Working Paper

Mapping the Horizon of Transformative Peace

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Abstract

This article explores what it means for peace to be transformative and discusses what it takes for a peace project and its institutions to enable transformative peace. To address these questions the article offers a theoretical and conceptual approach and draws on some examples from case studies, especially Colombia. The article deals with the resistance that transformative projects might face from the victims they are meant to benefit. It promotes an understanding of conflict and resistance as essentials dimensions to bring about positive transformations in violent contexts. In so doing, the author shows that the possibilities offered by normative-based frameworks to build transformative peace are curtailed by principles such as neutrality and impartiality of international law. These principles have resulted in institutional gender and race blindness that precludes the possibilities of a peace project being transformative. Thus, she offers a debate on two aspects that might condition or enable transformative forms of peace: the temporalities of peacebuilding and the inclusion of dissensus. Building on this the author proposes an understanding of transformative peace as an orientation that has on its horizon people's emancipation from structural oppressions. This understanding will allow peace institutions more realistic time-space scales and the opportunity to benefit from the difference and dissensus that the practice of peacemaking might have left aside.

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1 Introduction

> "I am here, and I have been here trying to tell our truth, and trying to get the people who did so much violence to us to tell the truth as well. I was kidnapped and during my captivity, I was tied up for a while. [...] I am here today for me, for my family [...] to say that we did not agree at any time with this peace process that was being undertaken.
>
> We, the victims of the department of Cesar and the Caribbean coast, many of us did not and do not agree with this peace process: how it was carried out, how it was settled. We wanted the responsible to go to jail. We did not want them to go to Congress, we wanted them to go to jail. [...]
>
> We disagree with how a special system of justice was built for them. Especially for them. I am here today precisely because, just as I do not believe in this justice and in all those things that were done, well I am here to say that it has to continue. Unfortunately, it must continue as it was intended. They cannot go back to arms. You can't take up arms again."

Excerpt from Roberto Lacouture's testimony at the Colombian Truth Commission (June 23, 2021).[1]

Transformative approaches are increasingly seen as a requirement to peacebuilding in deeply divided societies where cultural inequalities and structural oppression are the underlying causes of violence (Maddison 2015: 1015). Conflict transformation studies and feminist scholars have encouraged engagement with transformative approaches and depicted them as reflecting a recalibration of peacebuilding, as it is believed that through these approaches transitions out of violent conflict would be able to take into account the perspective of the affected communities and victims (Lambourne 2014; Manjoo 2017).

In what has been described as a "struggle against perpetrators rather than an effort on behalf of victims" (De Greiff 2006: 2), a focus on retributive justice in peace settlements seeks primarily to hold wrongdoers accountable, whereas on the opposite side, transformative approaches are seen as marking a turn towards peace processes shaped by victims and their needs. Moreover, going beyond the incorporation of restorative justice concerned with repairing the victims and their harmed communities (Clamp 2019; Saffon & Uprimny 2010), transformative approaches are advocated as providing a more holistic perspective which seeks to change structural inequalities and transform oppressive cultural practices with the purpose of preventing the recurrence of violence.

Despite these arguments, which account for why transformative approaches are urgently needed, an engagement with them might not guarantee for a peace agreement to gain wider societal acceptance. Transformative peace agreements can encounter citizens' resistance, and the transitional justice institutions they aim to create can suffer from a deficit of legitimacy. The quotation cited at the beginning of this article exemplifies this paradoxical and complex situation. This statement was made by a victim in 2021 during a session held at the Colombian Truth Commission and reflects how a peace agreement, that was defined as being transformative,[2] can be rejected even by the very victims who it was meant to benefit.

The paradoxes of transformative approaches to peacebuilding regarding their ability to live up to the ends they are designed to achieve are one of the key concerns that motivate this article. The first paradox that rises to the surface is people's rejection of a transformative agreement. Indeed, the specific project underpinning this article stems from the rejection in a democratic referendum of the peace agreement signed in 2016 between the Colombian Government and the guerrilla FARC (*Fuerzas Armadas Revolucionarias de Colombia*). It seeks to understand how peace institutions that implement an agreement deemed to be transformative can integrate into their actions individuals and groups who have engaged in resistance against it. By an act of resistance, I understand a "purposeful act intended (...) to work against, prevent or disrupt" a peacebuilding process or a peace agreement's implementation (Jones et al. 2013).

In literature on the liberal peace, resistance has typically been explained through the figure of peace spoilers. They are defined as powerful actors or elites who engage in actions to prevent or delay peacebuilding, on the grounds that the terms of the negotiation are likely to undermine their power over people, control over resources, or their legitimacy to hold privileges or rights (Newman & Richmond 2006). This figure, however, does not account for why non-elite actors or a large number of people in a society would contest a peace agreement or block its implementation. In the field of social psychology, Hameiri et al. (2019) refer to leaders who do not want to promote conflict resolution and use socialization channels, including control of mass media and censorship, in order to promote distorted and biased collective narratives. Tapping into the human need for social identification, leaders would pressure group members to adhere to "conflict-supporting narratives" and reject peaceful resolution of conflict (Hameiri et al. 2019). The identitarian closure that leaders foment would drive individuals to avoid exposure to alternative perspectives about their rivals and their own society. A priori, these two perspectives combined might explain how resistance to peace is built. However, they discard the actual possibility that well-informed victims may disagree and publicly contest the terms of a peace negotiation. In the initial quotation, for example, being against the peace agreement does not make Roberto Lacouture a person locked into a biased narrative, unable to encounter alternative information or to face its victimizers. Instead, by relying on either one or a combination of the above-mentioned perspectives, peace institutions tend to see resistance and contestation as something external to the content of the peace settlement. Conflict and difference, as well, are viewed as mere noise or uncivil positions that peace institutions should tame or suppress (Jones & Brudholm 2016).

This article avoids this trend, and rather than looking at those who contest transformative peace as a problem, shifts its orientation towards transformative peace and its content. I offer an exploration of what it means for peace to

1 https://www.youtube.com/watch?v=Uh3RlXwpKIs

2 Colectivo de Pensamiento y Acción Mujeres, Paz y Seguridad. Pacto Ético por un País en Paz. 2014. https://www.c-r.org/es/resource/el-pacto-%C3%A9tico-por-un-pa%C3%ADs-en-paz Accessed August 2021

be transformative and what it takes for a peace settlement and for peace institutions to enable transformative peace. Hence, this article makes two contributions. Firstly, it shows that the possibilities offered by normative-based frameworks to build transformative peace are curtailed, among others, by principles such as neutrality and impartiality of international law. The use of these principles has resulted in institutional gender and race blindness that precludes the possibilities of a peace project being transformative. Even though I discuss transformative peace, I do not propose here a formal definition that would apply across all violent contexts. Rather, I propose a debate on two aspects that might condition or enable transformative forms of peace: the temporalities of peacebuilding and the inclusion of dissensus.[3] Thus, secondly, this article prompts an understanding of transformative peace as an orientation that has on its horizon people's emancipation from structural oppressions. This understanding will allow peace institutions more realistic time-space scales and the opportunity to benefit from the difference and dissensus that the practice of peacemaking might have left aside. Whilst the focus of this article is theoretical and conceptual, its discussion is also illuminated by examples from case studies, especially Colombia.

In what follows, I first engage with literature on conflict and peacebuilding studies, and with feminist analysis of transformative reparations exploring what it entails for these fields, in theory and practice, to adopt the term transformative. This exploration shows a growing tendency in these fields to see conflict as an essential dimension to bring about positive transformations in violent contexts. However, a challenge to meet this ideal concerns the fact that accepting conflict as a means of opportunity implies a commitment to transform unequal ways in which power is exerted. To test the possibilities of transformative peace to be built upon normative-based approaches of peacebuilding, in the second section of the article, I draw on Christine Bell's work on *lex pacificatoria*. As will be seen, the temporal scope as well as the symbolic and spatial boundaries of normative-based approaches, especially International Humanitarian Law (IHL), are not yet suited to provide peace projects that enable transformative transitions. Thus, in the third section, I transpose feminist insights into the gender blindness of time-space dimensions in use in order to raise two questions: What would it look like for the temporality of peacebuilding to enhance the possibilities of transformative peace? And what does it imply for peacebuilding and its institutions to escape the tendencies to privilege consensus and rather seriously engage with antagonist voices and difference? I conclude the article by developing the notion of unruly narrative spaces of reconciliation where dissonant voices can speak out on what is needed for "the other," with his/her different subject positions, to co-exist in environments free of structural violence.

3 In using the term dissensus I draw on the work of Jacques Rancière, who describes dissensus as the conflict and disruption of the political universe that show a gap in who has the right to speak and what objects are to be included in the political. In Rancière's thinking, women and workers are typical examples of categories that have been denied a place in politics. In peacebuilding as in other political processes, women and their claims are illustrative of dissensus, since—as I discuss later in this article—they have been denied recognition as legitimate interlocutors and their experiences of violence are often seen as belonging to the domestic and private life. Thus "dissensus is not a confrontation between interests or opinions" but a gap in what has been erroneously considered as proper to the political (Rancière 2004: 244). The inclusion of dissensus in what Rancière calls "the distribution of the sensible" allows for the realignment/reconfiguration of the political spectrum integrating within it what has not been seen, who has not been audible or what has been considered as mere noise (2004: 240).

1.1 Transformative Peace and Conflict Transition

While transformative dimensions of peacebuilding have been examined, for instance by feminist analyses on reparation of victims and in scholarship on conflict transformation (Manjoo 2017; Durbach & Chappell 2014; Maddison 2016, 2015), the question of what transformative peace means and what it should include has been less explicitly addressed. By adopting the term transformation, scholars in conflict studies have sought to emphasise the notion of change occurring over time. Rather than containing or limiting violence, conflict transformation seeks to "change underlying structures, cultures and institutions that encourage and condition violent political and social conflict" (Bernarding & Austin 2019: 146). Although the notion of conflict transformation extends back to the 1990s, it currently conveys the premise that conflict is an inherent condition of human relationships (Bernarding & Austin 2019; Kriesberg 2011: 50, 67). Conflict, as Francis notes (2004), is likely to emerge insofar as the conditions and elements interwoven in a relationship change. Since change is almost unavoidable and oftentimes desirable, if we aim at transforming the status quo, "conflict is unavoidable as well" (Francis 2004: 4). Coupled with the inevitability and desirability of conflict is the consensus that conflict transformation implies an engagement with constructive means as a factor of change. The use of violence as a means to access power and bring about change in structural forms of oppression must be replaced by an engagement with politics across different levels of society (Francis 2000, 2004, 2011).

Unlike this common ground on its meaning, a variety of branches exist regarding the content of conflict transformation. One of the reasons for this multiplicity is found in the underlying premises of the conflict transformation approach regarding the synergetic dynamic between theory and practice. This approach evolves insofar as concepts and theories are put to test in a "reflective and critical exchange with practice" involving researchers and practitioners from different backgrounds and across many geographical settings (Dudouet & Schädel 2019: 140). However, such multiplicity of approaches also reflects the fact that for "some," conflict transformation is more a "guiding notion" than a comprehensive program (Bernarding & Austin 2019: 150).

Echoing the absence of a comprehensive theory, Kriesberg refers in his *State of the Art in Conflict Transformation* to 'mini-theories' that complement each other and examine elements enabling transitions or conflict de-escalation (2011: 53-54). Drawing on Kinberg's typology, the following overview allows us to gain a perspective on how scholars of conflict and peace studies have reflected on elements of conflict transformation. They are meant to enable a departure from violence towards an engagement with constructive means to change unequal relations of power.

1. Creation of political structures and other shared institutions which seek to provide former enemies with legitimate platforms of political participation, in which to deal with their grievances and manage their conflicts. These structures are of particular importance for adversaries whose grievances involve restricted or limited political participation and who want to have reassurance about their integration within political life in the aftermath of armed conflict.

2. Institutions and structures to enable the disarmament, demobilization and reintegration of ex-combatants, as well as means for the involvement and empowerment of civil society organizations. Underpinning civil society's inclusion is its potential to render peace sustainable, but equally important, both civil society involvement and DDR processes are related to democratic values such as shared power, enhanced inclusiveness, and gender equality.

3. Processes taking place through multilevel dynamics and among different adversaries, trying to involve all socio-political levels. Though initial steps towards conflict transformation may often be taken by politico-military elites involved in or related to direct conflict violence, multilevel approaches shift the focus towards actions and initiatives undertaken among grassroots organizations and communities at the local levels. Key among them are actors whose participation in elite-driven peace processes is often seen as politically irrelevant or almost facultative, such as diasporas, social movements, youth, men and women from less privileged backgrounds. One of the premises of this turn is that local people can become stakeholders of peacebuilding, not just because they have endured the consequences of violence, but because they might have already been agents themselves at the local level, implementing their own solutions to transform conflict (Bernarding & Austin 2019; Lambourne 2021; 2014; Maddison 2016). Related to this branch, participant research processes are used to look at and support the reincorporation of former combatants into their rural host communities. Building on the potential of art-based methodologies to help unearth "unsettling knowledge," these processes seek to provide participants from former antagonist groups with symbolic means through which to mend the social imaginary they have about each other (Arias et al. 2020a, 2020).

4. Reconciliation between former enemies. Although not always named as such, there has been "some sort of institutionalized process of reconciliation across different peace processes" (Maddison 2016: 45). Despite its widespread use, reconciliation is rather a contentious matter. Controversies can be broadly described as swinging between two poles. One of them is a concern on how reconciliation projects have overlooked victims' rights. Oftentimes, this is the case of projects waged in the name of national unity or underpinned by the need to create political and market-friendly institutions (Maddison 2015, 2016, 2017; Little 2014: 58). The other pole reflects the broad discussion about the tensions of the intertwined and mutually-dependent relations between justice and peace (Saffon & Uprimny 2010; Hughes & Kostovicova 2018). As Francis (2000) describes this tension, reconciliation represents both the "practical and moral dilemma" resulting from how to balance conflict transformation's interests in ending violence and the duty to prevent impunity and deal with past atrocities.

5. New ways of understanding reconciliation that put forward the futility of avoiding conflict. Illustrated in the works of Sara Maddison (2014) and Adrian Little (2014), this scholarship takes issue with the disciplinary rhetoric through which reconciliation has been prompted, for instance using pejorative terms to name those communities who experience protracted conflict. In their view, reconciliation processes should not imply for victims, and adversaries, to give up their struggles for recognition nor to renounce political forms of contestation. Instead, developing a culture of human rights in the aftermath of violence requires some forms of political reconciliation in which the "moral worth" of the adversary is recognized as well as their right to dissent (Maddison 2016: 97).

6. Feminist scholarship in peacebuilding and post-authoritarian transitions, which have brought into focus gendered categories such as political, personal and symbolic violence, sexual violence and gender-based violence, public and private spheres, domestic and international security (Cockburn & Enloe 2012). The malleability of these categories has oftentimes resulted in justice being deferred or denied in reconciliation processes. Certainly, the complex uses of sexual violence in sustaining the economies of war are better understood (see for instance Meger 2016). However, as I discuss later in this article, evidence shows a persistence of marginalization of its victims negatively impacting both women and men (Aoláin et al. 2018; You 2019: 20; Davies & True 2017; Kapur & Muddell 2016; Kapur 2018; O'Rourke 2013: 6).) While feminists have traced a shift from "reparative to transformative reparations," hybrid systems of justice have not yet managed to provide an adequate inclusion of sexual violence in their trial narratives, nor have they succeeded in developing effective and durable reparations.

The notion of transformation is maintained throughout these mini-theories. This is despite the fact that this categorization does not reflect a specific concern with identifying the overarching dimensions or conditions that some form of transformative peace settlement might include. In line with what the syntax of the term suggests, the object that conflict transformation aims at changing is the means by which societies deal with the ever-present condition of conflict. Because factors and actors that enable war and violence recurrence change over time and across different places, I believe it is not possible to define a full theory of transformative peace or the content of a transformative peace that would apply across different contexts. But one of the main lessons that a general understanding of transformative peace might draw from conflict transformation 'mini-theories' is the acknowledgement that rather than the elimination of conflict, any project of peace that claims to be transformative requires to build sustained spaces at multiple social and institutional levels where conflict can be played out through political means. As those mini-theories show, and in spite of the pitfalls of reconciliation projects,

transformative peace should strive for processes of reconciliation that allow the recognition of the political subjectivity of every member of the society. The term transformative, whose suffix "-ive" means "tending to," suggests that transformative peace is a project. Hence, it maintains the notion of a long-term endeavour that enables political means to transform the status quo of structural forms of oppression embedded at multiple scales through which power is expressed in violent forms. However, as it happens in conflict transformation, it is the synergies between peace practitioners, scholars and people from different societal and cultural backgrounds that can help identify the kind of structural oppressions that operate in a given context, and how they interact and reinforce each other through the structures of a society and its institutional context (Young 2011). But, following Francis (2011), in order to tackle structural oppression, societies should endeavour to transform the way in which power is exerted towards more collaborative forms of relationships in which power is shared. If the means of a transformative peace are those aimed at tackling oppression, a program of transformative peace should seek to enable societies in which to live emancipated from the yoke of oppressive power.

1.2 The Limits of Transformation in Formal Notions of Peace

The above discussion suggests that the content of transformative peace agreements is an avenue of conflict transformation and peacebuilding where analysis is yet to be done (Kriesberg 2011: 67). However, attempts to fill this gap would miss the point if they were turned into a matter of developing or adopting rigorous frameworks or tick-box methods (Francis 2011: 520). A strong argument that helps us to avoid this direction is advanced by Christine Bell in her work on the *lex pacificatoria* or the 'law of the peacemakers' (Bell 2012, 2014).

The status of the *lex pacificatoria* is that of a "developing" set of "programmatic standards" (Bell 2014: 183, 192), which evolves according to the developments of peacemaking practices and how these practices are informed by, and shape, international law (Bell 2014: 192). The *lex pacificatoria* is not a set of legal obligations or a regulatory program for peacemaking (2014: 193). Rather, the aim of a *lex pacificatoria* is to provide guidance to peacemakers on how to resolve the dilemmas involved in crafting and implementing a peace settlement (2014: 192). In her discussion, Bell takes issue with the project of *jus post bellum*, a third dimension that would complete the framework of the laws of war: *jus ad bellum* and *jus in bello* (2014: 194).

Bell's analysis provides arguments that counter both the desirability of *jus post bellum* as well as its actual viability. Her work is significant to the present discussion because it opens a window from which to identify some dimensions that would make a peace settlement transformative and the challenges with which it might be confronted. The underlying ambition of *jus post bellum* is to provide a legal regime that operates across different types of conflict and seeks "to regulate the management of post-conflict societies" (Bell 2014: 181). However, as Bell argues, one of the difficulties of building such a fully comprehensive and normative framework is related to the fact that peace agreements are informed not only by specific human rights laws which imply some forms of accountability, but also by various soft laws and legal instruments. Significant among them are instruments that specifically address one dimension of transition, such as gender, forced recruitment of children, protection of refugees, principles on impunity, and victims' rights. However, in view of such a wide spectrum, the lack of enforceability or weak legal status of these norms and their fluidity, it is, as Bell notes, "difficult to imagine how the developing soft law of these disparate areas could be woven into a coherent, unified formal legal regime capable of regulating all aspects of transition" (2014: 196; 2012: 53). The probability of achieving consensus on those areas and instruments when building a new regime that would apply to different transitional settings is very low. Unavoidable difficulties involve how to generate consensus on what the goals of post-conflict transition are, and how to find an articulation of accountability with some form of amnesty that applies across different transitional societies (Bell 2012: 52).[4]

For instance, the quotation at the beginning of this article exemplifies how accountability of perpetrators is a legitimate claim and need of some victims: "We wanted the responsible to go to jail. We did not want them to go to Congress, we wanted them to go to jail. [...] We disagree with how a special system of justice was built for them. Especially for them." Acknowledgment of crimes and prioritization of criminal proceedings are rights of victims that should not be overlooked in transformative approaches, even if the instruments in which those rights are addressed are soft laws such as "The Principles to Combat Impunity" (Manjoo 2017: 1200) or the 2007 "Nairobi Declaration on Women's and Girls' Right to a Remedy and Reparation."[4]

So-called victim-centered approaches based on hybrid systems that hold perpetrators to account and, simultaneously, seek to provide redress to the victims are emerging (Hamber & Lundy 2020). The system of transitional justice to which the victim refers in his testimony above is an example of this. In order to reach consensus among the parties in conflict and lead them to sign the agreement, peacemakers have to weave a tapestry incorporating some level of amnesty and demonstrating the ability of the transitional justice mechanisms to instil measures of accountability. While victims' expectations or their dissatisfaction can deter peacemakers from adopting these hybrid models, the testimony cited in the initial quotation gives a sense of the possibilities of a transitional hybrid system to achieve some level of legitimacy and successfully create spaces for dialogue over time.

Roberto Lacouture, the victim speaking here, clearly disagrees with the Colombian transitional justice system that was settled through the peace agreement signed in 2016. Nevertheless, he is taking part in public hearings held by the Truth Commission. As we can learn from this paragraph and through his testimony, Roberto recognizes the effectiveness of the peace process, in particular regarding the DDR process: "I am here to say that it has to continue. Unfortunately, it must continue as it was intended. They cannot go back to arms. You can't take up arms again." Moreover, other testimonies given by former FARC combatants who took part in the same hearing of the Truth

4 Orentlicher Diane. (2005). Promotion and Protection of Human Rights, Impunity. Report of the Independent Expert to Update the Set of Principles to Combat Impunity, UN Commission on Human Rights, E_CN.4_2005_102_Add.1-EN. Available at: https://digitallibrary.un.org/record/541829.

Commission refer to him and his personal investment in facilitating and funding activities for the integration of ex-FARC combatants in his own region.

Unlike the experience reflected in the quotation, the probability for a model of transition to unfold positively might be low if its design is regulated by a set of norms whose enforcement closes down the possibility of creatively developing the terms of case-based hybrid systems. Bell's notion of *lex pacificatoria* acknowledges that "a more flexible approach to what peace settlements should provide for in human rights terms appears weaker than a clear normative injunction." However, following Bell's advice, while transformative approaches might lose in detail, they might gain "in the commitment and ability to implement what little is agreed" (2014: 201).

A second difficulty in the implementation of a *jus post bellum* arises when we take into account that there is no consensus on when a situation can be considered as post-conflict, or when post-conflict ends (Bell 2014: 197, 2012: 53). Any attempt to identify the temporal scope of *jus post bellum* will depend on a clear-cut definition of when *jus in bello* ceases to apply (Kleffner 2014: 289-291). The formal signature of a peace agreement or the beginning of its implementation phase is not indicative of whether or not an armed conflict has actually come to an end. Armed conflicts can also end through consensual or informal agreements (Bell 2014), through the victory of one side or because they just peter out, an example of which is the Peruvian civil war which came to an end after the disintegration of the guerrilla group Shining Path. Two main thresholds to determine whether an armed conflict exists are provided by IHL. One refers to the intensity of violence, and the other to the degree of organization of the parties that allows them to sustain military operations (ICRC 2008: 3; Vité 2009: 76).

Yet, the existence of an armed conflict as it is signaled by these military-related thresholds is a subject of debate. In particular, when it comes to gender analysis, Ni Aoláin et al. note that IHL reflects the experience of male combatants involved in "structured hostilities" but overlooks women's experiences of armed conflict (2018: xxxvi). IHL criteria are primarily framed within the boundaries of the 'public' concerned with providing security only "for some parts of a society" (Harders 2011: 134-135). Admittedly, discourses on national security and even peacekeeping missions are oftentimes deployed through gendered stereotypes rooted in the notion of a "chivalrous masculinity" (Karim & Henry 2018: 394). In this imaginary, males are meant to embody the ideal of a protector vis-à-vis women and children who are pictured as vulnerable and in need of protection (Enloe 2004: 154; Young 2003: 4; Tidblad-Lundholm 2020: 679). US military intervention in Afghanistan, in which the US campaign was waged asserting that the war on terror was also "a fight for the rights and dignity of women,"[5] is a striking example of the uses and outcomes of the gendered protection norm. After 20 years of war, the subsequent withdrawal of US troops in 2021 was put forward claiming that the actual goal of the intervention—that of preventing a terrorist attack of Afghanistan on the US homeland—has been accomplished.[6] With only a timid mention of women's rights, the Biden administration's reframing of this intervention gives a sense of whose security was the object of the US military intervention.

Meanwhile, the return of the Taliban's rule is sweeping away Afghan women's rights gains, including public mobility and public expression. The end of this military mission illustrates that when the imaginary of the "chivalrous masculinity" meets the real, the gendered protection norm not only leaves unprotected the domestic sphere but also leads women and minorities, who are the main target of gender-based harms, to undergo "patriarchal dependency and vulnerability" (Harders 2011: 140).

Simply put, if the temporal scope of *jus post bellum* is one drawn from IHL, we will be merely looking at societies considered to be in a post-conflict phase that aim for some form of formal peace. If built on such a limited scope, a peace settlement is unlikely to provide for everyday peace in the daily lives of those on the receiving end of violence and would rather exclude them from its protection (Harders 2011: 134). Unlike IHL's uses of the public and private distinction to determine the scope of its applicability and concern, I suggest that transformative approaches to peace would greatly benefit from feminist insights on the public and private spheres. Without advocating for its disappearance, feminist scholars argue for a distinction between the public and private that is "less exploitative for women" (O'Rourke 2013: 56-57). To promote such a feminist view implies, in Iris Marion Young's terms, a private/public distinction which is not based on the hierarchical opposition between constructions such as "reason and feeling, masculine and feminine, universal and particular" (Young 2011: 119). While seemingly colour-blind or gender neutral, the workings of traditional distinctions between public and private result in the private sphere being "what the public excludes" (Young 2011: 119-121). And when it comes to the implementation of IHL, 'the private' becomes what peacebuilding and its institutions exclude from justice.

An example of such exclusion, and how it is activated through IHL's institutional gender blindness, is provided in the research of law scholar Catherine O'Rourke. Specifically, O'Rourke points to IHL's weak enforceability regarding state or non-state armed actors, and "their conduct in violation of IHL in respect of sexual violence and child soldiers" (2019: 34). Among the institutional structures engaged in promoting and monitoring diverse regimes of international law, the International Committee of the Red Cross (ICRC) has the role to spread knowledge about IHL and to work for its development (ICRC 2002: 13, 21; O'Rourke 2020a, 2020b). However, O'Rourke's case studies in International Gender Equality Norms found that the ICRC's reports show a lack of precise detail on "whether domestic chores constitute 'participation' in armed groups, or whether sexual violence against members of one's own forces can constitute a war crime" (O'Rourke 2019: 34, 2020a). The persistence of such a grey zone in the interpretation and dissemination of IHL, as O'Rourke underlines, is indeed explained by the ICRC's pragmatism and on the basis of its institutional principles and apolitical character. As O'Rourke points out, the ICRC considers that engineering changes in power relations, including gender, is not compatible with its principles of neutrality and impartiality (2020b: 42-68). Given the ICRC's conservative posture, one cannot help but be rather skeptical about the basis of transformative peace, aimed at tackling structural inequalities underpinning violence, being found neither in IHL as it is actually codified nor in its institutional structures.

5 Elhinnawy, Hind. 2021. Afghanistan: The West Needs to Stop Seeing Women As in Need of 'Saving'. https://theconversation.com/afghanistan-the-west-needs-to-stop-seeing-women-as-in-need-of-saving-170731 Accessed 18-01-2022

6 https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/08/31/remarks-by-president-biden-on-the-end-of-the-war-in-afghanistan Accessed 18-01-2022.

7 http://iccwomen.org/resources/crimes-definition.html

8 http://iccwomen.org/publications/resources/docs/Gender_Integration_in_the_Rome_Statute.doc

The operations of international institutions and their results have not matched all their commitments, and neither have they fulfilled the expectations raised by the scope of their norms. Unlike a formal normative-based approach whose neutrality is taken for granted, a feminist approach on transformative peace should involve a heterogeneous understanding of the public in the form that Young suggests. Thus, it will not force "persons, actions or aspects of a person's life" into the private domain (Young 2011: 120). While providing individuals with the right to choose what to exclude from the public, a heterogeneous understanding of the public allows transformative peace to act upon aspects of persons' lives that formal notions of peace neglect (2011: 120).

It would be misleading to disregard significant advances that have been made in international law to protect gender minority rights in armed conflict and transitions to peace, some of which had previously been dismissed as not falling within the sphere of political violence. They concern women's experiences of reproductive harm and harms related to sexual orientation (O'Rourke 2013: 147). In this regard, outstanding accomplishments include the effective campaign of the Women's Caucus for Gender Justice (now known as Women's Initiatives for Gender Justice) which achieved an expansive definition of crimes of sexual violence in the Rome Statute of the International Criminal Court (ICC)[7] and secured high levels of women's representation in the ICC's activities (e.g., as judges, victims, survivors and witnesses)[8] (Chappell 2017). Sexual violence is thus codified in the Rome Statute as a crime against humanity, war crime and, potentially, an act of genocide (Manjoo 2017: 1194; O'Rourke 2019: 27). The inclusion in the Rome Statute of gender-specific crimes also implies that they are not eligible for amnesty (Jamar & Bell 2018: 4). Furthermore, the Rome Statute created a victims' trust fund for reparations and assistance to victims.

However, what Chappell (2017) describes as "the gender injustice cascade" is a reflection of the ICC's shortcomings to provide meaningful criminal accountability and to effectively engineer reparations that are actually transferred from the international setting of the ICC to the victims in their local settings (see also O'Rourke 2019). Despite this background, great hope is placed by transitional justice scholars and practitioners on the so-called principle of complementarity of the ICC. If effectively engineered by the ICC, this principle is expected to have a positive impact at the domestic level, triggering states to take action by themselves and to prosecute international crimes (Bjork & Goebertus 2011; Marcus et al. 2017; O'Rourke 2019; Moffett 2013; Kapur 2018). As Marcus et al. recall (2017: 1338), the meaning of "international justice" is not that of a justice carried out in an international setting or by international actors. The term implies that international crimes are "subject to universal jurisdiction" and "impact upon all of humanity", and as such, they should be investigated and persecuted within each state's judicial system (Marcus et al. 2017: 1338). Yet, the possibilities of the principle of complementarity to be actualized cannot be high if the institutions' commitment to provide justice and protection to victims is curtailed by their own self-vision as impartial and neutral and by the patriarchal malleability of the public/private divide (O'Rourke 2020a). However, the point is that any peace settlement that aims to regulate or enable transformative transitions in a given post-conflict setting is bound to fail if its temporal scope, as well as its symbolic and spatial boundaries, are drawn from IHL and its institutional structures as they currently stand (O'Rourke 2020a, 2020b).

Examples of a more adequate use of international law with implications at the domestic level and in less formal venues are now being produced. Some of them are greatly influenced by UN Security Council resolutions on Women, Peace and Security which, as Bell explains, are moving *lex pacificatoria* towards the inclusion of a gender perspective in peacemaking processes (2014: 186). According to Jamar & Bell, pressure is also being put on dealing with the past to engage with transformative measures that are not only concerned with "judicial accountability for gender-based violence" (2018: 18). This movement includes a focus on reparation programmes having redistributive effects and seeking to address the socioeconomic consequences of violence. They cover issues such as access to land and socioeconomic needs stemming from forced migrations or sexual discrimination (Jamar & Bell 2018; Maddison 2016). Most transitional justice systems in peace agreements are also incorporating non-judicial mechanisms, as for instance truth-seeking institutions and provisions for the search of disappeared persons (Jamar & Bell 2018: 13). The possibilities of these institutions, for women and minority groups, to become venues from which to engineer transformative gains cannot be neglected. On the one hand, programmes on disappeared persons are crucial for women and survivors who, as Jamar & Bell recall, are oftentimes "unable to move on emotionally, financially and legally" without having an official confirmation about the fate of a missing person (2018: 10). On the other hand, truth commissions have a strong potential to offer a form of public accountability, they can be milieux for publicly discussing the causes and consequences of conflict violence, including systems and power structures that sustained violence. Truth commissions are also assigned the task of proposing reforms and measures to avoid the repetition of violence (Bell 2018: 2). And from the standpoint of their possibilities, as Maddison asserts, truth commissions might be a platform for the discussion "of historical wrongs that are still in need of contemporary justice" (2016: 60).

From the standpoint of practice, truth commissions are mainstreaming gender in their work and are moving towards the inclusion of sexual violence to be a specific subject of their mandates (Manjoo 2017: 1196). The Colombian Truth Commission created through the 2016 peace agreement is an example of this trend. Its mandate includes the implementation of a gender perspective, but it has also opened specific hearings on sexual violence and violence against LGBT people. For its part, the Special Jurisdiction for Peace (JEP, by its Spanish acronym), which is the criminal justice branch of Colombia's transitional justice system, is also mainstreaming gender throughout all its procedures. However, a concern has been raised among women's and LGBT organizations that the judicial interpretations of the JEP might not effectively reflect the connections between sexual violence and armed conflict. Therefore, by the time of writing this article, a petition has been addressed to the JEP from civil society organizations joined together in the so-called *Alianza 5 Claves* advocating for the prioritization of "a national case of sexual and reproductive violence and other crimes motivated by the sexuality of the victims within the context of the armed conflict."[9]

9 https://www.abcolombia.org.uk/gender-focus-in-the-special-jurisdiction-for-peace

Whether Colombian peace institutions and their transitional justice structures are able to provide meaningful transformative justice and reparations remains to be seen. Much of this achievement will depend upon their ability to incorporate throughout their work a public and private division that recognizes the mutability of this division, especially in contexts of political violence and peacebuilding transition (O'Rourke 2013: 57). In this regard, a crucial test for transitional justice institutions is their ability to unveil the link between the private harms of female and male victims, sexual and gender-related violence, and their instrumental use to reproduce violence and maintain unequal relations of power and the political economy of war.

2 Building Transformative Peace: The Question of Temporality and the Agnostic Dilaogue

The arguments presented in the above discussion illustrate the inadequacy of normative-based approaches to provide for the design of peace settlements that aim to be transformative. It has also become clear that claims about rigid and specific requirements which must prevail across different conflict contexts are not helpful in this endeavour. Normative approaches will, unavoidably, require a clear-cut definition of peace, or a set of positive indicators that allow for "a gradation of 'peace'" (Kleffner 2014: 294). In contrast, the etymology of transformative peace refers, rather, to a form of peace that tends to cause transformations. A transformative vision of peace is mostly related to the way in which peace is often seen by women's organizations "as an ongoing project" (Tripp 2018: 440) and by feminist scholars as a form of "emancipation" through non-violent political practices from the "hierarchical gendered orders" that fuel direct and symbolic oppression (Meger 2016: 193).

To build such a form of peace requires engaging with a private and public division that takes into account victims' private experiences of violence and bridges these experiences with structural forms of oppression such as racism, sexism, xenophobia, homophobia and classism. But there are still at least two main challenges that need to be addressed: one involves the temporality of peacebuilding, and the other refers to forms of participation and inclusion able to recognize difference and dissensus in the making of peace. I derive them from both practice-led approaches to peacebuilding as well as feminist and agonistic reconciliation analyses.

2.1 The Temporality of (Transformative) Peace

Peace agreements are oftentimes perceived as turning points in the history of societies as they are seen as a way of closing the chapter on their violent past (Maddison 2015). This is an overall perception in elite-driven peace processes. Yet, it is all the more so when peace agreements are produced through a significant degree of citizens' participation, such as the "Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace" signed by Colombia in 2016, or when agreements are mobilized as a means to build national unity in deeply divided societies, such as the "Promotion of National Unity and Reconciliation Act 34" of 1995 which established the South African Truth and Reconciliation Commission.

Despite the enthusiasm and hope that these events might generate, peace agreements do not produce such a thing as instant conflict resolutions. Quite the opposite, defenders of agonistic forms of reconciliation and feminist scholars have consistently shown that temporality in conflict transformation entails more complexities than what the limited time frame set by a peace agreement might suggest (Little 2014; Maddison 2016). For instance, the research conducted by Sotheary You on the Khmer Rouge Tribunal in Cambodia (2019) and Catherine O'Rourke's analysis of the politics of transitional justice in Chile (2013) provide evidence on how restricted timeframes have worked to defer justice for sexual violence, not only resulting in delayed gender-specific accountability for women's experiences of political violence but also perpetuating "regressive gender norms" (e.g., restrictive abortion laws, women

essentially cast as apolitical victims) (O'Rourke 2013: 67-77, 133; You 2019). Rai et al. also note that inadequate temporalities of peace transition undermine the possibilities of addressing gendered violence that arises in the aftermath of war (2019: 567). These examples illustrate how the gender and race blindness of time-space scales have underpinned the dismissal of women's private experiences of political violence from justice.

The failure of peacebuilding approaches to address the complexities of time is, for Little (2014: 68), a reflection of an excessive focus on how to resolve conflict, which precludes realizing that a state of non-violence does not mean for a society to live without conflict. But such avoidance to address the inadequacy of peacebuilding timeframes has resulted, as Maddison claims, in the temporality of conflict transformation and reconciliation being "under-theorized" (2016: 57). This does not mean, however, that concerns about the temporal scope of peacebuilding have not been discussed in practice-led approaches. It is well acknowledged that peace agreements are imperfect pieces, often produced under pressure on the negotiators to achieve a permanent ceasefire and end human suffering (Lyons 2016: 75). Thus, in fields such as conflict transformation and dealing with the past, attention is foremost given to the adjustments peace agreements must undergo over time in order to live up to the promises for which they have been designed. But my focus here is rather political and concerns the way in which the temporalities of peacebuilding play a role in determining the possibilities of transformative peace.

Building on data from the "Political Settlements Research Program," which includes over 1,900 peace agreements that have been negotiated between 1990 and mid-2021 (Bell et al. 2021), feminist law scholar Christine Bell suggests that peace processes can be broadly described as developing in three stages: pre-negotiation stage, framework/substantive stage, and implementation/renegotiation stage (Bell 2018: 419). This three-stage model might not always fit with reality. However, in choosing these categories for the present discussion, I am guided by its analytical utility. Simply put, I focus on the framework/substantive stage as a window from which to identify the reasons why peacebuilding's temporality might either enhance, curtail or foreclose the possibilities of transformative peace.

On the one hand, it is in the substantive stage when a form of roadmap or framework agreement addressing the subjects of contention is produced (Bell 2018: 421). Certainly, peace agreements do not remain as fixed roadmaps throughout their implementation (Jones et al., 2015). However, the agreement/consensus achieved at this stage on the past wrongs and issues to be addressed to resolve the conflict becomes a device of what Sarah Ahmed calls "orientations." As she puts it, "orientations are about how we begin, how we proceed from here." They are "about the directions we take that put some things and not others in our reach" (Ahmed 2006: 545, 552). To build a consensus over the content of the agreement in this phase involves the political decision of drawing a temporal and spatial frame which allows us not only to identify but to delimit the grievances and wrongdoings—practices, ideas and events—that need to be addressed or rectified (Little 2014: 62). The substantive stage therefore becomes definitional and provides orientation to the transformative function of peace. It influences what levels of accountability will be applied and for what set of past wrongs, who might now have the chance to speak, and what direction the politics that differentiate a new regime from its predecessor will take in the future (Maddison 2016: 59; Maddison & Shepherd 2014: 256). As Ahmed points out, "when orientations seem to be about which way we are facing in the present, they also point us toward the future" (2006: 554).

Referring to conflict transformations in deeply divided societies, including settler nations or societies with a colonial history, Maddison argues that inadequate temporal frames reflect a tendency to sublimate legacies of violent pasts rather than confronting them in the present (2015: 1015). While oftentimes prompted under the banner of reuniting divided societies, this trend imposes a pressure on victims to forget and move on, which denies them adequate time for healing and to be heard. Such pressure proves to be additionally problematic given that denying or imposing on victims unrealistic time/space frames is often articulated with an intention to maintain unequal power relations or with a lack of serious commitment to avoid violence recurrence. Not surprisingly, discontent or disagreement over timescales included in a given peace settlement are linked to the emergence of forms of resistance or contestation against it (Little & Maddison 2017: 152). For instance, disagreements might be over the effects of unrealistic timescales in undermining peace institutions' ability to live up to their missions (e.g., DDR process, reparation programmes), or over whether the time span will be too short, or long enough, to investigate and acknowledge specific past wrongs, to address complex social injustices, put in place political reforms or provide justice for the victims.

Conversely, the avoidance of more extended temporal frames in peace transitions is also symptomatic of a sense of urgency and impatience oftentimes motivated by well-intentioned efforts to end war. That urgency and impatience can simultaneously stem from legitimate interests to capitalize on these efforts to open a dialogue for a renewed political settlement, or from eagerness to benefit from the peace dividend (Maddison 2014: 66-67). Adopting Maddison's thought (2014: 143), by peace dividend I mean "the individual and communal improvements in the quality of life that derive from the end of violence." Despite the legitimacy of these interests, the risk that transitions with inadequate temporal frames might be imbued with "pragmatic politics" is very high (Maddison 2016: 69). Consider, for example, the case of Guatemala's transition from political violence. As Maddison describes this case, a sense of urgency has become widespread through a common-sense way of thinking which nudges the transitional process towards a premature end, while redirecting society's attention to democracy and development, thereby overshadowing the search for justice (Maddison 2016: 67). Fueled by the urgency of securing political stability in the short term, political elites' pragmatism turns into a societal paralysis characterized by a fear of disturbing the achieved peace settlement (Maddison 2016: 26, 107).

Depending on the context, transformations included in the substantive phase might involve redistributive programmes, changes in discriminatory practices and structural ethnic or gender-based inequalities, or transitional justice mechanisms to address the abuses of the past. But the possibilities for them to take place are highly dependent on the temporal scope provided in the peace settlement. However, once the pragmatism of political or economic elites becomes a widespread common sense, societies put in balance the transformative dimensions of the peace agreement with the achieved political stability. In its most vicious form, a common sense way of thinking serves the purpose of disguising the interests of those who benefit from unequal structures of power and of naturalizing oppression of underprivileged groups. Thus, the role of the temporality of conflict transformation is turned into a wall between the past and the future rather than into a bridge that would allow "to draw history into the present" (Maddison 2014: 61). The victims, the dispossessed, the underprivileged who see their differences and claims co-opted, or others who see their efforts to bring about structural transformations thwarted by the urgency of achieving a consensus and turning the page are subjected to a controlling gaze. Here it is useful to draw on Jones and Djané's analysis of resistance to the transitional justice process in Côte d'Ivoire. As their work suggests, those who publicly disagree, block, or openly contest the terms of the transition might be blamed for being selfish or uncivil (Jones & Djané 2018: 136), and for disrupting the consensus that the evil of conflict is in the past. As Meister asserts "the cost of achieving a moral consensus that the past was evil is to reach a political consensus that the evil is past" (2002: 96).

2.2 Transformative Inclusion, Dissonant Voices & Conflict Narratives

> "It's not that I don't want them to ask for my forgiveness, it's that I receive forgiveness when they first tell me what happened to my husband, why he was disappeared, why he was murdered, who gave the order, where the true body is... after that I accept the hug."
>
> "It's not easy, it's quite difficult because what I want is for you to tell me the truth. A fair, honest truth where we can feel a little at peace [...], and I believe that I will receive that hug the day you tell me the truth."[10]

"It has been over 5 days since the name of Carmenza López went around the country," asserted a journalist in an article published in the Espectador in February 2021.[11] The article refers to Carmenza, a woman who during a public event organized by the Bogota's mayor office, refused to accept the apologies offered to her by two former FARC members who were involved in the murder of her husband. While apologies are a relational practice since they are "offered to someone (or ones) and offered by someone" (MacLachlan 2020), acts of apology often direct "the audience's attention towards the state of the apologizer's soul" (MacLachlan 2020: 935). However, because of Carmenza López's act of refusal, public opinion's attention was turned towards the victim, thrusting her into visibility.

As the newspapers explained in the days following this public act, Carmenza supported the peace accord signed between the FARC and the Colombian government in 2016. However, she does not feel that she has received adequate reparations, and has invested her efforts asking the city to allocate some of the resources of the "peace dividend" to programmes for Sumapaz, her locality. Carmenza's story is not an example of someone who has contested the peace agreement as a whole. However, her experience illustrates the case of a victim and constituent who has publicly expressed her discontent about how peacebuilding unfolds imperfectly and unevenly. I take Carmenza's refusal as a starting point in order to explore the possibilities of transformative peacebuilding, and in particular transitional justice institutions, to reach among the target of their actions those who have resisted the signature of a peace agreement, or those who have openly disrupted or unsettled the unfolding of a peace settlement.

Scholars of conflict transformation have discussed the inability of conflict resolution approaches to deal with antagonistic voices or resistance. They correctly argue that, while conflict resolution approaches draw on those who represent disposition towards reconciliation or peace-making, they tend to marginalize or even pathologize those whose voice embodies conflictual discourses (Little 2014: 108). Underlying the risk of dissonant voices being neglected in conflict resolution is the difficulty to recognize that conflict is an ever-present dynamic in social relationships. Conflict resolution approaches convey the belief that normal societies are exempt from conflict. Thus, conflict is an abnormality that should be eradicated. However, erasing conflict from the spectrum of human relationships downplays its role as a force of transformation that participates in shaping the society in which we live. The understanding of conflict as an abnormality finds its roots in the liberal way of thinking, specifically in its emphasis on the possibility of overcoming conflict, and building harmonious societies, by achieving universal consensus based on reason (Mouffe 2005: 154). Drawing on Foucault, Little suggests that practices of conflict resolution problematize political conflict and establish programmes or ways of action in order to manage and deal with it. When the rationality and impartiality of liberal thought in conflict resolution approaches are taken for granted, there is no need to further debate (Young 2011). Hence, these approaches lead to encourage closure of conflictual narratives (Little 2014: 106). Being the holder of an uncomfortable message or taking a disruptive position implies being subjected to pejorative descriptions, or labelled a noisemaker. Thus, instead of conflict resolution, adopting a frame of conflict transformation will allow us to avoid marginalizing those who dissent and rather integrate conflict. Politics is constituted by and generative of conflict (Little 2014: 119). Therefore, conflict is an inherent dimension of the political, including the pursuit of peace and conflict transformation. Sustainable conflict transformation cannot be achieved by including only those voices that are openly conciliatory. We need to take into account those voices that disturb, and continue to disrupt with uncomfortable messages.

An alternative approach is provided by the proponents of agonism who, unlike conflict resolution approaches, take as a starting point the recognition of the ever-present and inherent condition of conflict in human relationships and in

10 https://www.elespectador.com/colombia-20/paz-y-memoria/nos-daremos-un-abrazo-de-perdon-cuando-me-digan-la-verdad-victima-de-las-farc-article. Accessed 27-08-2021

11 https://www.elespectador.com/colombia-20/paz-y-memoria/carmenza-lopez-la-mujer-que-lucha-para-que-reconozcan-a-sumapaz-como-victima-del-conflicto-article

the political. For agonistic perspectives, peace and conflict transformations are not antinomic with conflict. Rather, conflict is embedded in them, and therefore it is not an entity that peacemakers should aim to overcome. Drawing on scholars of agonistic democracy theory, such as Chantal Mouffe (2005: 155), agonistic perspectives seek to channel the transformative potential of conflict towards the production of non-violent environments in which political pluralism becomes a constitutive element of society. Agonistic approaches are characterized by prompting the transformation of antagonistic relations between enemies into relationships between adversaries (e.g., we/them). Agonism does not see it as viable to reach rational neutral consensus, and accordingly any form of consensus that leads to a peace settlement is always achieved through exclusions. However, by transforming enemies into adversaries, agonism does require that the opponent's political legitimacy be recognized (Little 2014: 158), and symbolic spaces for respectful dialogue in which contested positions can coexist be made available (Maddison 2019: 190).

Given these tenets, scholars of conflict transformation have found in agonism the possibility of building some forms of agonistic reconciliation, especially in processes carried out at non-elite levels by grassroots organizations or indigenous groups at the local scale (Maddison 2019; Little 2014). With regard to processes of memorialization, for instance, Maddison argues that an agonistic orientation implies insisting on the "persistence rather than the resolution of conflict" (2019: 182). But in order to do so, reconciliation practices should be seen "not as opportunities for the closure of the debate, but rather as a means of keeping open political space in which contested views about the past may be engaged" (2019: 182), and where, instead of unity, political difference is valued and not repressed or coerced.

However, the endeavour to achieve agonistic reconciliation does not only involve ongoing and plural dialogue about the past. While being a core element, the performance of these acts alone does not mean that practices that allowed these events to occur and the culture that normalized them have gone away (Little 2014: 59). With a view to being transformative, agonistic approaches need truth and reconciliation processes that give attention to the victims' ongoing experiences of harm, recognize their everyday agency to rebuild their lives, and enable dialogue about how to actualize the right of the 'other' to coexist in environments free of structural violence. Indeed, it is through unruly interventions performed by victims, such as those of Carmenza López and Roberto Lacouture, when we can have insights on what is needed from apologies or from reparations to bring about transformations in the victims' everyday life.

Thus, agonism has indeed significant traction in the work of conflict transformation theories (Little 2014: 76). Yet, as Adrian Little asserts, one of the limitations of agonism is its inability to grasp the mutability of conflict. In other words, agonistic recognition of conflict has led to approaches that tend to "overplay the settled nature of political divisions" to the point of propagating a too-orderly narrative of the conflicts in which it is applied (Little 2014: 82). Even if thorough narratives can provide an account of the dynamics that fuel violence, there are different explanatory discourses, and agonistic approaches might only have access to a "snapshot" of the whole picture (Little 2014: 119). Moreover, conflict evolves in order to survive. Violent conflicts are characterized by being non-linear, by having unforeseen consequences and by their ability to incorporate external dynamics (Little 2014: 114). As agonism puts its focus on strategy, agonistic thinkers tend to overlook the power relations—private, domestic and international—that shape conflict. In so doing, agonism becomes inadequately equipped to capture conflict mutability. Furthermore, the ideal of the enemy/adversary divide subsumes nuances on how historic enemies change over the course of time. And despite concerns with difference, this divide might entail the risk of agonistic approaches overlooking individuals' experiences of power relations within a group.

Certainly, there is no shortage of examples of peacebuilding processes where enemies have been transformed into adversaries (Little 2014). Indeed, the quotation at the beginning of this section is telling of the transformation of FARC guerrilla leaders into political actors provided by the measures contained in the Colombian Peace Agreement that allowed the FARC to become a political party. While this achievement is remarkable, the point of this article, however, is to gain an understanding of what is required for peace institutions to bring into the debate individuals and groups who have engaged in resistance against a peace settlement or its implementation.

In a similar line of thought as Maddison's agonistic reconciliation, Little suggests that processes of conflict transformation necessitate narrative approaches which, rather than depriving dissenting voices of political time-space, allow the articulation of open debate and "continued conflict" (2014: 105). These narratives can be engineered through truth recovery processes and new institutions working at the local level, but should also engage with how the experiences of the past continue to shape people's everyday lives. For instance, Sertan Saral draws attention to an unruly moment of memorialization, in which the US Army asked their veterans via Twitter "How has serving impacted you?" (2021: 143). Their accounts referred to experiences of trauma "such as sexual assault and combat and the ongoing effects of them" (Saral 2021:143). Thus, far from upholding the myth of the American soldier, the thousands of responses that emerged demonstrated the long-term impact of harm on the private lives of former soldiers. The advantage of these spaces of unruly dialogue is that they might be less oriented towards building political common ground and more concerned with plurality and difference. What is at stake in Little's and Maddison's view is the way in which agonism is operationalized, much of which depends on a sustained focus on narrative approaches that "do not prioritize reconciliatory perspectives over conflictual arguments" (Little 2014: 105). The most immediate way to avoid this pitfall is to overcome institutionalized narrative approaches that impose sequential trajectories to both victims and perpetrators and, in addition, set unrealistic temporalities with fixed phases marking a beginning, middle and end (Little 2014: 109). While engaging with the risk of bringing dissonance, spaces for reconciliation should involve narratives that, as Little puts it, "are not reconciled, which are not forgiving, which do not apologize [or dare not to accept apologies], which call for punishment" (Little 2014: 111). Those institutions should not turn a blind eye to the victims' needs and claims regarding symbolic and material

reparations. However, the possibility for this to happen involves being critical about existent power asymmetries including gender, class, ethnicity, age and geographical location, and raising awareness about how they permeate and flow through peace institutions.

3 Conclusion

Thus, what does it mean for peace to be transformative? How can a peace settlement that endeavours to be transformative reach out to individuals and groups who have openly expressed disagreement, who have blocked it or have engaged in resistance against it? Throughout this article, I have discussed how conflict transformation, whether through theoretical analyses or practice-led research, provides rich insights that help inform what the design of transformative settlements might involve. However, it has become clear through this exploration that the specificity of transformative peace is less about the content and more about the conditions that allow a peace settlement to bring about positive transformations in contexts of violence. Crucial among them are critical gender and race-based lenses on time-space dimensions that shed light on the workings of power relations, not only in contexts of violence but also along peacebuilding processes. At the same time, I have argued that transformative peace implies the idea of an orientation towards which society tends. As an orientation, transformative peace has on its horizon people's emancipation from structural oppressions that enable violence to persist. Certainly, this perspective sets a high bar for peace projects. While seemingly unattainable, it is also a call for peacemakers to take seriously the temporalities of peace. Questions stemming from a sense of urgency and impatience might gain currency in the aftermath of war. However, the way they become common sense, shaping and organizing peacebuilding must not be swept under the carpet.

Normative approaches can provide tools, such as legal instruments and institutional support, to help societies deal with the past and tackle structural violence. Nevertheless, the idea of transformative peace as an orientation is a useful figuration in order to keep us aware, develop a critical approach and take action regarding the workings of those instruments in putting some subjects, and experiences of violence, within reach, while keeping others apart. To insist on the persistence of conflict rather than on its resolution and enabling dissensus, as Maddison argues (2015: 1021), is crucial in peacebuilding if we are willing for the experiences of those living at the margins and enduring ongoing exclusion to become visible and audible. We cannot presume that spaces of argumentation are already open because they have participatory methodologies (Norval 2009: 310). Rhetoric of inclusion might be used by those who already hold the right to speak. But, as Aletta Norval points out (2009), such rhetoric tends to focus on recognition of existent identities and categories.

However, the examples of Carmenza and Roberto mentioned in this article give us a glimpse of how an individual inhabits more than one subject position. To cast a negative vote against a peace agreement says almost nothing about their political subjectivity. They are not just victims, and their political subjectivity cannot be explained only in terms of class, political affiliation, gender, or experience of victimization (e.g., kidnapping, displacement, sexual violence, forced disappearance). Because of institutional arrangements, victims, perpetrators, witnesses, activists, among other citizens, are oftentimes led to engage with one over another subject position (Norval 2009). Instead, it is through unruly narrative spaces, in which they dare to claim punishment or refuse to forgive, where we could learn more about their past experiences and their felt sense of ongoing injustice.

By going against the script of docility and vulnerability that many have assigned to the victims, Carmenza and Roberto almost performed a form of 'demystification' (Rancière 2021). They opposed the words as they are written in the peace agreement to the way in which those words actually unfold. Aletta Norval argues for "the loosening of the institutional requirements for democracy" (2009: 297). This argument should be extended to peace institutions, since they are also produced by agonistic relations and are, therefore, political. Thus, if peace structures are aimed at bringing about transformative peace, they should be given the ability and means to reconfigure themselves and to be shaped by the noise and unruly voices of the victims.

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