation in achieving sustainable peace is no different for the TRC. On the contrary, the project of national reconciliation was cited as “the leitmotif of the Mandela presidency and the *raison d’être* of the TRC” (Mooney, Nieftagodien & Ulrich, 1999, p. 210). It was the end goal that defined the remaining components of the TRC and the ambition through which the success of the Commission would be judged.

There is an overarching agreement on the duality of ways to approach reconciliation. What Nagy (2007) defines as ‘thick’ and ‘thin’ reconciliation is ‘bottom-up’ and ‘top-down’ reconciliation for van der Merwe (2001). More simplistically, they can be framed as ‘personal’ and ‘political’ reconciliation, as well. The former refers to the attempt on the interpersonal level; through the aforementioned cathartic experiences and the willingness to forgive, individuals become units which will carry their personal healing upwards to the level of society. This approach is perfectly in line with the tenets of restorative justice and *ubuntu*. The latter, conversely, does not seek immediate forgiveness but more often than not applies collective blanket amnesty, and pursues peaceful solidarity on the basis of a national commitment to civil rights, rule of law and democratic ideals. Under this light, while neither is undoubtedly superior to the other, political reconciliation is a much more abstract phenomenon than its personal counterpart. It was argued that the TRC had included both approaches in its dealings (Nagy, 2002), as that is the healthier option. While the ‘thick’ nature of publicized hearings

is clear enough, emphasis on rights and legal processes had gradually increased as time went on (Wilson, 2001). The problem was, however, that the TRC was regarded as too thick.

To its credit, there have been many hope-inducing and emotionally resonant success stories with public hearing's efforts on personal reconciliation. Similar to the continuum of truth, acknowledgment, and apology, forgiveness has a cathartic effect on the individuals and allow them to make peace with their past to once again prioritize the future. It has an empowering effect on the victims to the extent that it allows them to regain control over their lives once again (McGregor, 2001). Mothers forgiving the killers of their sons and former combatants reconciling with the responsible individuals for their wounds and disabilities (Krog, 2008; Masina, 2000) are not exceptional rarities. These constitute the popular highlights of the hearings and the TRC overall. Yet, it must be emphasized that these examples were far from being an overwhelming majority. It was a shared idea among the victims that reconciliation ought to be cooperative effort; the perpetrators, on the words of an apartheid victim, must be willing to do "what must be done. Those people must appear also in public through the Truth Commission. Afterwards I don't have a problem with them getting amnesty" (Skinner, 2000, p. 105). The offenders should acknowledge their offences and show remorse lest the process of personal reconciliation and forgiveness do not amount to anything substantial. This is a critical problem that certainly can emerge even in the most casual discussions regarding the ways *ubuntu* through the question, 'What if the perpetrators do not want to talk?', or worse, 'What if the perpetrators think what they did was justified?' These possibilities, which were realized in the TRC hearings just as much as the affecting stories of forgiveness and were used as tangible evidence against effectiveness of restorative practices, can lead to the absolute halt of the process before it even begins. This is such a fundamental problem that it must at all times be considered when attempting to integrate *ubuntu* and restorative justice practices into the peacebuilding efforts, and it will be addressed later on.

Even if the attempts at personal reconciliation had drawn near to its desired and romanticized potential, Nagy suggests that it should nonetheless not be the main focus. Her objection comes from the observation that the apartheid regime had a highly ‘thick’ structure in the sense the Afrikaner identity and the belief in its racial superiority had provided the basis for the state’s racist legislations and the rejection of basic rights of blacks (Nagy, 2002). Therefore, Nagy defends that a thin architecture of democratic culture and values should have been the main course of action against the legacy of apartheid, upon which the national reconciliation could be established more firmly. It seems that a delicate balance of thick and thin should be sought, but the TRC was a bit too thick in with its passionate dedication to restorative justice and *ubuntu*. On the other hand, as far the comparisons with other truth commissions are considered such as the ones in South America, the South African commission was regarded an exemplary outlier with its efforts for political reconciliation applied to the national scale (Kohen, 2009). While that may be true on paper, Kohen (2009) argues that the TRC, particularly Desmond Tutu, had been attaching personal and political reconciliation to each other. The core issue with Tutu’s mindset, he points out, is that he presented forgiveness and reconciliation from a spiritual point of view that gives these terms an abstractive quality. This abstractness in turn renders the ever-challenging act of forgiving even more difficult as families face with the killers of their loved ones. The proposed solution to this is to frame forgiveness as a political choice, one that is given for one’s self-betterment and empowerment. Here, Tutu is accused of complete dependence to personal reconciliation, which hinders the overall progress towards political reconciliation. The counterexample is Mandela himself, and his forgiveness of the people responsible for his years in prison. Kohen highlights that this decision had a political quality to it and was a message to the peoples of South Africa regarding what must be done. Only through this approach, argues Kohen, that the idea of restorative justice can become accessible and political reconciliation can be reached (2009). Interestingly enough, Tutu himself agrees with this idea. Moreover, he also gives a rather clear explanation as to how and why forgiveness should be political: “You see forgiveness is no nebulous spiritual thing that is

practiced by those who are crazy and idealistic and totally unpragmatic. Forgiveness is a pragmatic absolute necessity. Without forgiveness there is no future. And that is not a religious statement – it is thoroughly political. It is *realpolitik*” (Goodman, 1999, p. 178).

Another major issue with TRC’s implementation of the reconciliation project has been an apparent pressure to forgive and be a part of the process. When the future of the country is told to be tied to the success of the current undertakings, it may amount to an incredible burden on the shoulders of victims, who were given the most difficult task to do. This constitutes a shared problem between *ubuntu* and restorative justice. The less pleasant side of giving victims a chance to regain their strength, dignity, and humanity is encumber them with further responsibilities. It may also create a deceptive illusion of two *seemingly* reconciled individuals, and the reoccurrence of this in multiple cases may undermine the underlying goals. As one of the victims explained, “My perpetrator is also going to appear before the Truth Commission publicly and I will be forced to reconcile with him. I will feel concerned and forced to say I accept his apology, whereas deep down in my heart, I am saying something else” (Skinner, 2000, p. 105)

5.5.3 Amnesty

The amnesty aspect of the TRC was undoubtedly the most controversial of the process as a whole. The concept was often tackled with respect to justice, and how much of the latter was sacrificed in the name of reconciliation and peace.

As noted earlier, the amnesty clause resided on an agreed trade-off between the TRC and the perpetrators. Since the idea of a blanket amnesty was rejected, perpetrators had to come forward with their confessions of their politically charged crimes. Even if the truth comes out, some have regarded it too high a price for the loss of sense of justice for the society. An important detail, here, however, is that in the case of a rejected application for amnesty, the perpetrator would then be tried in courts in the traditional ways (Graybill, 1998). This was a productive effort in

multiple ways; the need for hard evidence most of which were destroyed was eliminated, perpetrators were able to tell their stories in a relatively secure environment, and the whole process could take significantly less time with more tangible data. Still, this was not enough a regulation to quell the discussion around perpetrators who *did* get the amnesty.

The first two cases decided by the Amnesty Committee highlighted how the process would continue and what the ultimate decision of amnesty hinges on. The first ever case closed by granting amnesty to two perpetrators, who had already been previously charged of murder by the court, for the murder of Glad Mokgatle (SAPA, 1996). As the murder was a result of an ongoing power struggle and served as a political warning, the perpetrators walked free. The second case, however, saw the rejection of the application of two men who had tortured and killed an employee since they thought their victim had stolen from the company they worked for (Graybill, 1998). As they were unable to present any political connections to their case, their plea for amnesty was rejected. Nonetheless, these were relatively easier cases with straightforward decision-making. The real price for amnesty would be acknowledged by the masses a few years later with the case of Brian Mitchell. In 1988, Mitchell, a lieutenant in the South African police force, was ordered by his captain to target “male persons between the ages of 16 and 35 years who were involved in the political violence” (TRC Amnesty Committee, 1996, para. 5). In the end, he would be responsible for the deaths of 11 men and women. The committee ultimately accepted his defense that he was not acting out of personal motivations and was instead carrying out his duties as a police officer against counter-state insurgencies. The resulting amnesty, which was also the first one ever given to a white person and was celebrated by said person as “the best Christmas present ever” (SAPA, 1996, para. 1), signified a crossed line for many. In the following days Tutu had to go on record to suggest the TRC had failed to convey to the South African people how much would be sacrificed for a stable country and said, “Amnesty is going to cause people a lot of heartbreak” (SAPA, 1996, para. 3).

In the face of increasing and intensifying criticism against the ‘sacrifice’ of justice, which then would lead to the erosion of accountability principles and promote impunity within the state, a main line of defensive argument was presented that it was not exactly a choice (Graybill, 1998). As underlined previously, the National Party would cease the negotiations for anything less than what was eventually agreed upon. Moreover, there was also the issue of organizational incapacities in handling a far-reaching legal procedure that spans decades of years and thousands of offenders (Tutu, 1996). However, it would be misleading to picture this negotiated agreement as a binding defeat for the TRC. Charmed by the approaches of *ubuntu* and restorative principles, the Commission and Tutu had no desire to hand out punishments and jail sentences. Amnesty was the desire through which “the healing of breaches, the restoration of broken relationships, a seeking to rehabilitate both the victim and the perpetrator” was aimed, while in the process offering the perpetrators an “opportunity to be reintegrated into the community he has injured by his offense” (Tutu, 1999, p. 40). And as to the issue of justice, it is implied there are more ways than one to penalize someone due to their actions if penalization is indeed insisted to be seen as a requirement of justice. It is therefore necessary to look beyond the formal and official consequences of amnesty (Shore, 2015). It should not be forgotten that the perpetrators would have to retell their stories not only in front of a hall full of attendees and witnesses, but they were also being aired live on television and radio for the whole nation to listen to. The act of confessing how one have blackmailed, threatened, tortured, and murdered other people before one’s own country has a certain way of “subtle, yet highly effective” (Clark, 2008, p. 38) punishment system. It would have inevitable consequences in the offenders’ lives regardless of how in peace they are with themselves, and these can be manifested in multiple ways, such as changes within familial and social relations, and employment issues. As far as the many numbers of police officers were of concern, for example, their confessions were “a first exposure to what dad did during working hours” (Goodman, 1999, p. 179). Indeed, via transcending the legal boundaries of penalization, it is argued that this mechanism of public shaming taps into “one’s inner fear of rejection by one’s community” (Masina, 2000, p.

173). It should also be noted that Tutu disregards the objections regarding the risks of impunity, stating that acknowledgement of guilt and taking responsibility are essential for the decision to grant amnesty (1999). The offer of amnesty *encourages* accountability, since the lack of it would mean instant rejection, as with the case of the killers of Steve Biko, who rejected their involvement and claimed they were merely retaliating.

Be that as it may, what further drew attention was the accountability, or lack thereof, of whites with political power. While the absence of apartheid officials was apparent to everyone, the biggest elephant in the room for the TRC's grand project was the non-existent trials or hearings for the likes of Botha, de Klerk, and notable officers of the defense force (Graybill, 1998). As important as the confessions of low-ranking individuals who actually committed the offenses, there is a viable argument to be made here against the TRC when the most recognized faces of the system simply moved on with their lives without the need to account for anything. Kohen suggests that this situation had the potential to endanger and outright waste the immense efforts of Mandela and Tutu (2009). Moreover, Stanley (2001) holds that the air of impunity had resulted in a tendency to continue and/or increase the authoritarian behaviors of the defense personnel. Therefore, it would not be an inflated claim to suggest that this had played into the infamous levels of crime South Africa would witness following the years of apartheid's demise.

Meanwhile, Goodman informs on a deal on the eleventh hour between the ANC and the NP which dictates that out of fifty-thousand police officers of the apartheid regime, roughly forty-seven thousand would remain on duty until at least the new millennium (1999). This information takes the discussion back to square one since the alternative would be the continuation of the deadly political deadlock. Howbeit, even if such a deal had not been struck, there is an actual example of a high-level official being tried, and the result had proved rather disappointing. In 1996, Botha's defense minister, Magnus Malan, was tried in the traditional, Western ways. It took 7 months and 2 million dollars for the trial to end, and nothing of significance was achieved. Even though the legal structure of the South African system was pushed

to its limits, this was all it could conjure. The underlying lesson here was explained by Goodman; “When the generals are prosecuted, they reveal nothing. When they go before the TRC, the old soldiers talk. In both scenarios, they go free. At least with the TRC, there’s a bit of truth as a salve for old wounds” (1999, p. 175) Thus, this particular experimentation with Malan rendered the arguments in favor of the ‘Nuremberg option’ mere wishful thinking.

5.5.4 Reparations

Before moving on to the next section, the issues regarding reparations must be addressed. Though it is not a contested concept through which the operations and the vision of the TRC was designed, reparations nevertheless had a huge impact on how the Commission was perceived. And it is safe to say that the TRC outright failed with the reparations.

The commission had set up different outlines for various undertakings under the reparations efforts, such as the urgent interim reparations and individualized reparations (Truth and Reconciliation Commission, 1998), as well as symbolic reparations and community rehabilitation (Stanley, 2001). The problem was not the institutional design or the roadmap, however. It was simply the fact that the TRC mostly failed to deliver any recompense to victims. Correspondingly, the TRC was particularly slow with its progression. While the first payments were completed two years after the Commission’s foundation, many victims and families were still not compensated even more than five years after the termination of it (Shore, 2015). Considering that amnesties are momentary and were given to perpetrators the day it was decided upon, the years spent on waiting what was also not always a sufficient amount of financial aid became even less sufferable. The approved amount was between three-hundred and one-thousand dollars per victim, which was far from having a meaningful impact on their lives (Goodman, 1999). On the individual level, this led to a second wave of victimization as the victims had to wait through an indefinite amount of time while they watch the offenders walk free or witness the old officers protect their jobs. On the societal level, on the

other hand, the individual dissatisfaction can accumulate to a greater risk that threatens the project of reconciliation. As the African population had been suffering from structural economic inequality for decades, the TRC's inability to provide better conditions for its people may damage their dedication to its goals. Therefore, unrepaired socio-economic conditions challenged the achievement of reconciliation greatly (Nagy, 2002). They were trapped in a situation where they were asked to relive their pains, to forgive, and to reconcile, yet there was no visible improvement in their daily lives. In the face of such a context, Stanley rightly underlines "It seems unreasonable that anybody should demand this group to be reconciled; why should they?" (2001, p. 543). Indeed, Shore states that the TRC's actual failure with the justice emerged with its disappointing performance in having a substantial effect on the victims' lives (2015). This, in turn, ultimately cripples real social transformation.

However, another factor which must be considered here is the simple reality that the South African government had no money. An initiative to cover the expanses of the African population that accounts for their unemployment and removals would hold the annual budget of South Africa captive for years (Asmal, 2000). Even a less ambitious plan to only reimburse the victims of gross human violations required an amount of money that South Africa did not have (Leman-Langlois, 2000). Some countries have donated to the cause of South Africa (Graybill, 1998), such as Switzerland and Denmark, but that was not a reliable plan.

In light of these issues and limitations, symbolic reparations came to the fore. The government acknowledged the benefits of such reparations as issuing death certificates, public apologies, exhumations, burials, clearing of victims' names, tombstones, and shrines (Asmal, 2000; Graybill, 1998). Together, these could offer further closure for victims and help to reinforce the collective memory regarding what the experience apartheid cost for the country. In fact, a significant amount of people actually desired no more than such symbolic gestures; a pattern of modesty who struck Tutu, as well. He declared the South African people "magnificent" as he disclosed "the expectations of the victims were incredibly honest - a tombstone,

the return from abroad of the remains of a loved one, streets to be named to honor those who fell” (SAPA, 1997, para. 17-18).

5.6 Victim Opinions

What has been absent to an extent up to this point is what the people of South Africa think about these developments. This is a noticeable gap within the literature of the TRC; while valuable discussions on the concepts and methodologies take place often, very few have ever paid attention to the opinions of people who were affected the most by the project of the TRC. Yet there still are a small number of surveys and interviews that are useful in painting an overall picture and present unique prospects. Gibson’s research (2005) was conducted on a national scale with more than three thousand randomly selected respondents. It aims to provide a national outlook towards the TRC in expense of more local views. Different branches of the Khulumani Victim Support Group, a self-help victim solidarity organization, on the other hand, constitutes the focal points of the works of Hamber, Nageng and O’Malley (2000) and Byrne (2004). There is also the official report of the Centre for the Study of Violence and Reconciliation (CSV), prepared also in cooperation with the Khulumani group (CSV & Khulumani Support Group, 1998). The collective efforts of these can be used to cover a multitude of areas regarding the TRC from the eyes of the victims.

To start things off with a general overview, Gibson (2005) reveals that a clear majority (at around %75) of black South African hold a positive view with regards to the overall performance of the TRC. When delving into the specific objectives, they were particularly grateful on the issues of informing the families on what really happened to their loved ones and creating an impartial and objective account of the country’s history. The former notion about revealing the truth was also supported by Byrne’s interviews (2004), as the interviewees noted that they “wouldn’t have known about all those things that happened in the dark” and a

women expressed that she “always prayed to God to not let me die before I saw the person who killed my children” (p. 244).

These data are particularly important since the idea that the success of the South African experiment is being misinterpreted in international discourse as the black community living in the country is argued to be disappointed on the grounds of the compromises on justice and the problems with reparations are not difficult to come across. Yet, at least for now, Gibson highlights that such disappointment is not the case. The white population’s ideas, however, are another story. Their approval rate of the TRC is around 36 per cent. Moreover, they were particularly dissatisfied with the notions that the guilty parties were punished accordingly, and an objective historical account was created, both of which were regarded favorably by the blacks. Meanwhile, the whites were ready to accept that the TRC performed well in providing families with the truth.

Hamber, Nageng and O’Malley’s interviewees, on the other hand, were definitely not that positive about the process. Certainly, they were quite hopeful before it began and when the establishment of the TRC was initially announced. Hamber, Nageng and O’Malley report that people were excited with the idea of the TRC, perceived by many as an agent of real change: “I’m not even sure why I submitted a statement to them but I did. I thought that maybe they would help me find a job and get better medical assistance” (2000, p. 25). Unfortunately, when the TRC did begin operating, most of them could not find what they were looking for. Many of them were critical of the unmet expectations, unkept promises, and lack of follow-up and information coming from the way of the TRC. Complaints about TRC being unable to provide the truth about loved ones and keeping people in the dark after taking testimonies signals an incapacity in the Commission’s proceedings about which there are usually positive feedbacks. But it is argued here that the real core of the problem is expectation management (Hamber, Nageng & O’Malley, 2000). People were allowed to interpret and guess freely what they would receive when an organization publicly stated their goal of healing the past. Many assumed the Commission would quickly act on their behalf and secure economic and medical

support (Byrne, 2004). This lack of clear conveyance was the responsibility of the TRC, and it eventually damaged its own reputation. In the worst case, some victims “feel cheated. It wasn’t how I expected things to be” (Hamber, Nageng & O’Malley, 2000, p. 10). Byrne (2004) supports these findings through her research, as well and stresses the cruciality of having control over the level of expectations and remaining completely honest regarding which services are in the realm of possibility.

The experience of testifying was regarded in a similar manner. Both in the studies of Byrne (2004), and Hamber, Nageng and O’Malley (2000), only around 40 per cent of participants had something positive to say about testifying in public. Similar to the situation with the expectations, it was observed that this was also due to the perception that all the troubles and downsides of testifying publicly did not amount to what was anticipated, and it felt like a waste of effort (Hamber, Nageng & O’Malley, 2000). Still, it must be underlined that the ones who were happy with testifying felt quite strongly about their positive experience: “For the first time in ten years I could speak publicly about what happened to me” (Byrne, 2004, p. 244).

When asked directly about the perpetrators, there was an agreement on the desire to meet them (Hamber, Nageng & O’Malley, 2000). Interviewees either wanted to understand them and their motivations or tell them how much pain they had caused on so many people. The TRC, therefore, could be argued to be the provider of an important mechanism for them. What the two sides disagreed strongly, on the other hand, was on the topic of punishment: “If people are so heartless I see nothing wrong with sending them straight to prison. That’s exactly where they belong” (Hamber, Nageng & O’Malley, 2000, p. 31). The ideal punishment type for each individual varies; some find it adequate to just make them meet the victims, yet some even demand death penalty. No matter the severity of the punishment, there is a unanimous agreement on the necessity of it. This led the interviewers to conclude that the desire for revenge and the perceived equivalence of it to justice is a very human response to such horrors experienced in South Africa (Hamber,

Nageng & O'Malley, 2000), and it must be acknowledged. This notion is in point-blank opposition to Tutu's continuous remarks on how proud he was of the citizens that chose the path of forgiveness. It may be true that something resembling a witch-hunt would have never taken place lest taking the risk of a civil war. Even so, it must be a commission's duty to provide a safe environment in which such emotional burden would be shared freely.

Another major setback with perpetrators, principally with the white ones, was their ordinary absence from the proceedings. Their lack of interest in the hearings had impelled many to think they did not care about reconciliation and "the black and whites were still living in separate worlds" (CSVR & Khulumani Support Group, 1998, p. 4). On top of this, interviewees were also unhappy with the white South Africans who *did* show up in events. It was a popular observation that the offenders who decided to participate, as mentioned above, were never the ones who actually gave the orders (Byrne, 2004).

On the controversial issue of amnesty, all of Hamber, Nageng and O'Malley's interviewees, as per usual at this point, had expressed their negative opinions (2000). They either thought it was unfair, wrong, or claimed they did not understand amnesty as a concept. While some of them were rejecting the idea of amnesty altogether, it is notable many of them have linked their disapproval of amnesty to their disappointment in reparations. One respondent claimed, "The victims have been waiting for the TRC's help for so long and we haven't received anything but perpetrators are already getting amnesty", for instance, and another asserted "It's so unfair that these people get amnesty when their victims aren't being helped by the TRC at all" (2000, p. 32). Once again, the problem with reparations overshadows the rest of the efforts and their underlining motives. Similar remarks were also recorded in Byrne's work, and a third of the interviewees struggled to justify the amnesty decisions (2004). Moreover, Byrne found out that many were confusing amnesty with forgiveness: "When they ask forgiveness, they should have asked from us -the parents- to see if we would accept that or not" (2004, p. 245). This is a shortcoming on the part of the TRC in separating the two

concepts. Moreover, it was revealed that the TRC could not frame forgiveness within a political groundwork and its use as a political tool was not conveyed properly. Furthermore, this quote also unveils another particular problem which was not discussed in the academic efforts; that the victims were not completely involved in the process while the amnesty decision were being given. It may cause further complications to give a veto option to remaining family members, but it is clear that they must be informed in every step of the way.

In clear contrast to the opinions presented until this point, black respondents of Gibson (2005), around 72 per cent of which, stated their approval of amnesty. The real irony is uncovered when it was calculated that it was the whites who were more disapproving of TRC's amnesties, with only 39 per cent of them in favor. These, however, were the answers to the question about their opinions on amnesty being given to the offenders who admitted their responsibilities. When another question asks if they think amnesties were *fair*, on the other hand, the results are mostly negative. While the victims though it was fair to ones applying for amnesty, this was not the case when the victims, remaining family members and ordinary peoples of South Africa were referenced. Thus, these opinions on amnesty boils down to a point where the respondents were supporting amnesties, but they did not think it was fair. The deduction of Gibson on this issue is that these people, especially blacks, recognized the mandate of the TRC and judged it accordingly, which was supported by the understanding that the TRC as an organization was an alternative to continued violence and an eventual civil war (2005). With respect to this, the TRC could said to be perceived by some as a necessary evil.

One of the areas where the efforts of the TRC were cherished was about the creation of a collective memory. A clear majority of whites and blacks agreed upon the notions that the apartheid was a crime against humanity and during the efforts to protect it *and* take it down, unforgivable actions were adopted (Gibson, 2005). Accordingly, the TRC's success in re-writing apartheid's own history continues to be a relatively uncontested achievement. Similarly, everybody was on an agreement that the white South Africans and their political institutions were the

primary responsible for these years. One of the most interesting findings about the public opinion on apartheid, though, comes in the shape that 35 per cent of black South Africans thought that at its core, apartheid was a *good idea*. Gibson clarifies this initially confusing response by explaining that the apartheid had once come to suggest ‘separate development’, in line with the ideals of black nationalism (Gibson, 2005). That it evolved into an abuse of this separateness through racial hierarchy was a subsequent phenomenon. This line of reasoning may also explain why 40 per cent of black South Africans also implied the strive to protect apartheid was just.

The organizational deficiencies were another common thread among the victims. Near half of Byrne’s (2004) respondents had issues with how the TRC handled its communication with them, how they had trouble in finding out the latest developments, how the Commission proved to be excruciatingly slow in every step of the way (Hamber, Nageng & O’Malley, 2000). Similar to the issues with expectation management, the TRC seems to have lacked effective and clear information strategies. Moreover, the CSVr report suggests that the victims were unhappy with the TRC’s own councilors who were tasked with taking statements (CSVr & Khulumani Support Group, 1998). Regarding these complaints, demand for an NGO involvement, which would be better equipped to communicate with the victims, was recorded.

Lastly, the feedback on reparations were more or less coherent with the academic wisdom on the issue. The interviewees featured on the CSVr report were more than anything highly concerned about the symbolic gestures such as monuments, renaming streets and building, and public holidays (1998). Similarly, only a third of Byrne’s respondents were vocal about their expectations regarding material assistance (2004). On the other hand, both groups were equally frustrated with the amount of time that had passed with no reparations in sight. Even though some of them were aware that the amount of financial assistance would not even begin to compensate for what was lost, their constant state of waiting did not help their situation. “I had hope that maybe we’ll get some money,” a survivor commented,

“even though the money would not restore me to my previous state or remove the bullet from the head”. (Byrne, 2004, p. 247). Byrne warns that the slowness of the process could lead to the victims feeling unappreciated and unimportant. (2004).

5.7 Conclusion

When it eventually concluded its extended mandate in 2002, the TRC had been operating for 7 consecutive years. During this time, it collected testimonies from approximately 21.000 apartheid victims, around 2.000 of which were invited and accepted to appear before a public hearing (United States Institute of Peace, n.d.). In total, the Commission also received 7112 amnesty applications (Truth and Reconciliation Commission, n.d.). It accepted 849 of them and rejected 5392. The remaining 871 had been withdrawn in different stages during review. From its annual budget of 18 million US dollars, the TRC paid reparations to 21.000 victims, albeit at a slow pace. It is not precisely known how the distribution of it had taken place, but it was recorded that the amount failed to meet the initial recommendation of 3.500 US dollars per family or victim (United States Institute of Peace, n.d.).

As it was elaborated, the achievements and the legacy of the TRC have been, from the start, a point of great contention. The most critical of the elements within these discussions, however, that South Africa had completed its transition to a relatively peaceful democratic country with a clear dedication to human rights and equality. This, in itself, had warranted the TRC a much-earned respect and global recognition. The process was undoubtedly flawed, and it lacked in crucial areas, but that is to be expected from a project with such scale. Indeed, considering the broken political and societal state of affairs South Africa was in during the late 1980's, putting 'good', even 'good enough', against 'perfect' is “to miss the point,”, and “the evaluation of the success model should not focus on the achievement of perfection” (Clark, 2008, p. 39). That the TRC was able to achieve the bare minimum to leave behind a functioning country that had achieved peace

through lack of violent confrontation should not be understated. It is a more impossible task, on the other hand, to appease to every single conception of such concepts as ‘reconciliation’, and especially ‘justice’. The most critical failure of the TRC was not its compromising dealings with justice, but its inability to address the crippling socio-economic injustice that survived the fall of apartheid. *Ubuntu* and restorative values of forgiveness and reconciling would never prove sufficient if they are not coupled with consequential economical repairment. After all, the struggle was against a system “that killed more infants through malnutrition and the unavailability of water than it killed adults with bullets and bombs” (Asmal, 2000, p 16). Thus, while the *ubuntu*-influenced methods of the TRC could argued to be successful in building a common history and reaching personal and social reconciliation, they must be supported by materially oriented efforts.

A certain outcome of the South African experiment was that the country had provided an alternative method for peacebuilding efforts. The specific lessons from it will be referenced in the last chapter of this paper, but now, the focus will be directed towards the traditional norms in international peacebuilding agenda.

CHAPTER 6

LIBERAL PEACEBUILDING

6.1 Introduction

Temporarily setting aside the South African side of the discussion aside, the following chapter focuses on the second axis of this thesis, -liberal- peacebuilding efforts. After highlighting the descriptive discussions around liberal peacebuilding and pointing out its definitive characteristics, as well as its critiques, the chapter then explores the issue of local agency within the narrative of liberal peacebuilding, a topic that bears particular importance considering the positive impact of *ubuntu* in local and ordinary settings.

6.2 Emergence of Liberal Peacebuilding

The immediate years after the end of the Cold War and the dissolution of the Soviet Union could be argued to constitute the emergence of a new beginning in some important aspects for the international sphere. Those were the years in which the history was deemed ended (Fukuyama, 1992), the great superpower rivalry was over, and the cause for liberal democracy on a global scale was victorious. Meanwhile, however, those same years saw an immense increase in intra-state conflict. While the threat of an armed conflict between powerful nations were put in the rear-view mirror, failed states and violent internal conflicts have emerged in multiple countries as new challenges to global security (Leonardsson & Rudd, 2015).

The accumulated international response to these challenges started to be institutionalized under the idea of post-conflict peacebuilding. While the term had

been around for a while, its modern interpretation of ‘liberal peacebuilding’ in post-conflict contexts had all the characteristics of its time as suggested by its name. Equipped with the “sense of liberal triumphalism” (Donais, 2012, p. 22) and the universal acceptance of liberalist norms, liberal peacebuilding aimed to transform the war-torn states into a liberal democracy. A governance based on liberal principles was seen as the most viable way of achieving sustainable peace. This liberalization of countries from conflicts would be carried out both in the political and the economic realms of a state. While the introduction of marketization would provide economic growth, the introduction of liberal norms and civil liberties would support the electoral system through which “the breaking of heads” would be replaced by “the counting of heads” (Paris, 2004, p.5). Indeed, the elections were regarded as a clear reflection of the principle of sovereignty belonging to the people and an incentive towards non-violent solutions (Obi, 2007). In Africa, the existence of elections had become a prerequisite for international financial aid and legitimacy (Obi, 2007). Moreover, even while the armed conflicts were ongoing on the field, the warring parties were met with an insistence on inclusive round-table negotiations, fitting with the liberal toolbox, in order to finally reach a ceasefire and begin post-conflict efforts, as in the cases of Mozambique, Angola, Sierra Leone and Liberia (Harris, 2012). In short, in every stage of the process, liberal peacebuilding had to come to be hailed as the cure (Donais, 2012).

The normative base of such an extensive and grandiose vision that attempts to transform “Afghanistan into Switzerland” (Donais, 2012, p. 24) rests on the assumptions of the ‘liberal peace’ thesis, dating back to influential thinkers such as Locke, Kant, and Smith (Selby, 2013). In its most basic terms, liberal peace refers to the view that states which could be described as ‘liberal’ are more prone to peaceful co-existence than the ones which are ‘illiberal’. This is not only applicable to their domestic affairs, but also to their relations with other states, as well. This conceptualization had centralized its place in Western thought in defining peace (Joshi, Yong Lee & Mac Ginty, 2014). Thus, liberal peace extends the scope of traditional International Relations discipline by not limiting itself to mere conflict

management between states and in its stead, contemplating a multilateral inter-state peace based on its liberal values (Lemay-Hébert, 2013). These values had traditionally included the promotion of democracy and human rights, rule of law, and free market economy. A state which conforms to these ideas, the argument goes, will be more tempered and pacifist in its relations with other states. Consequently, and owing much to the assumption that the liberal peace is universally acceptable (Richmond, 2006), liberal peacebuilding efforts attempt to ‘export’ its values, norms, and institutions to eradicate and ensure the unnecessary of violent means of domestic and international confrontation. To explain it more extensively, the goal “is to create a self-sustaining peace within domestic, regional and international frameworks of liberal governance in which both overt and structural violence are removed and social, economic and political models conform to a mixture of liberal and neo-liberal expectations in a globalized and transnational setting” (Franks & Richmond, 2008, p.83). Particularly interesting in this quote is the mention of global ‘expectations. As will be discussed shortly after, liberal peacebuilding mainly adheres to the outlook of Western countries. All of the norms that are believed to promise a stable peace are of Western origin, and all the remaining regions and countries were expected to catch up with its foresight.

On the other hand, a simultaneous development that followed the emergence of liberal peacebuilding had been the increased association of the term with state building. The correlation between the terms had even reached the level of synonymy in the relevant literature (Franks & Richmond, 2008). A stable, durable, and impartially fair peace that transcends the absence of war was deemed to necessitate a post-conflict state in conformity with liberal organizational and ideational structures (Donais, 2012). This attempt at carving a liberal-democratic state out of a violent conflict had been called “modernization in a hurry” (Donais, 2012, p. 23) through the state, and summarized more simply as “getting to Denmark” (Woolcock & Pritchett, 2002 as cited in Fukuyama, 2004, p. 22)

Aside from various NGO’s and international organizations, the UN was able to assume a more prominent role in comparison to the Cold War era and was the main

orchestrator of international interventions to conflict-ridden regions beginning with the 1990's. In recognition of the urgent need to develop a response to such new security challenges, it was quick to define the core elements of planned undertakings. Prepared under the leadership of the then-Secretary General Boutros Boutros-Ghali, 1992's *An Agenda for Peace* had extensively focused on post-conflict peacebuilding together with preventive democracy and peacemaking and defined the concept as "action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict" (p. 4) and "comprehensive efforts to identify and support structures which will tend to consolidate peace and advance a sense of confidence and well-being among people" (p. 15). While this definition provided an overall framework, the organization's *An Inventory of Post-Conflict Peacebuilding Activities* (1996) explained the expanse of the peacebuilding efforts and cited such widened range of activities as humanitarian assistance, mine clearance, re-integration of ex-combatants, addressing the needs of disadvantaged groups, promotion of human rights and installment and/or promotion of elections. The International Criminal Court's establishment in 1998, on the other hand, have illustrated the will to tackle the issue of justice. While the tribunals in Rwanda and Yugoslavia had already been underway and providing a blueprint, the Court's introduction had accelerated the process with courts in Sierra Leone, Liberia, and Cambodia, where some well-known figures appeared alongside perpetrators of lower ranks (Harris, 2012).

As the liberal peace project firmly became a normative source for international interventions, observers were engaged with the emergence of a theoretical literature surrounding the topic. It was argued, for example, the concluding political and economic power sharing arrangements during post-conflict stages carry the most weight in ensuring a secure and stable environment (Hartzell, 1999). Franks and Richmond highlighted, on the other hand, the importance of development projects and inter-community contact for the same goal (2008). Among the other factors which were brought into attention were confidence building attempts between the parties involved and national security building

efforts (Stedman & Rothchild, 1996), constitution-making (Samuels, 2006), and representation at the state level (Schwarz, 2005). Targeting to provide an overarching framework, Franks and Richmond (2008) informs on three identified graduations of post-conflict liberal peacebuilding, first of which is the conservative model, used to describe a more aggressive operation with a top-down, dominative approach. This model also relies on external backing of international actors to be implemented fully. The orthodox model, on the other hand, recognizes the voices and values of local actors to a greater extent, yet, very much like the previous model, still focuses first and foremost on the export of its own. Lastly, the emancipatory model treats the local elements as a major priority and places itself in opposition to the coercive means of the conservative model. Richmond also adds the hyper-conservative model to the discussion (2006), in which the use of force is the only viable means of intervention. He further claims that the contemporary attempts have been on the spectrum between orthodox and hyper-conservative frameworks. While he places the cases of Cambodia, Angola, and East Timor under the orthodox heading, he locates traces of conservative and hyper-conservative characteristics in Bosnia, Kosovo, Afghanistan, and Iraq. The last two post-2000 examples of conservatism can perhaps be explained by the reintroduction of military interventionism following the events of 9/11 (Harris, 2012).

Notwithstanding the discussions and theoretical notions regarding the post-conflict peacebuilding operations, their realization on the field were far from the ideal and expected conceptualizations. The general wisdom of the reception of these operations indicates that the liberal peacebuilding project was a disappointment at best and has been in a crisis for a long time at worst. Walton (2009) holds that liberal peacebuilding had been tried and tested in multiple contexts of varying cultures and political settings, with shifting military intensity, and yet, the overall record is riddled with failures. Similarly, Mac Ginty and Richmond (2007) claim the results of the project “unsatisfactory”, and contest that the successful operations are heavily outnumbered by the failed cases in which the political and economic installations that strived to promote democracy and free market were seen “as

creatures of the international community” (p. 491). Success could be discussed when the efforts such as the ones in Rwanda, Angola, and Liberia are concerned in the sense that violent confrontations in these countries had ceased to exist following international interference. Yet, when observed in light of the UN’s stated definitions and goals, especially the aim of sustainable peace, considering these cases as successful missions appears misleading (Paris, 2004). Furthermore, Karlsrud (2019) outright questions the odds of survival of liberal peacebuilding. He notes the contrast between the early, ambitious days of liberal interventionism that coincided with the presidencies of Clinton and Bush Jr., during which it reached its peak, with the more restrained tendencies of the Obama administration. These signals of lowered ambitions were also observed by Walton (2009), who explains that the Western countries had started to act more hesitant to intervene internationally as a result of such troubling experiences, and many strategically dangerous countries that require weighty commitments would therefore be left alone so that “their civil conflicts can be allowed to burn out (or not) at their own pace” (p. 724). Walton also suggested that the apparent operational failure on the field had led the way to the immense critiquing of even the most basic principles of liberal peacebuilding that informs its practical implementation. Indeed, pointing out the discouraging success rate of liberal peacebuilding had constituted only the surface of the criticisms directed towards such efforts. Consequently, many aspects of the project had been heavily scrutinized.

6.3 The Critique of Liberal Peacebuilding

One of the main criticisms against the liberal peacebuilding efforts had been the limited perspective through which major operations were and are undertaken. It was noted that the interventions always reflect the mindset of the interveners themselves (Mac Ginty, Joshi & Sung Yong, 2019) and these actors are not particularly interested in the setting and its unique conditions. As this perspective is solely carved of the desire to build a liberal democratic state completed with a free market economy, it was dubbed as “blind”, “rigid”, and “narrow” (Lambourne

& Herro, 2008, p. 276). Moreover, this insistence on tackling complex issues with such a grand design rests on the advantage of acting on behalf of the “imperial ideology” (Ignatieff, 2005) that is the liberal peace, and the unchallenged superiority of this ideology compared to other possible methods is an accepted reality among the advocates of the efforts (Mac Ginty, 2008). What these factors eventually lead up to is the “addressing of contextual problems with universal answers” (Öjendal & Ou, 2015, p.930), answers which are originally championed as the global cure for intra-state violence. Additionally, such belief on these universal answers inevitably leads to an absolute dependence on the external actors as the primary agents of peacebuilding since they are the holders of the solution. In the African continent, for instance, this translates not only to the purposeful disregard of the African contribution, but also to the assimilation of organizations such as the African Union, which originally began its mandate on the promise of generating African answers to African issues, within the ‘universal’ paradigms of Western peace and how to achieve it (Mac Ginty, 2008; Taylor, 2007).

The institutional (re)structuring within the liberal peacebuilding framework also reflects this criticized point of view. Futamura asserts that building “institutions - often based on generic, Western models- becomes a priority and an end in itself” (Futamura, Newman & Shahrbanou, 2010, p. 3). The primacy of the institutions is a result of the belief that non-existence or ineffectiveness of powerful state institutions plays a major role in the emergence of conflict in the first place, and therefore, it is an area that requires quick remedies. However, the inorganic nature of such alien structures would not let it survive without constant foreign assistance, and the problems with its legitimacy may lead to increased public support for sectarian organizations, which in turn risks intra-society security and trust (Futamura, Newman & Shahrbanou, 2010). In Sierra Leone, for example, the chieftaincy, while enjoying local support and having close governmental ties especially with the rural population, was viewed as a source of conflict and an unmistakably illiberal formation (Fanthorpe, 2005). Fanthorpe (2005) warns that the failure to recognize political allegiances in favor of building ‘democratic’

institutions may bring with it the danger of capturing such institutions by the same local, illiberal actors, since this was a real source of vulnerability in Sierra Leone. On the other hand, to describe this primacy of international agents, their methods, and their tools, Richmond and Franks had used the term 'liberal hubris' (2007). Donais notes that this "peacebuilding hubris" is "rooted in the notion that outsiders have both the knowledge and the entitlement to conduct social engineering experiments on the societies of others" (2012, p.28). Another facet of the liberal hubris is the expectation that the liberal democratic paradigm would be desirable by the societies of globe (Donais & Burt, 2015). A firm belief in one's own capabilities and know-how would therefore result in a self-centeredness that borders plain arrogance, which in turn would have its effect on the field in the form of aforementioned narrow perspectives and the insistence on the Western modes of institutionalization. In a similar vein, Easterly (2006) points out the apparent misconception in the self-claimed competence to design foreign societies to achieve wealth and peace simply relying on the experience of living, studying and being from a society that, for some reason or another, have achieved such wealth and peace. An unavoidable side-effect of this sense of self-entitlement, on the other hand, would be the deauthorization of notable local actors and rendering them ineffectual as peacebuilding agents. Indeed, the liberal peace paradigm tends to the members of the host society as either the victims, or the victimizers (Donais, 2012).

Similar concerns had been raised, not by observing a hubris, but by criticizing the 'top-down' approach of the overall process (Futamura, Newman & Shahrbanou, 2010). Once again, this indicates an unwillingness on the part of the interveners to recognize the local setting and context. Futamura, Newman and Shahrbanou explain that state building's increasing relevance within peacebuilding efforts to establish order in the international arena, especially in a post-9/11 world, gradually placed the whole project under the jurisdiction of the global security agenda (2010). This entailed that order through strong institutions of state had become a priority. The reflection of these developments on the field, on the other hand, had emerged as the 'top-down' practices which only has time for the top of the political food-

chain in order to stabilize the state, and none for a community-based approach that takes a deeper look in core issues. Hauge and colleagues note that this was exactly the case in Haiti (Hauge, Doucet & Gilles, 2015). They explain that since the security and stable governance were the main priorities, socio-economic concerns and societal reconciliation efforts were sidelined. The lack of the latter two qualities, however, is enough to question the viability and durability of an achieved peace. Mac Ginty and Richmond assert that it is a common failure of liberal peace to deliver “a poor-quality peace” (2007, p.496), an outcome in which uneven economic growth and communal mistrust plagues the achievements above, and the exclusive nature of the perks of their so-called ‘peace’ is more than glaring for the population.

A worrying collection of these troubling characteristics of the liberal peacebuilding in post-conflict environments had been observed by Öjendal and Ou as a concrete example in Cambodia (2015). They explain that while the peacebuilding actors had not been able to come to a concluding agreement with the notable local officials and actors, the project nevertheless continued with the expected haste. All the usual beats of a liberal democratic system were being imported without taking account of the intricate and complex issues remaining from years of violent political turmoil and power struggles. When the externally installed democratic governance is concerned, Öjendal and Ou assert that “democracy as an institution enforced from outside has gone astray” (2015, p.935), owing much to the fact that these institutions have failed to prove more than just buildings (Roberts, 2009, as cited in Öjendal & Ou, 2015). Organized corruption also hindered the establishment of a coherent rule of law, just as much as it threatens the functioning of the country’s open market economy through its uneven distribution of wealth. Similar conclusions were reached in the case of Bosnia-Herzegovina, in which the intervention was described as “prescriptive, micro-managing and constraining” (Mac Ginty, 2008, p.145). Illustrating the extent of external design, dozens of politicians were removed from their offices, some political parties which were seen too nationalistic were closed, and a new set of flag and national anthem was

handpicked (Kostic, 2007). These cases are instructive in the sense that they should not be seen as failures as they have provided a secure everyday life, repeated elections, economic growth, and an overall a relatively better living conditions for the citizens of both countries. A significant amount of people in Bosnia-Herzegovina were unhappy with the results of post-conflict settlement, and the continuing issues of social divisions, poverty, and lack of certain civil liberties, yet the fact remains that the country had not relapsed into the civil war (Mac Ginty, Joshi & Sung Yong, 2019). Therefore, as far as a stable peace is concerned, it was deemed “virtual” (Öjendal & Ou, 2015, p.934) at best.

There have also been other strains of critiques towards the liberal peace project. Taylor (2007) argues that the interventionist efforts of the project act on the underlying motive of furthering the global reach of neo-liberal governance. This is done so, it is claimed, primarily to serve the interest of a transnational group of elites comprised of the heads of multinational companies, bureaucrats, politicians, and various other powerful figures. A correlation can be made here when considering Harris’ remarks that explain the norm of loading the blame on the intervened countries themselves and overlooking the possible and mostly Western contributions to the eventual conflicts, such as France’s support for the Rwandan government prior to the genocide (2012). On the other hand, Selby draws attention to the hypocritical nature of the project in striving for a liberal democracy through illiberal means, most notable in conservative and hyper-conservative means of intervention (2013). Such concerns had reached its peak relevancy during Bosnia-Herzegovina’s post-conflict years as a High Representative was given considerable political power following the regulations put in order by the third parties (Donais, 2012). The free market framework of the liberal peace had also been scrutinized based on the question of whether marketization would bring healthy growth and production, or another front for corruption, and vicious privatization that widens the wealth gap (Donais, 2012).

Notwithstanding the range of issues observers had with the implementation and formulation of liberal peacebuilding, arguably the most important of them all was

the question of the local. The issue inevitably creeps in, as it was the case in this paper, when discussing the shortcomings of a top-down approach or the overlooked explanations of conflict that reside on the social level, but it is more than a mere side-effect of secondary importance. And since the local concerns *ubuntu* the most, a deeper look is necessary.

6.4 The Local Question

The negation of the local within the liberal peacebuilding framework have not been recently noticed. On the contrary, after the less-than-ideal operations in the Balkans, Rwanda, and Somali in the 1990s, some observers started to point out the role of not recognizing the local played in these negative experiences (Paffenholz, 2015). The ‘local turn’, as it was called, not only demanded the acknowledgment of the existence of local actors and dynamics within different countries, but also put forward the necessity that such local elements must be actively utilized and involved in the process if an intervention should provide sustainable peace. In its early years, the literature surrounding the local turn had been pioneered by John Paul Lederach, who asserted that it is only possible through local people and their culture to have long-lasting impact on a post-conflict context and claimed that “the international community must see people in the setting as resources, not recipients” (1997, p. 94), thus highlighting them as active agents rather than passive bystanders in their own society. Lederach’s texts are considered the most prominent among the first generation of local turn, which emphasized bottom-up peacebuilding, increased agency of local actors to a point where they would be the primary actors, achieving sustainable progress through societal reconciliation and re-building, and limiting the input of outsiders to a supporting role (Paffenholz, 2015). Viewed under this light, the first generation could be viewed as providing a suitable environment in which the *ubuntu* methods can be integrated. The second generation, on the other hand, have emerged after the inflated weight of state building had become more visible within peacebuilding efforts, and especially after the experiences of Iraq and Afghanistan (Paffenholz, 2015). Influenced by these

factors and represented by observers such as Mac Ginty, the latter generation framed local efforts as a struggle against a globally dominant structure of power.

Regardless of the generational alterations, the consistent argument presented here is the liberal peacebuilding's dismissal of the local, which it regards as a sphere of conflict, defiance, and unavoidable concessions due to its turbulent, disorganized nature (Selby, 2013). Consequently, while this insistence on external wisdom interrupts a possibly beneficial communication between exported models and local methods, on a deeper level, it prevents the recognition of the underlying socio-economic frustrations and exclusions that would continue to fuel the conflict within societies (Futamura, Newman & Shahrbanou, 2010). Likewise, this unconcerned attitude of external actors towards the local ones alienates the latter from a process in their own country. Indeed, Donini (2007) reports that following the intervention in Afghanistan, the "three Ds: disillusionment, disempowerment, disengagement" (p. 163) are common among the local population. Moreover, observations were made by Autesserre regarding the process in Democratic Republic of Congo where the officials marked the lack of state authority and "the Congolese people's inherent propensity to violence" as the reasons behind local conflict and concluded that an effort to end them would be "unimportant, unfamiliar, and unmanageable" (2010, p.11). Therefore, it is possible to argue that the liberal peace paradigm does not respect the local peoples and cultures (Öjendal & Ou, 2015), and thus does not let them own the process for their own peace. As mentioned above, the natural conclusion to such lacking attempts would be an environment of negative peace at best; a peace that has no room for its own members, and a peace that could not infiltrate the deep-seated hostilities that are much harder to eradicate than guns or violent political groups.

Perhaps one of the most relevant examples of external and local disconnection in light of the subject matter of this paper is the case of Rwanda. Following the Rwandan genocide that claimed between 500,000 to a million lives in around just a hundred days, International Criminal Tribunal for Rwanda (ICTR) was established by the United Nations Security Council in the context of a series of

attempts of transitional justice. Interestingly, these attempts also included the traditional councils called *gacaca* (Schulz, 2017). These were the communal gatherings that are very similar in practice to the *lekgotla/inkundla*, except they lacked the normative understructure of *ubuntu*. The main focus, however, was on the ICTR, which, at first glance, seems to be an obvious answer to the desires of South African people who demanded traditional justice; the tribunal was established to prosecute those who were responsible for the genocide and crimes against humanity. However, even if it would serve to fulfill the Rwandan population's desire for justice through punishment, it failed to properly reach to these people. First of all, it was located not in Rwanda, but in Tanzania. Moreover, the international community was not attentive or dedicated to ensuring the outcomes of the tribunal were conveyed to Rwandans. There was an outreach programme that aimed to do so, but it was "heavily under-staffed, under-funded and under-resourced" (Schulz, 2017, p.351). Indeed, in its report regarding Rwanda, Gallimore contends that "to assist with reconciliation, justice must not only be done, but it must also be seen to be done" (Gallimore, 2006, p.6). It should not come as a surprise, therefore, that the ICTR, as deeply important as it was inaccessible to the Rwandans, was not a particularly popular initiative in the country. While the attempt to provide reconciliation under the scope of an extensive undertaking must be acknowledged, especially considering the intervention of Rwanda took place before the eventual systematization of liberal peacebuilding under the UN, it also attests to half-measured nature of international peacebuilding that fails to account for the local to its maximum extent.

On the opposite side of spectrum, however, the local turn provided many perceived gains, advantages, and solutions to issues that seemingly infect the liberal peacebuilding towards unsustainable and locally alien arrangements. Increased ownership of the process by the local elements through inclusivity was defended as a source of legitimacy among the members of the society (Richmond, 2013). Meanwhile Hauge, Daucet and Gilles (2015) argues that mechanisms based on dialogue and mediation, which would ideally include community elders,

representative figures, and associations, would enable to identify and manage conflicts, and overall provide an environment of trust within the members of society. This goal of encouraging local involvement also fuels the calls for decentralization through which legitimacy, accountability, and citizen participation could be achieved (Leonardsson & Rudd, 2015). Wallis (2016) informs that in Timor-Leste, the government's decision to make room for bottom-up initiatives have been significantly useful in political participation and local legitimacy. Moreover, it also provided an assistance to the government in delivering public goods and services, which undoubtedly contributed to the security of peace, while proving that local involvement can offer multi-faceted contributions to the overall process. All in all, the underlying principle here is that the necessity for locals to be able to own the process in their homes, so that they could become active agents, communicate with all relevant parties, have a say in their own future, and access to tools through which they can positively contribute to a sustainable outcome. A peace that draws upon these elements, in the end, "would be rooted in accommodation, reconciliation, emancipation, autonomy, social justice and a sense of liberation" (Richmond, 2015, p. 60).

In the face of such soaring criticisms, it should be noted, there have been concrete attempts to address the issue on the part of the criticized parties. Schia and Karlsrud (2013) argue against to what they considered an unfair amount of critical response to the international interventions and cite the UN Civil Affairs as attempt to develop a multi-dimensional roadmap for peacebuilding. Among the widened mission scope of Civil Affairs section are mandates from cross-mission representation to confidence-building and reconciliation support (United Nations, 2008). Even some consultation forums have been held in Liberia to provide a chance of expression to local people (Schia & Karlsrud, 2013). However, the authors also acknowledge that Civil Affairs also tends to communicate with state authorities rather than non-state figures, thus limiting itself within a certain threshold. A much more prominent initiative, on the other hand, had been the efforts of the UN Peacebuilding Commission. Established in parallel with the past

experiences on the field up to that point in mid-2000s, the commission aimed to create more comprehensive approach, including but not limited to the integration of local agents (Lambourne & Herro, 2008). The core mandates of the commission were presented as bringing all relevant actors together to generate integration in strategies, underlining sustainable development as a main focus, and ensuring coordination among all actors regardless of their ties to the UN structure (United Nations, n.d.).

Regardless of these initially encouraging attempts, however, the situation on the field had continued to leave much to be desired. With reference to the graduations of post-conflict liberal undertakings, this can be explained by the orthodox nature of the Commission. Thus, while the local is acknowledged, it still takes a secondary role to the transfer of external methods, norms, and reasonings. Donais and Burt observe that regardless of the developments within the literature regarding the local, international actors' primacy in operations remains to be a fact of life (2015). Indeed, in a state of peculiar indifference to the amounting objections, discouraging experiences, and deliberate efforts of course-correction such as the Peacebuilding Commission, liberal peacebuilding operations continue to be business as usual. As Paffenholz notes, "the blueprint toolbox approach to international interventions in diverse conflict contexts continue" (2015, p. 861).

6.5 Conclusion

The clear outcome of these discussions is that there is a gap in the paradigm of contemporary post-conflict peacebuilding. The recognition and inclusion of local elements and practices had proven their necessity with multiple experiences. Therefore, their integration to the systematic response of the international community is an issue of critical importance with regards to reaching a sustainable peace that addresses the core issues at the level of local society. The next chapter will discuss *ubuntu*'s potential effect on closing the gap within the limits of its own power.

CHAPTER 7

THE OPTION OF *UBUNTU*

7.1 Introduction

Building on the critical observations of liberal peacebuilding, especially on the issue of local involvement, this chapter introduces the idea of hybrid peace, which, as its name suggests, presents a new peacebuilding framework that includes multiple points of view to create a ‘hybrid’ approach to post-conflict peacebuilding. The chapter then proceeds to discuss the assets and shortcomings of such a hybrid peacebuilding perspective in detail, only to conclude that the hybrid narrative is at an intellectual and practical deadlock. In the form of the thesis’ main argument, the chapter concludes with the exploration of how *ubuntu*, coupled with the experience of post-apartheid South Africa, can find a place in the global peacebuilding paradigm with respect to its own strengths.

7.2 The Hybrid Peace

As outlined in the previous chapter, the need for the liberal peacebuilding imperatives to interact with the local agency and actors had become an apparent flaw. This line of critique was now recognized by many, and therefore a substantial change within the accustomed paradigm was expected to occur. This was read as “a real opportunity” to finally embrace “a more critical and emancipatory agenda for peacebuilding” (Cooper, 2007, p. 614). While previously mentioned attempts such as the UN Peacebuilding Commission had signalled the recognition of this agenda in its own right, scholars and proponents of the local turn yearned for

something more substantial and concrete. The projected solution was hybridity and hybrid peace.

The roots of the concept of hybridity had been traced back to the post-colonial scholar Homi K. Bhabha, who asserted that hybridity was the resulting phenomenon of a process in which the different cultures came into contact to hybridize a third (1994). In his conceptualization, the relationship between these cultures has an adversarial character within a context of colonization (Poppewell, 2018). The concept had then been utilized by many different disciplines, while international relations and peacebuilding scholars' involvement with it came at a relatively late stage (Mac Ginty & Richmond, 2015). Nevertheless, Canclini provides a definitive definition of hybridity, explaining that it is a "socio-cultural process in which discrete structures of practices, previously existing in separate form, are combined to generate new structures, object, and practices" (1995, p. xxv). Since the concept oversees the union of two separate spheres, it is not difficult to justify its popularity within the local turn literature.

The newly emerging 'hybrid turn' had therefore become a focal point in generating a response to the top-down and locally exclusionary methods of liberal peacebuilding. In its stead, hybridisation championed interactions with the local actors and institutions at the level of 'everyday' life (Hameiri & Jones, 2017). This was not a rejection of the international aspect of interventions, but a call to include the local aspect as well to give these interventions a more emancipatory character. Therefore, the communication between what had been traditionally called the 'international' and the 'local' was the main focus (Forsyth, Kent, Dinnen, Wallis & Bose, 2017). This would entail the eventual cooperation between the liberal on one hand, and the illiberal on the other. The underlying assumption was that this interaction would prove efficient in eliminating the unavoidable shortcomings of internationally oriented methods of peacebuilding that had been discussed above, such as the issue of legitimacy and local ownership. Indeed, impacts of a hybridized peace was laid out by Brown (2018, p.22):

Hybridity offers a way of bringing focus to the struggles, entanglements, patterns of occlusion and exclusion, process of reworking, and ways of doing things engendered by the interaction of sometimes profoundly different logics of social and political order, sources of legitimacy and patterns of collective meaning.

Meanwhile, Richmond, who along with Mac Ginty is one of the most prominent proponents of hybridization of peace, explains that a peace that results from hybridization would finally engage with the everyday lives of everyday people instead of limiting itself within the distant level of state (2009). Hybridization consequently offers the agency for the local population to have an effect on the eventual outcome in multiple levels in which they themselves will live through. The necessity of their inclusion and the years-long fallacy of their exclusion, therefore, would finally be addressed.

With the gradual accumulation of relative data on hybrid peacebuilding expanding and more accounts of cooperation between the local and international starting to take place, a starting point for hybridization narrative within the peacebuilding literature is its processual nature. The term was conceptualized as “an ongoing process of *becoming* through mixing, reconvertng, leaching and blending [emphasis in original]” (Boege, 2018, p. 115). Hybridization is framed as the host of complex and non-static relations between actors and institutions belonging to different levels of local and/or international order. The process is then shaped by the nature of interaction between such multiplicity of elements that are in contact. Brown’s emphasis on co-existence of different norms, perspectives and practices is echoed by Belloni, who then also notes the possibility of a clash of liberal and illiberal (Brown, 2018; Richmond, 2015). A perpetual state of co-existence thus defines the process of hybridization which then produces a hybrid form of peace. A basic example of a possible arrangement which will also inform the conclusion of this paper would be the economic restructuring’s entrustment to international practices while topics such as reconciliation would remain within the boundaries of local methods (Mac Ginty, 2008). The underlying character of the resulting peace, on the other hand, is susceptible to on what grounds the co-existence had emerged. Richmond puts forth that an antagonistic relationship between two sides

would lead to a negative hybrid peace, a state of being which is defined through its protection and recreation of established hierarchies, power structures, and inequalities (Richmond, 2015). A positive hybrid peace, meanwhile, is reached by the emancipation of the local elements by widening the scope of operation to cover more than institutional redesign and acknowledging the extensive issues of political and social nature. In Richmond's conceptualization, positive hybrid peace necessitates a reciprocal acceptance of difference and the recognition of societal inequalities so that the subsequent end to the conflict would encompass all levels from the everyday to the global (2015). The underlined goal here is to find a healthy balance since an overreliance on either side would endanger the survivability of a peaceful resolution. While the overrule of the liberal-international would result in the much-criticized state-oriented and institutionally driven intervention, leaning more towards local agency may embolden exclusionary practices that are sometimes apparent within traditional authority formations such as the ones in Afghanistan and Cambodia (Mac Ginty & Richmond, 2015). A different example for a negative hybrid peace would be Kosovo; the weighty presence felt of the former Kosovo Liberation Army members in order to guarantee short-term stability in the country had also been observed through compromises in ethnic minorities' human rights, lacking healthcare services and the arbitrary use of the judicial tools (Simangan, 2018a). Ituri district of the Democratic Republic of Congo is also an illustration of Richmond's negative hybrid peace conceptualization. The competitive relations between the local and international had paved the way for an internationally led road map in Congo and eliminated the presence of the local completely from the decision-making stages (Helmüller, 2014).

Bougainville, on the other hand, is a successful demonstration for the process of complex interaction between the local and the international, and acts as a case in point for cooperative co-existence. The acceptance of the international personnel to carry out an intervention without any weaponry had begun a mutually respectful communication, and the presence of the internationals' enabled a safe space to bring former adversaries under the same roof to reach a common solution. In the

subsequent days, while the ‘guests’ respected and aided the ways of local peacebuilding attempts unfold in their own way, the locals were in their turn careful to abide to the time limits and result-based expectations of the intervention (Boege, 2018). Boege (2018) notes that the ownership of the local of their own peace was illustrated by many different ways, from assuming the use of helicopters to carry local chiefs in-between meetings to the use of leaflet papers to roll tobacco. He also observes that in the process, the interaction had led to the liberalization of the local population with respect to some behaviours and norms.

This last point has a significant weight in the hybridity discourse. Fluidity is a specification that had been in use to explain the relationship between the subjects of hybridity in the sense that the actors evolve and change in a non-static environment provided by its process. Under this light, Rosaldo (1995) equates the process to a transculturation mechanism that denotes “borrowing and lending between cultures” (p. xv). The fluidity observed during hybridization, moreover, entails a complete rejection of the traditionally used binaries of local and international, or any other combination that follows suit and bases itself on modernity, rationality, or having the West as the point of origin. Mac Ginty (2010) argues that while such binaries are useful tools for initial apprehension, they nevertheless simplify complex human societies under a scheme of strict categories. This line of argument is further deepened by the acceptance that every single agent in question has a history of hybridization in the first place, just not within the context of post-conflict peacebuilding. As Mac Ginty notes, individuals, communities, and institutions may now be referred through the labels of ‘local’, ‘liberal’, or ‘international’, yet they have arrived at the present day as entities that have been interacting with and adapting to each other and other members of the same label (2010). This prior hybridization has made it nearly impossible to excavate the original state of being for the holders of these labels (Belloni, 2012), not to mention its current uselessness as an explanatory apparatus. Burundi’s *bashingantahe*, a local institution of justice not too dissimilar to *lekgotla/inkundla*, is an illustrative example. Having been originated in pre-colonial era, it was re-

imagined and put in use under the rule of colonial state, then the one-party state, and finally utilized again during the liberal peacebuilding attempts after a civil war (Popplewell, 2018). While the name and the overall structure remained the same, it is quite inconceivable to imagine that the institution had not inherited certain practices and norms from very different sets of political authorities. The continuous aspect of hybridization's fluidity, on the other hand, can be detected merely by recognizing clothing, such as the case with Congolese women (de Almagro, 2018). As de Almagro (2018) observes, members of the women's movement wore matching uniforms with the international personnel when visiting the Swedish embassy to emphasize their impactful role in the ongoing peacebuilding efforts, yet the next day, they affirmed their locality when addressing the national parliament by wearing different clothes. One day, they were an integrated part of the international efforts, and the other, a local group with local concerns.

As hybridization and hybrid peace grew more prominent both in the field and literature, several scholars have attempted to provide systematic explanations for their emergence and execution. In this regard, the metaphor of friction has been in use to explain the unevenness of the relationship between different actors in a peacebuilding context. Consequently, this unequal relationship leads to new forms of power-sharing structures (Sting, 2005), thus acting as trigger to move the overall process further. One of the defining characteristics of friction is its unpredictability. Indeed, as Björkdahl and Höglund (2013) notes, while a multitude of "actors, ideas and practices rub against each other at sites of peacebuilding", the resulting "power relations, agencies, ideas and practices ... may or may not resemble their originals", and "no matter which direction a process is going, friction pulls it in a different direction" (p. 292). While hybridization itself is seen as another process, it is also regarded an ensuing outcome of the prior friction. Therefore, in the suggested sequent of events, friction reaches its visibility at an intervention's peak and stimulates the arrival of a hybridised arrangement (Öjendal & Ou, 2013), outlining the core of hybridisation in the process. For instance, Öjendal and Ou (2013) outlines the process in Cambodia in which the national politicians refused

to let liberal actors rearrange Cambodia's judicial system but allowed increased decentralisation in the country's political scheme (Öjendal & Ou, 2013). Thus, the friction between the national and international have led to a hybrid arrangement that harboured co-existing liberal and illiberal properties.

Conceptualizing in a similar manner, Mac Ginty lays out a constantly flowing hybridization mechanism of four-parts (2010). The first type of process occurs when hybridization is dictated by the liberal peace and its paradigm, thus minimizing the agency of any and other actors or institutions. This authority to demand total compliance is assured not only through the use of force, but also through the reward mechanisms of the global free market. Projections of a similar nature have been offered by Brown as well, citing the desire to achieve complete uniformity and risk aversive results as motivations behind such calibrated and controlled hybridization (Brown, 2018). Second type of hybridization in Mac Ginty's scale is framed with the liberal peace still in control but with much more room to spare for emancipation. In this system which combines forceful methods with more incentivizing opportunities that expand beyond mere state building activities, liberal peace still remains the final decision-maker and the source of power and legitimacy. The third conceptualization, on the other hand, revolves around the ability of the local population and institutions to "resist, ignore or adapt" (2010, p. 402) to the incoming set of foreign liberal initiatives. While the success of the local to stand firm may depend on many different factors, the end result leaves the hosts with an unexpected amount of decisive power. Taking local initiative one step further, the last conceptualization is interested in to what extent the local element is capable of promoting its own alternative to liberal peacebuilding. The subject in question here is the traditional and indigenous methods of peacebuilding à la *lekgotla/inkundla* and their inclusion in an internationally supported peacebuilding operation, though Mac Ginty questions how indigenous a process would become when integrated into a multi-national effort. In any case, these different projections are not to be conceived as separate developments but as main points of contention that collectively define the overall

process of dynamic hybridization. After all, the extent to which these mechanisms actually have more weight than others is context-dependent. As Mac Ginty himself explains, it is “a whirr of hybridity. Different factors prevail in different contexts, on different issues, at different times” (2010, p. 404).

When it comes to the observable benefits of adopting a hybrid approach, many of the perceived advantages can at their core be seen as corrections for the aforementioned flaws of the distant, institutionally oriented liberal peacebuilding. Belloni (2012) specifically focuses on the aspects of representation and legitimacy. The former is enabled as a result of increased presence of local elites and political actors, who have direct links to the local population, in the peacebuilding process as a result of hybridization. Borders of representation do not have to be limited with well-known figures either, as NGOs and other relevant local associations can provide a voice for the everyday individuals as well. The latter, on the other hand, is the expected result of having local methods and institutions included in the process alongside a collection of foreign elements imported by international actors. This point is also emphasized by Boege and colleagues (2008), who suggest a “grounded legitimacy” may be rendered possible since hybridization would incorporate components to which the population has “an organic connection” (p. 10). They further contend that the recognition of the capabilities of the local and renunciation of the belief on Western institutional superiority would generate a peacebuilding context equipped with legitimacy, upon which success in other areas such as development and security would be based. Mac Ginty (2010) argues along similar lines, claiming hybridization would eliminate the foreignness of traditional liberal peacemaking efforts, and present more easily adjustable solutions to the host communities. Tapping into the issue of local ownership, the legitimacy aspect of hybridisation, therefore, is one of the most, if not *the* most, important contributions to the peacebuilding process since it forges the link between the process and those whom the process is for.

Following in the steps of liberal peacebuilding’s critique, among the other benefits of a hybrid order includes the expanding focus that reaches beyond state building.

This does not only entail the rejection of state building as the sole focus of a peacebuilding agenda, but it also underlines the agency of non-state actors and recognizes their capabilities which may contribute to the process, in line with what these actors may specialize on (Kraushaar & Lambach, 2009). Same line of argument is also put forth just by switching ‘state building’ by ‘Western methodology’ (Belloni, 2011). This has been started to be acknowledged by some of the most prominent institutions of the West as well, as can be seen by the Organization for Economic Co-operation and Development’s suggestion to “pay due regard to informal and non-western forms of organization, rule-making and conflict resolution, whether religious or communal” (OECD, p. 23). On the other hand, the much-emphasized dynamism of hybridity fuels the argument that hybridity enables peacebuilding arrangements that are open to an active and ever-changing process, able to respond and adapt to altering conditions (Kraushaar & Lambach, 2009). In this respect, hybridity does not offer static, formulaic roadmaps which are presented as universal solutions. Considering the varying contexts around the world to which a possible intervention is envisaged, this dynamism is an important and encouraging highlight. In a similar manner, and linked to its rejection of traditional binaries, hybridity is argued to eliminate the simplistic division of “goodies and baddies, states and non-states and West and non-West” (Mac Ginty & Richmond, 2015, p. 10). The result of this is the chance to grasp the complexity of post-conflict conditions where hypothetical lines in sand that seem to separate fractions, institutions and actors fails to deliver a reliable account. As a final note relating to practicality, especially referring to the issue of dispute resolution, Mac Ginty (2008) observes that hybridity’s local inclusion may also lead to more efficient solutions. Considering the possible difficulties and limitations in governments’ functionality after a violent conflict, local alternatives may prove useful in filling the gaps where the current political structure may prove incapable of addressing, and thus help ease the burden on the system.

Certainly, a major part of hybridization’s assertion is the exhibition of cases around the world that factually demonstrate the potential it holds in terms of furthering the

peacebuilding efforts in post-conflict contexts. Tanzania and Uganda have been exemplified as cases where traditional ruling systems were given proper space during state building, leading to a process rewarded with stability and popular legitimacy (Belloni, 2012). Serving as a more traditional example of the use for local practices, a project had been initiated in Haiti that managed to nationally institutionalize dialogue-based conflict-resolution initiatives (Pace & Luzincourt, 2009). This pattern is observed to be repeated in Ituri, where the local peacebuilding actors eyed reconciliation and peaceful co-existence as their primary goals, leaving such issues as disarmament and demobilisation to their international partners even though there seems to be room for improvement in terms of increased cooperation (Helmüller, 2014). Moreover, Ghana provides a case where the terms of an eventual cooperation was negotiated between parties beforehand to prevent a liberally dominated peacebuilding (Paalo & Issifu, 2021). In the end, traditional and Western judicial procedures not only functioned separately under the same operational roof, but also complemented each other with their own unique contributions offered to the table.

The post-conflict efforts in Timor-Leste, in this respect, stands out as a particularly relevant case. The country's reconciliation gatherings, called *Nahe Biti*, meaning 'stretching the mat' (Gusmão, 2003), are remarkably similar to *lekgotla/inkundla* proceedings with its focus on smaller communities (sitting on a mat and freely communicating), open dialogue and voluntary victim confession to achieve communal reconciliation. *Nahe Biti*'s adaptation in the 21st century, moreover, was again utilized for the purposes of acknowledging the past, recognizing the pain that comes with it, sharing of stories, and ultimately recreate the ruptured bonds between the members of a society, with the success of South Africa being an open source of influence (Gusmão, 2003). In the greater scheme of things, modern implementation of *Nahe Biti* was undertaken alongside the workings of a Serious Crime Unit, with the latter dealing with more serious violations of human rights (Mac Ginty, 2008). Yielding similar results to a successful implementation of an *ubuntu*-driven process, specialized methods of *Nahe Biti* proved its worth with

respect to communal reconciliation and a peaceful transition (Mac Ginty, 2008). All in all, the example of Timor-Leste is another illustration of the benefits that comes with recognizing the prowess of traditional, grass-roots wisdom.

Taking into account such conceptualizations and the examples provided by authors, Mac Ginty's aforementioned remarks on a possible role distribution between the local and international seems to be echoing through literature. Indeed, the practical real-life implementation of hybrid peace all but confirms the tendency of a local-international co-existence towards an arrangement that authorizes the international actors with state building and economic reconstruction efforts, while the local side is more well-equipped to deal with issues related to inter-personal relations and societal reconciliation. This is an expected outcome of course, considering the community-based nature of most indigenous practices over the world. Within the scope of this paper, on the other hand, *ubuntu*'s reconciliatory potential will not prove an exception.

In light of these remarks and observations, hybridization in peacebuilding seems a great fit, capable of filling in just the perfect gaps left by the liberal projects. However, the enthusiasm behind hybridization is not shared by all. Indeed, many scholars have questioned the assumptions that feed the literature of hybridization by pointing out ideational flaws and providing counterexamples which may argued to be enough to render the ones used by hybridity proponents as wishful cherry-picking. To begin with, Popplewell (2018) refuses to readily accept the notion that hybridization would automatically entail popular legitimization. To illustrate his point, he uses the case of Burundi, where the indigenous peacebuilding process called *bashingantahe* gradually lost its initially high legitimacy after it had been politicized due to the national government's disapproval of it, and the conflict between *bashingantahe* and other peacebuilding institutions that compete for the same source of legitimacy. The crux of his argument is that the local institutions that argued to claim legitimacy are often politicized organizations that are also continuously contested, and even prove to be a part of the politically and socially dominant discourse that had led to the conflict in the first place. Hybrid peace's

arguments regarding local agency and emancipation, on the other hand, is challenged by Bargués-Pedreny and Randazzo (2018) as they claim hybridity has been useful for international actors to “give interventions a more human face” (p.12). Even though they do not present a case-study, they nevertheless remind that international agency is still an important element in a hybrid peacebuilding composition, which can still reach to undesired levels of influence and political power from the point of view of the local under the banner of hybridization. Hybrid peace, therefore, carry the risk of becoming a mere front for the international actors to justify aggressive interventionism, and thus stripping political and social means of self-determination away from the local population in the process.

On top of these individual observations, there are a couple points of critique that are more widely shared among scholars. First of them relates to the doubtful responses to hybridity literature’s claims on rejecting binaries. While Hameiri and Jones (2017) acknowledge the attempts at a more nuanced conceptualization, they nevertheless assert that hybridity is dichotomizing by default, and ultimately ill-equipped to provide a complete picture of a peacebuilding process. This line of argument leans on the examination that authors such as Mac Ginty refuses the various binaries such as the ones in between West and non-West, and international and local, and yet, the whole idea of hybridity still relies on the prospect of coexistence of two opposing sides. Therefore, these binaries are “intrinsic to the hybridity concept” (Hameiri & Jones, 2017, p. 58). Similarly, Heathershaw (2013) is not convinced by the hybridity’s, and particularly Mac Ginty’s, rejection of binaries, stating that “it is not clear what else it can be if one builds a model based on the existence of two oppositional and apparently dialectically related forces” (p. 277). He reiterates that the equation of local to indigenous and international to liberal is an over-simplification, and not-at-all a reliable portrayal of what happens out in the field. The struggle of villagers in East Timor and other regions to escape the patriarchal and other authoritarian local arrangements through an alliance with the international forces are given as demonstrations of their counterarguments. However, it must be noted here, in the spirit of fairness, these illustrative examples

provided by these critical scholars are not too dissimilar to de Almagro's anecdote on clothing picked by the Congolese women depending on the occasion. Thus, the growing recognition of this issue within the literature should not be overlooked.

Second major point of critique, on the other hand, focuses on the local side of hybridisation with a particular attention to how it can affect the process in undesirable ways. Indeed, the accord between the local and international may not always be symmetrical (Heathershaw, 2013). Relatedly in such an asymmetrical settlement, hybridization may lead to creation or recreation of existing power relations, norms and cultural behaviours that had been in place in indigenous setting (Chao, 2019). These can manifest themselves in patriarchal and exclusive practices, or in a power struggle to influence the process of hybridization. Just as the local/international divide can harbour an unbalanced and unjust power dynamic, a similar dynamic can also present itself within these two separate spheres as well, leading to exclusionary divisions based on gender, religious, ethnic, or other identities, at the level of the local (Forsyth, Kent, Dinnen, Wallis & Bose, 2017). This is especially possible in the case of an eventual settlement that resembles Mac Ginty's last two conceptualizations for a hybrid order. It will be therefore possible for capable local actors to exploit the hybridization process to either protect or further the existing hierarchal structures that had been serving them (Schaefer, 2010). Indeed, the *gacaca* courts, which are mentioned in this paper multiple times, do not include women at all in their proceedings, and are traditionally dictated by elder men (Reychler & Paffenholz, 2000 as cited in Schaefer, 2010). In a similar manner, it was reported that in Cambodia, the local elite took advantage of its partnership the UN peacebuilding forces not to include the everyday people of Cambodia in the process, but to ensure "the preservation of its political power by maintaining structures of violence" (Simangan, 2018b, p. 12). All in all, these concerns serve as a warning against romanticization or simplistic homogenization of the local by hybridization. Such perception of a single, uniformly local may render the complex societal relations and power struggles obsolete within a hybridization framework. A hybrid peace, in this sense, can thus

mask various levels of injustices and unwittingly recreate or strengthen exclusionary practices which would have the chance to abuse the international and national legitimacy that comes with a partnership with liberal peacebuilding actors.

7.3 Deadlock of Hybrid Peacebuilding

Apart from these criticisms which concern with specific properties of hybrid peacebuilding, a deeper critique on the fundamental level has been raised specifically by Millar (2014) and Wallis, Jeffery and Kent (2016). Millar's arguments rests on the claim that 'concepts', described as "beliefs and ideas internalized among local populations" (2014, p. 511), that are present within the efforts of hybridization are comprehended differently by the planners of hybridization and the local population on the receiving end. Having experienced a range of different sets of norms, values and behavioural patterns in different cultures and countries, the argument goes, it is highly unlikely for the international actors to match the worldview and social understandings of the local population to which they are supposed to aid. Consequently, and even after acknowledging the already hybridized nature of the so-called 'local' and 'international' points of view, Millar (2014) argues that hybridization may be instrumentalized in an institutional manner, but it would not be reliable nor predictable as a result of this mismatch of perspectives. He contends that no matter how trusted and seemingly comprehensive a hybridization scheme may be for its planners, it is quite unforeseeable how it would be received by the local population who may have quite different ideas regarding the concepts that are involved the process, not least of which is, for instance, reconciliation. While not disregarding the possible, as well as observed positive outcomes of a hybridized arrangement, Millar's claims nevertheless place all efforts of hybridization on a shaky and unreliable ground, thus unable to provide a systematic solution. Paralleling Millar's assertions, Wallis and colleagues (2016, p. 174) argue:

In order to be effective, institutional, practical and ritual forms of hybridity need to be compatible with practices and ideas that are familiar to and

viewed as legitimate by local populations. When they are not, the potential for hybrid approaches to have unintended negative consequences is very real.

Wallis, Jeffery and Kent also cite the ever-dynamic conceptual understandings of different local communities that are difficult to completely comprehend for an outsider as the underlying reasoning for their claim (2016). Viewed under this light, the critique of Millar and Wallis and colleagues ironically echoes the initial criticism of the local turn and hybridization opponents towards liberal peacebuilding. Whereas liberal peacebuilding was targeted for its arrogant installation of institutions and norms that are viewed as universally applicable without much regard for their mostly Western roots, hybridization is similarly framed for re-packaging the supposed 'local' methods through its institutional structure, hoping it would function like its original self, purely depending on the fact that it was influenced by it. However, superficial similarity of names and procedural steps do not have to entail an eventuation of grass-roots legitimacy and popular acceptance of such procedures.

The case to which Wallis and colleagues refer (2016) to substantiate their claim of unpredictability is from Solomon Islands. Alongside the establishment of a TRC influenced by the South African experience, the Solomon Islands government and its global partners had decided to resort to local conflict resolution methods, namely the institution of *kastom*, under the scope of their peacebuilding agenda. *Kastom* also shares some aspects with *lekgotla/inkundla*, such as the centrality of apologies and forgiveness. Yet, the compensation aspect is of greater significance, and the act of material transaction, however symbolic in nature, indicates the end of animosities between parties (Goodenough, 2010). In its adaption after a civil war, *kastom*'s prospect of compensation had been assumed by the national government of Solomon Islands, providing the necessary funds to ensure a healthy process towards reconciliation between its citizens. However, this monetization of peacebuilding by the hands of the government had resulted in false claims on behalf of the figures in powerful positions, some even from the government itself, to wrongfully misdirect the funds towards themselves (Wallis, Jeffery & Kent, 2016).

It was not long before the funds to deplete completely, having been abused by the criminal and corrupt network within the country. On another note, moreover, this case is a demonstration of how promising local methods can be misinterpreted by national and international actors, completely missing the point in the process. As Wallis and colleagues explain (2016), the provision of compensatory material by the government eliminates the necessary communication and exchange between individuals, thus removing a core element for intra-personal reconciliation: “The need for reconciliation ... was between particular individuals and groups, not between SIG (Solomon Islands government) and Solomon Islanders” (p. 166). Approaching the issue from a different angle, Millar exemplifies the practices in Sierra Leone, where borrowed procedures from South Africa such as public hearings were mixed with indigenous methods with relevant symbolic participants and activities (2014). Unsurprisingly, the only positive outcomes in terms of reconciliation had been achieved by the process to which Solomon Islanders were already accustomed to. Meanwhile, the witnesses in the TRC courts were “coached” (Shaw, 2007, p. 200) as to how should they give their testimony, their words were reinterpreted to fit the reconciliatory agenda, and they were encouraged to tell their stories in a not-so-gentle manner in the name of revealing truth. Needless to say, what the national and international cooperation had assumed to work was not well-received by the local Solomon Islanders, who were forced to reconcile in an environment and within a conceptual framework they did not feel comfortable with. This, again, is also a case where the line between the liberal and hybrid peacebuilding blur.

In essence, these scholars have manifested the by default unpredictability and unreliability of a hybrid peacebuilding operations to the extent that it renders them completely obsolete. Their arguments, as they stand, do not leave much room for an improvement, a reply, or correction against such fundamentally oriented criticism. When it comes to their suggestions for the future applications, moreover, they fail to provide the necessary alterations to avoid the pitfalls they point out. While Millar’s work is simply an observation piece and he is not interested in

presenting a systematized answer, Wallis, Jeffery, and Kent conclude their arguments by stating that “it is incumbent on scholars of hybridity to turn from formulating prescriptive models of hybridity to providing more detailed, nuanced and sensitive accounts” (2016, p. 174), thereby avoiding to offer an alternative solution.

Thus, an inspection of the state of hybrid peacebuilding literature elucidates a state of theoretical deadlock. At this point, the inefficiencies of the liberal peacebuilding efforts are widely known and accepted. Consequently, the local turn and the subsequent movement of hybrid peacebuilding are popular concepts within the literature. These, as explained above, have respectively addressed the shortcomings of liberal peacebuilding and in their stead, come up with their own methods that underlined the active involvement of local elements. Indeed, the aspect of increased local agency and the aiming of local legitimacy have been reflected on the field with increasing numbers of hybridization examples to be showcased, examined, and evaluated. However, hybridization seems to have failed to generate a comprehensive framework to which multiple operations with varying scales and settings could be based on. The narrative around hybridization is quite clear on what would be the advantages of the adoption of a hybrid order, and as elaborated above, there has been attempts to present systematic explanations as to how such an order may materialize and how the relation between the local and international may be categorized. Nonetheless, on top of the perceived problems with the implementation of hybridization, there is still no overarching and institutionalized conceptualization for hybridization that may serve as a global blueprint for organizations such as the United Nations and other national and international parties. The collection of hybrid peacebuilding operations consists of interventions which are of individually separate designs, dependent on the respective local traditions of their host countries, built from the ground-up in every single case aside from few obvious influences such as South Africa. Even if there was a blueprint, however, there is still the issue of unpredictability, ultimately cornering hybrid peacebuilding to a place where it can offer no more than numerically crowded yet

disjointed, case-dependent operations without the possibility of proper accumulation of experience and wisdom. In its present state, while the individual supplies within hybrid peacebuilding's toolkit is globally recognized, the kit as a unit itself fails to deliver a coherent, systematic solution upon which practical and theoretical enhancements can be placed with each relevant experience. Currently, no such undertaking seems to have caught the attention of the relevant scholarship or institutions.

7.4 The *Ubuntu* Option

The aim of this thesis is not to embark on such a massive enterprise as building a hybridization schematic that covers multiple aspects of the process and be applicable in multiple contexts at the same time. Yet, it recognizes the worth of providing a space for *ubuntu*-influenced methods to specifically play for its strengths within a theoretical and practical sphere of loose, disconnected ideas. *Lekgotla/inkundla* and the South African TRC, in this sense, are significant resources to express the value and purpose that may be brought to the table by the concept of *ubuntu*. The experiences of South Africa during the transition from apartheid and other similar experiences of other countries, as well as the implementations with a clear reference to the South African case, are all helpful contributors to carefully shape the methodology of *ubuntu* into its most beneficial and efficient version.

The cooperation between *ubuntu* as a pre-modern concept and the South African post-conflict experience is an element that set collectively them apart from other similar worldviews and experiences. With its emphasis on humanity, human relationships, forgiveness, and interdependency, *ubuntu* possesses the ancient wisdom of a practice that elevates a strong community. Its emphasis on active participation, consensus-seeking and the subsequent empowerment that comes from individuals' roles in re-establishing the peace are lessons that are still valid today (Issifu, 2015) and would hold value in modern peacebuilding efforts. Yet, it is the aspect of storytelling that was perhaps the most highlighted quality by the

TRC. The resurfacing of hidden, suppressed memories via incentivized truth-telling had a major impact on the re-construction and the understanding of South Africa's national history. While sharing the truth to the community had a role in the early *lekgotla/inkundla* gatherings, they had more of a personal effect, which in itself have immense healing potential in a contemporary setting as well, as exemplified by many witnesses in the TRC. Yet, by utilizing such a tool to contribute to its aim of nationally recognizing the heritage of apartheid, the TRC had illustrated the possible effectual amplification of a seemingly limited, ages-old practice when applied to the level of a nation. In this sense, the TRC complemented *ubuntu*, while simultaneously developing a better understanding of its use in a modern context. Consequently, the *ubuntu* concept and the South African TRC should be taken together as points in a linear historical continuum in an effort to export practices and ideas to be implemented in a hybridization initiative.

The underlying principle of this attempt at exporting certain methods and practices is to keep the endeavour limited and focused, as to continuously play to its strengths. As already mentioned, the goal here is not to conceive an overarching, multi-dimensional theoretical substructure to include every aspect of a hybrid peacebuilding project. Rather, in the apparent absence of such a grandiose undertaking, this paper should be conceived as merely a suggestion towards the right direction, covering a single aspect out of many in terms of a hybrid arrangement. As expected, that aspect is reconciliation and the reconstruction of the broken social relations in a post-conflict environment, and as established, *ubuntu* had proven its worth in achieving reconciliation time and again throughout its history. The South African experience alone is a testament to its immense potential. Following hundreds of years of systematic oppression and racial hierarchy that had actively dictated the private and public lives of people, along with their housing, their labour, their spouses and their basic human rights, the methodology of *ubuntu* have managed to convince people that dialogue, open communication and most difficultly, forgiveness, may emerge as the only options towards a peaceful future. Moreover, it should be noted that South Africa opened

a new page without a systematic international intervention, and the aspect of reconciliation was carried almost singlehandedly by *ubuntu*-influenced methodologies. In this sense, the coupling of *ubuntu* with the modern South African experience elevates both sides as collectively one of the most relevant reference points for peacebuilding.

Without a doubt, dialogue cannot be expected to carry the weight of peace by itself (Donais & Knorr, 2013), and reconciliation is an impossible destination without the support of other economic, political, and social mechanisms that may be carried out by either national or international actors. It should be reminded that one of the most cautionary setbacks in the immediate post-apartheid South Africa was the lack of visible, tangible improvement in economic conditions of many South Africans, and there had been individual cases where this aspect overshadowed the prospect of reconciliation. Even if the possibility of conflict in short-term is evaded, economic instability, for instance, would continuously pose a threat to the stability of peace in the coming years (Gusmão, 2003). However, *ubuntu* and its related set of methods definitely do not possess the tools to properly address such issues, and thus they must be utilized in terms of what they realistically offer. Reconciliation, in this regard, is a pragmatic and achievable goal through the use of *ubuntu*. With its limited mandate solely fixed on societal reconciliation, *ubuntu* may become a valuable asset for a particular compartment of hybrid peacebuilding that could also be replicated in multiple settings. Potential successes at the attempt for *ubuntu*'s reconciliation, on the other hand, would without a doubt constitute a crucial groundwork of reduced social tensions, upon which other efforts can build an extensive framework of nation-wide peacebuilding. As elaborated above, this pattern of role-sharing had already been emerged, seemingly in a natural way, in multiple contexts across the globe; the international actors deal with more state and institutional centric issues while the local is more concerned with repairing social relations. Considering the communal character of most indigenous practices, this does not constitute a surprise and as such, *ubuntu* may serve a similar function.

In more practical terms, inclusion of *ubuntu* within a hybrid arrangement would materialize through the reinterpreted organizing of *lekgotla/inkundla* forums, similar to their reimagining by the South African TRC. It would provide a platform for any willing individual to share their stories, perspectives, and support, thus signalling to all those who are involved that they are being listened to, and moreover, they are a part of the process. These gatherings, which by no means drastically differ from other similar indigenous institutions around the region and the world that are in use for similar purposes, would therefore offer the relevant assets that may prove useful for the attainment of a stable positive peace. Through dialogue, reciprocal understanding, and sharing of stories, these forums may create a safe environment for the individuals to finally recognize the perspectives of others, and thus finally offer a chance to recreate the tarnished bonds, provided that both sides are willing to do so. Consequently, the proceedings would set interpersonal reconciliation as their goal, more in line with the ‘thick’ and ‘bottom-up’ types of reconciliation as described by Nagy (2002) and van der Merwe (2001). This would ultimately deliver the greatest contribution by an *ubuntu*-influenced process to a legitimate peacebuilding effort, since tackling the critical issue of reconciliation is the strongest suit of the concept.

Here, it must be emphasized that the suggestion here is not to promote *ubuntu* as a concept and expect the peoples living in a post-conflict environment to accept it wholeheartedly. Indeed, there does not need to be a single mention of *ubuntu* during the proceedings since just the processes within the concept would prove sufficient. The aim here is to provide a solution to social devastation in times of need by offering a platform for the local population to express themselves and communicate with each other. Such experiences are essentially human for those who value them, and it is irrelevant from which worldview it descends from. This is particularly necessary to mention considering the values and norms are *ubuntu* are far from being uncommon (Murithi, 2007).

To further examine and elaborate upon the suggestion of connecting *ubuntu* to a hybridization procedure, the experiences on the field and the abovementioned

discussions are quite useful. In line with the goal prioritizing reconciliation, they provide the necessary scholarly and field-based feedback in order to fine tune the necessary limits and jurisdiction of the reconciliation process. Accordingly, the following sections will focus on different facets of the mechanism, and thus help clarify the overall structure of what a union of *ubuntu* with hybrid peacebuilding may offer.

7.4.1 Institutional and Procedural Structure

The institutional structure of a hybridized *ubuntu* system is one of the areas where there is no apparent reason to reinvent the wheel. In this sense, the South African TRC's organizational arrangement provides two committee structures that would support the public meetings with their prior endeavours. Accordingly, a body that assumes the role of the Human Rights Violations Committee would be the main organ to collect testimonies and hold hearings to eventually decide whether an amnesty decision should be given. Needless to say, the committee members would consist of community figures, NGO personnel and national academics, supported also by relevant international experts and scholars. Mirroring the example of South Africa, this committee would have the final decision on whether an application should constitute a gross violation of human rights. The second committee would be a replication of the Amnesty Committee. Once again following the footsteps of South Africa, this organ would primarily operate the 'politically motivated' filter for the amnesty applications. The committee would also work in coordination with the national and international security and intelligent forces to collect factual evidence to support or confute the claims presented by application holders. The third committee under the South African TRC, the Committee on Reparations, on the other hand, would not exist within the current structure. The reason behind this absence will be explained in the relevant fourth heading below.

When it comes to the actual procedures of a public hearing, the steps of the old *lekgotla/inkundla* would provide the blueprint to be followed. The 5-step procedure

had already been explained in the third chapter, and it performs as such (Murithi, 2009):

1. The testimony of perpetrator (and close ones) and admission of guilt
2. Showing of remorse by perpetrator
3. Perpetrator's plea for forgiveness
4. Determination of reparation
5. Communication between parties and reconciliation

This pattern would mostly repeat in a reinterpretation of *lekgotla/inkundla*. It would be a gathering of open participation, accessible to everyone who wish to witness the hearing. In every step of the way, the participants may request permission from the present committee members to express their opinions and direct questions to the relevant parties, which is also possible for members of committee themselves. It would be a safe, reliable environment, where the desire of the perpetrator to confess for personal healing must not only be respected but encouraged as well. The hopeful conclusion of reconciliation, moreover, would be welcomed as a moment of victory and hope for the future. The biggest difference in the process, on the other hand, would be the removal of the fourth stage. The removal of reparations from the equation will eliminate the necessity of the stage, which, as another reminder, will be touched upon in the relevant heading.

The role of the UN or other relevant international institutions, moreover, could be summarized as ensuring the visibility, security, and efficiency of the process as a whole. The basic use of the UN's financial resources on pamphlets, informative documents, final reports, invitations, graphs, charts, and other related physical and digital documents may prove crucially valuable in expanding the reach of the public hearings throughout the host country and increasing the visibility of the proceedings. Such visibility operations would spread the testimonies and stories that emerge during the hearings to a maximum number of citizens, transforming the capacity-deficient hearings into an event on the scale of a national experience. In a similar manner, and if necessary, the international support can provide technical assistance in terms of live airing of hearings on television and other mass

communication methods, audio-visual software/hardware materials and other necessary stationary equipment to ensure a smooth and easily accessible course of action. Moreover, other types of support may include providing transportation to relevant family members and other participants between their places of residence and the hearing when necessary, keeping the witnesses and closed ones constantly informed about the developments of the process, and offering professional psychological assistance in the aftermath of testimonies to the victim(s) and perpetrator(s), as well as to their family members. All in all, the UN's or other involved parties' primary responsibilities would be the foundation of an efficient platform upon which the local elements can take over and carry out their procedures. This, outside of their limited involvement with the main decision-making committee, ultimately delegates the international actors to a supporting role; offering important secondary assistance to close gaps, yet never taking the front stage.

7.4.2 Truth and Amnesty

The new process' relation with truth would adopt a multilateral approach to the concept. Since a major component of the hearings would be the unburdening of individual accounts and stories to the public, what constitutes the 'truth' cannot be limited to a single conceptualization. As Tutu (1999, p. 19) explains with respect to their own experiences in South Africa:

When it came to hearing evidence from victims, because we were not a criminal court, we established facts on the basis of a balance of probability... We allowed those who came to testify mainly to tell *their* stories in their own words [emphasis in original]. We did do all we could to corroborate these stories and we soon discovered that... there were in fact different orders of truth which did not necessarily mutually exclude one another.

Tutu of course refers here to the multiplicity of truths which would later be outlined in the TRC report where the legitimacy of social and personal truths is recognised alongside the evidence-based, factual truth. Truth, in this sense, is a tool towards

the attainment of reconciliation. This one of the aspects that carries the influence of classic *ubuntu* the most since the reciprocal sharing of stories and perspectives serve as the binding mould that offers a common future for all that are involved. Consequently, the process adheres to the following of “truth saying rather than searching for evidence, on dialogue rather than blame, on an apology-forgiveness rather than zero sum game” (Issifu, 2015, p. 68). Much like the international actors’ role in supporting public hearings, factual truth would take a step back to assume a secondary role compared to the truth shared by the witnesses. In a typical *ubuntu* fashion, truth telling followed by an apology and mutual understanding can finally present an invaluable chance for individuals who are hurting from past grievances, loss, and remorse to break free from the past. While it was established in South Africa that not all individuals who had suffered in the past would prefer such methods, it still nevertheless has much to offer to those who are willing to take a step towards a new direction. It should be acknowledged that this can be classified as a high risk-high reward strategy, especially with respect to more violent crimes. Yet, there is still much to be gained here in terms of reaching personal reconciliation between different sides. To avoid further repetition, it is sufficient to claim that the prioritizing of mutual truth-sharing may set in motion the benefits that are usually associated with *ubuntu*’s methodology.

While truth serves as a tool for reconciliation, it also can function as a goal in itself. Indeed, one of the most appealing aspects of the South African TRC was its ability of revealing hidden truths that would have never resurfaced under the menacing workload facing the traditional judicial processes. Uncovering the truth, therefore, may be an encouragement for the people to participate in the peacebuilding process. While this prospect is mostly applicable for the victims, perpetrators may also benefit from the truth by contributing to the emergence of it. Amnesty, consequently, forms an important part of this process. It is the main apparatus that supports the perpetrators’ decision to come forward with their historical accounts and thereby completing the missing links of a society’s memory. In this regard, South African TRC’s terms for a ‘politically motivated’ crime is quite sufficient

and would be applied here. As a reminder, it stated that an individual's struggle against the state or security forces as part of a political grouping or a liberation movement, or vice-versa, would classify as political motivation (Truth and Reconciliation Commission, 1998). Following suit, amnesty would be an option to everyone who were deemed to having satisfied these conditions.

7.4.3 The Issue of Justice

The moment sensitive concepts such as 'amnesty' is brought up, concerns regarding the delivery of justice should be expected. As highlighted during the discussion of how the TRC was publicly received in South Africa, offering amnesty to individuals who had committed violent crimes can directly contradict many people's understandings of justice and may become too much of a price to pay no matter what the offered goal might be. This is an important issue considering that public hearings are essentially transitional justice mechanisms, and *ubuntu* itself is a point of reference through which past injustices are faced. Together, they offer a particular brand of justice.

It must openly be addressed that *ubuntu* and the related public hearings cannot offer the type of justice that involves retribution and due punishment without losing the restorative essence that defines them. Therefore, it will be quite impossible to appeal to such individuals that expect such final decisions. Yet, this does not diminish the value of *ubuntu*'s methods. In this respect, there are two aspects that ultimately prescribes *ubuntu*'s role within a hybridization context. First, public hearings and traditional trials do not mutually exclude each other. On the contrary, the co-existence of retributive and restorative justice mechanisms can complement each other in a manner that strengthens the overall judicial process of a hybrid peacebuilding initiative, mainly due to the duality of perspectives serving towards the same goal. Second, it must not be overlooked how impactful the consequences of publicly owning the past wrongdoings can be. As discussed in the fifth chapter, providing details of committed crimes ought to have social repercussions in some capacity on any given individuals' lives which are simply less direct than physical

imprisonment. The prospect of amnesty, therefore, is an incentive to not resort to instinctual rejection of accountability. The end result is a ‘punishment’ in a strictly *ubuntu* way, not given as an end in itself, yet still emerges more akin to a side-effect in respect to one’s actions in the past.

Considering these two aspects, a possible arrangement presents itself, mirroring the distribution of roles in the greater planning of hybridization. By adjoining public hearings alongside the traditional retributive justice system, it is possible to emphasize the strengths of *ubuntu*’s tactics once again. To be more specific, the mechanism of public hearings would be limited to perpetrators with lower ranks, foot soldiers, offenders that lacked decision-making power and who had direct contact with the citizens during the conflict. Military generals, high-rank politicians, and figures with significant political, economic, and military will, on the other hand, would be subjected to traditional processes of trials which may require for them to answer to a national court of law or to temporary international tribunals. This division would enable traditional mechanisms to focus on the complex cases of more visible and influent individuals. Moreover, if these individuals were to be penalized with respect to retributive set of laws and norms, the punishment of these minority of individuals who were the primary decision-makers behind the conflicts would appeal to the demands of traditional, direct, and visible justice. Public hearings, on the other hand, would pursue its journey for reconciliation with low-rank perpetrators who were actually part of the society and did not belong to an exclusive cadre of political and military elites. Their reinstatement back to the society, therefore, would actually assist in restoring the broken relationships between members of a community since both parties were already a part of it. Consequently, the focus would be on people with similar backgrounds and lives who had ended up on the opposite side of the barricade for whatever reason. Such a context is where *ubuntu* shines the most, and where the act of forgiveness can be the most impactful. In short, the division of labour between the retributive, traditional courts of justice may co-exist with *ubuntu*’s

restorative public hearings in a dual structure that emphasizes the assets of both mechanisms and ease the burden of cases for both institutions (Tutu, 1999).

7.4.4. Reparations

The issue of reparations which had been by necessity referenced above constitutes another important aspect of the suggestion of this paper. To avoid cases of misconduct akin to the experiences in Solomon Islands and eliminate the corruptive influence of government or UN money out of the equation, reparations, which should be symbolic in nature at any rate, would not be included within the procedures of public hearings. Complications regarding which side would first receive their reparations, and the discouraging timetables for the completion of the process would also be removed. Consequently, this exclusion would also serve to reinforce reconciliation as the primary of the goal of the process, thus discouraging any individuals that might try to abuse the hearings for personal material gains and appealing only to ones who desire reconciliation for the 'right' reasons.

The impact of monetary assistance should not be downplayed, and its use as a reward can be as effective as the prospect of reconciliation for many people as an incentive to participate. Once again, South Africa can be cited as a concrete example. Troubles in accessing basic needs and devastation of national economy, after all, almost always define a post-conflict context in many cases. Yet, *ubuntu* and public hearings should never stray away from the goal of achieving reconciliation, and reparations are not necessarily a critical step towards such an aim. Financial assistance and economic development, therefore, should be handled by mechanisms and institutions with specific expertise to tackle these issues.

7.4.5. Transparency and Expectation Management

One of the most valuable feedback items from the South African TRC was the many individuals who thought they were let down by the process, and an important factor in play in this regard was the mismanagement of expectations. As a

reminder, many citizens were disappointed by various results with their involvement in the TRC process and expressed that the conclusion to their engagement had not met what they had thought would be the outcome for them (Byrne, 2004). For some, this was about the reparations, and for others, reconciliation was not sufficient by itself. To avoid such misunderstandings that can critically tarnish the execution and reputation of the process, the communication with the local population must be handled in a transparent manner to a maximum extent. Especially considering the lack of reparations and the absolute focus on reconciling, witnesses and other individuals who take place in the hearings must be informed with respect to the designated steps, the role and inclusion of perpetrators and what essentially is the underlying goal. Therefore, a clear communication strategy must be outlined by the national government and cooperating international actors.

7.4.6 Operating on a Voluntary-Basis

Another important component that should be taken in consideration at all times is the fact that participating in a nationally broadcasted, public event that includes detailed retelling of difficult experiences and facing with the individuals who inflicted for great pain on others' lives is not an easy task. On the contrary, it requires a tremendous amount of courage and will on the part of witnesses and survivors to confront such a challenge, and no amount of praise can guarantee a satisfying result for every involved individual. As such and in close cooperation with the visibility efforts, the desired outcomes of amnesty, public testimonies, and the political aspect of forgiveness should be made clear for the population to encourage participation, but the thin line should be observed to evade a perception of forced cooperation.

7.4.7 Diversity and Inclusion

As a final note and needless to say, *ubuntu*'s reconciliation efforts need to be compatible with the international norms of diversity, inclusion, and respect for each other on the basis of shared humanity. Many international organizations, not least of which are the United Nations and the African Union, have strongly affirmed their dedication to non-exclusionary, respectful, and diverse environments (United Nations, n.d.; African Union, n.d.). Acknowledging such sensitivities would therefore pave the way for an easier collaboration between the local and international actors in the field and would serve as an encouragement for organizations such as the UN to fund and support local activities. The philosophical undertones of *ubuntu* does not recognize a division between race, gender, age, religion, and other possible indicators of identity since collective and communal participation constitutes a major part of the concept's identity. Still, there may be cases where traditional societal roles, especially regarding the role of women in the society, present an instinct to limit the capacity of certain minority or disadvantaged groups and the necessity uphold core values of equality and diversity should never be disregarded. Indeed, the issue of gender is one of the most obvious societal elements in this regard that should be treated with utmost importance. Even though *ubuntu* itself is inclusive by default, it should also be noted that the Khoisan and Bantu societies were highly patriarchal, and it is not unlikely for peacebuilding operations to take place in societies with similar dynamics. Utilizing the personal nature of *ubuntu* proceedings that highlights personal experiences, something that cannot be achieved through local elites or representatives (Julian, de Guevara & Redhead, 2019), fostering consistent inclusion of women and gender issues would not only increase the representative and revealing capacity of the process, but also would set an example for the society following the operation's completion. This approach would implicate not only the most visible events of public hearings, but every step that precedes and follows them as well.

7.5 Limitations and Concluding Remarks

Notwithstanding the potential *ubuntu* and the surrounding practices hold, there are also crucial issues that may cause major setbacks for the process. To start with the public hearings part of the whole framework, objections and outright rejections may interrupt the hearings in every single step of the way. Naturally these problems echo the shortcomings of the *lekgotla/inkundla* gatherings mentioned in the second chapter. This, of course, results from the individual-focused approach of *ubuntu* and the great agency given to the people. Followingly, there will be cases in which the involved persons and community would not be affected by any type of encouragement and reject to proceed any further. Indeed, Murithi explains that some perpetrators and victims alike would incline to keep their pasts a secret, while rewarding perpetrators with forgiveness would prove quite difficult for some victims, completely halting the hearings in the process (2007). Unfortunately, it is an unrealistic goal to try to take precautions against such instances unless the process loses its touch with *ubuntu* and instead transforms into an official tool of moral oppression. However, as Murithi (2007) also highlights, “forgiveness, *when granted*, would generate such a goodwill that the people involved, and the society as a whole, could then move forward even from the most difficult situations [emphasis added]” (p.21). Murithi’s arguments therefore correspond to the ‘when it works, it works spectacularly’ line of thought that was underlined earlier in the paper. What also elevates the validity of this argument is that these public processes may also be a community’s only alternative to the judicial system of a state that would be suffering the effects of an internal conflict, or the international tribunals which would be complicated, distant, and significantly lengthy. It may be true that *ubuntu* and public hearings may not offer everyone what they are looking for after personal tragedies, but to ones who feel ready to be involved with the process, they may also contribute considerably to the achievement of personal and national reconciliation.

Approaching the topic from a more general point of view, it may be put forth that this suggested application of *ubuntu* is repeating the mistakes of liberal

peacebuilding in the sense it globally carries around the same toolbox to use in different contexts. Ultimately, *ubuntu* has, though not particularly unique, a very specific set of norms and values with its emphasis on forgiveness, dialogue, and confronting the past. Not everyone should be expected to accept them as is, and there will be incidents where they would thoroughly contravene the culture, values and norms within a given country. Indeed, there are cultures, such as of Mozambique, where “the notion of ‘speaking out’ is foreign” (Graybill, 2004, p. 1125) and “to talk and recall the past is not necessarily seen as a prelude to healing or diminishing pain” (Green & Honwana, 1999, p. 3). As can be seen, such a perspective cannot be further away from *ubuntu*’s search for empowerment through confrontation with the past. While there may also be minimal adjustments to the blueprint in some cases, in such contexts like Mozambique, public proceedings would lose their impact and applicability to an important extent. Nonetheless, it may also be possible to utilize other aspects of the proceedings, such as truth-finding, and finding out the truth may be deemed worthy of an amnesty. It must be yet again reminded that the alternative to this is either unbalanced recreations of local traditions by the national or international actors or relying entirely on long and tedious judicial mechanisms. And in circumstances where a stable peace is believed to be reached by ignoring the past, *ubuntu* has no part to play to begin with.

Lastly, it must be pointed out that the limited and focused structure of this paper’s suggestion may be regarded as playing extremely safe to the point of ineffectiveness. An adoption of the public hearings within a hybrid peacebuilding operation would still rely on the success of other parts of the cog to reach its maximum potential, and so it can be said that it is not a necessarily impactful mechanism on its own. This was certainly one of the main takeaways from the South African TRC, about which it was claimed that the “TRC has actually compromised justice” not introducing amnesty, forgiveness and refraining from retributive justice, but “by failing to improve the socio-economic realities of victims” (Shore, 2008, p.168). *Ubuntu* as a concept and *lekgotla/inkundla* are

indeed incapable of dealing with such complex issues. The development of a hybridization scheme which comprehensively covers extensive aspects of a peacebuilding operation is indeed a desirable advancement. Yet, as far as reconciliation is concerned, there is much to learn from *ubuntu*.



CHAPTER 8

CONCLUSION

This study aimed to explore and analyse the potential of the southern African concept of *ubuntu* with respect to its utilization in contemporary post-conflict peacebuilding efforts in a permanent and systematic manner. Followingly, this examination demanded multiple levels of discussion regarding different concepts, processes, and institutions. The central subject of the thesis, *ubuntu*, dates back to pre-colonial years of the relevant region and presents a human-centric perspective on conflict resolution that prioritizes reconciliation, forgiveness, community, and principle of facing the past. The issues detected within the proceedings and norms of the international peacebuilding efforts, on the other hand, are characterized in a way that renders the system completely isolated and distant from the actual recipients of such major undertakings, the citizens, and people of the country. The initial idea of co-existence of these two elements fuelled the main effort of this thesis. While the use of *ubuntu* in such a grand scale and the idea of perfect compatibility where one stands in the breach of another may at first seem like an acutely romantic venture, this research had claimed that in a time of a so-called crisis of international peacebuilding both in terms of theoretical development and on-field implementation, it is indeed possible to provide a room for influence to an unexpectedly great effect. Owing much to the examples set by South Africa and other states that went through similar stages, and the lessons learned during these attempts, the tenets, and institutions of *ubuntu* may indeed perform well under an institutional structure.

Accordingly, the second chapter portrayed a comprehensive picture of what *ubuntu* is and what does a society that embraces *ubuntu* entail, since the question of ‘What

is *ubuntu*?’ constituted the most urgent question of the thesis. It showed that the concept is very difficult to pinpoint with a traditional definition, and for the sake of simplicity, attempted to do just that. It later discussed the characteristics as well as critiques of *ubuntu* and *ubuntu* societies that hinted at the underlining qualities informing the conflict resolution processes, the influence of which would be carried in modern South Africa, and this thesis.

Such processes are discussed in detail in the third chapter. After providing details of the *ubuntu* societies in their earliest stage, the chapter lays out the formulaic process of *lekgotla/inkundla*. Notwithstanding the impact of these public forums, they were very simple in their organization. Essentially, it required the gathering of both sides of the initial conflict as well as of the members of the community they belong to, and encouraged them to forgive, embrace, and reconcile. While the potential shortcomings are quite apparent in the first glance, it nevertheless presented a powerful conflict resolution method when the parties involved are willing.

The fourth chapter traced the history of South Africa back to its early colonial years and documented the centuries-long accounts of oppression and struggle that preceded the current republic.

The fifth chapter, on the other hand, critically analyzed the first major adoption of the methods of reconciliation and forgiveness, performed by the new South African government. An invaluable experience and practice going forward, the ups and downs of this process and how the Truth and Reconciliation Commission approached some key concepts such as amnesty and forgiveness constituted an important reference point for the main argument of the thesis.

Moving the discussions away from *ubuntu* and South Africa, the sixth chapter dissected the international paradigm of post-conflict peacebuilding and attempts to determine the shortcomings that hinders its effective implementation. In essence, the chapter highlighted that the lack of acknowledgement of non-institutional and local dynamics by the part of international actors, out of the belief that installing a

Western mode of governance that resembles the ones of their own would prove sufficient to ensure sustainable peace, stands out as a major problem.

Finally, the seventh chapter laid out this research's main proposition within the framework of hybrid peacebuilding. Envisaging the co-existence of what typically are referred to as the 'local' and 'international', hybrid peacebuilding promotes the union of these two spheres of peacebuilding in order to reach a more comprehensive and reliable outcome. Yet, as the chapter observed, the literature of hybrid peacebuilding has not yet met on the same page on how to proceed with a more systematized approach. This is the point where the chapter ultimately presented the option of *ubuntu* as a part of a hybridized and institutionalized peacebuilding roadmap. It suggested a re-imagination of the *lekgotla/inkundla* process which would be conducted by the people of the host country to give a chance to ones who are willing to face the past, to reconcile, to uncover truths, and to tell stories for the whole nation to hear. Utilizing the mostly material support provided by more resourceful international organizations, the influence of *ubuntu* in international peacebuilding would recognize and value the human aspect of peacebuilding which may prove invaluable for the long-term success of the whole operation.

It must be noted again that the push for the inclusion of *ubuntu* in international operations was not presented as a cure for the problems of contemporary peacebuilding. Rather, it was suggestion to illuminate the way in the right direction. *Ubuntu* and its devotion to reconciliation fills up a hole to which little attention had been paid, and yet, it may have a significant impact to launch positive change.

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APPENDICES

A. TURKISH SUMMARY / TRKE ZET

Soğuk Savaş'ın sonu ve Sovyetler Birliği'nin yıkılışını takip eden dönemde, küresel ölçekte çatışmaların devletler arasında gerçekleşmesinden ziyade ulus devlet sınırları içerisinde yer alan çeşitli aktörler arasında ortaya çıktığı gözlemlenmeye başlamıştır. Uluslararası güvenlik bağlamında yeni bir sorun olarak gündeme gelen bu duruma karşı oluşturulan cevap ise uluslararası liberal barış inşası operasyonlarında hayat bulmuştur. Batı ülkelerinde yerleşmiş olan siyasi ve ekonomik yapılanmayı söz konusu çatışmaların yaşandığı ülkelere ithal etme fikri üzerine inşa edilen bu operasyonlar, bir norm olarak kabul edildiği yıllar sonunda farklı sebeplerden dolayı başarısız bir görüntü sergilemiştir. Bu çalışma, çatışma sonrası barış inşası süreçlerinde küresel olarak uygulanan süreçlerin söz konusu eksikliğini ana sorun olarak belirlemiştir. Bu süreçleri geliştirmek ve nihai hedef olarak sürdürülebilir barışı sağlamak adına referans alınan ana unsur ise *ubuntu* olarak bilinen, Afrika kıtasının güney bölgelerinde ortaya çıkmış bir değer sistemidir. Bu çalışma, *ubuntu* prensiplerinin ve *ubuntu*'yu benimseyen toplumlarda gelişen yargı mekanizmalarının, uluslararası çatışma sonrası barış inşası süreçlerine eklemlenebilmesi fikrini, böyle bir durumda sürdürülebilir barışın elde edilmesi kapsamında sürece katabileceği olası faydaları ve liberal barış inşası operasyonlarında gözlemlenen eksiklikleri gidermek üzere sunabileceği yeni normları incelemektedir.

Ubuntu, tartışmaya açık bir konsept olarak düşünülebilir. 'Barış', 'sürdürülebilir kalkınma', 'demokrasi' veya 'kültür' gibi kavramlara benzer bir şekilde, net ve herkes tarafından kabul edilmiş bir tanımı olmayan ancak belli başlı tanımlayıcı ifadeler ve konseptler ile tanımsal olarak genel çerçevesi çizilebilen bir olgudur.

Batı dillerine doğrudan tercümesi oldukça zor olan *ubuntu*'nun en sade ve basit haliyle çevirisi ise 'insan' veya 'insanlık' olarak gösterilebilir. Sömürge döneminden önce Güney Afrika bölgesine ait Bantu dil grubunda görülen *ubuntu*, bölge çapında günümüzde pek çok farklı ülkeye denk gelen coğrafyalarda farklı versiyonlarıyla kullanıldığı gibi, genel anlamda Sahra altı Afrika ülkelerinde de benzerleri üzerinden tespit edilebilmektedir. Günümüzde ise daha çok Bantu halklarının toprakları üzerine kurulu olan Güney Afrika Cumhuriyeti ile özdeşleşmiştir.

Temel olarak *ubuntu*, insanlığın ve insan olmanın özünü kapsamaya çalışan, insanı insan yapan temel faktörü tanımlayan bir Afrika felsefesi, dünya görüşü, ve bir değerler bütünüdür. Bu öz, *ubuntu* tarafından insanların diğer insanlarla kurduğu bağ üzerinden tanımlanmaktadır. Bir diğer deyişle, *ubuntu*'ya göre, bir insanı gerçekten bir insan yapan şey, diğer insanların yanında olması, onlara karşı aidiyet hissetmesi, onlarla bağ kurması ve hayatını paylaşmasıdır. İnsan hayatı ancak diğer insanlarla paylaşıldığı takdirde anlam kazanır ve insan, ancak bu şekilde tam anlamıyla bir insan olur. İnsanlar arasındaki bu özel bağ ise paylaşmak, sevgi, şefkat, empati, cömertlik, affetmek, uzlaşmak, sempati ve buna benzer erdemler üzerine kuruludur. Bu kavramlar temel anlamıyla *ubuntu*'nun genel çerçevesini çizmektedir.

Ubuntu her insanda bulunan ve doğuştan gelen bir özellik değildir; elde edilmesi, ona ulaşmak ve onu uygulamak için çaba gösterilmesi gerekmektedir. Bu sebeple bir insanın *ubuntu*'ya sahip olması, onu nitelendiren en önemli özelliklerden birisidir ve bu durum büyük bir iltifattır. *Ubuntu*'ya sahip olduğu söylenen bir kişinin cömert, anlayışlı ve karşıdakiyle hayatı paylaşmaya hazır olduğu anlaşılr. Bu paylaşım kapsamlıdır, *ubuntu*'yu benimseyen toplumlarda birinin sevinci herkesin sevinci, birinin üzüntüsü ise herkesin üzüntüsüdür. Bu bağ daha uç seviyelere de çekilebilmektedir: bir topluluk içinde diğer bir topluluğa karşı tek bir kişinin gerçekleştirdiği suç, suçlunun üyesi olduğu topluluğun tamamı tarafından benimsenir ve herkes kendisini suçlu olarak görür. Tersine bir durumda ise

kendilerinden yalnızca birine yapılan bir saldırı, topluluğun tamamı tarafından bizzat kendilerine yapılmışçasına acıyla karşılanır.

Ubuntu ve anlamı söz konusu olduğunda kavramla özdeşleşmiş bir maksim bulunmaktadır: *umuntu ngumuntu ngabanye abantu*. Bantu dilinden ‘bir insan, diğer insanlar üzerinden bir insandır’ olarak çevrilebilecek bu söz, *ubuntu*’nun insanlar arasındaki bağa verdiği önemi ortaya koyar. Zira *ubuntu*’ya göre tek başına hayatını sürdüren bir insan, asla tam anlamı ve kapasitesi ile bir insan olamayacaktır.

Literatürde *ubuntu*’ya dair bazı temel değerler sunulmuştur. Bunlardan biri toplumsal yaşamın insan hayatındaki merkeziliğidir. İnsan, her şeyden önce bir yere aittir, önem sırasında insanın kendi kişiselliği ve öznel kimliği bu aidiyetten sonra gelmektedir. Bu kapsamda bir topluluğa ait bütün insanlar, birbirleriyle iç içe geçmiş hayatlar sürerler. Toplumun iyiliği, kişisel istek ve ihtiyaçlardan her zaman daha üstün konumdadır. Diğer bir temel değer ise karşılıklı dayanışma ve bağımlılıktır. Bir önceki değere de bağlantılı olarak, *ubuntu*’yu benimseyen topluluklarda bir birim olarak bir araya gelen insanlar, karşılıklı bağlılık ile topluluklarına tekil bir varoluş kazandırılar. Bu bağlılık hem tekil olarak bir insanın diğer bir insanla arasında olan bağda, hem de bir insanın toplulukla olan bağında ortaya çıkmaktadır. Üçüncü ve son değer ise bu çalışma tarafından özel olarak sunulmuştur. Uzlaşma kavramıyla tanımlanabilecek bu değer, *ubuntu* gibi bir kavramın çatışma ve şiddetli uyuşmazlık anlarında ortaya koyduğu duruşu ifade eder. Zira insanların diğer insanlar üzerinden insanlıklarını kazandığı bir toplumda, üyelerin geri dönülemez bir şekilde uzaklaştırılması düşünülemez. Bu durum, geride kalan herkesin insanlıklarından da bir parçanın eksilmesi anlamına gelecektir. Dolayısıyla *ubuntu* her şartta uzlaşmayı hedeflemektedir ve bu uzlaşmanın sağlanması, bir çatışma kapsamında ilgili herkesin insanlıklarını koruması için büyük bir önem teşkil etmektedir. Buna bağlı olarak *ubuntu* intikam almak ve kin tutmak gibi reaksiyoner tepkileri reddetmekte, bunların yerine affetmenin ve uzlaşmanın altını çizmektedir. Sağlıklı ve barışçıl bir gelecek için en güvenilir yol olarak uzlaşma görülmektedir.

Günümüz Güney Afrika'sının gündelik hayatında pek çok alanda insanların karşısına çıkan *ubuntu*'nun, kendine has özellikleri çerçevesinde olumsuz olarak yorumlanan tarafları da bulunmaktadır. Bunlardan biri, *ubuntu*'nun kapsamının son derece geniş olması ve bir kavram olarak keskinliğini yitirmesidir. Pek çok şey ifade eden *ubuntu*'nun, bir noktadan sonra pek bir şey ifade etmediği savunulmaktadır. Ayrıca bu kadar geniş bir kapsamın bazı açılardan ise son derece dışlayıcı ve kısıtlayıcı olduğu ifade edilmiş, *ubuntu*'nun insan doğasını yalnızca daha olumlu olarak ele alınabilen tek bir tarafla açıklama çalıştığının altı çizilmiştir. Öte yandan *ubuntu*'nun toplumsal birlikteliğe verdiği önemin seviyesi eleştirilmiş, çok sıkı kurulan toplumsal bağların kolayca baskıcı ve kişisel kimliklere tahammül edilemeyen bir düzene yol açabileceği ifade edilmiştir.

Bu çalışmanın devamında, *ubuntu* toplumlarında yer alan çatışma sonrası süreçler ele alınmıştır. Avcılık ve toplayıcılıktan çıkışın dünyadaki diğer bölgelere nazaran daha geç yaşandığı, siyasi gücün kişisel servete bağlı olduğu ve ataerkil bir düzene sahip bu toplumlarda *lekgotla/inkundla* isimli bir mekanizma üzerinden işleyen bu süreç, bir topluluğun tamamının her adımda aktif olduğu bir uzlaşma çabasıdır. Suçlu ile kurbanın -hayattalar ise- kendileri ve ailelerinin üzerinden ilerleyen bu süreç, beş adımdan oluşmaktadır. İlk olarak kanıtlar ve şahitler üzerinden suçlu olarak görülen kişi, topluluk tarafından suçunu olduğu gibi itiraf etmesi ve olanları herkese anlatması için cesaretlendirilmektedir. Bir sonraki adımda suçlu kişi, pişmanlığını göstermesi ve af dilemesi yönünde teşvik edilmektedir. Daha sonra ise kurban ve ailesi, bu af çağrısına olumlu yanıt vermeleri için teşvik edilir. Sonraki adımda tamamen sembolik bir ceza/onarım bedeli belirlenir. Son adımda ise taraflar arası nihai bir uzlaşmaya varılması için iki taraf da cesaretlendirilir. Suçlu kişinin sorumluluk almasından sonra karşı taraftan affetmeye yönelik bir çağrıda bulunan *ubuntu*, böylece geçmişteki çatışmaların ancak uzlaşma ile geride bırakılabileceğinin ve ancak bu şekilde güvenli bir geleceğin sağlanabileceğinin altını çizmektedir. Bu süreç, apartheid yönetiminin çöküşünün hemen ertesinde Güney Afrika'da bir referans noktası olarak kullanılmıştır.

Ancak sözü edilen yıllara dair tartışmalardan önce bu çalışma, Güney Afrika'nın ırkçı ve baskıcı yönetimlerle dolu tarihini incelemektedir. 17. yüzyılın ortalarında Hollanda Doğu Hindistan Şirketi'nin Güney Afrika'da bir ikmal merkezi kurmak amacıyla karaya çıkmasıyla başlayan süreç, kısa bir süre içerisinde Avrupalılar ve yerel halk arasında cepheleşmeye yol açmıştır. Hollandalıların neredeyse yerleşir yerleşmez koloniyi genişletme çabasına başlamaları, iki taraf arasında sık sık silahlı mücadelelerin yaşanmasına sebep olmuş ancak yerel halkın ilkel silah ve teknolojisi, Hollandalıların üstün ateş gücüne karşılık verememiştir. Karaya çıkışlarından yaklaşık 30 yıl içinde, Avrupalılar, Güney Afrikalı yerel halkı kendi himayeleri altına almayı başarmıştır. Yerlilerden zorla aldıkları topraklarda üretime başlayan Avrupalılar, kölelerin de getirilmesiyle bölgedeki ekonomik kontrolü de kısa sürede ele geçirmiştir. İsmen köle olmayan ve kağıt üstünde özgürlüklerine sahip olan yerliler ise, Hollandalıların agresif genişleme politikası karşısında kendilerinden alınan topraklarda son derece ucuza çalışmak zorunda kalmışlar ve pratikte kölelerden daha iyi şartlara erişmekte zorlanmışlardır. Bu sırada, günümüzdeki Afrikan halkının ataları olan bazı Hollandalı göçmenlerin merkezdeki Şirket'ten uzaklaşarak kendi tarım arazilerine yerleşmesiyle yeni bir sınıf ortaya çıkmış ve Güney Afrika'da oldukça karmaşık ve dinamik birçok sınıflı sosyal düzen ortaya çıkmıştır. Bu düzenin ana unsuru ise bütün toprakları ve zenginliği ucuz yerli iş gücünün sömürüsüyle elinde tutan beyazların siyahlara karşı benimsediği ırksal üstünlük doktrininin.

İngilizlerin 18. yüzyılın sonlarında bölgeye çıkışıyla, Güney Afrika'da yeni bir sayfa açılmıştır. Yerli halkla coğrafi genişlemeler üzerinden çatışmaya devam eden İngilizler, köleliğin kaldırılması ve idari sistem üzerinde yapılan değişiklikler sebebiyle kendilerini işgalci yabancılar olarak gören Hollandalılar ile sürtüşmeler yaşamıştır. Gümüş ve altın rezervlerinin 1800'lerin sonunda keşfedilmesi ve devamında gelen güç çekişmeleri nedeniyle iyice gerginleşen ilişkiler, nihayetinde Güney Afrika Savaşı ile patlak vermiştir. İngilizlerin zaferiyle sonuçlanan savaştan sekiz yıl sonra ise, ülkede hala ezici çoğunluğu oluşturan yerli halkın sorunsuz bir şekilde sömürülmesini ve bu ucuz iş gücünün kontrol altında kalmasını sağlamak

üzere, İngilizler ve Hollandalılar arasında bir mantık ittifakı olan Güney Afrika Birliği 1910 yılında kurulmuştur.

Güney Afrika Birliği'nin ilk yıllarında ırksal ayırım politikaları net bir şekilde gözlemlenmektedir. Yerli halkın ülkede giriş yapabileceği alanlar, satın alabileceği araziler ve evlenebileceği kişiler kısıtlandırılıp kontrol altına alınmıştır. Yerlilerin sadece beyazlar için çalışacak bir ucuz iş gücü deposuna dönüştürülmesi amaçlanmıştır. Son derece olumsuz yaşam koşullarından bıkan yerli halkın giderek ciddileşen tehdidi karşısında Güney Afrika yönetimi, 1948'deki seçimler ile baskıcı ırksal hiyerarşinin tüm kapsamıyla bir devlet mekanizması haline geldiği apartheid politikasını yürürlüğe koymuştur.

Apartheid yönetimi altına Güney Afrika halkı, ait olduğu ırklara göre kategorilendirilmiştir. 'Yerli/Bantu' olarak kodlanan yerli halk, yanlarında her an parmak izi ve kimlik belgelerinin olduğu izin kitapçıkları taşımak zorunda kalmış, beyazların yaşadığı kentsel alanlara girişleri yasaklanmıştır. Otobüs, hastane, mezarlık, kafe, restoran, bank ve tuvalet gibi kamu hizmetleri beyazlara ve siyahlara göre ayrılmış, kamu hayatında da ırksal üstünlük öğeleri görünür hale getirilmiştir. Öte yandan siyahlar ve beyazlar arasında cinsel ilişki ve evlilik de yasaklanmıştır. İlgili eğitim düzenlemeleri ile apartheid doktrinine göre eğitim almaya başlayan yerli halktan Güney Afrika Birliği'nin tek beklentisi, sadece beyaz iş sahipleri yalnızca hayatta kalacak bir ücret karşılığında çalışmaları ve bütün bunlara boyun eğerek yaşamlarını insani olmayan şartlarda sürdürmeleridir. Bu düzene karşı pek çok kez grevler ve isyanlar üzerinden tepki gösterilmiş, ancak Güney Afrika hükümeti bunları kanlı bir şekilde bastırmıştır. Apartheid yılları süresince Güney Afrika'da düzinelerce kişinin polis tarafından öldürüldüğü birden fazla katliam bulunmaktadır.

Apartheid sisteminin çöküşü 1980'li yıllarda gerçekleşmiştir. Giderek endüstrileşen küresel piyasada Güney Afrika'da bariz sebeplerden dolayı nitelikli ve eğitilmiş iş gücünün eksikliği, katliam haberlerinin dünyada görünür olmasıyla artan uluslararası baskılar ve kesilen fonlar, ve ülke içinde giderek dozu artan kanlı çatışmaların neticesinde apartheid sisteminin sürdürülebilir olmadığı açık hale

gelmiştir. İki tarafın da birbirini silah zoruyla alt edemediği bu çıkmaz sonucunda taraflar zaruri bir ateşkes ilan etmiş, serbest seçimler ile yeni yönetimin seçileceği açıklanmıştır. Seçimler sonucunda yıllarca apartheid hükümetleri tarafından hapsedilen direniş lideri Nelson Mandela'nın ülkenin başına gelmesiyle beraber demokratik Güney Afrika Cumhuriyeti ilan edilmiştir.

Yüzyıllar süren baskıcı ırksal hiyerarşinin devamında gelen apartheid dönemi ve bunların ırkçı mirası göz önüne alındığında, 1990'lı yıllarda Güney Afrika oldukça hassas bir toplumsal dengeye sahip bulunmaktadır. Apartheid yıllarında işlenen suçlarla yüzleşmek ve hesaplaşmak için bir yöntem arayan Güney Afrika, genel af seçeneğinin yanında Ruanda usulü ceza mahkemelerinin kurulmasını da reddetmiştir. Bunların yerine, üçüncü bir yol olarak yorumlanan şartlı af ile uzlaşma yolunu seçen Güney Afrika'nın bu seçiminde, siyasi şartlar kadar, geçici anayasada da belirtildiği üzere *ubuntu*'nun da etkisi bulunmaktadır. Barışçıl bir geleceğe yalnızca geçmişle yüzleşerek ulaşılabileceği, sadece uzlaşma ile kötücül ve intikamcı duygulardan arınılabileceği ifade edilmiştir. Bu yaklaşım ise, tıpkı *ubuntu*'da olduğu gibi, suçluya ceza vermeyi hedefleyen geleneksel 'cezalandırıcı adalet'ten ziyade mağduru ve toplumsal iyileşmeyi önceleyen 'onarıcı adalet' çerçevesi altında ele alınmıştır. Buna göre, kurulan Hakikat ve Uzlaşma Komisyonu'nun (HUK) otoritesi altında, işlediği suçları siyasi sebeplerden ötürü işlediğini kanıtlayan faille af verilmiştir. Bunun yanı sıra HUK, apartheid altında zulüm gören herkesin başvurup hikayelerini anlatmalarını istemiş, öne çıkan kişiler arasından kimilerinden de yapılacak olan açık oturumlarda, tüm ulusun önünde faille karşı şahitlikte bulunmalarını rica etmiştir. *Lekgotla/inkundla* sürecinin yeniden yorumlanması olan bu oturumlarda pek çok apartheid kurbanı suçlularla yüz yüze gelmiş, geçmişte yaşanan olaylar tanıkların anlattığı doğrular üzerinden herkesin önünde kayda geçirilmiş, eğer fail gerekli şartı sağlıyor ise süreç, suçlunun affıyla son bulmuştur.

Güney Afrikalı siyahlar tarafından HUK süreci genel hatlarıyla olumlu karşılanmıştır. Şartlı affı adaletsiz ancak gerekli olarak gören Afrika kökenli insanlar, geçmişin tüm ayrıntılarıyla ortaya konması ve ulusal hafızanın yeniden

inşası konusunda Komisyon’u özellikle başarılı bulmuşlardır. Ancak süreçte bazı pürüzler de bulunmaktadır. Bazı mağdurlar açık oturumlarda faillerle yüzleşmek istememiş, kimi failler de geçmişini ortaya çıkarmaktan çekinmiştir. Bunun yanı sıra oturuma katılan kişilerden pek çoğu, affın faile hemen verildiğini ancak kendilerine söz verilen onarım bedellerinin verilmesinde pek çok sorun olduğunu belirtmiştir. Söz konusu onarım bedellerinin geç gelmesi, bazen de hiç gelmemesi, süreç hakkındaki en büyük sorunlardan birini teşkil etmiştir. Yüksek mevkili apartheid yetkililerin oturumlarda yer almaması da bahsi geçen konulardan biridir. Bunun yanı sıra mağdurların oturumdan ve genel Komisyon sürecinden beklentilerinin tutarsız ve kimi zaman gerçek dışı olduğu gözlemlenmiştir, bu da Komisyon’un sağlıklı ve doğru bilgi paylaşımı ile beklenti yönetimi konusunda başarısız olduğunu işaret etmektedir. Ancak nihayetinde, her ne kadar sorunlu olursa olsun, Komisyon’un çabaları Güney Afrika’nın kanlı bir döngüye tekrar dönmesini ve iç savaşa karışmasını engellemiştir.

Güney Afrika’nın tarihi ve apartheid sonrası uzlaşma sürecinin incelenmesinden sonra bu çalışma, uluslararası liberal barış inşası çalışmalarına odaklanmıştır. Ulus devletler içinde ortaya çıkan çatışmaların sonucunda, ülke içinde siyasi, ekonomik ve sosyal yapının yeniden yapılandırılmasını üstlenen bu müdahaleler, genel anlamıyla liberal Batı ülkelerinde işleyen demokratik ve kapitalist mekanizmaların söz konusu ülkelere dışarıdan kurulumunu hedeflemektedir. Bu mekanizmaların Batı’da işlediği gibi diğer ülkelerde de bu ideale uygun bir şekilde işleyeceği inancını benimseyen liberal barış inşası çalışmaları, sürdürülebilir barışın da Batı usulü işleyen kurumlar ve süreçler sonucunda elde edilebileceğini savunmaktadır. Yurt içi barışın temin edilmesinin yanında, Batılı ülkeler, liberal barış inşası yoluyla çatışmadan çıkan ülkeleri liberal kapitalist dünyaya eklemlene niyetini de taşımaktadır. ‘Liberal barış tezi’ olarak da anılan ve liberal devletlerin birbirleriyle savaşmalarının pek de mümkün olmadığı görüşünü savunan doktrini benimseyen liberal güçler, bu sayede hem barışçıl hem de küresel pazara uygun bir devlet yaratmayı hedeflemişlerdir. Bu çerçevede devletlerin kurumsal yapısı planlanmış, seçimler yapılmış, kurumlar oluşturulmuş, serbest pazar prensipleri uygulanmaya

başlanmış ve kısaca, dünyanın farklı yerlerinde tipik liberal, kapitalist ve demokratik devletler oluşturulmaya çalışılmıştır.

1990'lı yıllardan itibaren tam kapasite uygulanmaya başlayan bu liberal müdahaleler, istenen olumlu sonuçlara ulaşamamışlardır. Bu olumsuz karneyle birlikte literatürde liberal barış inşası operasyonlarına karşı pek çok eleştiri yükselmiştir. Bunlardan biri, operasyonların sadece Batı'nın perspektifini yansıtmaması ve belli bir kibirle sürdürülüyor olmasıdır; Batılı ülkeler kendileri için iyi sonuçlar veren sistemin üstünlüğüne olan koşulsuz inançlarıyla kısıtlı ve farklı ülkelerin şartlarını dikkate almayan bir yol izlemişlerdir. Bu operasyonların, diğer her şeyden öte, kurumsallaşmayı önlediği de yöneltelen eleştiriler arasındadır. Müdahale eden aktörler, önceliklerini yıkılan ve işlemeyen devlet kurumlarının yeniden inşasını ve gerekli yeni kurumların kurulmasına vermiş, ancak bu kurumların yerel şartlara ve topluma yerleşmesine, aktarılmasına ve uygunluğuna dair bir gözetimde bulunmamışlardır. Bunun sonucunda en kısa sürede inşa edilip ülkeye bırakılan bu kurumlar, yerel bağlamda yabancı, meşru olmaktan uzak ve suistimale açık bir takım beton binalardan ibaret kalmışlardır. Bu tepeden inme barış inşası süreçlerinin en büyük sorunu ise yerel aktör ve süreçlerden faydalanılmaması olmasıdır. Liberal demokrasinin süreçleri, kurumları ve değerlerinin kalıcı barışa ulaştıracağına duyulan güven sebebiyle uluslararası aktörler, yerel halkı, halkı temsil yetkisi ve otoritesi olan önemli figürleri ve yerel halkın alışkın olduğu değer ve süreçleri kendi planlarına dahil etmemiştir. Bunun yanı sıra liberal müdahalelerin yalnızca devletin kurumsal yapısına ve kurumsallaşmaya verdiği öncelik de dikkate alındığında, bu operasyonlar müdahale edilen ülkenin toplumsal ve sosyal dokusuna temas edememiş, engellenmeye çalışılan çatışmalara bizzat yol açabilen bu alanlarda iyileştirme için gerekli çaba sarf edilmemiştir. Ekonomik iyileşmenin gerçekleşmesi ve çatışma dönemlerine kıyasla işleyen bir devlet mekanizmasının oluşması durumunda bile toplumsal kutuplaşmanın ve sosyal gerilimlerin giderilmesi için gereken çalışmaların yapılmaması, elde edilen barışın kalıcılığını tehlikeye atan önemli bir eksikliklerdir.

Söz konusu bu eksiklik karşısında önerilen çözüm, hibrit barış inşası kavramı kapsamında hayat bulmuştur. Uluslararası aktörlerin öncelikleri ve düzenlemelerinin ağır bastığı liberal müdahalelerin yanında, yerel elementlerin de sürece dahil edildiği bu barış inşası çerçevesinde, uluslararası ve yerel olarak ifade edilebilecek iki farklı tarafın koordineli iş birliği hedeflenmektedir. Bu sayede yerel aktörlerin dışlanmasıyla ortaya çıkan eksiklikler giderilecek, daha kapsamlı ve yerel unsurların katılım sağlayıp sahiplenebileceği bir barış inşası süreci söz konusu olabilecektir. Uluslararası aktörlerin göz ardı ettikleri hususlara küresel anlamda dikkat çekilmesiyle beraber pratikte de uygulanmaya başlayan hibrit müdahalelerde, uluslararası ve yerel aktörler arasında doğal bir iş birliği dinamiği de ortaya çıkmış bulunmaktadır. Buna göre, devletin yapısının -yeniden- inşası ve ekonomik yapılanma gibi daha kurumsal unsurlar uluslararası aktörler tarafından gözetilirken, toplumsal ve bireysel iyileşme ile uzlaşma gibi süreçler de yerel aktörler tarafından yürütülmektedir.

Görünürdeki bu avantajlara rağmen hibrit barış inşası hakkında da literatürde bazı eleştiriler bulunmaktadır. Uluslararası ve yerel gibi iki farklı kategorinin benimsenmesinin kısıtlayıcı bir hata olduğu bunların arasındadır. Yerli süreçlerin yerel aktörlerle, liberal metotların ise yalnızca uluslararası aktörlerle bağdaştırılması kısıtlayıcı ve fazla basitleştirici bir çözüm sunmakta, sahada gerçekleşen olayların kompleks doğasına aykırı gelmektedir. Bunun yanı sıra dikkat çekilen bir başka konu ise, yerel-uluslararası dengesinde ilişkilerin her zaman simetrik olmayabileceği ve bu sebeple, özellikle yerel aktörlerin uluslararası aktörlerden edindiği küresel meşruiyet ile süreçte edindiği gücü suistimal edebilecekleridir.

Tüm bunların ötesinde ise hibrit barış inşasının pratik ve teorik anlamda bir tıkanma noktasında olduğu tespit edilmiştir. Bu kapsamda temel sorun, uluslararası aktörlerin iyi niyetlerinden ve yerel öğeleri kendi mekanizmaları içerisinde kurumsallaştırma çabalarından bağımsız olarak, hibrit eforların güvenilmez ve tahmin edilemez bir temele dayandığına dair yapılan tespittir. Bu tespite göre bir ülkedeki şartlar, değerler, fikirler, bağlamlar ve bakış açıları, uluslararası aktörler

tarafından asla tam anlamıyla kavranamayacak ve bu sebeple de onlar tarafından ortaya konacak olan çözümler asla güven verici bir noktaya erişemeyecektir. Dolayısıyla, her ne kadar yerel elementlerin dahlinin zorunluluğu hakkında fikir birliğine varılmışsa da, şu anki haliyle, hibrit barış inşası operasyonları bahsi geçen tahmin edilemezlik sebebiyle sistematik ve kurumsallaşmış bir müdahale planı çizememektedir.

Bu çalışmanın ana argümanı ve önerisi, bu noktada devreye girmektedir. *Ubuntu* süreçlerinin operasyon gerçekleştirilen ülkelerde büyük oranda sabit bir format üzerinden hayata geçirilmesi, hibrit eforların kalıcı barışa erişmek için yürüttüğü çalışmalara büyük katkı sağlayabilecektir. *Ubuntu* doktrinleri ve Güney Afrika deneyiminden edinilen tecrübelerin birleşmesiyle oluşturulacak bir yol haritası, sistematik ve *ubuntu*'nun güçlü yanlarına odaklanacak bir şekilde hibrit barış inşası çalışmalarında yer alabilecektir. *Ubuntu*'nun kurumsallaşması şeklinde de yorumlanabilecek bu süreçte ana unsur, müdahale edilen ülkelerde *lekgotla/inkundla* prosedürlerinin Güney Afrika örneğindeki gibi yeniden hayata geçirilmesi olacaktır. Uluslararası aktörlerin katkılarının sadece teknik ve profesyonel destekle (iletişim, yayın ve ulaşım ekipmanlarının temini ve kullanımı, tanıtım çalışmalarının gerçekleştirilmesi vb.) sınırlı kaldığı bu oturumlarda esas odak, geçmişte kalan süreçte zorluk çeken toplumun kendisi olacaktır. Bu sayede toplum kendi sorunlarını kendisiyle iletişime geçerek çözmek üzere bizzat harekete geçmiş olacaktır. Süreç, farklı bağlamlarda bazı adımlarda ufak değişikliklere açık olmakla birlikte, mağdur ve failin toplumun önünde yüz yüze gelmesi ve uzlaşma hedefine doğru birlikte harekete geçmesi ideale göre yürütülecektir. Güney Afrika'da uygulanan af kistası da aynı şekilde uygulanacaktır. Bu sayede, toplumlara, geçmişleri le yüzleşmeleri, gizli kalmış doğruları ortaya çıkarmaları, ulusal tarihi baştan yazmaları ve kişisel uzlaşmaya ulaşmaları için bir fırsat verilmiş olacaktır. Tüm bunların altında yatan esas gaye ise kalıcı barışın teminidir.

Söz konusu *ubuntu* çözümünde bazı sorunlar elbette mevcuttur. Örneğin, süreç oldukça kişisel olduğundan, mağdur veya faillerden biri veya hepsinin bazı adımlarda ilerlemeyi reddetmesi durumunda tüm süreç duracaktır. Ancak bu tarz

durumlar, Güney Afrika tecrübesindeki hatalardan da öğrenildiği üzere, son derece açık ve dürüst bir iletişimle üstesinden gelinebilecek örneklerdir. Oturumlara katılacak olan kişilerin, sürecin işleyişi ve nihai hedefleri hakkında yeterince bilgi sahibi olduğundan emin olunacaktır. Bu sayede, amacı sadece uzlaşma olan ve geçmişiyile yüzleşmeye hazır olan kişiler sürecin parçası olacaktır.

Bu çalışmada önerilen *ubuntu* yaklaşımı, oldukça kısıtlı bir kapsam sunmaktadır. Burada amaç, bir uluslararası barış inşası müdahalesinin tüm hatlarını kapsayacak bir sistem oluşturmak değil, bu müdahalelerin sadece spesifik ve şu ana kadar göz önünde bulunmayan bir alanında geçerli bir çözüm sunmaktır. *Ubuntu*'nun uzlaştırıcı gücü, bu açıdan bakıldığında, çatışma sonrası süreci yaşayan toplumlarda toplumsal ve kişisel yaraların bir nebze de olsa sarılıp, barışın daha sağlam temellere inşa edilmesi için önemli bir araç olarak görülmelidir.

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YAZARIN / AUTHOR

Soyadı / Surname : Aydın
Adı / Name : Ateş Furkan
Bölümü / Department : Uluslararası İlişkiler / International Relations

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