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Transitional Justice and Peacebuilding after Mass Violence

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Abstract

¹ Since the end of the Cold War, the international community has become increasingly involved in peacebuilding and transitional justice after mass

violence. This article uses lessons from practical experience and theories of peacebuilding and transitional justice to develop a model of transformative justice that supports sustainable peacebuilding. This model is holistic and transdisciplinary and proposes a focus on civil society participation in the design and implementation of transitional justice mechanisms. It requires us to rethink our focus on 'transition' as an interim process that links the past and the future, and to shift it to 'transformation,' which implies long-term, sustainable processes embedded in society and adoption of psychosocial, political and economic, as well as legal, perspectives on justice. It also involves identifying, understanding and including, where appropriate, the various cultural approaches to justice that coexist with the dominant western worldview and practice. A syncretic approach to reconciling restorative and retributive justice is proposed as a contribution to developing transformative justice and sustainable peacebuilding. The development of this transformative justice model is informed by field research conducted in Cambodia, Rwanda, East Timor and Sierra Leone on the views and experiences of conflict participants in relation to transitional justice and peacebuilding.

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