

RELIGIOUS LEADERS & TRANSITIONAL JUSTICE

IN BRIEF

A 2009 study found that **RELIGIOUS LEADERS** played a role in **8 OUT OF 10** highly impactful truth commissions.¹

As of 2021,
21 COUNTRIES
CRIMINALIZE
APOSTASY
– the renunciation
of a religion –
including
12 IN WHICH
THE CRIME IS
PUNISHABLE
BY DEATH.²

In 2018, the
Pew Research
Center reported
that **NATIONAL**
GOVERNMENTS
IN 29% OF 198
COUNTRIES
analyzed **DISPLAYED**
HOSTILITY,
involving physical
violence, **TOWARD**
MINORITY OR
RESTRICTED
RELIGIOUS GROUPS.³

In an analysis
of armed conflicts
in 2013,
RELIGION
PLAYED A ROLE
AS A MOTIVATING
FACTOR,
alongside others
drivers of conflict,
IN 60%
OF THE 35
conflicts studied.⁴



Religious leaders at a 2019 GIJTR workshop on violence prevention in Conakry.

INTRODUCTION

The inclusion of religious leaders in transitional justice processes can lead to more widespread acceptance and greater impact. Rather than assuming that religious leaders will act as figureheads, policymakers should consider the wide array of innovative roles that faith-based actors can play in supporting transitional justice goals, while recognizing the potential risks associated with their involvement.

1 "Religious Actors and Transitional Justice: On Legitimacy and Accountability," Voelkerrechtsblog, May 13, 2015. <https://voelkerrechtsblog.org/de/religious-actors-and-transitional-justice-on-legitimacy-and-accountability/>

2 Humanists International, The Freedom of Thought Report 2019: Key Countries Edition (2019) (<https://fot.humanists-international/download-the-report/>), p. 18.

3 Pew Research Center, "In 2018, Government Restrictions on Religion Reach Highest Level Globally in More Than a Decade," (2020) (https://www.pewforum.org/wp-content/uploads/sites/7/2020/11/PF_20.10.28_Restrictions11_appendixD-combined.pdf)

4 Institute for Economics and Peace, Five Key Questions Answered on the Link Between Religion and Peace (2015) (<https://www.economicsandpeace.org/wp-content/uploads/2015/06/Peace-and-Religion-Report.pdf>), p. 2.

SUMMARY

Although the involvement of religious leaders in transitional justice processes might initially seem at odds with the secularism of international human rights law, religious leaders have played a significant role in shaping transitional justice processes since the launch of the earliest truth commissions in Latin America through to the present day. From Archbishop Desmond Tutu in South Africa to Monseñor Gerardi in Guatemala, faith-based actors have been some of the most visible and effective leaders in calling for truth-telling, reparations and reconciliation in communities emerging from conflict and repression, even, as in Monseñor Gerardi's case, risking their own lives for their activism.

At the same time, differences in religion and belief systems have fueled tensions in divided societies, either as a root cause of conflict between groups or as an excuse to discriminate against minority populations and preserve structural economic and social inequalities. In these instances, while some religious leaders have resisted the calls of sectarianism and have fought for the human rights of all citizens, regardless of their religious beliefs, others have acted out of hatred, ignorance or self-interest, fanning the flames of resentment and leading calls for violence and persecution.¹ Engaging religious leaders in transitional justice processes is thus not without risks. While the prevalence of religious leaders at the head of truth commissions or in the background of symbolic acts of reparation like public apologies might suggest otherwise, involving religious leaders in transitional justice processes can further divide communities at a critical moment in their collective healing. If there is significant disagreement about the actions of religious leaders in relation to past atrocities or their potential to play a positive role in reshaping society moving forward, it may be best to limit their formal involvement in national transitional justice mechanisms.² The presence of religious leaders at the helm of transitional justice processes may deter survivors from already marginalized groups from coming forward, either due to their differing religious views or out of fear that they might be blamed for the violence they suffered, as in the case of survivors of conflict-related sexual violence, who often report facing stigma due to patriarchal religious and cultural beliefs in their communities.

In other circumstances, however, religious leaders can play a crucial role in helping to legitimize transitional justice processes in the eyes of local communities by raising awareness and giving meaning to international legal norms within the framework of local belief systems. As is often the case in transitional societies, when there is significant distrust in state institutions, religious leaders can fill an important gap, based on their moral authority and the long-standing trust they have earned in different communities.

KEY FINDINGS

As scholars such as Dr. Ioana Cismas have noted, the ability for religious leaders to assume positive roles during times of transition is directly linked to the actions of religious leaders during the period of conflict or repression and the role or absence of religion as a motivating factor in past violence.³ Policymakers must take these issues

THE GLOBAL INITIATIVE FOR JUSTICE, TRUTH AND RECONCILIATION

In 2014, the International Coalition of Sites of Conscience (ICSC) launched the Global Initiative for Justice, Truth and Reconciliation (GIJTR), a consortium of nine international organizations focused on offering holistic, integrative and multidisciplinary approaches to issues of truth, justice and reconciliation. GIJTR works primarily with local populations, civil society organizations, survivors and governments to develop transitional justice approaches that are victim-centered, collaborative, and support dignity, respect, inclusion, and transparency in societies emerging from conflict or periods of authoritarian rule. Since its founding, GIJTR has engaged with people from 72 countries, worked with 681 CSOs, and has conducted 323 community-driven projects and more than 5040 human rights violations initiatives.

For more information, please visit gijtr.org.



GIJTR

Global Initiative for Justice
Truth & Reconciliation

into account when deciding how and if to engage religious leaders in transitional justice processes. In societies in which religion has played a divisive role or religious leaders were closely tied to violent regimes, such as in Northern Ireland or Rwanda, the involvement of religious leaders may delegitimize truth-telling or accountability processes, particularly in the eyes of survivors who suffered from their prior actions. A survivor-centered approach requires that transitional justice processes be accessible. This, in certain contexts, may necessitate that religious leaders do not hold positions of authority within transitional justice mechanisms.

In other contexts, however, the trust and long-standing relationships that religious leaders have established within communities may be crucial to convincing survivors to come forward. Religious leaders can actively work to gain the buy-in and support of local communities for transitional justice processes. Indeed, in contexts such as Colombia and Guatemala, religious leaders have played a key role in human rights documentation and truth-seeking processes, due in part to the significant networks they have established over many decades of community-based outreach.⁴ The GIJTR's work in countries transitioning from conflict and authoritarian regimes has shown that transitional justice processes are most successful in contributing to long-term stability when they respond directly to the needs of local communities and engage marginalized groups in the design and implementation of transitional justice processes. In working with religious leaders, policymakers should think creatively and not limit their involvement to figureheads at formal, national-level trials and commissions. Policymakers should consider the strengths of religious leaders' existing positions within communities – whether as counselors, leaders of healing ceremonies, sources of support or mediators of conflict – and work with them to design roles that build upon these strengths at the local as well as national levels.

CASE STUDIES

ENGAGING GUINEAN RELIGIOUS LEADERS IN LOCAL VIOLENCE PREVENTION EFFORTS

In Guinea, GIJTR has been working with civil society organizations (CSOs) and victims' associations to advocate for a holistic national reconciliation process, while designing community-based truth, justice and violence prevention programs to address the pressing needs of survivors and marginalized groups. In June 2019, project partners organized a transitional justice capacity-building workshop with over 50 Muslim and Christian religious leaders from diverse backgrounds and geographic regions of the country. Alongside CSOs and victims' association representatives, religious leaders discussed key transitional justice concepts, the importance of engaging with past human rights violations to prevent future atrocities and the role that religious leaders could play in supporting this work. Members of the group spoke about the role that religious leaders have traditionally played as mediators of disputes within communities and stressed the importance of remaining neutral during elections and political contests – a real challenge, several noted, as political parties constitute a key source of funding for many religious groups in the country. Despite these hurdles, following the workshop, religious leaders



Religious leaders at a 2019 GIJTR workshop on violence prevention in Conakry.

worked with civil society actors and survivors to organize town hall dialogues throughout the country, aimed at bringing together community leaders, activists, women, youth, survivors and students to discuss the key violence prevention challenges facing their communities – from sexual and gender-based violence (SGBV) to confrontations with security forces during protests – and proposed solutions. Participants in these town hall dialogues have remained engaged in local truth-telling and violence prevention efforts following the town halls. As a diverse national coalition made up of leaders from different segments of society, they have actively used their influence to spread messages in favor of social cohesion in times of heightened tensions.

USING PSYCHOSPIRITUAL SUPPORT TO HEAL SURVIVORS OF CONFLICT-RELATED SEXUAL VIOLENCE IN COLOMBIA

While not religious actors in the traditional sense, members of the Colombian women’s organization and GIJTR partner Red Mariposas de Alas Nuevas Construyendo Futuro have designed innovative truth-telling and psychospiritual practices, rooted in the belief systems of indigenous and Black Colombians, to support the healing and reintegration of survivors of conflict-related sexual violence.

Through closed dialogue sessions and ceremonies involving the use of traditional plants and oils, these strategies have enabled survivors to share their experiences, feel that their pain has been recognized and form networks of support that they use to accompany each other in combatting the stigmatization of SGBV survivors, and seeking medical care and reparations. Their work provides an important example of a way in which non-traditional religious or spiritual leaders can support transitional justice goals.



La Red Mariposas alas Nuevas Construyendo Futuro offers a workshop on women’s rights in July 2021. Image credit: La Red Mariposas alas Nuevas Construyendo Futuro

RELIGIOUS LEADERS AS FIRST-RESPONDERS AND MENTAL HEALTH AND PSYCHOSOCIAL SUPPORT PRACTITIONERS IN SOUTH SUDAN

In South Sudan, GIJTR partners have found that religious leaders have provided crucial emotional support for other members of their communities in the immediate aftermath of experiences of forced displacement, when international organizations may not yet be present and there is a lack of mental health and psychosocial support (MHPSS) services available to survivors. Through MHPSS capacity-building workshops, GIJTR partners have provided training to South Sudanese faith groups in relation to the work they are already doing, supporting them to act as community-based MHPSS practitioners. Partners have found these collaborations to be sustainable and impactful, as the religious leaders are eager to increase their skills and dedicated to providing support services even in extremely challenging circumstances when funding may be scarce. Additionally, GIJTR partners

have worked with South Sudanese religious leaders to raise awareness among survivors of human rights violations about the importance of documentation and truth-telling within peacebuilding processes. These religious leaders have helped to convince survivors within their networks of the long-term value of participating in truth-telling activities and community dialogues aimed at fostering reconciliation, justice and accountability.

SEEKING LEADERSHIP OUTSIDE OF RELIGION IN TRANSITIONAL JUSTICE PROGRAMMING IN SRI LANKA

While the GIJTR's programming in Sri Lanka has engaged diverse actors such as journalists, civil society leaders, government officials, human rights lawyers and youth in truth-telling, atrocity prevention and reconciliation activities, religious leaders have not been a primary focus of these efforts. Sri Lankan religious leaders such as Father Nandana Manatunga have been instrumental in working with families of the disappeared to collect documentation and bring groups together across ethnic divides.⁵ However, due to the close link between religion and ethnicity in the country's decades-long ethnic conflict, this project offers an example of an instance in which key stakeholders in transitional justice initiatives chose not to engage religious leaders in certain activities, due to the likelihood that their involvement could delegitimize the project among specific communities and survivor groups. At the same time, the program has been successful in identifying community leaders from different backgrounds to participate in transitional justice programming and has resulted in the formation of the locally-led Truth and Reconciliation Forum, an ethnically and geographically diverse group of civil society leaders who are committed to working together to implement regional and national action plans focused on atrocity prevention, justice and reconciliation.

RECOMMENDATIONS

- Faith-based actors have played a significant role in transitional justice processes around the world across multiple decades. Rather than taking their leadership as a given, however, policymakers, international actors and civil society groups should strive to include religious leaders in transitional justice processes only after a realistic assessment of the potential risks, limitations and opportunities that accompany such a decision and an exploration of the multiple, innovative roles religious leaders might play in pursuing truth, justice and reconciliation.
- If religion plays an important role in a society transitioning from a period of conflict or repression—such as in Guinea, where roughly 93% of the population identifies as Muslim or Christian—religious leaders will possess a significant platform to potentially raise awareness about and promote transitional justice processes or stand in opposition against them.⁶ Policymakers and other key stakeholders must therefore consider how, to what extent and in what capacity to engage religious leaders in the design and implementation of transitional justice processes.
- In contexts in which religious differences have fueled conflict or religious leaders have actively colluded with violent regimes or armed groups that have committed human rights violations, the role and influence of

religious leaders in transitional justice mechanisms should be minimized, as their involvement could undermine the process and risk escalating tensions during an already fragile period. In these situations, while religious leaders should not hold significant influence within transitional justice processes, they can be called upon to testify or speak to their complicity as perpetrators or bystanders in the conflict.

- In other contexts, in which religious differences have not fueled conflict and religious leaders have retained communities' trust in the wake of widespread conflict or violence, religious leaders, through their standing as moral authorities in a community, can help to foster confidence in national level truth-telling and accountability processes while levels of distrust between citizens and state institutions remain high.
- Policymakers, civil society actors, and international organizations should think outside of the box in envisioning roles for religious leaders to play in transitional justice processes and in defining who constitutes a religious leader. While religious leaders can act as truth commissioners and lead remembrance ceremonies, they can also serve as facilitators of community dialogues, MHPSS practitioners, human rights documenters, and advocates alongside survivor groups.
- In addition to ordained heads of organized religious sects, leaders of faith-based women's groups and indigenous spiritual leaders, for example, can play important roles in ensuring that transitional justice processes reach and address the needs of rural, marginalized, and minority groups.
- The involvement of religious actors in transitional justice processes should be considered within a wider strategy to engage leaders from multiple sectors within civil society – including activists, students, women, survivors, artists and journalists. This will help to ensure that transitional justice processes remain accessible and inclusive of individuals from diverse backgrounds and belief systems.

FURTHER READING

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FOOTNOTES

- ¹ See, for example, Harriet Sherwood, "Pope Francis asks for Forgiveness for Church's Role in Rwanda Genocide," *The Guardian*, 20 March 2017, <https://www.theguardian.com/world/2017/mar/20/pope-francis-asks-for-forgiveness-for-churchs-role-in-rwanda-genocide>, and Isaac Chotiner, "Q&A: A Scholar of Extremism on How Religious Conflict Shapes Sri Lanka," *The New Yorker*, 22 April 2019, <https://www.newyorker.com/news/q-and-a/a-scholar-of-extremism-on-how-religious-conflict-and-terrorism-shapes-sri-lanka>.
- ² See, for example, Robert Steward, "Incorporating Cultural and Religious Practices into Transitional Justice: Lessons Related to Islam in Tunisia and Aceh, Indonesia," *Middle East Institute*, 16 August 2014. https://www.mei.edu/publications/incorporating-cultural-and-religious-practices-transitional-justice-lessons-related#_ftnref2.
- ³ Ioana Cismas, "Religious Actors and Transitional Justice," *Völkerrechtsblog*, 13 May 2015. <https://voelkerrechtsblog.org/religious-actors-and-transitional-justice-on-legitimacy-and-accountability/>.
- ⁴ See, for example, Sandra Milena Rios Oyola, "The Local Church's Defence of Human and Ethnic Rights in Chocó, Colombia," *International Journal of Latin American Religions* 1 (2017): 309–330. <https://doi.org/10.1007/s41603-017-0028-z>.
- ⁵ For more information on Father Nandana Manatunga's work, see <https://www.ashoka.org/en-us/fellow/nandana-manatunga>.
- ⁶ United States Department of State, Bureau of Democracy, Human Rights and Labor, Office of International Religious Freedom, "2018 Report on International Religious Freedom: Guinea." <https://www.state.gov/reports/2018-report-on-international-religious-freedom/guinea/>.



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