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Mis-selling transitional justice: The confused role of faith- based actors and Christianity in Solomon Islands' Truth and Reconciliation Commission

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In 2008, five years after the arrival of RAMSI (the Regional Assistance Mission to Solomon Islands), which ostensibly brought an end to the country's 'ethnic tensions', Solomon Islands established its Truth and Reconciliation Commission (TRC). The vocabulary and rhetoric of truth and reconciliation were first introduced in this post-conflict environment by faith-based organisation SICA (the Solomon Islands Christian Association) (TRC 2012, 9). The paradigm of transitional justice had been notably absent from the country's post-conflict discourse until this time, with previous peacebuilding work either having been informed by RAMSI's narrowly focused state-building agenda,¹ or taking the form of small-scale reconciliation projects spearheaded by *kastom*² and faith leaders.

1 RAMSI's work was informed by a three-'pillar' framework consisting of a focus on law and justice, economic governance and growth, and machinery of government. The machinery of government pillar focused on strengthening national accountability institutions, bolstering parliament and the electoral system and strengthening provincial systems of government. Some scholars claim that RAMSI's focus on policing and state-building came at the expense of delving into the underlying structural inequalities in the country that had led to the conflict in the first place (for more information, see Braithwaite et al. 2010).

2 The concept of *kastom* in Solomon Islands loosely corresponds to the concept of 'custom' or tradition, but is more nuanced, being closely tied to the country's complex colonial history. *Kastom*, as it

SICA proposed that a truth and reconciliation commission would provide a necessary opportunity for victims of the ethnic tensions to talk about their experiences, would assist in the fulfilment of the government's 'National Unity' agenda³ and would be accepted as a morally legitimate institution, both by the Solomon Islands people and by the international community. Influenced by international media attention surrounding South Africa's Truth and Reconciliation Commission, the organisation proposed that the theological overtones of the South African truth commission would resonate with the country's 96 per cent Christian population. In this small Pacific Island country, civil society is overwhelmingly composed of faith-based actors and as such it is difficult to extrapolate faith-based organisations (FBOs) from a hypothetical secular civil society base – even a number of the international NGOs with bases in the country operate from within a faith-based perspective.⁴ Solomon Islands' civil society, therefore, overwhelmingly grounds its understanding of morality and justice in biblical theology, and Christian subjectivities are integral to public understandings of both social justice and appropriate responses to injustice.

Being a transitional justice initiative, however, the TRC grounded its analysis of the violence that occurred during the ethnic tensions in the internationally normative, arguably secular,⁵ framework of international human rights law, and the related fields of international humanitarian and criminal law. Transitional justice evolved alongside the international human rights system as a means of enabling nations to come to terms with the aftermath of mass human rights violations, crimes against

is currently understood, connotes a way of life and set of values distinguishable from that of outsiders, and an ideology that governs one's interactions with each other, God, the land and the ancestral spirits.

3 The concepts of 'national unity' and reconciliation have been pertinent in Solomon Islands' politics since before the ethnic tensions. From 1993 to 1997, for example, Mamaloni led the Group for National Unity and Reconciliation (GNUR), forming the leading government political party from 1994 to 1997. Following the Townsville Peace Agreement (TPA) in 2000, the government established the Ministry of National Unity, Reconciliation and Peace (MNURP) to oversee implementation of the TPA.

4 For example, World Vision has a main office in Honiara and regional offices through the country. As this chapter will describe, Caritas has a notable presence in Solomon Islands, particularly with regards to providing training for trauma counsellors.

5 I say 'arguably secular', as many scholars (see, for example, Moyn's discussion in *Christianity and Human Rights*, 2015) have located the origins of the modern human rights discourse in Christian moral traditions. Therefore, whilst the discourse today stands as a secular one, its origins may be traced to Christian theology.

humanity and genocide (Robertson 2012; Hayner 2010; Teitel 2002).⁶ Although the international legal norms underpinning transitional justice were blended, seemingly successfully, with theological notions such as forgiveness and interpersonal reconciliation in post-apartheid South Africa (Tutu 2000; Shore 2008), from the outset of the Solomon Islands experience a disconnect was evident between the ideological framework through which the TRC would eventually operate (international, secular), and the framework through which the public expected the TRC to operate (local, faith-based). During my 16 months of doctoral fieldwork in Solomon Islands, I was consistently told that the TRC had failed ‘to touch the heart of the people’. I propose that this failure to strike a chord with the sentiment of the local population may in part be due to a gulf between people’s expectations of, and the realities of, the ideological underpinnings of the TRC’s work.

This chapter analyses the way faith-based civil society in Solomon Islands ‘sold’ the concept of a truth commission to the Solomon Islands public. It argues that an overemphasis on the role that Christianity and the church might play in a future commission’s work, and an underemphasis on the central role that the international human rights framework would play, was at least partially responsible for the groundswell in public support for the TRC’s establishment. I draw upon Sally Engle Merry’s concept of ‘vernacularisation’ to support this argument. The concept refers to the translation of transnational justice discourses into local settings, and the layering that occurs when the subjectivities associated with these discourses (for example, victims and perpetrators of human rights abuses) come into contact with local discourses and subjectivities. Merry writes that vernacularisation:

... requires ... changes in the form and presentation of human rights ideas and institutions. First, they need to be framed in images, symbols, narratives, and religious or secular language that resonate with the local community ... Second, they need to be tailored to the structural conditions of the place where they are deployed, including its economic, political, and kinship systems (Merry 2006, 220).

6 Most scholars agree that the original transitional justice project was the Nuremberg Trials of war criminals following the Holocaust that gave way to the creation of the Universal Declaration of Human Rights (UDHR) and the International Genocide Convention. Eventually, these paved the way for the International Bill of Rights (the UDHR alongside the International Covenant of Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR)) and the Rome Statute of the International Criminal Court (ICC).

Vernacularisation occurs along a continuum, with replication at one end and hybridisation at the other. With replication, '[t]he adaptation is superficial and primarily decorative' (Merry 2006, 220), whereas hybridisation occurs when there is a greater depth of assimilation between the various justice discourses that come together. This chapter asks the question: did the Solomon Islands TRC achieve hybridisation between human rights and local understandings of morality and justice rooted in Christianity and *kastom*, or was the human rights discourse merely 'superficial' and 'decorative'?

My analysis is based on the PhD fieldwork I conducted between 2012 and 2014, and my doctoral thesis that uses a post-colonial and post-conflict lens to scrutinise the success of the Solomon Islands TRC. My fieldwork consisted of ethnographic research spanning 16 months in Honiara (the largest city on Guadalcanal and also the nation's capital), Auki (the largest city on Malaita) and the Marau Sounds area on Guadalcanal's rural coastline. During this time, I conducted approximately 75 interviews and held countless informal conversations with people regarding the work of the TRC.

Faith-based advocacy for a truth and reconciliation commission

A transitional justice approach was absent from the peacebuilding agenda in Solomon Islands until SICA began to advocate for the establishment of a truth and reconciliation commission in the early 2000s – the same time that the South African Truth and Reconciliation Commission was wrapping up its analysis of the human rights abuses committed under 20 years of apartheid. Some scholars have asserted that previous attempts to achieve justice for crimes committed during the conflict – for example, the RAMSI-led tension trials⁷ – fell under the transitional justice umbrella (Jeffery 2017, 113–139). However, these prosecutions drew upon domestic criminal law only, making no mention of international human rights standards. Significantly, the tension trials involved no prosecutions

7 During the 'tension trials', hundreds of ex-combatants were arrested by RAMSI police to await trial on charges that included murder, arson, theft, extortion, corruption and embezzlement. Arrests and prosecutions were made in accordance with the Solomon Islands Penal Code. For example, 'big fish' Harold Keke, Ronnie Cawa and Francis Lela were charged with the murder of Fr Augustine Geve and sentenced to mandatory life imprisonment in accordance with section 202(a) of the Penal Code.

for rape – one of the most prevalent human rights violations committed during the conflict – demonstrating a lack of concern for prosecuting criminals as human rights offenders. As well as lacking a human rights focus, previous government-led initiatives overlooked the rehabilitation needs of victims, instead focusing on appeasing ex-combatants. For example, in 2000/2001 the Solomon Islands Government oversaw a large-scale compensation scheme with funds from a Taiwanese loan. Those who felt that had a legitimate claim to government compensation registered to be beneficiaries of the EXIM (Export-Import) loan with the Ministry for National Unity, Reconciliation and Peace (MNURP). Yet most of the successful applicants were ex-combatants rather than victims of abuse. The compensation process was widely perceived as corrupt – a commercialisation of traditional *kastom* compensation wherein financial gifts would only be token, preceded by acknowledgement of wrongs and reconciliation between parties (Braithwaite et al. 2010, 46).⁸

SICA proposed that victims of violence needed an opportunity to share their stories in order to heal and move on from their traumatic pasts. In an effort to garner support from other members of Solomon Islands' civil society, SICA was instrumental in forming the Civil Society Network – a collaboration of women's groups, church groups, trade unions, other non-governmental organisations and the Chamber of Commerce. In spite of SICA and the Civil Society Network's efforts, a succession of national governments overlooked their demands, and although attempts were made to garner support from foreign advisers during peacebuilding talks, the notion was dismissed on the grounds that 'you [Solomon Islands] don't have a Mandela' (interview with Matthew Wale, 5 July 2012).

Influential within SICA were a small group of progressive Christians with close connections to international civil society – for example, politician and women's rights campaigner Alice Pollard, and her husband Bob Pollard, the head of Transparency International Solomon Islands (TISI). Most of this small group were members of the Kukum Campus of the South Seas Evangelical Church in Honiara – a parish well known for its political activism and commitment to social justice. Although he himself asserts that TRC advocacy was very much a joint effort of this group,

⁸ After the Solomon Islands Government threatened to switch loyalties to China, Taiwan's EXIM (Export-Import) Bank agreed to a loan of US\$25 million, most of which made its way into the pockets of politicians and ex-combatants. Allan Kemakeza who was initially the Minister for National Unity, Reconciliation and Peace during this time, later prime minister, awarded himself US\$164,754 and was dismissed for embezzlement (Brady 2010, 166; Fraenkel in Dinnen and Firth 2008, 153).

most people I interviewed during my fieldwork insisted that the TRC was the brainchild of Matthew Wale – then director of the SICA Peace Office, now MP for the Aoke/Langalanga constituency and briefly deputy prime minister in 2015. Wale states that the Peace Office ‘tried to harness the *immense* amount of goodwill that rested with the churches, lots of social capital which was not being brought to bear on the conflict; well it was being brought to bear but in [an] anecdotal and a not very well organised fashion’ (interview, 5 July 2012). Wale, a half-Canadian, half-Solomon Islander politician, is an example of someone Merry might refer to as a ‘translator’. Brought up in Melanesia and educated overseas, he has one foot in the ‘local’ arena and one in the ‘global’, fluent in the justice vocabularies of both.⁹ In our interview, Wale’s rationale for proposing a TRC was overwhelmingly framed in terms of concern for human rights protections in the country. He told me:

[I]n my mind there were ... themes that were coming out very clearly. One is the general lack of respect for human rights, and understanding human rights ... two, what I really wanted to see was a standing human rights commission, a constitutional human rights commission (Interview, 5 July 2012).

In 2002, Wale visited South Africa to consult with the TRC’s principle legal counsel and its chair, the Archbishop Desmond Tutu. Tutu had famously woven overtly Christian theology and symbolism into the truth commission model, overlaying the international human rights norms integral to a transitional justice approach with Christian notions of confession, forgiveness and interpersonal reconciliation grounded in biblical teaching. Although the church had played a role in previous truth commissions (for example, the Catholic Church was a key advocate for Chile’s truth commission), it was the South African experience that truly brought Christian theology to the forefront of the TRC’s moral philosophy (Cronin 2017, 41). For Solomon Islands’ civil society, the South African commission appeared to be a ready-made hybrid, well suited to their pluralistic and strongly Christian society and promising to offer something to everybody.

9 This was evident in our initial conversation, which I later noted had tended to flow between the vernaculars of *kastom* and Christianity, and the international human rights lexicon.

Community-based advocacy

As government-level advocacy was falling on deaf ears, SICA turned their attention instead to gathering grassroots support for their cause. Between November 2002 and August 2003, the SICA Peace Committee travelled around the country to engage in community dialogue and gauge levels of public support for a truth and reconciliation commission. With assistance from an international non-government organisation, the International Center for Transitional Justice (ICTJ), SICA relied on its church networks to assist with awareness-raising, the recruitment of participants and setting up of focus group meetings. The whole effort was perceived by the public to be very much a faith-based initiative; as such, the proposed truth commission came to be seen as faith-based as well (interview with Joseph Foukona, former SICA Peace Office employee, 2013).

The outcome of the dialogue suggested that the public overwhelmingly favoured establishing a South African-style truth commission. However, my interviews with both SICA and TRC staff, and with community members, suggest that this groundswell of public support may have been due to a misrepresentation of the ideologies intrinsic to the TRC model. It seems that SICA staff marketed the idea of a truth commission to the Solomon Islands public by underplaying the role that the international legal framework (international human rights, criminal and humanitarian law) would play in the workings of a commission. They instead overemphasised the role that Christianity, theological understandings of and responses to suffering, and the church might play. For example, a 2002 pamphlet reads:

For SICA, the importance of truth, justice and reconciliation are central themes of scripture, drawing from the very nature of God ... Christians are being shaken awake to have concern for justice, by the evidence of frightening injustice in the world in which we live... social justice is at the heart of the gospel, for it reflects the heart of God (SICA pamphlet 2002).

I am in no way suggesting that there was a wilful misleading of the Solomon Islands public. Rather, at this early stage of advocacy, it was envisaged that a truth commission would function as an indigenous initiative in which both spiritual and *kastom* leaders would play central roles. This perspective persisted through the early days of the TRC's

implementation, with RAMSI adamantly stating that it would play no role in the truth-seeking process, leaving this to Solomon Islanders to both own and implement (Braithwaite et al. 2010, 81). It was envisioned that a truth-telling process in which both victims and perpetrators were able to tell their stories would lead to both interpersonal and interethnic reconciliation – ultimately contributing to the broader goal of achieving ‘national unity’. The concept of reconciliation has particular pertinence in Solomon Islands as it forms as an area of key conceptual overlap between *kastom* and Christianity (Allen et al. 2013). For Solomon Islands *kastom*, reconciliation practices have long been used to maintain social stability following conflict. With the Christianisation of the country, prayers and practices of public confession and forgiveness have been incorporated into *kastom* reconciliation ceremonies in addition to the traditional exchange of pigs, shell money and food. Today, these ceremonies are equally likely to be overseen by a priest as by a chief, and in many communities this may actually be the same person.

Once the TRC was eventually established in 2008, it had a mandate to ‘examin[e] the nature, antecedents, root causes, accountability or responsibility for and the extent of the impact on human rights violations or abuses which occurred between 1st January 1998 and 23rd July 2003’ and, vaguely, ‘engag[e] all stakeholders in the reconciliation process’ (Solomon Islands Truth and Reconciliation Act 2008, sections 5(b) and 5(a)). Over a period of five years (the TRC’s work was extended due to problems with funding and human resources, as well as the untimely passing away of Commissioner George Kejoa in 2011), the TRC conducted public and private hearings, took statements from victims and perpetrators of rights violations, investigated the location of graves and conducted exhumations, and compiled a Final Report that was handed to parliament in April 2012.

Mis-selling truth and reconciliation

The key problem with SICA’s representation of the balance of ideologies intrinsic to the transitional justice approach lies in the contested nature of using the human rights discourse as a means of framing violence and injustice in Solomon Islands. Unlike in many other countries, this discourse did not develop as a language of political resistance against an

oppressive state,¹⁰ but, rather, has been promoted post-independence by international and intergovernmental agencies such as the United Nations and international secular NGOs such as Oxfam and Save the Children.

Indeed, it is only really in the conflict and post-conflict years that the human rights vocabulary has begun to flourish. Instead, historically, *kastom* could be argued to have been the primary language of political resistance. Both Akin and Keesing have documented how anti-colonial movements such as Maasina Rule in Malaita and the Moro Movement in Southern Guadalcanal appropriated *kastom* as a political ideology to distinguish the values and norms of Solomons society from those of the colonial government (Akin 2013; Keesing 1982). Akin writes that the term *kastom*:

labelled a political ideology and actions founded on Malaitans' determination to pursue change on their own terms, according to their own sensibilities ... [*kastom* demarcated] a realm that the government was to leave fully to Malaitans and that furthermore would include almost everything. *Kastom* became a voracious category, encompassing all things over which Malaitans now claimed authority ... eventually including people's refusal of European rule ... (Akin 2013, 7).

Contemporary faith-based organisations tend to view their mandates as morally rather than politically motivated, and today *kastom* has taken a backseat to theological values in their work. Despite *kastom* having its own moral underpinnings (Stritecky 2002), Christianity is generally favoured as the higher authority with regards to questions of morality. In addition, the growth in faith-based civil society in Solomon Islands can be partially attributed to links with global church networks that provide support, ideological motivation for engaging in social justice work, and funding from international faith-based NGOs.

Having said this, in forming the Civil Society Network, SICA demonstrated its willingness to engage with more secular-minded CSOs and non-profit organisations in order to achieve its objectives – which were both moral *and* political in nature. Morgan Wairiu suggests that the formation of the Civil Society Network demonstrated the determination of civil society

10 Skinner, for example, has traced the development of the human rights movement in South Africa in resistance to apartheid. Human rights was a popular political resistance discourse at the time when South Africa established its Truth and Reconciliation Commission (Skinner 2010).

‘to bring about a new political order’ in the face of government inaction over the ethnic tensions (Wairiu 2006). My interview with Matthew Wale suggests a willingness on the part of faith-based organisations in Solomon Islands to adopt a human rights framework where it was expedient and convincing to do so. SICA, as ‘intermediaries’ or ‘translators’ of transnational justice discourses, ‘danced’¹¹ between justice lexicons depending on their advocacy audience, translating human rights ideas ‘down’, and translating customary and religious ideas ‘up’. As Merry states:

Translators negotiate the middle field of power and opportunity ... These people translate up and down. They reframe local grievances up by portraying them as human rights violations. They translate transnational ideas and practices down as ways of grappling with particular local problems. In other words, they remake transnational ideas in local terms. At the same time, they reinterpret local ideas and grievances in the language of national and international human rights (Merry 2006, 42).

Human rights activism – a limited trajectory

However, it is important to recognise the fact that in Solomon Islands, as in the broader Pacific Islands region more generally, the human rights discourse has developed along a very specific trajectory – a limited one, concerned on the one hand with the protection of perceived vulnerable groups (women, children and, more recently, people with disabilities), and on the other hand with the promotion of gender equality, and as such it has come to be seen as synonymous with these particular issues. Only a limited number of civil society organisations have adopted a rights-based approach to advocacy – primarily women’s and children’s rights organisations. This trend is also reflected in Solomon Islands’ international human rights treaty ratification. The country is a State Party to only four of the nine major international human rights treaties, including the United Nations Convention on the Rights of the Child (UNCRC) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

¹¹ The idea of ‘dancing’ between vernaculars depending on the audience you are presenting an idea to was given to me by an interview with a World Vision staff member in Honiara. She suggested that in advocating for human rights protections, different terminology was thrown back and forth between herself and her audience, like a dance, until eventually they found middle ground and a common understanding.

The tendency to conflate human rights with a limited notion of women's rights or children's rights, rather than understanding the discourse as a universal system of protection that applies equally to the whole population, means that for some people I interviewed during my fieldwork, particularly men in rural communities, approaching the topic was fraught with emotional sensitivities. The concept of human rights was described to me as dangerous and subversive: its association with individual agency, freedom of choice and the redistribution of power between men and women was seen to threaten family and community cohesion, and contribute to the dissolution of traditional authority. Although rights advocates insist that gender inequality was never intrinsic to Solomon Islands *kastom*; nevertheless, *kastom* is often invoked as a justification for women's subordination in the home and public life (Cox 2017). One interviewee told me that women's awareness of human rights was the reason for increasing levels of family violence, as men found it necessary to try to re-establish the gender hierarchy that was being destabilised (interview with anonymous ex-combatant, 2013). For many, this challenge to traditional authority was synonymous with the 'dark side' of human rights – children and young people were increasingly 'aware of their rights' and were challenging the traditionally unchallenged authority of their chiefs and elders. This new awareness of 'rights' and alternative ways of living was described as being made visible through the clothing young people chose to wear. Older Solomon Islanders in particular, when asked about their views on human rights, would often describe how young women were starting to wear shorts and trousers, or boys were wearing messy clothing. This change in dress and the emphasis it expressed on individual choice or an allegiance to an urban or external group, as opposed to prescribed traditional authority, was seen as a threat to the moral fabric of village life and disrespectful to *kastom*.¹² For some, human rights awareness and its individualistic mentality was perceived as anarchic, subversive and chaotic.

This anxiety over human rights may be linked to the rapid modernisation and urbanisation that the conflict has catalysed. As the country's young population has migrated from rural to urban centres in search of work, adventure and the camaraderie of friends, they have experienced greater

12 In rural areas of Solomon Islands, 'modern' or non-traditional clothing is associated with Honiara and Auki – urban centres where young people have greater exposure to foreigners and foreign influences such as rock and rap music. Band T-shirts, for example, have become increasingly popular – demonstrating allegiance with a particular music group or style of music, usually from overseas.

exposure to foreigners and new forms of knowledge through affordable and accessible communications, as well as access to ‘Western’ ideologies such as human rights. This is creating a crisis of authority, as young people increasingly use new information to challenge the traditional authority of their elders and chiefs (and women challenge the authority of men).

The degree to which the Solomon Islands Government has been willing to embrace campaigns that have focused on ending ‘family’ violence, while simultaneously resisting calls for increased gender equality in public institutions such as parliament, should also be noted. When human rights have been promoted in terms of their capacity to protect, they have been embraced; however, when rights have been promoted in terms of their capacity to empower, they have been resisted. According to an understanding of rights as protection, certain groups of people who are perceived as less able to defend themselves are offered protection from a benevolent state, partner or family, against something that can generally (or outwardly) be agreed upon as morally abhorrent – for example, rape or domestic violence.¹³ Alternatively, rights as empowerment is less easy to universally accept as this requires a redistribution of power (for example, from men to women, from adults to children) and an unsettling of the protector/protected dichotomy.

It is within this context that SICA attempted to sell the truth commission model to the Solomon Islands public. With the knowledge of how a human rights approach might ostracise many and discourage certain members of the community from taking part in a truth commission, the language of human rights violations was not a key part of SICA’s advocacy to the population at large. Just as SICA had carefully switched between justice discourses depending on their intended audience, so too did the TRC once it was established. A TRC researcher I interviewed told me that he could never use rights vocabulary collecting people’s statements because ‘human rights is a concept you talk about in English, it just wouldn’t make any sense to people if I tried to talk about it in my own language’ (interview with TRC researcher, 2014).

13 Although most people I have spoken to in Solomon Islands would never outwardly say that domestic violence is acceptable, research conducted in the 2007 Family Health and Safety Study suggests that both men and women believe that there are circumstances in which a man is justified in hitting his wife.

Amnesty – bridging human rights and theology

As human rights is also widely perceived as a legal justice discourse, its use might have discouraged people further, for fear that the truth-telling process would lead to arrests. When the TRC was officially launched in 2008, the shadow of RAMSI's tension trials, still ongoing at the time, meant that very few ex-combatants agreed to take part. The unwillingness of ex-combatants to engage with the TRC may also be related to the Solomon Islands' decision not to offer amnesty in exchange for testimony regarding politically motivated crimes. The promise of amnesties in South Africa's truth-telling process was at least partially responsible for its success in blending the legally based human rights approach with theological notions of confession and forgiveness. Like sinners confessing to a priest, perpetrators were offered legal absolution by the commission's lawyers if they were able to convince them that their crimes had been politically motivated. It was a true mix of judicial and theological approaches to establishing and absolving (criminal and personal) responsibility. This practice also succeeded in bringing both victims and perpetrators together in one, mediated, space allowing the commission to fulfil its mandate of promoting interpersonal reconciliation – an area in which the Solomon Islands TRC fell short.

Solomon Islands chose not to offer amnesty in exchange for testimony partially because of its previous, unsuccessful attempt to offer amnesty through the Amnesty Acts of 2000 and 2001. These laws legislated a key provision of the Townsville Peace Agreement (TPA) that specified two types of amnesty to be offered to ex-combatants. First, members of the two primary militia groups, the Isatabu Freedom Movement (IFM) and the Malaitan Eagle Force (MEF), would be given immunity from prosecution for stealing and possessing weapons if those weapons were surrendered. Second, a general amnesty offered immunity for all who took part in conflict-related crimes (including members of the Solomon Islands Police Force and Prison Service). When RAMSI took control of law and order in 2003, they paid little heed to these amnesty provisions in their arrests and prosecutions. According to Fraenkel, 'There are only two reported cases in which amnesty was granted by the courts *Nokia v Regina* (on appeal it was *Regina v Maga* and *Rv Lusibaea, Bartlett, Kili and Fioga*). There is no record of the latter in the High Court registry' (Fraenkel, Madraiwiwi and Okole 2014, 4).

Rather than specifically offering amnesty in exchange for testimony, the Truth and Reconciliation Commission Act contained a clause that guaranteed that no information provided through TRC testimony would be admissible as evidence in a court of law (Solomon Islands Truth and Reconciliation Commission Act 2008, Part VI, section 20(f)). The spirit of this provision was undermined, however, when RAMSI police arrested ex-combatants as they testified. Guthrey documents how RAMSI officers arrested a member of the Black Sharks militia group in Western Province as they were testifying to the TRC. This arrest undermined any attempts made by the Commission to convince ex-combatants of its independence from RAMSI, and of their of safety in sharing their stories (Guthrey 2015, 36).

The Forgiveness Bill

Many government leaders and ex-combatants were unhappy with the TRC's unwillingness to offer amnesty and, in 2009, Sam Iduri, then Minister for National Unity, Reconciliation and Peace, proposed a 'Forgiveness Bill'. With heavily theological overtones, the proposed Bill mimicked the amnesty provisions of the South African TRC, offering amnesty to ex-combatants including those who were already in prison. This Bill was a more overt example of selling a political product to the Solomon Islands people through appealing to Christian values. In July 2009, Iduri told the media that a Forgiveness Bill Steering Committee had been established and was in discussion with the churches before the conversation would be rolled out to the public through a national consultation (Jeffery 2017, 130). TRC commissioners strongly objected to the Bill, however, on both human rights and spiritual grounds, and the consultation fell flat before it started. On the one hand, commissioners felt that offering amnesty to people responsible for human rights abuses would not assist the reconciliation process, arguing that the idea would amount to 'some kind of process to remove the responsibility for crimes committed during conflict from former militants and perpetrators ... without conceding justice to the victims. Impunity is not helpful for reconciliation' (TRC 2012, 746). On the other hand, commissioners reasoned that forgiveness is a deeply personal process that must remain the 'sole prerogative and domain of the victims' (TRC 2012, 746). This prerogative should not be politicised or legislated for the benefit of ex-militia and should not become seen as a necessary prerequisite to

reconciliation and healing. Christianity, therefore, and the prerogative to forgive associated with a Christian subjectivity, was understood as having moral pre-eminence in the *personal* realm, whereas human rights was to take moral pre-eminence in the *political* realm. One (the political morality of human rights) could be legislated, the other (the personal morality of Christianity) could and should not be.

Ostracisation of faith-based organisations and the church

Despite initial attempts to replicate the theological tone of the South African Truth and Reconciliation Commission, church leaders eventually came to feel ostracised by the truth-seeking process. The public face of the commission, particularly at its inception, was Christian. For example, Archbishop Desmond Tutu was invited to Solomon Islands to oversee the TRC's inauguration. Following a grand opening ceremony in Honiara on 29 April 2009, Tutu told an interviewer that peace 'will happen here because God wants to give you the gift called peace and secondly prosperity, such a beautiful place, it looks like the Garden of Eden' (Tutu on Radio Australia 2009). Following in the footsteps of South Africa, the Chair of the Commission was a member of the clergy – Anglican priest Father Sam Ata. Public hearings were also regularly held at churches, and church staff assisted with the overall logistics of the hearings.

Partially, the feeling of ostracisation that eventuated was a result of administrative issues: the United Nations Development Program (UNDP) took on board the financial management of the TRC, and it came to be viewed as marred by UN bureaucracy, delays and mismanagement. There were disagreements between the MNURP and UNDP over ownership and management, including the extent to which the commission should remain free from government interference. This was complicated further by the fact that many of the TRC staff were seconded from government departments, in particular the MNURP, so it was difficult for secondees to know where their allegiances should lie. Among the internal politics, UNDP took control of the financial and logistical management of the commission, further neutralising any ideological influence that the church and civil society might have had. An anonymous interviewee told me that the TRC never really reached out to the church, which was unfortunate considering the influence of faith-based organisations in its establishment.

‘It was the TRC’s role, to really bring the church in’, the interviewee told me, ‘and they just never really did it effectively’ (anonymous interview, 2012). The ICTJ attempted to bring the church and the TRC together, holding workshops for church leaders in an effort to make them vehicles for awareness raising, but they were largely unsuccessful.

However, this ostracisation was also due to the fact that the TRC’s analysis of the violence experienced during the tensions was firmly grounded in international human rights, international humanitarian and international criminal justice norms: Christianity played no official role. For example, TRC staff collected statements from individuals based on a list of predetermined categories of rights violations grounded in definitions of crimes against humanity in the Rome Statute of the International Criminal Court. Despite having no legal ramifications (as the TRC had no judicial powers and Solomon Islands had not ratified the Rome Statute):

the concern was to have some internationally-recognized benchmark as a guide to assessing the violations of human rights and international humanitarian law which occurred during the armed conflict ... in present circumstances, it is being referred to as a reference point in which to contextualize the violations and criminal acts that were committed during the period (TRC 2012, 356).

One interviewee described the statement-taking process as ‘majorly problematic’, saying ‘there wasn’t a great opportunity for stream of thought responses, it was a questionnaire – were you sexually abused, yes or no ... it was highly problematic’ (anonymous interview, 2013). The TRC also failed to incorporate reconciliation in any immediate way into its work, as had been originally envisioned. Instead – truth seeking through statement taking, interviews and public hearings was portrayed as an essential prerequisite to the achievement of national unity – an elusive concept that might happen at a much later date.

Interestingly, following the unofficial release of the report by editor Terry Brown,¹⁴ Wale expressed disappointment that the TRC would be unlikely to lead to the establishment of a war crimes tribunal. As Solomon Islands is a signatory, but not yet a full State Party, to the Rome Statute, even if it were to ratify the Statute now (as per the TRC's recommendations), its provisions are not retrospectively applicable. The most that can be hoped for is that future membership of the ICC (and the threat of prosecution for war crimes and crimes against humanity this brings) might deter individuals from committing crimes against international law in the future. This demonstrates that international human rights and humanitarian standards were extremely important in SICA's expectations of the TRC's function – even if this was not articulated to the public during the initial public consultations.

Spiritual counselling in the TRC process

On an unofficial level, however, Christianity continued to play a subtle yet powerful role in the functioning of the TRC, and this was at the coalface of interaction between staff and the people who testified. Limited human resources in Solomon Islands mean that different sectors of society are relatively porous, and skilled individuals tend to move between civil society, state and intergovernmental sectors as opportunities present themselves. In the case of the TRC, Caritas-trained counsellors were commissioned to provide psychological support to victims and perpetrators the evening before they provided their testimonies. Psychological and psychiatric services in Solomon Islands are extremely limited and most trauma counselling in the post-conflict period has been conducted by the church. As such, counselling tends to have deeply spiritual overtones, and places great emphasis on interpersonal forgiveness and reconciliation.

Counsellors had a very limited amount of time with each person on the evening before they gave their testimony, and tried to utilise their time in the most efficient way possible. Most people who testified had never shared their story in public before, and were extremely nervous about

14 In 2014, the TRC Report's editor released the report unofficially via his email networks as a result of his frustration with parliament's refusal to release the report to the public. Despite clauses in the TRC Act that obligate parliament to make the report available to the public immediately after its receipt, parliament and the Prime Minister's Office have repeatedly refused to do so. Reasons cited for this refusal include the report's apparent 'sensitivity', its likelihood to incite further violence, and the cost burden that implementing the TRC's recommendations will put on the government.

what they would say once on stage before a group of TRC commissioners, an audience and a television camera. As such, counselling sessions tended to evolve into coaching sessions in which people were advised how their testimony should be structured and delivered. As a result, although each person's personal story remained unique, the formula of the testimonies was surprisingly homogenous. Individuals would thank God for the opportunity to speak and potentially reconcile with their enemies, then tell their story, before either seeking, or offering, forgiveness for the crimes that had been committed (interview with TRC counsellor, 2014).

As a result of this, two distinct narratives became apparent in the final TRC Report. On the one hand was a narrative that reflected the voices of those who testified – spiritual in tone and reflective of the Christian ideologies on which the idea of a truth commission was initially 'sold' to the Solomon Islands public. On the other, was an official narrative grounded in international legal norms that had seemingly little in common, ideologically, with the first.

Conclusion

Ultimately, neither of these two narratives, grounded in different justice discourses and their related subjectivities, 'touched the heart' of the Solomon Islands people. True resonance seemed to get swallowed in the institutional machinery of the TRC. The counselling process, for example, was described to me as impersonal and dehumanising – 'like a conveyor belt' – as counsellors had such little time with each individual. The spirit of people's individual stories became reduced to cold statistics in the quest for big data to scrutinise for patterns of predefined human rights violations. Merry and Coutin have described human rights reporting with the term 'technologies of truth' claiming that '[a]ssumptions about evidence, categorization, adjudication and measurement privilege certain forms of suffering over others, even as they omit phenomena that defy categorization' (Merry and Coutin 2014, 1). The technology of the TRC as an institutional truth-telling machine generated a particular kind of knowledge, targeted at an international audience fluent in the legal discourse of human rights protections.

To return to the question of vernacularisation, it is possible to argue that the Solomon Islands TRC achieved neither replication nor hybridisation of discourses, but fell somewhere in the middle. Neither the official human

rights discourse nor the unofficial theological discourse was ‘merely superficial’ – each having a level of meaning to a particular audience. However, no substantial attempt was made by TRC staff to address inconsistencies between, or amalgamate, the two discourses. Ultimately, they weave alongside each other, telling two different but interconnected stories throughout the TRC Report.

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