



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

(Transitional) Justice

Policy Workshop

30 November 2017

International Convention Centre, Council for Scientific and Industrial Research (CSIR), Pretoria

The global transitional justice project is coming to an end. Before ever really establishing itself as an academic field or as a viable intervention after mass violence, transitional justice is already being declared 'failed'. Scholars across the globe have identified the many ways in which the norms and values that characterise transitional justice are simply not translatable into the diverse and unique contexts of Timor Leste, Sierra Leone, the Balkans, Tunisia, northern Uganda and South Africa, to name a few.

What future, then, for justice on a continent such as ours, where mass violence, at times perpetrated by our own governments, cries out to be addressed? The discovery being made is that in the absence of transitional justice mechanisms, and formal state-based legal systems, justice is being practiced, and has been practiced, all the time. Informal (indigenous) justice systems across the continent have continued to function during periods of transition and meet people's justice needs.

Many African governments have attempted to integrate the formal and informal justice systems to differing degrees. The formal justice system largely operates in urban centres and within the context of the nation-state, whereas the informal justice system, which in most contexts receives relatively little state support, operates almost exclusively, in a context of state-absence, in the large rural areas, and even across borders, meeting the justice needs of the larger part of the majority of African people.

This workshop presents the findings from the CODESRIA-funded research project 'Justice during transitions', in which fieldwork was undertaken in five countries, Burundi, Mozambique, Zimbabwe, Namibia and South Africa. In our fieldwork we explored how justice needs are met in rural communities, what justice means in these contexts, what the values and norms that underpin justice practices are and how conflict is resolved across borders. Of specific interest is what the implications of our findings are for transitional justice policy and practice.

To RSVP for this workshop, email Chenai Matshaka at cgmatshaka@yahoo.com before 6 November.



GovInn
Centre for the Study of
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Programme

8:30: Registration and tea

9:00-10:30: **Panel 1: The end of the global transitional justice project, the beginning of what?**

Panelists:

Cori Wielenga, Research Fellow, Centre for the Study of Governance Innovation, Pretoria
Chris Nshimbi, Deputy Director, Centre for the Study of Governance Innovation, Pretoria
Anthony Bizos, Lecturer, Department of Political Sciences, University of Pretoria
Chenai Matshaka, PhD Candidate, Department of Political Sciences, University of Pretoria

Discussant: Said Abass Ahamed, Director, Thinking Africa, Paris

10:30-11:00: Tea

11:00-12:30: **Panel 2: Evidence from the ground: the cases of South Africa, Zimbabwe and Burundi**

Panelists:

Mike Batley, Director, Restorative Justice Centre, Pretoria
Ruth Murambadoro, PhD Candidate, Department of Political Sciences, University of Pretoria
Patrick Hajayandi, Senior Researcher, Institute for Justice and Reconciliation, Cape Town

Discussant: Tim Murithi, Justice and Peacebuilding Programme, Institute for Justice and Reconciliation, Cape Town

12:30-13:30: lunch

13:30-14:30: **The future of transitional justice**

Panel of provocateurs:

Wendy Lambourne, Department of Peace and Conflict Studies, University of Sydney
Sufiya Bray, Centre for the Study of Violence and Reconciliation, Cape Town
Everisto Benyera, Department of Political Science, UNISA, Pretoria
Tshepo Madlingozi, Department of Jurisprudence, University of Pretoria, and Chairperson of Khulumani Support Group

14:30-15:30: **Break away groups on the future of transitional justice**

Facilitators: Mike Batley and Anthony Bizos

15:30: **Synthesis and conclusions**

Cori Wielenga and Chris Nshimbi