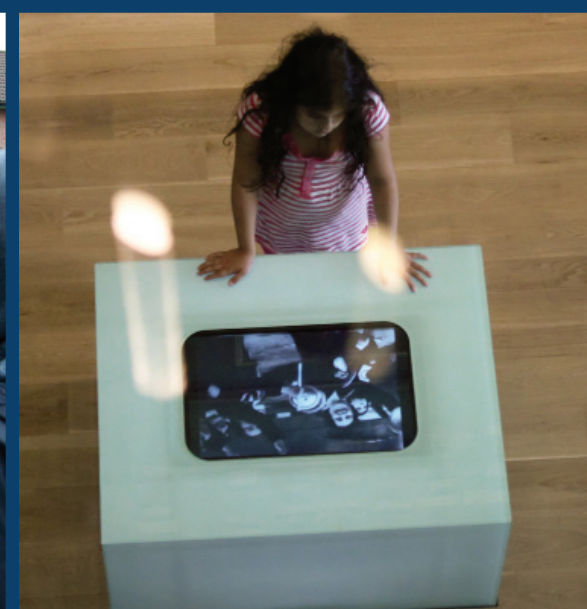# Education and Transitional Justice

Opportunities and Challenges for Peacebuilding

Education and Transitional Justice

Opportunities and Challenges for Peacebuilding

November 2015

Clara Ramírez-Barat and Roger Duthie

Acknowledgments

About the Authors

Clara Ramírez-Barat is a former senior associate in ICTJ's research unit. She holds a Ph.D. in Philosophy from the University Carlos III of Madrid and an M.A. in Philosophy from Columbia University. At ICTJ her work focused on the relationship between transitional justice and the public sphere, including outreach, media, culture, and education.

Roger Duthie is a senior associate in ICTJ's research unit, where he has managed multiyear research projects examining how transitional justice relates to education, displacement, and socioeconomic development. He has an M.A. in International Relations from Yale University.

About ICTJ

ICTJ assists societies confronting massive human rights abuses to promote accountability, pursue truth, provide reparations, and build trustworthy institutions. Committed to the vindication of victims' rights and the promotion of gender justice, we provide expert technical advice, policy analysis, and comparative research on transitional justice approaches, including criminal prosecutions, reparations initiatives, truth seeking and memory, and institutional reform. For more information, visit www.ictj.org

About Learning for Peace

Learning for Peace is a four-year partnership between UNICEF, the Government of the Netherlands, the national governments of 14 participating countries, and other key supporters. It is an innovative, cross-sectoral programme focusing on education and peacebuilding. The goal of the programme is to strengthen resilience, social cohesion, and human security in conflict-affected contexts, including countries at risk of—or experiencing and recovering from—conflict. For more information, visit http://learningforpeace.unicef.org

Contents

Introduction

In the past two decades, the relationship between education and conflict has received increasing attention from researchers, policy makers, and practitioners working in the fields of education, child protection, and peacebuilding. This relationship has been considered in two directions, regarding: first, the impact of conflict on education; and second, the ways in which education can both trigger conflict and contribute to establishing peace.[1]

Most work on education reconstruction after periods of conflict or authoritarianism has adopted a development or peacebuilding perspective, which is understandable, given the clear role that education can play in promoting socioeconomic development and preventing the recurrence of armed violence or repression. But largely missing from this analysis has been an examination of the specific legacies of repressive policies and human rights violations in the political culture of a country—legacies that are particularly relevant in contexts where education was used to divide people or discriminate against certain groups for ideological purposes or where conflict resulted in lost educational opportunities for children.

The contribution that education can make to peace depends not only on measures such as the physical reconstruction of schools, the reincorporation of young people into the education system, and school curricula that promote universal values of tolerance and social cohesion, but also on the sensitivity of reforms and programs to the legacies of past injustices in the education sector itself and the public culture.

Transitional justice, understood as judicial and non-judicial measures that seek to promote accountability and redress for massive violations of human rights, is increasingly recognized as a fundamental part of peacebuilding efforts.[2] Combined with other sets of policies, and to the extent that it provides recognition to victims and helps to restore civic trust in state institutions and among citizens, transitional justice can help to strengthen the rule of law, address grievances among affected communities, and prevent the recurrence of violations. In contrast, societies that choose not to address past human rights abuses or other forms of severe trauma (including their root causes and enduring consequences) risk undermining their efforts of socioeconomic reconstruction and their transition to a more democratic and peaceful future.

In the context of coming to terms with an abusive past, in addition to being something that should be valued for its own sake and not only for its instrumental benefits, education for its part has at least two important goals. First, it should contribute to developing children's abilities and skills for participating in a country's productive and sociopolitical realms. Second, "In a post-war society, education is charged with the task of enhancing the capacity of citizens, especially—but not only—adolescents and children, to think critically about the present and the past, so they can foresee and construct a better future."[3]

While some have called attention to the need for a more systematic consideration of the relationship between education and transitional justice, to date neither education reform nor the teaching of the recent past has been treated with the seriousness it deserves.

In response, ICTJ and UNICEF collaborated on a research project to explore the questions: 1) How can transitional justice contribute to peacebuilding goals by shaping the reform of education systems and facilitating the reintegration of children and youth into those systems? 2) How can education serve to promote the goals of transitional justice by expanding its outreach agenda and helping change a culture of impunity into one of respect for human rights and the democratic rule of law?

> The contribution that education can make to peace depends on the sensitivity of reforms and programs to the legacies of past injustices in both the education sector itself and the public culture of a country.

This project involved the commissioning of 17 papers, including case and thematic studies, and the organization of a two-day workshop in New York in October 2014, where a group of experts on education, transitional justice, child protection, and peacebuilding discussed the findings. Additionally, background research and interviews were conducted with education specialists and transitional justice practitioners. This report summarizes the project's key findings.

The aim of this report is to provide practitioners and policy makers in both transitional justice and education with conceptual clarity and practical guidance for developing synergies between their respective fields in responding to past human rights violations. Drawing from a comparative approach that examines different experiences throughout the world, this report does not offer a blueprint for addressing past injustices through education, but, rather, considerations that should be taken into account when framing policy that is based on the particularities of a given context.

The report looks at how a transitional justice framework can play an important role in identifying educational deficits related to the logic of past conflict and repression and informing the reconstruction of the education sector. It also looks at how formal and informal education can facilitate and sustain the work of transitional justice measures. Section I, which sets out the report's framework, offers a discussion of what it means to consider transitional justice and education as separate but related elements of societal responses to injustices associated with massive human rights violations, and the contribution that synergies between the two fields can make to establish sustainable peace and prevent the recurrence of abuses. This section, thus, poses the question of what a transitional justice approach brings to the role of education in peacebuilding.

Section II maps out the different components of education reconstruction in which a transitional justice framework can be expected to make a difference. This includes incorporating lessons from transitional justice processes into educational curricula; increasing access to education through reparations or redress measures; and shaping school culture and governance, pedagogy, teaching tools, and teacher capacity and training.

The next three sections consider a range of political and material challenges that actors are likely to face in trying to link transitional justice and education and discuss some strategic considerations for implementing proposed ideas more effectively and sustainably. Section III highlights the different actors that can play a role in linking transitional justice and education, including transitional justice bodies, civil society groups, school communities, and government, each of which can be an agent of change or an obstacle. Section IV examines the more capacity- and resource-based constraints that efforts to address the past through education are likely to face. Section V

emphasizes the importance of identifying opportunities for change while maintaining realistic expectations for the change that can be achieved.

Section VI distills our findings to a set of guidance points for relevant actors. However, in offering guidance about the kind of change being proposed and potential steps, it is important to remember that policies aimed at addressing past injustice through education are very likely to be contested. The specific context will influence the level of this contestation as well as the usefulness of any recommendations, and so contextual analysis will be a critical first step. The guidance offered here must be considered with regard to each unique context. It cannot be assumed, for example, that all communities will desire full integration of schools or support incorporating a justice agenda into classroom learning. Some types of opposition to such efforts, we argue, should be challenged, but some may be legitimate and/or unlikely to be overcome. These kinds of tensions between the principles of justice being advocated and the reality in which measures based on those principles may be proposed, designed, and implemented must be kept in mind. That said, the research conducted for this project suggests that a context-specific approach to addressing the past through education can make a valuable contribution to peacebuilding.

I. Conflict, Education, and Peacebuilding: A Transitional Justice Approach

Education, as a social institution, is fundamental to the functioning of any society. It transmits established knowledge and shared culture, and it can play an important role in forming productive and politically engaged citizens and promoting social cohesion.[4] In the aftermath of conflict, efforts to rebuild an education system can synchronize with the aims of peacebuilding and conflict prevention by sensitizing younger generations to the values, attitudes, and skills necessary for peace and tolerance.

What, then, does a transitional justice approach bring to the relationship between education and peacebuilding?

During periods of violent conflict and repression, human rights violations are often linked to the provision of education and lead to missed education. These violations may not be merely the indirect impact of conflict, but a part of an intentional and systematic attempt to deprive children and youth of schooling and to manipulate and distort teachers and textbooks to legitimize repression and reproduce patterns of violence.[6] The closure and destruction of schools, for example, has been often used "as a weapon of war to erode civilian support processes and punish insurgents in ways that will compromise irremediably the future of their families and ethnic groups"[7] or "as a weapon of cultural repression of minorities, denying them access to education, or using education to suppress their language, traditions, art forms, religious practices and cultural values."[8]

> ## What is Transitional Justice?
>
> Transitional justice can be defined as the set of judicial and nonjudicial measures—most notably truth-seeking and memory recovery initiatives, reparations programs, institutional reform, and criminal justice trials—that have been implemented by countries all over the world to redress the legacies of massive human rights abuses and serious crimes under international law.[5]

In Peru in the second half of the 20th century, the overcrowding of schools and economic pressure on the education system severely diminished the quality of education that most Peruvians received, especially in the rural and poorest areas of the country. This contributed to the rise of rote learning and authoritarian teaching methods. As the presence of the Shining Path, an armed insurgent group, gained hold, schools became fundamental to the spread of its ideology. Some teachers, who were politically mobilized through teachers' unions, became strong supporters of the group, and, for that same reason, also key targets of state repression.[9]

Beyond conflict's direct impact on education, repressive political systems have often used education policies to shape or reinforce social divisions, intolerance, and inequality or to eliminate spaces for the development of a critical citizenship. In South Africa, for example, after the passing of the Bantu Education Act in 1954, education was used for decades to preserve the apartheid system, not only to provide better quality education for white students than for non-white students, but also by using curricula to support the ideology of white supremacy, legitimizing the unjust status quo. In Chile, the military regime directly intervened in both the functioning of the education system (and, therefore, students, teachers, and parents) and its general social role.

Through a series of measures that suppressed the purview of the Ministry of Education and dismantled the public education system, the Chilean dictatorship put an end to citizen participation in the public political life of the country.[10]

Because of education's important social role, legacies of conflict and repression in the educational system can have significant, long-lasting impacts on individuals and societies. Their negative effects on individuals can be psychological, impairing capacities for empowerment and resilience; economic, including through reduced employment opportunities; and political, considering that "many children leave school with a profound distrust of the institutions of the state in which they live and, because of the poor quality of the education they have received, they are particularly susceptible to the machinations of ethnic mobilizers."[11]

> Attacks on schools and manipulation of education for political purposes affect not only individuals but also the communities and societies in which they live. Legacies of abuse related to the development of a culture of violence and impunity can have long-term impacts on social patterns of transmission of memory.

Abuses linked to education can also have important social repercussions: attacks on schools and manipulation of education for political purposes affect not only individuals but also the larger communities and societies. Legacies of abuse related to the development of a culture of violence and impunity can have long-term impacts on social patterns of transmission of memory. As Gail Weldon has argued, the legacies of conflict "not only shape the way in which the new social order is conceived, but also the ways in which traumatic knowledge is passed on from one generation to another,"[12] thereby potentially fostering recurring cycles of hatred and violence.

Once the conflict or repression comes to an end, however, education can be an important vehicle for remembering the past, facilitating the transmission of memory, and contributing to the promotion of peace. Because of its formative potential, education can help to shape new norms, mediate between contending narratives of the past, and nurture a culture of respect for human rights across generations. A fundamental aspect in this respect is the fact that

> education is a sector that simultaneously reaches multiple generations. While many transitional justice measures are temporary and focus on the first generation, education has the potential to reach both the first generation emerging from the conflict and subsequent generations that become increasingly responsible for nurturing and protecting civil society and, in some cases, democracy and democratic institutions.[13]

But education as an investment in the future also has potential to be transformative. It can make a particular contribution to redressing legacies of conflict and repression, which are often reflected in the education system as inequality, political discrimination, and social division, and play a significant role in empowering individuals in an emotional, economic, and sociopolitical manner and facilitating their process of rehabilitation and overall reintegration into society.[14] At the same time, at the social level, education polices can contribute to reconstructing the public sphere by providing knowledge about the past and creating new opportunities for interaction among citizens, while more broadly contributing to the establishment of a culture of human rights and democracy.

Given the effects of conflict and repression on the education system, as well as their broader social legacies, however, the system usually will retain many of the unjust traits that characterized it prior to the transition or the peace process. If these legacies are left unaddressed, they may pose important challenges to the capacity of the education system to properly fulfill a number of its fundamental functions in a democratic society, including

building a culture of respect for human rights, encouraging political participation, and promoting the inclusion of all citizens, especially those most affected by previous patterns of abuse, into the new political project—hence limiting the education system's overall contribution to fostering civic trust and social cohesion.[15]

In contrast, when understood as part of a societal response to the legacies of past abuses, education can be aligned with the aims of transitional justice. In addition to engaging society, especially the younger generations, in a dialogue on the reasons for and importance of dealing with the past, when addressing the impact of violations on education, and accordingly reforming the education system from a human-rights and respect-for-the-democratic-rule-of-law perspective, education itself can be part of a transitional justice approach, especially one committed to guarantees of nonrecurrence. Indeed, considering that education is normally a contested area of reform, comprehensive education reform can be an important indicator of the new government's commitment to the recognition and nonrepetition of the past. Pursuing transitional justice measures, however imperfect they may be, signals the state's commitment to learn from the mistakes of the past and demonstrates that some form of justice is possible. Education reform that includes, among other elements to be discussed below, the teaching of the recent past from a human rights perspective represents the state's commitment to institutionalizing the gains from transitional justice processes, thereby becoming an important form of acknowledgement and redress.

> Transitional justice can contribute to contextualizing the aims of education reconstruction after conflict and repression within a particular history of abuses, with an eye to strengthening its potential for preventing the reccurrence of such abuses.

Because of how it addresses the legacies of the past from a human rights perspective, a transitional justice framework can play an important role in identifying educational deficits related to previous repressive or conflictive logic and informing the reconstruction of the education sector in post-conflict societies under (re)newed social values. In this way, transitional justice can contribute to *contextualizing* the aims of education reconstruction after conflict and repression within a particular history of abuses, with an eye to strengthening its potential for preventing abuses from recurring. As Lynn Davies has argued,

> A transitional justice approach to education reform requires first to understand and acknowledge the role that education played in fueling or nurturing the previous conflict (including access to education, cultural and linguistic exclusion from the curricula or the use of educational means to promote repression and manipulate students), to avoid some of the mistakes made in simply recreating education as it was.[16]

At the same time, in the long term, acknowledging the educational impact of human rights violations on the lives of individuals and communities, engaging the education sector in transitional justice processes, providing education as a form of reparation, fostering social and political reintegration through education, and incorporating lessons from transitional justice processes into the educational curriculum may contribute to promoting peace.

II. Transitional Justice and the Reconstruction of Education after Conflict and Repression

The relationship between conflict and education signals the complexity of transitional justice's role in relation to post-conflict education reconstruction. Legacies of conflict and abuse in the area of education are not only material, but also psychological, social, and political, and they affect women and men, and boys and girls, in different manners. From this perspective, paying attention to the reconstruction of education in the aftermath of conflict is not only important from a development perspective, but also from the perspective of (re)building community life and society.[17]

Adding a transitional justice dimension to the reconstruction of education after conflict means not only rebuilding what was previously in place, but "building back better."[18] It, therefore, faces a double challenge: first, physically reconstructing the education system (including rebuilding schools and providing materials and human resources); and, second, dealing with the legacies of the previous conflictive and exclusionary dynamics while democratizing the school system (including school culture, the academic and socio-emotional life of students and educators, curricula reform, and so on), to ensure that education policies and goals really serve the aims of promoting equity and peace.

Every society that has experienced conflict or authoritarian repression should examine the legacy of that past in its educational system and its effects on the broader public culture. Being sensitive to the legacies of the past by using a transitional justice framework when planning education reconstruction can make a potentially important contribution by informing some of the changes that should be considered in this process. To the extent that looking into the past can help society to better understand the role that education played in the conflict—as well as to assess the impact that the conflict had on the education system and more broadly the socio-cultural life of a country—a transitional justice framework can play a valuable role in promoting reforms that can contribute more effectively to modifying the patterns that fueled conflict, especially in relation to exclusionary and authoritarian practices in the school system.

Truth-seeking efforts and criminal proceedings in particular can develop new narratives that promote a critical approach to history and recognition of victims' rights, which can later be included in the national school curricula or used in informal educational venues. At the same time, access to education measures, when properly articulated, can be a form of reparation for those who lost educational opportunities as a consequence of human rights violations. Finally, education can be among the institutions reformed under a transitional justice framework, with the aim of reinforcing human rights norms and values.

Adopting this transitional justice lens, this section explores some of the areas within the education system that should be examined in the aftermath of conflict and/or repression to ensure that the goals of the education system are aligned with the promotion of human rights and peace, and that education, as an institution and socially valued good, can better fulfill the role it should play in a democratic society.

Taking into account practical constraints, some contextual and strategic considerations on how the process can be developed are introduced in the next section. What follows is a discussion of areas of intervention.

Norms and Institutions

In the aftermath of conflict and repression, normative changes in education laws may affirm the values and principles that will inform how schools will operate and establish the framework within which later reforms and policies will be developed.

Given the legacies of past injustice, a first step toward changing the education system should be undertaking a comprehensive review of existing norms and policies with the aim of removing all harmful remnants of the previous repressive logic from the system. This process importantly will be contextual, requiring an assessment in each particular case of exactly how the previous logic affected education in a manner that is relevant from a transitional justice perspective. A revision of the system in place can lead to, among other outcomes, the reform of education institutions or the creation of new ones; the adoption of a centralization or decentralization process; the revision of laws that guarantee the right to education for all (including those previously discriminated against on the basis of ethnicity, religion, culture, or gender) as well as the rights of teachers and educators; the removal of personnel who abused human rights from key positions; and the restitution of teachers and administrators who were dismissed unfairly by the previous regime.[19]

> Given the legacies of past injustice, a first step toward changing the education system should be to undertake a comprehensive review of existing norms and policies with the aim of removing all harmful remnants of the previous repressive logic from the system.

In South Africa, for example, soon after the democratic transition of 1994, the government started a process—still ongoing today—to reform the entire education system. Measures of reform included the creation of a new nonracial department of education, approval of curricular reform, revision of textbooks, and adoption of a new legal framework that promoted the redistribution of resources among schools and the correction of previous gross inequalities. In places where access to quality education is marked not only by social and economic inequalities, but also by linguistic and cultural barriers, such as Guatemala, Ecuador, and Mexico, the state has "taken the lead in developing and implementing bilingual programs with appropriate education materials, adapted pedagogical practices, and qualified teachers."[20]

Truth commissions and criminal trials have sometimes produced findings about the role of education in repression and conflict, upon which they can make recommendations about education reform. The truth commission in Peru identified the education sector as one of four essential areas for reform: it focused its recommendations on promoting respect for human rights and socio-cultural differences in order to build a new national vision for education. The commission identified the importance of inequality between urban and rural areas, and, given that the latter were particularly affected by the conflict, insisted in its recommendations on the importance of promoting the status and improving the quality of rural schools, the need to promote a plan of literacy specifically for young girls and women in rural areas, and the significance of adapting educational content and methodologies to meet the demands of the labor market within the rural population.[21]

Truth Commissions' Education-Related Recommendations (Selection)

Country	Commission	Report	Recommendations
Argentina	National Commission on the Disappearance of Persons	1984	Make the teaching of human rights obligatory in state educational establishments (civilian, military, or police).
Chile	Truth and Reconciliation Commission	1991	• Provide reparations with educational benefits for children of victims. • Introduce human rights education in all levels of school from preschool to high school. • Promote graduate-level teaching and academic research on human rights topics. • Promote human rights in non-formal and informal education systems.
South Africa	Truth and Reconciliation Commission	1998	Establish a human rights curriculum that addresses issues of racism, gender discrimination, conflict resolution, and child rights. (The commission also emphasized the importance of education in promoting socioeconomic rights and a culture of respect for human rights.)
Guatemala	Commission for Historical Clarification	1999	• Reform the curriculum to address human rights and promote tolerance and respect. • Include teaching about the conflict, its causes and consequences, both at the primary and secondary levels.
Peru	Truth and Reconciliation Commission	2002	Emphasize the need for educational reform to promote human rights and support the development of a peace curriculum. The focus is particularly on improving the quality of rural schools, intercultural education, improving girls' literacy, transforming authoritarian pedagogy and violence in schools, and encouraging learning for citizenship and democratic values.
Timor-Leste	Commission for Reception, Truth and Reconciliation	2005	The Ministry of Education should work with the post-commission secretariat to develop a commission-based curriculum component and other educational materials on human rights, reconciliation, history, law, gender studies, and relevant disciplines.
Sierra Leone	Truth and Reconciliation Commission	2004	• Ensure free primary school education is delivered, correcting the existence of "hidden charges" or "chalk fees." • Work toward creating incentives that encourage children to attend secondary school.
Liberia	Truth and Reconciliation Commission	2009	• Provide access to free and quality education for all children. • Put in place measures to ensure that schools are safe environments for girls (in relation to physical and sexual abuse), including, among other measures, increasing the number of female teachers. • Put in place measures to ensure that the gap between girls' and boys' school enrollment rates is reduced. • Put in place measures to make secondary school free of charge and accessible to all children across the country, emphasizing the gender gap. • Expand vocational training schools and opportunities, in particular vocational training in agriculture in rural areas. • Provide accelerated learning programs for children and young adults who missed out on education during the war.

Country	Commission	Report	Recommendations
Kenya	Truth, Justice, and Reconciliation Commission	2012	• Put in place measures to ensure that schools, among other institutions, are safe places for children. • Establish a scheme to provide financial support to indigent children to help them acquire necessary amenities to attend school (e.g., school uniforms and writing materials). • Construct schools in marginalized areas and set a policy establishing minimum standards on the number of schools serving a given area. • Progressively integrate children with disabilities in the mainstream educational facilities.
Solomon Islands	Truth and Reconciliation Commission	2011	Implement a comprehensive reparation plan with an educational component that includes: • Provide special training to people living in places labeled as hotspots during the tension (primary and secondary). • Make anyone who missed education exempt from registration fees and provide scholarships to them. In the area of education reform: • Integrate values of democracy and human rights into all school curricula. Use the commission's final report as a textbook in classrooms. • Create a national university with a curriculum geared toward the development needs of the country. • Schools should become agents of intercultural relationships and understanding.

Segregation is a common structural legacy of past human rights violations to be addressed when changing norms and institutions within education systems. Many transitional societies retain educational institutions that are deeply segregated, often mirroring broader sociopolitical norms that are still at work. This is particularly true in cases when conflict or repression had an identity dimension. Segregation can be a reflection of identity and other social divisions, but it can also be part of an explicit policy of privileging one group over another.

Since the end of the war in Bosnia and Herzegovina in 1996, schools have been segregated along linguistic and ethnic lines. In some cases this includes the "two schools under one roof" phenomena, where students "from different ethnic groups attend the same school but are physically separated," are taught in different languages, and follow a specific ethnic curriculum.[22] What was meant to be an interim measure to facilitate the return of refugees in the immediate aftermath of the war has become an entrenched practice that impedes younger generations from learning to live together.

In Northern Ireland, 16 years after the Belfast Peace Agreement, 93 percent of Irish youth attend schools segregated by religion, and since 1981 only 62 integrated schools have been created. The "Shared Education Programming," which started implementation in 2007 and could have been perceived as a first step toward the promotion of an integrated model, has become a political impasse that, accepted by many as a practical working solution, may actually have contributed to preventing the real structural reform of the separated school system.

It should be noted, as will be discussed in more detail below, that the problem of segregation is particularly sensitive to context considerations: What is appropriate in one circumstance may not be in others. In post-conflict societies, students,

parents, and educators may legitimately fear the integration of schools because of the potential eruption of violence or because of a prior history of cultural assimilation.[23] However, in the longer run, the persistence of segregated schools in the public system can contribute to reinforcing divisions and exacerbating tensions—by perpetuating stereotypes and prejudices—and hindering progress made by other initiatives designed to promote acknowledgment and build civic trust.

Moreover, when different identity groups still live in separated communities, the education system may be one of the few venues in which younger generations may be exposed to different narratives. In contrast, educational diversity reduces the likelihood of racial prejudice and contributes to higher levels of social cohesion. As Karen Murphy argues, "Diversity, in a formerly segregated society, could be viewed as a just goal and one that aims to not just bring people together across communities but also to provide more equal opportunities and access to resources across communities."[24]

> The persistence of segregated schools in the public system can contribute to reinforcing divisions and exacerbating tensions—by perpetuating stereotypes and prejudices—and hinder progress made by other initiatives designed to promote acknowledgment and build civic trust.

Finally, in promoting reform, laws will not be effective unless specific bodies within the education system are created or assigned to design and implement new policies, seconded by resources and specialized personnel.

For example, in Chile, the National Corporation on Reparation and Reconciliation (established in 1992 to follow up on the recommendations of the Truth and Reconciliation Commission) had among its major tasks the mandate to implement an Educational and Cultural Promotion Program, understood in terms of prevention and guarantees of nonrecurrence. The program, which targeted both the formal and non-formal sectors, focused on creating tools to consolidate a human rights culture in Chile. To this end, it worked in six different areas: 1) promotion of knowledge creation of human rights, 2) qualification and training of education actors, 3) production of didactic materials to teach about human rights, 4) support of research projects about education and human rights, 5) support of the creation of spaces for reflection and debate, and 6) support of activities to promote human rights.

This highly participatory program constituted a genuine effort to incorporate the topic of human rights in the education system, both in schools and universities. Once the commission was dissolved in 1996, the program was taken over by the Ministry of Education.[25]

Access to Education

While access to free primary education is an established human right,[26] during conflict and under repressive regimes it is common for children and youth to have limited, if any, access to schooling or to be denied quality education. If the provision of education as a state social policy returns to more normal levels during a transition, using reparative justice policies as a mechanism to foster access to education for individuals who were previously excluded or to facilitate the completion of studies for those whose education was interrupted can be a way of acknowledging the educational impact of repressive policies and human rights violations on the lives of individuals and communities.

If education as a form of reparation, or part of a redress policy framework, specifically helps victims to overcome obstacles to education that resulted from rights violations,[27] it may contribute to "reducing inequality, particularly in cases in which victims tend to be from socioeconomically disadvantaged groups."[28]

In South Africa, for example, post-apartheid education funding was increased and reallocated to provide financial assistance both for access to education and for improving the quality of education available to the black South African population. This policy was conceived of and functioned as a form of redress following a principle of equity. Notably, for the Department of Education:

> The principle of equity requires fair opportunities both to enter higher education programmes and to succeed in them. Applying the principle of equity implies, on the one hand, a critical identification of existing inequities which are the product of policies, structures and practices based on racial, gender, disability and other forms of discrimination or disadvantage. Such transformation involves not only abolishing all existing forms of unjust differentiation, but also measures of empowerment, including financial support to bring about equal opportunity for individuals and institutions.[29]

Education as a form of reparation goes beyond what the state is already obligated to provide, importantly by acknowledging as unjust the harms children and youth as rights-bearers or their communities endured. Part of the importance of the potential reparative character of education lies in the role it can play in fostering the rehabilitation and reintegration into society of individuals, especially children and youth, whose rights have been violated.

Education plays a key role in helping individuals acquire the skills and values needed to become productive members of society and to aspire to upward mobility. It also can make a significant contribution to improving the quality of the social, cultural, and political lives of individuals. During transitions, the reincorporation of children into school life contributes to bringing back a certain sense of normalcy in their lives. Still further, by recognizing rights and promoting the inclusion of victims as citizens, education assistance as reparation can also contribute to catalyzing civic trust and promoting social cohesion.[30]

Administrative reparations programs, which provide material and symbolic benefits to victims, individually and/or collectively, have been proposed or implemented in numerous countries to provide benefits in the form of education to victims of various rights violations. Reparations or assistance programs (proposed or implemented) in Peru, Sierra Leone, Timor-Leste, and Colombia commonly have included education as an individual or material benefit or as part of a social service package. These benefits can include scholarships, reduced school fees, tuition and accommodation assistance, stipends, accelerated or fast-track programs, psychosocial support, and childcare facilities for students with their own children (especially in the case of girls and young women). Such benefits can facilitate access to education at the primary, secondary, tertiary, vocational/technical, and adult levels. But, as already noted, free primary education alone cannot qualify as reparations because it is included in the right to education that states are already obliged to provide.[31]

Education Assistance as Reparations[32]

- In Chile, reparations for the children of those killed or disappeared include scholarships for university and technical education and a monthly stipend. The definition of victim was later expanded to include those who suffered political imprisonment and torture and those who were eventually allowed to pass their right to a scholarship on to a child or grandchild.

- In Peru, reparations include an education component, but only a fraction of victims have received an educational benefit, such as participation in an alphabetization program, a university scholarship, or admission to technical or university programs. Community reparations in areas most affected by violence have in some cases included building or rehabilitating schools or classrooms.

- Sierra Leone's truth commission called for free senior secondary education for child victims as well as orphans or children of victims. It also called for these children to be included in an advanced learning program. An interim payment was labeled *reimbursement* for educational expenses, but otherwise little has been done to implement recommendations.

- Colombia's victims' law establishes several education measures for victims, including assistance for primary and secondary education and access to technical and university education. But implementation of the program has been slow and underfunded. A collective reparations program has included several pilot projects that recognized and accounted for obstacles to accessing education.

In some cases, such as Argentina, Brazil, Nepal, and Peru, the children of victims of violations have received educational benefits, in addition to children who have suffered violations directly. In Chile, for example, the national reparations program (Laws 19.123 of 1992 and 19.980 of 2004) included social and legal assistance support that provided educational benefits to children of the disappeared in the form of tuition, other fees, and stipends for both primary and higher and technical education.[33]

From a gender perspective, it is important to ensure that, at a minimum, the provision of educational reparations does not reinforce gender-based discrimination or inequality of access. In Chile, for instance, from 1990 until 2013, reparation scholarships were awarded equally to women and men (50% and 50%, respectively).[34]

Education as a form of collective, material reparations can include the (re)building of school infrastructure, the allocation of resources to conflict-affected areas or the reduction of fees and hidden costs in those areas, and the provision of bilingual and intercultural education. From a community perspective, investing in education as a form of reparation may be less controversial than other reparative measures because education is a highly valued social service. However, such measures as reparations require an explicit acknowledgement that they are designed and targeted to repair wrongdoing. In South Africa the truth commission recommended community rehabilitation by rebuilding schools, and in Peru some communities have used collective compensation to build schools.[35] Sierra Leone's truth commission identified gender discrimination as an obstacle to girls' education and made recommendations for community reparations to ensure access to free, compulsory primary education for all children, girls and boys.[36]

> The legacies of authoritarian or violent educational cultures among the interpersonal relationships within educational institutions, families, communities, and students themselves can include despotism of school authorities, corporal punishment and other forms of teacher or student violence, discrimination, and sexual harassment.

School Environment, Culture, and Governance

The reform of school culture and governance—because of either the direct legacy of the previous regime in the educational system or violence that infiltrated schools during conflict—presents a critical dimension of education reform in a transitional context. The legacies of authoritarian or violent educational cultures among the interpersonal relationships within educational institutions, families, communities, and students themselves can include despotism of school authorities, corporal punishment and other forms of teacher or student violence, discrimination, and sexual harassment.[37] Peru's truth commission, for example, in acknowledging this aspect of the educational culture after conflict, considered that eliminating violence in schools and reforming the authoritarian pedagogy were both important in fostering a culture of human rights.[38]

Changing school cultures, however, is not easy. Educational policies of the post-apartheid South Africa, for example,

> tried to reframe the authoritarian relations of the past around an equality of rights and mutual responsibilities. Student identities were to be reconstructed around the notion of the student as a citizen where each has the rights and voice within the democratic structure of the reformed schools. However, teachers felt that the policy which gave students a legal basis to claim entitlements within schools had at the same time reduced teacher's owns rights, threatening their traditional identities. Rights were in competition. There was a particular opposition to banning corporal punishment, which they saw as a breakdown in discipline. These complexities did not seem to have been considered by the policymakers.[39]

While similar debates do occur in societies not undergoing transition, in transitional justice contexts the particular dynamics of authoritarian culture in classrooms are likely to be legacies of the past.

Constructive strategies to promote reflection within a school community about how to promote good governance and nonviolence can be conducted through classroom discussions about teaching-learning methods and peer relations or through extracurricular activities, such as student government or conflict-resolution committees.[40] To work, however, a commitment to nonviolence needs to be a collective endeavor. Rather than being left to teachers alone, it should involve administrators, parents, students, and, in some instances, the community as a whole.

> In post-conflict contexts creating safe schools and, more broadly, safe spaces for students and teachers to have discussions about the violent past should include mental health and psychosocial considerations.

Using community structures to deal with school violence has proved successful in some contexts with ongoing conflict (that are not yet transitional). In Colombia, for example, in the northern province of Bolivar, "The Convivial Schools Program (Escuelas Territorios de Convivencia Social) has adapted the traditional local figure of the *palabrero*, or mediator, prevalent in the indigenous population, to train a network of negotiators chosen from among students, parents, teachers and school administrators whose role is to promote peaceful modes of conflict resolution in the school and the community." Set in a region that has been caught in the middle of conflict for more than two decades, "The program has begun to transform the culture of schools in a more democratic way and to shield them relatively from the surrounding violence, even achieving the safe release of teachers kidnapped by the guerrillas or the paramilitary."[41]

In Nepal, schools were caught in the middle of the conflict between the government and the Maoist insurgents, becoming part of the war's landscape. UNICEF, in partnership with several organizations, developed a "Schools as Zone of Peace" program in 2003 that included a model for developing school codes of conduct that community facilitators could use to negotiate with armed actors to stop targeting schools; the mobilization of civil society to help keep conflict out of schools; the provision of psychosocial support to students; and the teaching of landmine awareness and protection. The project built on community support structures to draw up and monitor the school codes of conduct and used notice boards outside schools to turn away anyone approaching with a political or violent agenda. The focus was on protecting children from such obstacles to learning and ending all violence and discrimination in school.[42]

Importantly, in post-conflict contexts, creating safe schools—and, more broadly, safe spaces for students and teachers to have discussions about the violent past—should include mental health and psychosocial considerations. In this respect, before teaching the past in the classroom, it may be necessary to put in place measures to promote well-being and build resilience among both students and educators. Moreover, on a case-by-case basis, it may be necessary to deal with trauma and, hence, to provide specific forms of psychosocial support and help to identify children with additional or special needs for referral to specialists and community case management.[43]

Curriculum Reform

School curriculum comprises both what is taught and how it is taught.[44] As such, it reflects and is embedded within a particular cultural and political dynamic and context.

Following a conflict or a repressive period, revising the content of curricula provides the new government with the opportunity to convey a narrative about the country's recent past to younger generations. Such a narrative will play a fundamental role in influencing national identity and the building of state legitimacy. It also can be crafted in a way that contributes to critically reflecting on the legacies of the past while promoting a more democratic notion of citizenship.

With this goal in mind, numerous truth commissions have included among their final recommendations the reform of the school curriculum to teach the recent past and inculcate a culture of human rights. In post-World War II Germany, "a whole textbook section under the Education Branch of the Control Commission undertook the vast task of revising school textbooks."[45] In South Africa, the current history curriculum examines the country's violent past as well as the transition process (and the role the Truth and Reconciliation Commission played within it) as part of a broader political commitment to deal with the legacies of apartheid. According to those responsible for the curricula-design process, by looking into the past, the new curriculum requires young people to explore critical issues, such as "race, gender, class, xenophobia and genocide and the impact that these have had in the past and present."[46]

Because in post-conflict societies the past is usually an extremely contentious topic, some countries, like South Africa, initially suppressed the teaching of recent history (or even history altogether) for several years. This is unsurprising if we consider that "in conflict and post-conflict situations, past events and present positions are intricately entwined."[47] While there may be significant opposition to bringing the recent past into the classroom, however, it is also problematic to believe that simply suppressing an uncomfortable part of a country's recent history will automatically lead to social harmony and peace. While, of course, it will depend on important contextual factors regarding the nature of the past and what is possible to achieve in a given period of time, as some authors have argued, in the longer run, "Suppression of historical events does not produce a common history—it serves only to reinforce the social identities of those who fought against each other."[48]

> Teaching the recent past in the classroom gives the younger generations the opportunity to learn about prior conflict, repression, and injustice, and, potentially, to understand that their own experiences were part of a larger and more complex phenomenon that affected the entire country and has left enduring legacies in the present political and social space and in the lives of many individuals.

Teaching the recent past in the classroom gives younger generations the opportunity to learn about prior conflict, repression, and injustice and, potentially, to understand that their own experiences were part of a larger and more complex phenomenon that affected the entire country and left enduring legacies in the present political and social space and in the lives of many individuals. For the teaching of the past to have the intended positive effects, especially in societies grappling with the legacy of civil conflict, it has to be done in a conflict-sensitive manner so that it does not result in renewed humiliation of one group or favoritism of another.

Teaching the past does not just need to focus on those whose rights were violated, but help to explain why and how the conflict emerged and how different social groups can be pulled into violence. This helps to challenge the idea that there is more to past conflict than just a group of victims and a group of "guilty" perpetrators. Only such recognitions of the complexity of the past will lead to creating a space in which the offspring of both victims and perpetrators can discuss these issues safely.[49] To the extent that schools are stable and safe environments, the classroom can serve as a unique space for children and youth to reflect on and discuss the past critically and without fear, helping them to better elaborate on and contextualize their own beliefs and challenge any personal assumptions.

Finally, when considering where to include the teaching of the recent past most effectively in the curriculum, there are two main options: history or social sciences, and civic or peace education. While transitional justice practitioners have tended to pay more attention to the need to include the teaching of the past in history classes, there are good reasons to move beyond this narrow focus. Given that history is often a highly contentious topic after conflict and may take time to be revised, other subjects, such as peace or civic education, can create alternative spaces in which looking into the past can be understood as a pedagogical method to learn about human rights and peace.[50] Moreover, history is usually only taught at the end of primary school and in high school, which may be problematic given the high percentage of students who do not attend secondary school in countries overcoming conflict. It may, therefore, be easier to introduce the study of the recent past in civic or peace education classes.

The teaching of the violent past, as Ana María Rodino argues, can focus on one subject or a combination of subjects, including human rights and democracy education, peace education, citizenship education, history, or pedagogy of memory.[51] Regardless of which of these subjects, or combination of subjects, is deemed most appropriate in each context, the guiding aim should be to devise methods to educate children and youth about the past in a way that explores and promotes their capacity for democratic citizenship. In this respect, it is important to make sure that the topic is not approached in an overly abstract or broad manner, but in a way that makes relevant connections to the country's particular history.

Likewise, when citizenship education primarily focuses on teaching how to be a "good citizen," there is a danger of its bolstering nationalistic sentiments, "rather than offering a critical examination of who has had citizenship denied in the past."[52] This is partly why the topic should ideally be included in both history and civic or peace education and, when possible, approached in both disciplinary (as a theme included in a particular subject) and crosscutting manners (as a theme considered in different subjects in a parallel manner).

There is often a need to switch from teacher-centered and authoritarian ways of teaching to those that favor more egalitarian and participatory methods that encourage students' critical, independent, and creative thinking; appeal to their emotional imagination and capacity to feel empathy; and foster their disposition for active citizenship.

Pedagogy and Teaching Methods

When devising methods to teach the violent past in post-conflict and post-authoritarian contexts from a transitional justice perspective, it is necessary not only to take into account issues such as children's developmental capacities, security, and psychological well-being (especially among children who may experience ongoing conflict- or repression-related trauma), but also to put in place pedagogical approaches that promote their capacity for critical thinking and engaged citizenship in a manner relevant to their immediate lives. Importantly, these methods need to be adapted to the particular challenges of different contexts, based on an understanding of how broader conceptions of human rights can be linked to the real experiences of children in post-conflict societies, including children belonging to the different sides and with different experiences of the conflict. Such teaching methods should promote their social and political empowerment in a way that is realistic within the environment in which they live.[53]

To begin with, there is often a need to switch from teacher-centered and authoritarian ways of teaching to those that favor more egalitarian and participatory methods that encourage students' critical, independent, and creative thinking; appeal to their emotional imagination and capacity to feel empathy; and foster their disposition for active citizenship. Overall, pedagogical methods should aim to strengthen the culture of democracy among students—reinforcing

Museums of Memory

Memory museums and sites of conscience all over the world have been developing myriad methodologies and programs to educate children and adolescents about the legacies of human rights abuses for many years. In many contexts, not only can the experiences that these museums provide be immensely valuable for those interested in including a transitional justice dimension in educational programming, but they also can be important allies for taking such work forward.

- The Liberation War Museum, a memory museum in Bangladesh, has developed an educational strategy aimed at playing "a supportive role in strengthening students' understanding of history and promoting peace and human rights education. LWM's input can enrich the mainstream educational system as an informal contribution from outside, through the synergy the program has generated and the enthusiasm it created among various stakeholders."[55]

- In South Africa, District Six Museum uses the experience of a neighborhood in Cape Town to reflect on the forced removals of the past. The museum has an educational program that introduces both teachers and learners to the history of District Six, apartheid, and forced removals. The museum's Heritage Ambassador Project encourages young people to participate actively in the museum, with interested youth given the opportunity to become museum ambassadors in three areas: antiracism, curatorship, and expressive arts.[56] As part of this project, youth participate in a series of activities to explore issues related to colonialism, apartheid, and socioeconomic systems held in place by race, class, and gender stereotyping.

the idea that disagreement and deliberation are part of the rules of society, while contributing to the development of students' creativity, attitudes, and skills to learn to listen to others and solve conflicts in a peaceful manner.

This approach may be challenging for teachers, especially when dealing with recent conflictive issues that may trigger emotional responses among students. It will, therefore, be necessary to help teachers create safe spaces to foster discussion and tools to manage conflict in case it is necessary. This includes steps like the introduction of mutual-respect rules or having groups of students (rather than teachers) prepare different topics to be discussed in the classroom. Teacher capacity and training, as will be later discussed in more length, will be fundamental in most cases to developing teachers' specific skills.

For example, to facilitate discussion during school visits, the staff of the Outreach Program of the International Criminal Tribunal for the Former Yugoslavia (ICTY) designs questionnaires to guide debate. It uses different mechanisms to deal with issues like denial (from literature to testimonies), which serve to illustrate the ideas it wants to convey (for example, what a war crime is and what should be done about it).

Further, methodologies that challenge stereotypes and analyze the different ways in which individuals behave under difficult circumstances have been successfully used, including by organizations such as Facing History and Ourselves and the Monte Sole Peace School in Italy.[54] While in the aftermath of conflict there is plenty of scope to analyze questions of guilt and responsibility, we know that reality is never black-and-white: human behavior has many complexities and motives. There are stories of bystander behavior, resistance against injustice, and solidarity with and support to victims that have an important learning potential. Together with testimonies from victims and perpetrators, truth commissions can collect some of these stories that could later be used to teach about the past. Again, as discussed above, it is important to be mindful of the different effects these narratives may have on the offspring of victims and perpetrator groups.

To maximize the potential of educational activities in post-conflict societies, Rodino argues, they

> should not be restricted to the physical space or the curricular function of the school, but should instead link the school to the community life. Different types of strategies can be designed to involve the educational agents in socially valuable extra-curricular activities that complement curricular goals. A good example is community-based action or research projects conducted with the immediate community of the school or with others that are concerned about reflecting on their own past and committed to building a democratic and just future.[57]

Multiple places exist outside of the classroom where children and youth can learn about the past while actively participating in educational activities. Memory museums and sites of conscience offer a great opportunity to engage students on issues of memory and justice. The chance to attend a truth commission public hearing or a trial session may also provide powerful learning opportunities for them.

Finally, to go beyond the acquisition of knowledge, values, and attitudes in the classroom, pedagogical approaches in transitional justice contexts should encourage participatory methodologies. As Murphy has argued, democracy is not an intuitive system: Learning to become a democratic citizen is not something one learns just by being in society. There is both procedural knowledge to learn (a new constitution, for example) and behaviors and dispositions that must be developed and practiced.[58] Students can be encouraged in multiple ways to develop participatory skills, from the creation of artistic projects to the collection of oral testimonies to the elaboration of research projects to more direct involvement in volunteer work.

> To go beyond the acquisition of knowledge, values, and attitudes, pedagogical approaches in transitional justice contexts should encourage participatory methodologies.

An interesting example is Peru's PROVER initiative (*Promotores de la Verdad* or Promoters of Truth), implemented by the country's Truth and Reconciliation Commission. The program's aim was to engage youth from universities all over the country in the truth-telling process, with the ultimate goal of promoting their civic consciousness and active participation. What started as a limited idea soon became a very large and sophisticated project, with approximately 800 participants aged 18 to 25 who became active participants in the work of the commission by taking testimony, disseminating information, and creating community forums. After the PROVER program officially ended, young volunteers became "memory workers" and continued to use other means, including arts and memorialization initiatives, to promote the legacy of the commission and its work.[59]

As Davies notes, participatory methods have proved to have important effects: "Students who have participated in volunteering or community service when at school are more likely to participate in the political process in the future, if only to vote."[60]

Tools for Teaching

The design of specific tools is fundamental when considering the teaching of the past in post-conflict and post-authoritarian contexts. More than just being useful to the educator in implementing a pedagogic methodology, didactic tools in themselves when adequately crafted can provide the educator with a methodology to implement. For this to happen, however, they should include guidance that teachers can follow. A leading organization in the field of educating younger generations about the legacies of the past, the U.S.-based organization Facing History and Ourselves, for example, has been working for more than 30 years to develop methods and tools to help educators to address these sensitive topics in the classroom, while remaining mindful of their own "positionality" stemming from the group identity that may influence their stance on historical narratives.

In Canada, the Legacy of Hope Foundation and the Truth and Reconciliation Commission have worked together with curriculum developers to create materials to help Canadian teachers address the history and legacy of the residential school system in the classroom, including resources for grades 9 through 12 as well as for post-secondary students and lifelong learners.[61] More recently, Colombia's National Center for Historical Memory

(Centro Nacional de Memoria Histórica) has been collaborating with a group of teachers to develop a series of educational methodologies aimed at dealing with the memory of the armed conflict in the classroom in a positive manner and a series of lesson plans based on reports for children and youth produced by the center, which includes a reading guide for teachers.[62]

A wide range of teaching tools can be designed to support teachers and help students learn about the recent contested past. These can include more traditional resources, both printed materials (such as textbooks, study guides, and lesson plans) and audiovisual materials (video clips, documentaries, and audio segments), but also materials that serve to directly portray memory, such as would-be memory sites, artifacts, celebrations, testimonies, and journals.[63]

Because of the range of possibilities, in each situation it needs to be asked what is the most appropriate tool to be created and used. Teachers and students should be involved in this decision-making process. Under normal circumstances, textbooks are the first and most common resource used to teach in the classroom and develop the curriculum, but the production of textbooks is a lengthy and costly process that requires transparency and broad social consensus. For this reason, Elizabeth Cole has argued that rather than investing in history or civic education books in the immediate aftermath of conflict, efforts should focus on purging existing textbooks of distorted, manipulated, and hateful messages and using complementary materials that are easier to agree upon and prepare (such as teacher guides, brochures, and so on).[64] Such complementary materials can be used independently or to supplement official textbooks, with an eye to their eventual incorporation into the curriculum in the longer run.

> Complementary materials can be used independently or to supplement official textbooks, with an eye to their eventual incorporation into the curriculum in the longer run.

In transitional justice contexts, the establishment and operations of a truth commission or a criminal trial provide great opportunities to design complementary teaching tools. Indeed, there is a great variety of examples of materials that have been developed under such circumstances. In 2004, the Truth and Reconciliation Commission of Sierra Leone partnered with UNICEF to produce versions of its final report as well as a video report for children and secondary schools. The child-friendly version of its report involved more than 100 children in its conceptualization. It includes a summary of the commission's findings, with an emphasis on the conflict's effects on children, and closes with a chapter on children's vision of the future and a plan to disseminate the report, including through discussions in schools. It should be noted, however, that this report was neither conceived nor designed as an educational tool. The secondary school version, produced with the Ministry of Education's support, provides a simplified version of most of chapters in the TRC's final report, with cartoons illustrating the content.

Another interesting example is a booklet produced by the Special Court for Sierra Leone—"The Special Court Made Simple"—that, in contrast to the material produced by the TRC, was officially approved as a curriculum resource. As Julia Paulson notes, "The SCSL resource is much less concerned with teaching the past than it is with providing information about the Special Court," while truth commission resources "detail findings about causes of conflict and about the role of the state in human rights violations."[65]

Audiovisual materials have also been a very useful means to promote learning and facilitate discussion among children and youth in different transitional contexts. Perhaps more than printed material, they "have the great advantage of being familiar to young people and facilitating motivation, empathy, collective dialogue and a disposition towards complex learning process."[66] As part of its educational outreach program, the Liberation War Museum in Bangladesh brings students in to view a documentary film on the history of the liberation struggle,

visit the gallery, and participate in a quiz competition. The Special Court for Sierra Leone and the International Criminal Court also have used film and documentary screenings followed by question-and-answer sessions when visiting schools as part of their children and youth outreach programs.

Works of memory, which are less traditional materials in the education realm, have also proved to be extremely useful in teaching children and youth about the legacy of the past. Oral history projects and testimonies, for example, are especially powerful educational tools, because they tell personal stories of how different people—potentially both victims and perpetrators of abuses—lived through and experienced a conflict period. In this respect, they fulfill an important role in facilitating the understanding of the past among students by going beyond mere description of facts and using empathy to help develop emotional responses. As Alan McCully argues, "Listening to personal accounts, genuinely told, makes history meaningful and influences beliefs or behaviors in the present based on what is learned from the past."[67]

In Lebanon, a project called "Badna Naaref" was conducted between 2010 and 2012 as both an oral history and truth-seeking exercise, which involved 44 students from 12 schools who participated under the supervision of their teachers. The project's goals included increasing students' understanding of political violence, its consequences for the everyday lives of those who live through it, and its impact on the future; facilitating an intergenerational discussion; helping students to think reflectively; and developing an archive of narratives of the conflict that could become part of a future curriculum.[68] In Bangladesh, the Liberation War Museum's outreach work has included a similar type of oral history project in which students interview family members about past injustices, helping to "give young citizens a sense of agency."[69]

Another similar project called "History at Hand," a historical competition for school children organized in Poland in 2013 by the NGO the Karta Center, asked participants to collect oral histories from their families, friends, and acquaintances about their everyday lives during World War II. Although it was discontinued in 2014 due to financial constraints, this type of project has the potential to foster intergenerational connections. As Alexander Karn puts it,

> This experiential model is particularly salient where the past entails traumatic episodes characterized by large-scale injustices, not because students who practice it will be able to fully overcome all of the various obstacles to comprehension, but because contact with witnesses, victims, survivors, perpetrators, and bystanders will be invaluable for understanding the "multi-vocal" quality of the past and because real social interactions have a way of transmitting the emotional and personal stakes that these histories entail, which the vast majority of textbooks do not.[70]

While testimonies and intergenerational dialogue methods have proved to be very powerful didactic tools when learning about the recent past, they also should be handled with care. Testimonies come from personal accounts

Oral History Projects[71]

Oral history projects can be powerful educational tools, telling personal stories of how people experienced conflict and abuse, facilitating an understanding of the past that goes beyond the description of facts, and helping to develop students' emotional responses. However, such projects should ensure that personal accounts are properly contextualized.

- In Lebanon, the 2010-2012 oral history project "Badna Naaref" aimed to increase participants' understanding of political violence and its consequences, facilitate an inter-generational dialogue, and produce an archive of conflict narratives.

- In Bangladesh, the Liberation War Museum's outreach work includes an oral history project through which students interview family members about their experiences of the 1971 war. The more than 20,000 oral accounts collected by students have been preserved in the museum's "Archives of Memory."

- In Poland, the Karta Center (an nongovernmental organization) organized an annual historical competition from 1996 to 2013 called "History at Hand." In 2013, the competition asked school children to collect oral histories from family members, friends, and acquaintances about their experiences during World War II.

and as such are experiential; they should be properly contextualized. They are only a resource to learn about the past and cannot replace explanations of what happened.

Teacher Capacity and Training

Teachers' ability, confidence, and willingness to teach the past are critical to the effectiveness of all of the education reforms discussed so far in this report. As Davies suggests, teachers are a central part of this work: their role is not just as purveyors of a transitional justice curriculum, but as influential actors who can promote (as well as undermine) transitional justice goals.[72]

Moreover, given the political, personnel, and material constraints of teaching in transitional contexts, "Working with teachers and teacher educators to shift the way that they teach can be quicker and more effective than creating, approving, producing and distributing new materials."[73] Indeed, as Cole has pointed out, "Even the best curricular materials may be wasted in the hands of teachers unprepared to use them well in the classroom."[74] Training and supporting educators, therefore, must be a priority.[75]

To prepare teachers to teach the injustices of the past effectively, "Teacher development programs (both pre and in service) need to provide the space and support for teachers to confront their own identities, legacies and biases and to begin the process of self-reflection."[76] Such programs should also provide teachers with the necessary knowledge and ethical and technical means, and empower them to use democratic methods in the classroom.

Changing the way teachers teach, however, is difficult, especially when there are limited resources and when teachers tend to be inadequately prepared. As Laura Quaynor points out, changing the nature and culture of education methodology "requires structural change in the ways school function and that teachers are trained and supported in the classroom. In addition, appropriate ways for students to engage in citizenship education may differ across contexts. Teacher training and support should reflect these nuances."[77]

Since 2000, teachers in South Africa have been required to teach the history and legacy of apartheid, but they have not been supported by the department of education to understand how their own experiences of apartheid impact how they do so. Addressing this concern, the education department in the Western Cape joined forces with two civil society organizations, Shikaya and Facing History and Ourselves, to develop a teacher-training program, Facing the Past, that has already helped approximately 500 teachers engage with the past that they are required to teach in a productive manner. It gives them tools to teach students, through the study of history, to become active, tolerant, and responsible democratic citizens who value diversity, human rights, and peace.[78]

While there is plenty of room for civil society organizations to develop teacher-training programs of this sort, ultimately this should be an official endeavor at the state level to ensure that it is designed and implemented effectively and systematically. In this respect, paying attention to teacher training also implies reforming the teaching-learning institutions and the methodologies they employ. Ideally, support to teachers charged with teaching the past should be ongoing. For example, Shikaya provides teachers enrolled in its training programs with "continuous support that includes online and personal contact to develop teaching skills, resources and personal growth."[79] A less costly alternative may be to create networks of teachers so that they can support each other's work in the classroom.

III. The Role of Actors in Enacting Change

This section highlights the roles that can be played in linking transitional justice and education by different actors, including transitional justice bodies, civil society groups, school communities, and local and national government. Each of these actors can be an agent and/or an obstacle to change.

Developing synergies between transitional justice and education as part of a societal response to the injustices associated with past massive human rights abuses will be contested and will face numerous and significant challenges. Effecting actual change through such efforts is often hindered in various ways, through both the opposition of specific actors and capacity and structural constraints: truth commission recommendations for educational reform often go unheeded, reparations programs struggle to be implemented, and comprehensive educational reforms are rarely integrated into a wider transitional justice framework.[80]

Education in post-conflict and post-authoritarian environments—as "a vast, massive, and complex system, with multiple interacting and complementary components"[81]—can be very difficult to change, especially through an approach that emphasizes the need to address past injustice. Changing education systems is a process that requires significant political and financial investment and, even under the best of circumstances, a great deal of time.

Challenges faced by those advocating a transitional justice approach to education reform include those that constitute a lack of support or active opposition at the political, social, or cultural level and those that constitute more technical or capacity- and resource-based constraints. (It is often more difficult to distinguish political challenges from technical challenges.) Education is already a political domain, and it can become more so if its reform is approached from a justice perspective. Transitional justice practitioners, writes Karn, naturally deploy their education activities within the sphere of politics.[82] As Davies argues, a political lens is, in fact, part of the distinctiveness and power of this kind of approach to reform: education reform that involves addressing past injustice can both catalyze change and signal that a new government is committed to democratic and peaceful change.

But because it introduces issues of accountability and redress to the governance of a major societal institution, it is also likely to provoke contestation at different levels.[83] Opposition to linking transitional justice and education is likely to come both from within schools themselves and from the local and national governments that run the education system and the communities that benefit from the provision of education as a social service, as will be demonstrated below.

It is important to think strategically about how to effect change. This ultimately includes creating a social mandate, establishing state policy, ensuring significant implementation, and achieving sustainability. While the challenges to be faced are significant, emergency and post-conflict responses also often create entry points for strengthening institutions and initiating social change.

The following two sections examine the more capacity- and resource-based constraints that efforts to address the past through education are likely to face and emphasize the importance of entry points, incremental approaches, measuring impact, managing expectations, and a context of broader reconstruction. From the beginning, a strategic approach should determine resources, responsibilities, target groups, and priorities. As suggested above, however, a strategic approach needs to be based on contextual analysis; it cannot assume that reforming education within a transitional justice framework is always possible, or even desired, by the communities that an education system serves. A fundamental element of contextual analysis is mapping out the various actors who may be involved in education reform.

Consultation and engagement with relevant stakeholders and partners is fundamental for any sustainable educational reform process. Transitional-justice–sensitive education reform—because of its political and contentious nature and its potential to build stronger advocacy networks—must listen to the voices of educational authorities, school administrators, curriculum experts, teachers, students, parents, and educational civil society organizations, each of whom will have a different perspective on how the legacies of the past can, and should be, addressed through educational means. Doing so also expands the range of institutional and individual actors engaged in transitional justice, allowing them to take part in and become engaged with a framework from which they are often excluded.[84]

Consultation with relevant actors can allow members of the educational community to participate in the discussion of reforms. This can happen, for example, through teachers' unions or professional organizations, educational conferences, calls for participation, and specific sector consultations.[85] Ultimately, it is important "whenever possible to work with institutions with the capacity to impact the entire system, such as the national and local offices of the ministries of education as well as teacher training colleges and teachers unions."[86]

Transitional Justice and Education in Sierra Leone[90]

Sierra Leone's experience demonstrates the challenges of working with an education system severely damaged during conflict, including a shortage of teachers, the destruction of schools, children out of school, and a range of competing reconstruction needs. Within this difficult context, in 2004 Sierra Leone's truth commission and UNICEF produced versions of its final report and a video report for children and secondary schools. The child-friendly version emphasizes how the conflict affected children and includes a chapter on how children envision the future. The secondary-school version offers a simplified version of the commission's report, with cartoons illustrating the content. In addition, the TRC's "National Vision for Sierra Leone Project" asked for artistic contributions from children, which it exhibited in the national museum. The Special Court for Sierra Leone also produced educational material, which was approved as a curriculum resource, and developed outreach activities, including primary school student visits, court official visits to schools, and university clubs in which students learned about the court and transitional justice.

Transitional Justice Measures

Transitional justice measures, as direct responses to injustices of the past, can be designed with an eye to establishing links with and catalyzing change within the field of education.

Truth commissions, for example, often make recommendations related to education, both about education reform and reparations programs that include the provision of education assistance to victims. In South Africa, Peru, Morocco, Sierra Leone, and Timor-Leste, commissions identified structural injustices and education-related needs that were addressed by subsequent efforts to improve the provision of education to populations that had been marginalized and discriminated against.[87] Truth commissions have arguably played a role in prioritizing education reform in South Africa, Peru, and Morocco, but less so in Sierra Leone and Timor-Leste, which have seen limited implementation of recommendations.[88] In South Africa, the truth commission's final report pointed to the importance of teaching about the truth commission as a way to help prevent the recurrence of human rights violations. The national curriculum ultimately was informed by the commission's work and the country's education reforms were consistent with the commission's message.[89] At a more

individual level, the commission also helped teachers talk about their own past, which can be critical in their teaching of the country's past to students. In Sierra Leone, the truth commission's "National Vision for Sierra Leone Project" asked for artistic contributions from children, distributed pamphlets in educational institutions, held a workshop to inform students about its findings and provide materials, and exhibited its contributions in the national museum, where they were viewed by school children.[91]

In some cases, truth commissions and criminal courts and tribunals have used education as part of their outreach strategies.[92] Education tools have been fundamental in this respect when trying to engage children and youth in a transitional justice process, but also as a means of building a legacy and ensuring the sustainability of justice-related initiatives. The Special Court for Sierra Leone, for example, developed an outreach strategy that included primary school students visiting the court, court officials visiting classes in schools, and, in partnership with the Sierra Leone Teachers Union, the creation of clubs in universities through which students learned about the court and broader transitional justice issues. By 2011, 14 such clubs had received funding from the court to educate communities (although mostly in Freetown). The court also partnered with the nonprofit organization Peace Links to visit schools and explain trial proceedings, with 1,322 school visits in 2009.[93]

In the countries of the former Yugoslavia, the ICTY also has targeted high school and university youth through an outreach program that focused on the formal school system, which required the support of local authorities and schools. The project centered on presentations made to more than 3,600 students in more than 100 high schools, as well as more than 70 academic lectures to approximately 3,500 students at dozens of public and private universities. The program sought to promote the "work, achievements, and legacy" of the ICTY, including the facts established by the trials. It successfully "attracted the interest of the students and often provoked them to re-examine their beliefs."[94] Another international criminal justice institution, the Special Tribunal for Lebanon, created outreach activities, such as criminal justice courses and the translation of texts on international law for Lebanese university students (with two of the participating universities including the course in their curricula).[95]

As with the provision of educational reparations, it is critical that outreach activities include a gender dimension in their design and implementation.[96] This means both that girls are given the same opportunities as boys to participate and gender considerations are included when teaching how the past may have affected women and men (girls and boys) differently.

ICTY's Youth Outreach Program[97]

The ICTY has engaged specifically with high school and university students through a youth outreach program involving presentations on the work and achievements of the court at more than 100 high schools and academic lectures at dozens of public and private universities. To facilitate discussion during school visits, ICTY staff use questionnaires to guide debate and different tools—from literature to testimonies—to deal with difficult issues. Aimed at the formal school system, the program required the support of local authorities and schools in countries where governments did not always view the ICTY favorably—which could be difficult to implement and was not always successful. Nevertheless, the program engaged the authorities in dialogue about the need to include the past in school programming, the ability of youth to address controversial topics, and teacher involvement in the process. The program has worked to transfer ownership to local partners, training high school teachers to deliver presentations, creating and training a network of local nongovernmental groups, and producing teaching tools and materials for teachers and activists.

The absence of a legitimate transitional justice framework—due to an only partial transition, ongoing instability, or structural divides (like societal segregation)—can undermine efforts to repair society and achieve reconciliation through education.[98] A lack of meaningful political and institutional reform along with a volatile security situation in a country can leave the ruling class in power and offer little incentive to deal with the past. This can make it difficult to develop a transitional justice approach to education reform or curriculum reform at the national level.[99] Lebanon is such an example.

In Bosnia-Herzegovina and Northern Ireland no comprehensive transitional justice framework exists, and education reforms have been proposed but only partially implemented. Those that have been implemented remain mostly technical and neutral with regard to dealing with the past.[100] This often means that where initiatives do exist, teachers may resist or avoid them because they feel unsupported by the government and/or parents. Taking up such efforts would position teachers "to act against the norms of society" and "[place] teachers, administrators, and, most importantly, students potentially in harm's way as they tackle challenges that the wider society has neglected or abandoned."[101]

In addition, parents and communities in some contexts may object to measures that promote aims such as the integration of schools—despite the many benefits of it that we may point to—because they view integration as a step toward the potential loss of ethnic identity. As Murphy explains with regard to Northern Ireland and Bosnia-Herzegovina, "Fear of a group's identity being threatened or subsumed by another permeates both agreements and provides a window into some of the challenges that both countries face, particularly within the educational arena."[102]

> Overcoming opposition to reform is not just a question of convincing teachers and administrators to buy in to the process, but pursuing broader justice and reconciliation at a societal level.

Overcoming opposition to reform is not just a question of convincing teachers and administrators to buy in to the process, but pursuing broader justice and reconciliation at a societal level. As Rodino argues, "Introducing history learning and memory of the recent past into schools is not something that occurs spontaneously or as a result of the actions of a group of education experts or teachers. It occurs as a result of a social mandate. That is why it must be established as public policy and, ideally, as state policy, not just government or party policy."[103]

In cases when the absence of a legitimate national transitional justice framework suggests that a society has not taken broader steps to address the divisions of the past (and present), or when a transitional justice policy has been officially endorsed but is overly politicized or unsupported, it may still be possible to try to address the past in educational settings at more local, informal levels, as is discussed next.

Civil Society

Transitional justice measures may help to integrate education as part of a country's response to the violent past. But if other relevant actors are not engaged, they are unlikely to lead to real change in the education system or curriculum. Transitional justice efforts to link to education have to be accommodated within a broader process.

Very seldom will a transitional justice process be the main driver of education reform, and transitional justice actors should not overestimate the awareness of or interest in their goals among education actors. Implementation and long-term sustainability of reform will depend on the support and participation of civil society. For the implementation of truth commission recommendations and reparations programs that provide educational assistance, for example, the strength of civil society and victims' movements is crucial. Chile and Nepal, and less so Colombia and Peru, have seen the adoption of some concrete policies that provide educational assistance at a mass level. But of these, Colombia and Nepal have not labeled their programs reparations, and Nepal's progress is the result of international pressure, not government priorities. Peru and South Africa, on the other hand, had strong civil societies and social involvement in pushing for change.[104]

Furthermore, education strategies should not be limited to the formal schooling system, given the number of children and youth who may not be enrolled in school in transitional contexts and the important role that the

community plays as part of the children's immediate and natural support and protection systems. They also should look to build links with other forms of education, including informal initiatives and structures that operate at the community level. Non-formal and informal educational forums can serve as important vehicles to trigger, reinforce, and sustain changes in the formal educational system. They may be especially relevant when institutional structures of the state remain weak after conflict.

Transitional justice outreach initiatives aimed at the education system can prompt civil society efforts to address the past through education after those justice measures have ceased to function. This can be achieved by promoting collaboration between schools and other social actors in education activities. In Sierra Leone, for example, the international group WITNESS provided local nongovernmental groups, like the National Forum for Human Rights, with funding to organize screenings (including discussions) and give schools copies of the video version of the truth commission's report.[105] The ICTY youth outreach program aimed to "[transfer] the ownership of the project to local partners in order to ensure its sustainability."[106] Its approach was to train high school teachers to deliver the standardized presentations it had developed, creating and training a network of local groups to do so when teachers were unwilling or unable, and producing teaching tools and materials for those teachers and activists. This has opened the door for educational activities conducted by civil society, as in Kosovo by the Humanitarian Law Center.

> ### Youth-Organized Truth-Telling Dialogues in Cote d'Ivoire[108]
>
> In 2011, Cote d'Ivoire established a truth commission to identify the root causes of the country's past conflict, acts and patterns of violations, and ways to overcome the legacies of violence. Seeing an important opportunity to explore the possibility of establishing links between the commission and the education sector, ICTJ's Children and Youth program and UNICEF undertook a joint program in 2013 aimed at engaging children and youth in the country's process of reckoning with its violent past and supporting them in becoming responsible and valued political actors in their own right. When the work of the truth commission stalled, ICTJ and UNICEF worked with students and youth organizations at the community level to organize truth-telling dialogues and an audio program on the root causes of youth involvement in past violence and the politicization of schools.

Civil society actors, including youth networks, can also initiate and catalyze efforts to address the past, particularly when transitional justice measures and the formal school system are unable to do so. As Rodino writes,

> Usually it is easier to begin with non-formal education, which is free from the bureaucratic requirements and demands of the school system despite its lack of coverage . . . the possibility of having access to formal education does not mean that non-formal experiences should be discarded. This education modality has great potential for teaching, is very flexible, reaches or adapts easily to different audiences and situations, and offers greater creative freedom to its designers, facilitators, and participants.[107]

In Lebanon, the absence of a national curriculum and any discussion about the war in classrooms "opened up space" for nonofficial initiatives and new methods of addressing history with students, as the "Badna Naaref" example above shows.[109] Similarly, in Cote d'Ivoire, given the structural problems within the formal education sector and difficulties with the timing and legitimacy of the country's truth commission, ICTJ began working with local students and youth human rights organizations—whose members cut across religious, ethnic, language, gender, and regional lines—at the community level to create a group of youth engaged in transitional justice. The project involved the youth organizing truth-telling dialogues within and among their existing networks, as well as an audio report that examines the root causes of youth mobilization in past violence and the politicization of schools, which present a very different view of the legacies of the past than the one held in official circles. Initial support from the Ministry of Education has raised the possibility that the audio report could be incorporated into schools in the future.[110]

Educational Activities and Civil Society Groups

- In Guatemala, several civil society organizations have developed a range of resources based on its truth commission's final report with the aim of promoting a culture of human rights and peace among children and youth. These resources have been used by some schools, although not part of the national curriculum.[113] Similarly, in Peru, an "NGO/university collaboration" produced primary and secondary resources based on the truth commission's work with the aim of being "approved as a resource for human rights education within the national curriculum."[114]

- In Cambodia, the Documentation Center of Cambodia (DC-Cam) helped the Ministry of Education develop the "Genocide Education Project," which included the production of a textbook that has been distributed to more than 1,300 schools—in parallel to the start of trials at the Extraordinary Chambers for the Courts of Cambodia—and other teaching materials as well as teacher-trainings workshops.[115]

- One 2006-2011 Franco-German textbook initiative, "Histoire/Geschichte," dealing with World War II and the Holocaust originated within civil society and was then later facilitated by the governments of France and Germany.[116]

There are many examples of civil society groups that have developed educational materials and activities—in parallel to the work of a transitional justice measure—that have been later incorporated in the formal curricula for history education. Examples include Cambodia, Canada, Northern Ireland, and South Africa. Actors such as museums, public libraries, community houses, and community or religious groups can play an important role in initiating efforts that can be leveraged to help rebuild the broader educational network. The permeability between these two different environments is such that "the impact of formal schooling programmes will be tempered by the influence of extra-curricular inputs," while formal education will have spillover effects in the social life of the community.[111] Curriculum reform and development in some cases can be initiated by civil society with limited scope early on in a transition, while state institutions may get involved later once teaching the past becomes public policy. That being said, it must be acknowledged that civil society groups are varied and have a variety of goals and priorities. Moreover, certain civil society groups may also try to prevent or undermine links between transitional justice and education, particularly those that are interested in maintaining social divisions.[112]

School Communities

School communities, as critical actors in attempts to address the past through education, can be involved in the process in different ways. For example, teacher and student participation may be especially relevant when designing and testing new materials. In South Africa, the process to reform the education system was highly participatory. Nurtured by the work of activist groups that had already started shaping their claims during apartheid, consultations throughout the process included "representatives of students at the high school and higher education levels, faculty and staff associations at universities, and teacher and worker unions."[117] While ensuring consultation with and participation of school communities takes time and resources, in the long term taking into account the views of the direct recipients of the policies and programs contributes to maximizing their relevance, legitimacy, and sustainability.

Within school communities, however, some students, teachers, and administrators may present obstacles. First, prevailing agendas and cultures or newly opened schisms between group identities may undermine a transitional justice approach to education reform. Multiple agendas for curriculum reform, for example, may conflict with each other, such as those emphasizing human rights and democracy and those with a more technical focus emphasizing economic empowerment and future employment,[118] especially in post-conflict societies that are often in great need of economic development. Similarly, examination cultures (which prioritize teaching students to pass examinations over learning critical-thinking skills) may create a difficult environment in which to deal with contentious issues like the recent past.[119] Interestingly, while a transitional justice framework can influence schools' agendas, this may change over time. In some cases, a rhetoric of redressing historical injustices through

education reform can be replaced gradually by a discourse of growth and development.[120] In a somewhat different way, discrimination between identity groups in schools and universities can create difficult environments for students who receive assistance through reparations programs, potentially increasing their dropout rates. This means that a successful policy for improving access to education in countries like Peru may require engaging communities to effect change within schools in addition to providing scholarships and other forms of assistance.[121]

Second, teachers may object to the use of a human-rights or transitional-justice discourse or approach, or they may simply be unwilling to confront the past within classrooms for a variety of reasons. Teachers may not believe in such an approach, they may not have the necessary skills or confidence to teach the past, they may be reluctant to admit their own bias or their role in past injustice, they may be frustrated at seemingly being made responsible for reconciliation, or they may react out of a real fear of physical threats from those who oppose such efforts. In the former Yugoslavia, for example, "Many teachers have expressed concern about allowing such discussions in their classrooms, citing security fears, reactions of parents, but most often their own beliefs about the war."[122] Importantly, teachers in post-conflict societies have often experienced and lived through the conflict from the perspective of one of the parties (victims, perpetrators, or witnesses). Accordingly, their particular experience may affect their ability to teach the past in an objective, critical way, or they may not be interested or willing to do so.

Moreover, knowing how to deal with trauma and conflict in classrooms in post-conflict situations has an emotional dimension that is not part of a teacher's common skill set. Safety and psychosocial support considerations, for both students and teachers, should, therefore, be carefully planned for and addressed.[123]

In post-conflict contexts, it is also common to find a deficiency of professionalized teachers, or low motivation among teachers due to inadequate salaries, crowded classrooms, and lack of resources. This creates additional challenges to efforts aimed at changing teaching methodologies because teachers, unless adequately prepared and supported, may be reluctant to implement pedagogies that challenge their traditional position of authority. Therefore, acknowledging these challenges, training educators, and providing them with the support they need should be priorities. Teacher training is often the most challenging area of reform, requiring significant political commitment and resources.

Children's Participation and Protection

When developing educational activities about the conflictive past, different measures are needed to guarantee the physical and emotional safety of all participants. This is especially important for children who have been directly affected by the conflict, but is also relevant to the well-being of the overall student community and teachers.

Because discussions about transitional justice processes may raise difficult topics among students who may hold different beliefs or may have had very different, if not traumatic, experiences, it will be necessary to ensure that a "safe space" is created and that teachers feel comfortable dealing with such issues. In most cases, this will have to involve the broader school context, parents, and the immediate community.

The measures put in place for such discussions should include specific psychosocial considerations for each case—for example, to avoid retraumatizing students who suffered violations. But more broadly, it will be necessary to create a space in which children and youth feel comfortable and free to express their views to adults and peers using techniques such as the establishment of rules of mutual respect, playing ice-breaker games, opening spaces for reflection, and providing opportunities to clarify misunderstandings. Expert advice and support to frame some of these issues should be considered in most cases.

Finally, school administrators may similarly present obstacles to a transitional justice approach. In Argentina and Chile, for example, attempts to deal with the past in schools have been met with opposition, inconformity, and conflict. While this has to do in part with the opinions and limitations of teachers, the school system itself—which does not exist in isolation from social and community dynamics, but reflects them—is often reluctant to deal with conflictive or controversial issues.[124] In Lebanon, many schools that were approached about participating in "Badna Naaref" refused on the basis of protection concerns—they believed that the

project lacked merit or that a sensitive issue like the past would provoke repercussions in what remained a highly tense political situation.[125]

Government

While educational efforts to address the past often originate with transitional justice measures or civil society actors, the government's involvement is required to effect change throughout the education system as a whole. Efforts that remain at the civil society level can, indeed, influence state action, but they do not have the "legitimacy, scope, and systematicity" of measures that involve public institutions.[126] Further, relying on civil society organizations alone for resources and training, in fact, may prevent the education system itself from taking responsibility for needed educational reform.[127] It is important, ultimately, to work to establish bodies within the public education system to plan and implement teaching and memory of past. It is the "horizontal and vertical structures" of the education system that make it such a strong partner for transitional justice processes that seek some degree of sustainability.[128]

In particular, the development of educational material as part of transitional justice processes is

> an area where close collaboration with ministries of education during the actual preparation of the resources as opposed to presenting them as finished product for approval—could be extremely beneficial, particularly for their incorporation into curriculum. Ministries of education are, after all, often engaged in curriculum revision and in the production of peace education materials as part of their own response to conflict; cooperation here makes practical and conceptual sense.[129]

In Sierra Leone, the truth commission did reach out to students and teachers, but "the education system was not a partner from the beginning in the creation, dissemination, and teaching of the child-friendly report."[130] The Peruvian truth commission, in contrast, had an agreement with the Ministry of Education, a staff member who worked with the ministry, teacher trainings, and educational materials for students and teachers. It

> established a discrete area for working on educational issues and forging links with the educational sector. The inclusion of this area—staffed by an education expert with existing linkages to the ministry of education and to the broader educational community in Peru—allowed productive working relationships—including the signing of an "agreement of cooperation" with the ministry of education—and ensured that the commission's educational positions were well informed.[131]

These types of working relationships can help to ensure that a truth commission's recommendations are "well grounded both in the findings of the commission and in the realities and possibilities for sectorial reform."[132]

The ICTY's youth outreach project specifically sought to engage local authorities in a dialogue, to ensure government buy-in for a number of strategic reasons, including to communicate to the authorities the need to include the past in school programming; undermine their often-cited argument that controversial topics cannot be addressed constructively by youth; allow for the crucial involvement of teachers in the process; and undermine the perception that the authorities steadfastly opposed the ICTY.[133]

In Lebanon, the team running "Badna Naaref" approached the Ministry of Education, which in turn asked public schools in Beirut to participate. In the end, visiting schools, explaining the project, and waiting for responses constituted "one of the most crucial and sensitive phases" of the work.[134] Later efforts to develop an easily accessible "blueprint" of the project were aimed at pushing the formal school system to undertake similar initiatives. In

South Africa, as already mentioned above, "Facing the Past—Transforming Our Future" was formed in 2003 as a partnership between civil society and the education department in the Western Cape to support teachers and give them space to share their own stories about living under apartheid.[135]

However, national and local governments may withhold their approval or support for initiatives seeking to link the formal education system with transitional justice. In South Africa, for example, the department of education has not officially supported at the national level teachers' receiving training or guidance on how to understand how their own experiences of the past can affect whether and how they teach apartheid to students. Instead, national training efforts have focused on traditional historical skills and assessment.[136] In the countries of the former Yugoslavia, the majority of governments "were not positively inclined towards the ICTY and were skeptical about extending their support" to the court's youth outreach project aimed at schools. Negotiations with local authorities could be lengthy, bureaucratic, difficult, and not always successful. In Serbia, the political and institutional will does not exist "to allow the facts about the recent past to be included in the school curriculum, which exposes the lack of an authentic process of facing the past in that country."[137] Even when support for justice-related education initiatives is attained, however, it can be "transient, and easily lost," as was the case with "Badna Naaref" in Lebanon.[138]

> Educational efforts to address the past often originate with transitional justice measures or civil society actors, but effecting change throughout the education system as a whole requires the involvement of the government.

Government reluctance can also manifest itself in terms of how such educational programs are framed (or defined). For example, the nature of education makes it possible to conflate education assistance to victims in the form of individual and collective reparations with the provision of social services, like education, to the entire population as a state obligation arising from economic and social rights. For transitional justice efforts to have their intended effect, policymakers need to distinguish between reparations and general reconstruction, development, and social policies—although they may often resist doing so.[139]

Nepal and Colombia have set up or planned programs that provide education assistance to victims, but they do not label them as reparations because of the acknowledgement of wrongdoing on the part of the state that this would require or imply. In Peru, a program labeled reparations was recommended by the truth commission and designed, but there has been little implementation.[140] In South Africa, policies aimed at improving access to and quality of education for the black population was considered a form of redress, due to this group's exclusion from and substandard education under apartheid, but it was not part of an official reparations program.[141]

IV. Capacity and Resource Constraints

Challenges to the implementation of education reform linked to transitional justice arise in the form of capacity, resource, and other constraints. Perhaps most importantly, damaged and weak education systems in post-conflict countries can significantly hinder progress. For truth commissions, for example, the implementation of recommendations for reform may be undermined by an education system without enough institutional capacity or coordination. Similarly, reparations in the form of education assistance may succeed in increasing victims' access to schools, but the program's impact may be undermined by the quality of education provided by those schools and the psychosocial difficulties beneficiaries face, as illustrated by high levels of dropout rates.[142] Reparations programs could learn from the experiences of reintegration and back-to-school programs for children affected by conflict that have strong educational components.[143]

> For truth commissions, the implementation of recommendations for reform may be undermined by an education system without enough institutional capacity. Similarly, reparations in the form of education assistance may succeed in increasing the access that victims have to schools, but may be undermined by the quality of education provided by those schools and the psychosocial difficulties that face beneficiaries.

Sierra Leone's experience "offers insights into the challenges related to working with an education system that has been almost completely destroyed by the conflict and the difficulty of involving educators while structures are still being reconstructed."[144] According to Zoe Dugal, while the country's truth commission and the Special Court for Sierra Leone involved teachers in the production of educational materials on transitional justice, they faced challenges—including a shortage of teachers, the number of destroyed schools, the number of children out of school, and other reconstruction needs—which resulted in difficulty reaching the education system and limited follow-up and sustainability. Even in Chile, with a relatively extensive reparations program that provided educational assistance, efforts to allow survivors of political imprisonment and torture to pass their right to a scholarship on to their children or grandchildren only succeeded after years of intense pressure from civil society.[145]

Given the frequent weakness of education systems, civil society actors are often important drivers of the implementation of education reform from a justice perspective. But they too suffer from their own resource and capacity constraints. The case of Lebanon, for instance, demonstrates the "limits inherent to any non-official effort": logistical challenges while the project was under way included significant under-resourcing of the organizations involved, leading to internal administrative burdens, and a lack of resources and capacity to sustain the project or expand it geographically.[146]

Some capacity constraints may be inherent in the complex and massive scale of these education programs themselves. The fact that capacity and quality problems hinder education assistance to victims, even if those

programs are not labeled as reparations—as in Colombia and Nepal—suggests that the politics of transitional justice are not entirely to blame for implementation challenges.[147] As Cristián Correa observes, the lack of implementation of education as collective reparations in Colombia casts doubt on the feasibility of implementing a policy that may be too complex for the limited resources available, the levels of poverty and marginalization, and the need for coordination among different actors.[148] At the broadest level, the wider structural context can present challenges in terms of differences in power and economic resources that remain after conflict, with school choice and resources not equally distributed throughout the country, as in South Africa and Peru.[149]

Opposition from specific actors or groups is often in part about the use of a discourse that involves an acknowledgment of wrongdoing. At the same time, linking justice and education can also lead to the prioritization of certain communities or groups of people over others in the allocation of resources and provision of services, which can provoke social tensions within and between communities and groups.[150] Collective reparations, for example, can create disagreement within communities about whether resources should be allocated to schools or other needs. They can also create tensions by singling out groups of victims,[151] or creating what is perceived as a hierarchy of victims.[152] Interventions to improve education targeted at groups and regions badly affected by conflict can be interpreted as an attempt to advantage one group or region over another, creating problems of stigmatization.[153]

V. Searching for Opportunities, Managing Expectations

A transitional justice environment is often a context undergoing significant policy change, with opportunities for new actors to engage in "intensified competition" over ideas for education, among other public services and goods.[154] In addition to understanding where support and reluctance for addressing the past through education are likely to come from and what constraints are likely to be faced, a strategic approach should involve identifying opportunities for effective measures and reform but also remaining realistic about the kind and degree of change that is feasible. It will be necessary to remember, from the beginning, that changes in the formal education system are necessarily part of a mid- or long-term process.

It is often difficult to assess the impact of efforts to address past injustice through education—in terms of the extent to which recommendations for reform are implemented and of those that are implemented the extent to which they are understood and applied by teachers and administrators and ultimately effecting change.[155] In contexts with multiple social influences, it is difficult to isolate and identify the impact of education programs. Nevertheless, it is important to monitor and assess the effectiveness of programs, especially when trying to gradually implement change in the education system. When developing an evaluation framework to do this, the particular context in which educational programs are implemented will determine important aspects, including the concrete goals for these programs, the methodology employed for their implementation, the groups or participants they target, and the challenges they are likely to face. The ICTY outreach program, for example, gathered 7,800 questionnaires that have helped it to redesign the project.[156]

Efforts to link transitional justice and education should manage expectations about their impact. As suggested above, an education system is a large, complex system that is difficult to change, which means that time, scale, and feasibility are factors that must be considered. As Rodino argues, removing the old structures is required before putting new ones in place; a comprehensive review of the educational norms and system may be necessary to remove harmful authoritarian practices and the denial of rights before positive reforms can be gradually enacted.[157] At early stages in the process, at least, it may be important "not to expect too much, and be content with small, measurable changes—for example, a decline in the number of incidents of violence in the school, or an increase in the number of students using a rights-based approach to solve problems in school or at home." Designers should be aware that the responsibility for perceived failure or partial failure may fall to students or teachers.[158]

Entry points may nevertheless be identified through which change may be initiated on a small scale and then potentially leveraged for greater reform in the future. Given the various forms of opposition and constraints, this may be difficult, but usually some kind of opportunity will exist. As Cole suggests, even when the political conditions to allow a formal transitional justice process are absent, it will be rare that no political space exists for educational activities. Different levels of education, for example, may offer different opportunities: if activities are too sensitive for students in basic education, it may be possible to implement them within universities, where students are often granted more political space.[159] In Lebanon, "Badna Naaref" targeted 15- and 16-year-olds,

who were "not as politicized as university students" but under less academic pressure than third-year high school students.[160] An indirect approach also can be helpful: teaching case studies about injustice in other countries can raise issues that can later be addressed in relation to the students' and teachers' own society/country/context. Thus, "Making connections is an easier entry point into exploring one's past than diving straight in."[161]

Timing will also be an important factor. In ideal circumstances, educational reform with a transitional justice aim should be developed in contexts in which there is no ongoing conflict and at least some institutional and social willingness exists for a discussion of the past under more democratic terms. It is then that education reform and transitional justice policies can maximize their mutually reinforcing impact. In this way, the passage of time may create the space for action. "Educational reforms are not one-off and unidirectional," writes Rodino, but "should move in different directions simultaneously in order to affect several areas or components of the educational system."[162] This does not mean "that all the changes should (or can) occur together or at the same time after the end of a conflict, because each education system is conditioned by the particular contexts in which it exists." Depending on the context, some goals may be achieved only gradually.[163]

In Bosnia-Herzegovina, a textbook review commission was created in 2002 to ensure, among other things, that the different cantons would not use school materials from neighboring countries (notably Croatia and Serbia) that endorsed a particular national narrative of the past. However, the use of such material continued until 2006, and educational authorities in the Bosnian-Croat entity and Republika Srpska refused to sign guidelines for textbooks to offer multiple points of view. Nevertheless, the Organization for Security and Cooperation in Europe tried to keep pushing for reforms, developing, for example, Guidelines for Textbook Writing and Evaluation of History Textbooks for Primary and Secondary Schools in BiH, which were adopted by all ministries of education.[164] In South Africa, Wray argues, it would have been too soon to bring the truth commission and apartheid into classrooms as subjects while the commission was still operating, but later, temporal distance made it easier to consider the role that the past can play in school communities.[165] Indeed, it took ten years of revisions to the national curriculum after apartheid to develop a document that requires a human rights focus in addressing the past.[166] The teaching of the past in Argentina, which is often considered a paradigmatic case in the promotion of transitional justice, only became a state policy with the approval of the General Education Law No. 26,206 of 2006, which was later reinforced by the five-year compulsory Education and Teacher Training Plan (Res. 188/2012 of the Federal Education Council).[167] In Bangladesh in 2001, the Liberation War Museum began developing a program aimed at children and youth to learn about mass atrocities committed during the country's 1971 war of independence—30 years after the fact.[168]

Limited capacity and resources often make it difficult to expand unofficial education projects to reach as many students or teachers as the formal education system could, but a limited scope does not mean that high-quality initiatives cannot influence societal debate or education policy, as the Facing the Past project in South Africa demonstrates.[169]

With reparations programs that provide education assistance, it is important to have concrete, achievable goals, like helping victims to overcome the obstacles they face in accessing education that are the result of previous human rights abuses. There is a real danger in promising too much to poor and vulnerable members of society, in terms of fully addressing historical injustice and ensuring the right to education to citizens.[170] Responding to deeply historical marginalization requires a long-term commitment of resources and political capital beyond what most reparations programs can do with their limited budgets. This is why education as reparations, and other efforts to address the past through education, needs to be complemented with broader reform, reconstruction, and responses to problems such as inequality and segregation. Progress can be made through linking transitional justice and education, as the experiences of countries such as South Africa and Peru demonstrate, but lasting change requires intergenerational engagement and commitment of the affected communities.

VI. Recommendations

General Recommendations

- Include the education sector as part of a societal response to past massive human rights violations. Promote education reform that is sensitive to the legacies of the past within the education system and include the teaching of the past in the education system in a way that is conflict-sensitive, gender-sensitive, culturally adequate, and socio-emotionally informed.

- Adopt a context specific and incremental approach to effecting change at the broadest system and societal levels.

  - Consider timing, sequencing, and opportunity, as some activities may be more politically feasible later in a transition than earlier.

  - Assess the education system first; take steps to address and remove the most harmful elements of the system before enacting new policies.

  - Search for specific entry points to reform that are politically and materially feasible as well as partners with expertise and local knowledge to enact change. Focus initially on quality and expansion when possible. Set priorities in contexts of limited resources.

- Consult with, work to attain the support and input of, and engage all relevant stakeholders and actors—including students, teachers, parents and caregivers, school administrators, local and national government officials, education experts, transitional justice practitioners, civil society groups, and communities, including members of all identity groups and parties to the conflict, in every step of the process. Do not assume that actors will desire reforms, such as the full integration of schools or the incorporation of a justice agenda into classroom learning. Identify types of opposition or lack of support to be challenged as well as those that may be legitimate and/or unlikely to be overcome.

- Take steps to measure the impact of initiatives to address the past through education; at the societal level this is difficult, given the multiple factors involved and the inherent difficulty in assessing social interventions, but monitoring and evaluation at the program level can demonstrate micro-level effects on students and teachers.

- Manage expectations by acknowledging the limitations of transitional justice measures, education reform, and civil society efforts. Weak institutions and lack of resources can undermine reform efforts, making it necessary sometimes to advocate for broader reconstruction and development.

Recommendations for Transitional Justice Practitioners, Policymakers, and Civil Society Actors

- Transitional justice measures should consider incorporating an educational mandate and include educational experts who can design educational materials and establish links with the educational sector. Conduct early assessments of the potential synergies with education; reflect these in founding documents and funding plans.

- In relevant contexts, truth-telling initiatives or separate inquiries should examine the role that education played in conflict, repression, and human rights violations, and when appropriate, make recommendations for education reform; collect stories/testimonies to be converted into educational material.

- Reparations programs should consider providing benefits in the form of education assistance to those who missed educational opportunities as a result of human rights violations, including both material and socio-emotional ones; assistance should be aimed at helping victims from all identity groups to overcome obstacles to accessing education that result from those violations. The provision of education through reparations programs should maintain a distinction from more general development policies.

- Transitional justice measures should from the beginning develop outreach programs that engage with educational authorities, schools, universities, and civil society or community projects. Outreach should aim to build relationships with the education sector and civil society and to sustain the work of the justice measures once their operations are complete.

- When conducting education-related outreach, collaborate directly with students, teachers, school administrators, and communities to ensure ownership of efforts to address the past through education, overcome potential opposition, and provide adequate support and ensure optimal outcomes (for example, producing high-quality educational materials). Approach government authorities, including ministries of education, strategically to get their permission/support and ensure their buy-in to processes that require the participation of schools.

Recommendations for Education Practitioners, Policymakers, and Civil Society Actors

- Consider how a transitional justice framework and a sensitivity to past human rights violations can shape the different elements of education reform, including norms and institutions, access to education, school culture and governance, curriculum reform, pedagogy and teaching methods, didactic tools, and teacher training and capacity.

- Prioritize training teachers and developing pedagogies to address the past in classrooms. Substantively this implies directly investing in human capital and promoting sustainability, while strategically it may reach students most directly and immediately and may be easier to implement than changes in the curricula.

- Consider how to manage the psychosocial implications related to addressing potentially sensitive histories and narratives in the classroom, such as anger, distress, embarrassment, humiliation, and resentment. Overall, mental health and protection measures should be included when dealing with the past in the classroom, opening as well opportunities for the development of new relationships within and between groups.

- Look for ways to engage with transitional justice measures that may give leverage to promote reforms already on the agenda, like increased access to education. Transitional justice contexts may offer windows of opportunity to advocate for and effect change and long-term transformation.

- In the absence of a broader transitional justice framework within a country, maintain reasonable expectations about the extent to which education initiatives can address the legacies of the past effectively. It may still be possible to try to address the past in education settings at more local and informal levels.

Recommendations for Donors

- In transitional contexts, consider possibilities for the reform of the education sector from a transitional justice perspective from the very beginning (to effect longer-term change). Negotiate with government counterparts the feasibility of engagements in education for transitional justice programming efforts.

- Politically and materially support transitional justice measures to address education (truth commission mandates/expertise, reparations programs that provide education assistance, outreach that produces educational materials) as well as civil society, informal, and non-formal projects that seek to address the past through education, with an eye to sustaining the work of transitional justice measures and eventually contributing to the reform of the entire formal education system.

- Bring educators and the transitional justice community together, establishing links from early in the processes, so that synergies can be developed when opportunities arise.

- Education reform from a transitional justice perspective is a process that requires time and resources; consider, therefore, long-term commitment even if societal-level impact is not measurable in the short term.

- Education reform is a highly contextual issue; external support needs to avoid imposing an agenda but, instead, build on the work of national authorities and stakeholders from the beginning.

Endnotes

1   See Kenneth D. Bush and Diana Saltarelli, *The Two Faces of Education in Ethnic Conflict: Towards a Peacebuilding Education for Children* (Florence: UNICEF Innocenti Research Center, 2002); Alan Smith and Tony Vaux, *Education, Conflict and International Development* (London: DIFD, 2003); Lynn Davies, *Education and Conflict: Complexity and Chaos* (London: Routledge, 2003); Sobhi Tawil and Alexandra Harley, eds., *Education, Conflict and Social Cohesion* (Geneva: International Bureau of Education-UNESCO, 2004); and Peter Buckland, *Reshaping the Future: Education and Post-conflict Reconstruction* (Washington: World Bank, 2004).

2   See, for example, 2008 OECD-DAC *Guidance on Evaluating Conflict Prevention and Peacebuilding Activities*, which expanded the "Utstein Palette" to include transitional justice under its pillar of building a "Culture of Truth, Justice and Reconciliation"; United Nations, *Guidance Note of the Secretary General: United Nations Approach to Transitional Justice*, 3, which states that by "striving to address the spectrum of violations in an integrated and interdependent manner, transitional justice can contribute to . . . prevention of further conflict, peacebuilding and reconciliation"; and Camino Kavanagh and Bruce Jones, *Shaky Foundations: An Assessment of the UN's Rule of Law Support Agenda* (New York: New York University - Center on International Cooperation, 2011), 13, which considers transitional justice to be one of the relevant crosscutting issues in post-conflict settings, asserting that such "mechanisms can serve as important confidence building measures and have an important impact on the legitimacy of a political settlement and the degree to which aspects of the political settlement and sustained or eroded."

3   Susana Frisancho and Félix Reátegui, "Moral Education and Post-war Societies: The Peruvian Case," *Journal of Moral Education 38*, no. 4 (2009): 422.

4   Education is one among the different "social institutions that sustain the relationships that contribute towards social cohesion." Smith and Vaux, *Education, Conflict and International Development*, 46.

5   For the UN definition of the term, see UN Security Council, *The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies – Report of the Secretary General*, S/2004/616, August 23, 2004. See also www.ictj.org/about/transitional-justice.

6   It is fundamental to highlight the significance that this type of specific violence against schools has acquired in recent years under the International Humanitarian Law framework, starting with Graça Machel's seminal study, *The Impact of Conflict on Children* (A/51/302, August 26, 1996) and UN Security Council Resolution 1612 (July 26, 2005), which established the monitoring reporting mechanism and included "attacks on schools" among the six grave violations against children. It is also important to note that, from a transitional justice perspective, accountability for such violations should include criminal prosecutions. See more about this at the Global Coalition to Protect Education from Attack, www.protectingeducation.org.

7   Bush and Saltarelli, *The Two Faces of Education,* 11.

8   Smith and Vaux, *Education, Conflict and International Development*, 18.

9   "El sistema educativo y el magisterio" in Comisión de la Verdad y la Reconciliación, *Final Report*, vol. III (Lima: 2003), 551–602.

10   Lorena Escalona González, "Educational Reparations Measures in Chile" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015), 4.

11   Bush and Saltarelli, *The Two Faces of Education*, 16.

12   Gail Weldon, "Conflict, Identity and Intergenerational Transmission of Memory," presentation (New York: ICTJ's Transitional Justice and Education Roundtable, October 2014), 2.

13   Karen Murphy, "Educational Reform through a Transitional Justice Lens: The Ambivalent Transitions of Bosnia and Northern Ireland" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015), 1.

14   Alan Smith, "Children, Education and Reconciliation" (Florence: UNICEF Innocenti Research Centre, June 2010), 13. The term *reintegration* can be problematic because it implies that 1) a person was integrated once before, which may not necessarily be the case, and 2) that person is necessarily now "outside" of society. Nevertheless, reintegration is a useful term because it suggests an improvement in a person's relationship with her/his community and public institutions, a relationship that may have been damaged by the occurrence of massive human rights violations; one that has social, economic, and political elements (among others); and one that is at least partially based on trust, which means that reconciliation, if understood to be based on trust, can play an important role in reintegration. Reintegration is a term commonly used as part of the discourse on displaced persons and former combatants.

15   The importance of the legacy of the past in education and peacebuilding has been highlighted recently and included as one dimension under the concept of reconciliation in the 4R's developed by Mario Novelli, Mieke Lopes Cardozo, and Alan Smith (See their *A Theoretical Framework for Analysing the Contribution of Education to Sustainable Peacebuilding: 4Rs in Conflict-Affected Contexts* [Amsterdam: University of Amsterdam, 2015]).

16   Lynn Davies, "Post-conflict Education Reconstruction and Transitional Justice" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015), 10–11.

17   Education should be seen as one among the different "social institutions that sustain the relationships that contribute towards social cohesion." However, "concepts of social capital and cohesion require a wider view of reconstruction that goes beyond the mere physical level." Smith and Vaux, *Education, Conflict and International Development*, 46.

18   According to Davies, this has two different aspects: "not reproducing the conditions which may have contributed to conflict (hence replacing authoritarian, violent or segregated schools with child-friendly, inclusive ones) and providing better physical reconstruction and siting of schools which enables greater access and less likelihood of damage in the future." ("Thinkpiece on Education and Conflict," prepared for the *Education for All Global Monitoring Report 2011: The Hidden Crisis: Armed Conflict and Education* [Paris: UNESCO, 2010], 12.)

19   For more discussion about vetting educational institutions, see Julia Paulson, "(Re)Creating Education in Postconflict Contexts: Transitional Justice, Education, and Human Development" (New York: ICTJ, November 2009), 22–23. For the most comprehensive example of vetting educational professionals in schools and at the university level, see also Christiane Wilke, "The Shield, the Sword and the Party: Vetting the East German Public Sector," in *Justice as Prevention: Vetting Public Employees in Transitional Societies*, ed. Alexander Mayer-Rieckh and Pablo de Greiff (New York: Social Science Research Council, 2009), 348–399.

20   Jamil Salmi, "Violence, Democracy and Education: An Analytic Framework," in *Promoting Social Cohesion Through Education: Case Studies and Tools for Using Textbooks*, ed. Eluned Roberts-Schweitzer, Vincent Greaney, and Kreszentia Duer (Washington, DC: World Bank, 2006), 16.

21   Comisión de la Verdad y la Reconciliación, *Final Report*, Recomendaciones, 137-138. See also Julia Paulson, "Truth Commissions and National Curricula: The Case of Recordándonos in Peru," in *Children and Transitional Justice: Truth-Telling, Accountability and Reconciliation*, ed. Sharanjeet Parmar et al. (Cambridge: Harvard Law School and UNICEF, 2010), 327–364.

22   Murphy, "Educational Reform through a Transitional Justice Lens," 9. It is estimated that still more than 50 schools are divided this way. See Denis Dzidic, "Bosnia's Segregated Schools Maintain Educational Divide," *Balkan Insight*, February 13, 2015.

23   Harvey M. Weinstein, Sarah W. Freedman, and Holly Hughson, "School Voices: Challenges Facing Education Systems After Identity-based Conflicts," *Education, Citizenship and Social Justice 2,* no. 1 (2007): 41-71. In Bosnia, for nationalistic groups, "integration is understood as either the return to the prewar Yugoslav ethnic relations or as an assimilation into a larger, dominant group and a related loss of ethno-cultural identity. Both these are seen as dangerous to the survival of the ethnically defined communities." Azra Hromadžic, "Discourses of Integration and Practices of Reunification at the Mostar Gymnasium, Bosnia and Herzegovina," *Comparative Education Review* 52, no. 4 (November 2008): 544-5. Quoted in Murphy, "Educational Reform through a Transitional Justice Lens," 10.

24   Murphy, "Educational Reform through a Transitional Justice Lens," 4.

25   See http://www.ddhh.gov.cl/historia_programa.html.

26   See Art 13.2 of the International Covenant on Economic, Social and Cultural Rights, General Assembly Res. 2200A (XXI), December 16, 1966. As with other socioeconomic rights, however, it should be read in conjunction with Art. 2 of the covenant, which recognizes the progressive attainment for the full realization of rights of this sort. See also Art. 24 of the Convention on the Rights of the Child, General Assembly Resolution 44/25, November 20, 1989.

27   Cristián Correa, "Education for Overcoming the Consequences and Legacies of Massive Violations of Human Rights" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015).

28   Paulson, "(Re)Creating Education in Postconflict Contexts," 20.

29   Teboho Moja, "Education as Redress in South Africa: Opening the Doors of Learning to All" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015), 2. See also Department of Education, *Education White Paper 3: A Programme for the Transformation of Higher Education* (Pretoria: Department of Education, July 1997), 5–6.

30   Roger Duthie and Clara Ramirez-Barat, "Education as a Form of Rehabilitation," in *Rehabilitation and Transitional Justice*, ed. Tony Gray, Lorna McGregor, and Clara Sandoval (Oxford: Oxford University Press, forthcoming).

31   Dyan Mazurana and Khristopher Carlson, "Reparations as a Means for Recognizing and Addressing Crimes and Grave Rights Violations against Girls and Boys during Situations of Armed Conflict and under Authoritarian and Dictatorial Regimes," in *The Gender of Reparations: Unsettling Sexual Hierarchies while Redressing Human Rights Violations),* ed. Ruth Rubio-Marín (New York: Cambridge University Press, 2009), 193–194. Depending upon the countries, high school education might also be included in the right to educations that states have to provide freely. Indeed, the period of "mandatory and free education" has been increasing during the past decades: today, in many countries, it comprises both the high school and the preschool levels.

32.   Correa, "Education for Overcoming the Consequences and Legacies of Massive Violations of Human Rights"; Escalona González, "Educational Reparation Measures in Chile"; Rosa Lía Chauca, "Reparaciones y Educación en Perú" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015).

33   Escalona González, "Educational Reparation Measures in Chile."

34   Ibid., 17. For more information about how to incorporate a gender-sensitive approach in the design and implementation of reparation programs, see Rubio-Marín ed., *The Gender of Reparations.*

35   ICTJ/APRODEH, *¿Cuánto se ha reparado en nuestras comunidades? Avances, percepciones y recomendaciones sobre reparaciones colectivas en Perú 2007-2011* (Lima: ICTJ y APRODEH, 2011), 41–42.

36   Correa, "Education for Overcoming the Consequences and Legacies of Massive Violations of Human Rights," 12–13, citing Truth and Reconciliation Commission of Sierra Leone (TRC-SL), *Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission* vol. 2, (Freetown: Graphic Packaging Ltd. GCL, 2004), chap. 2, para. 552, and chap. 3, paras. 358–361 and 384–386.

37   Ana María Rodino, "Pedagogical Guidelines for Teaching about the Recent Past and Citizenship Education in Processes of Democratic Transition" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015), 17.

38   "Recomendaciones," in Comisión de la Verdad y la Reconciliación, *Final Report*, vol. IX, (Lima, 2003), 136.

39   Davies, "Post-conflict Education Reconstruction," 18. See also Frances Hunt, "Policy in Practice: Teacher-Student Conflict in South African Schools," in *Education, Conflict and Reconciliation*, ed. Fiona Leach and Mairead Dunne (Bern: Peter Lang, 2007).

40   Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 17. See also Fumiyo Kagawa and David Selby*, Child-Friendly Schooling for Peacebuilding* (UNICEF: New York, September 2014).

41   Jamil Salmi, "Violence, Democracy and Education," 14.

42   Melinda Smith, "Schools as Zones of Peace: Nepal Case Study in Access to Education during Armed Conflict and Civil Unrest," *Protecting Education under Attack: A State of the Art Review* (Paris: UNESCO, 2010). Quoted in Davies, "Post-conflict Education Reconstruction," 18.

43   For more on psychosocial considerations in transitional justice contexts, see An Michels, "Psychosocial Support for Children: Protecting the Rights of Child Victims and Witnesses in Transitional Justice Processes" (Florence: Inocenti Research Centre, UNICEF, June 2010), at www.unicef-irc.org/publications/pdf/iwp_2010_14.pdf.

44   As Ana María Rodino has pointed out, however, it is also important to take into account what "is not purposely being taught" as part of the curricula or the null curricula (Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 13–14).

45   Nina Arnhold et al., eds., *Education for Reconstruction: The Regeneration of Educational Capacity Following National Upheaval* (Oxford: Oxford University Press, 1998), 23.

46   See *National Curriculum Statement Grades 10-12 (General): Learning Program Guidelines, History* (Pretoria: Department of Education of South Africa, 2008). Quoted in Dylan Wray, "The Past is Passed Down: An Introduction to the South African History Teacher Professional Development Programme, Facing the Past–Transforming Our Future" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015), 5.

47   Alan McCully and Nigel Pilgrim, "'They Took Ireland Away from Us and We Have to Fight to Get It Back': Using Fictional Characters to Explore the Relationship between Historical Interpretation and Contemporary Attitudes," *Teaching History* 114 (2004): 17-21. As Rodino argues, some of the points that in most cases are difficult to agree on refer to the responsibilities of different sectors involved in the conflict, the events that triggered the conflict, the perception of the role of each individual actor or group during the conflict, and how to attribute "guilt" or "innocence" (Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 12).

48   Weinstein et al., "School Voices," 66. See also Michelle J. Bellino, "Whose Past, Whose Present? Historical Memory Among the 'Postwar' Generation in Guatemala," in *(Re)constructing Memory: School Textbooks and the Imagination of the Nation*, ed. J.H. Williams (Rotterdam: Sense Publishers, 2014), 131–152.

49   For a more complete discussion about this topic, see Ervin Staub, ed., *The Psychology of Good and Evil: Why Children, Adults and Groups Help and Harm Others* (New York: Cambridge University Press, 2002). Especially regarding the psychology of perpetrators, see Staub's chapter titled "The psychology of bystanders, perpetrators and heroic helpers," 291–324, and "Conclusion: Creating Caring Societies," 531–550.

50   Elizabeth A. Cole, "Education, Transitional Justice, and Outreach: What Role for Education in Transitional Justice and Transitional Justice in Education?" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015), 11.

51   Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 5.

52   Davies, "Post-conflict Education Reconstruction," 15.

53   In this respect, the proximity of the relationship of the students to the conflict in terms of time, interest, and personal investment

will be fundamental contextual factors to take into account. Also to be considered is how the current reality (violent or not, unjust or less just) relates to the narrative one is trying to portray—for in situations in which the immediate context of children continues to be violent, it will be probably more difficult to convey certain messages.

54   See www.facinghistory.org, and Nadia Baiesi, Marzia Gigli, Elena Monicelli, and Roberta Pellizzoli, "Places of Memory as a Tool for Education: The 'Peace in Four Voices Summer Camps,'" *The Public Historian* 30: 1 (2008): 27–37.

55   Mofidul Hoque, "Outreach and Education at the Liberation War Museum in Bangladesh" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015), 6–8.

56   For more information, see www.districtsix.co.za/index.php

57   Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 22–23.

58   Karen Murphy, "Education and Transitional Justice," presentation at ICTJ, New York, June 23, 2011.

59   See Virginie Ladisch and Clara Ramírez-Barat, "Between Protection and Participation: Involving Children and Youth in Transitional Justice Processes," in *Transitional Justice, Culture and Society: Beyond Outreach*, ed. Clara Ramírez-Barat (New York: Social Science Research Council, 2014), 173–210.

60   Davies, "Post-conflict Education Reconstruction," 29.

61   See www.legacyofhope.ca/home. The curriculum can be found at www.wherearethechildren.ca/en/bookcase. The residential school system was set up by the Canadian government in the 1880s with the aim of assimilating Aboriginal children into mainstream Canadian society through education. The system forcibly separated children from their families and forbade them to speak their own languages and practice their own cultures. Children were severely punished when rules were not respected. There is ample evidence gathered of continuous forms of abuse (including physical, sexual, and psychological). The last school closed its doors in the 1990s. On June 11, 2008, the Canadian government issued a formal apology for harm done by the residential school system. A truth and reconciliation commission was set up in 2008 to gather survivors' testimony and write a report.

62   See www.centrodememoriahistorica.gov.co/areas-trabajo/pedagogia-de-la-memoria

63   Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 23.

64   Elizabeth A. Cole, "Transitional Justice and the Reform of History Education," *International Journal for Transitional Justice* 1 (2007): 135.

65   Paulson, "(Re)Creating Education in Postconflict Contexts," 24.

66   Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 25.

67   Alan McCully, "History Teaching, Conflict and the Legacy of the Past," *Education, Citizenship and Social Justice* 7 (2012): 156.

68   Lynn Maalouf and Christalla Yakinthou, "Grappling with Lebanon's Enduring Violence: The Case of *Badna Naaref*, an Inter-generational Oral History Project" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015).

69   Hoque, "Outreach and Education at the Liberation War Museum in Bangladesh," 6–8.

70   Alexander Karn, "Historical Commissions and Educational Outreach: Challenges and Lessons for Transitional Justice?" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015), 31–32.

71   Maalouf and Yakinthou, "Grappling with Lebanon's Enduring Violence"; Hoque, "Outreach and Education at the Liberation War Museum in Bangladesh"; Karn, "Historical Commissions and Educational Outreach."

72   Davies, "Post-conflict Education Reconstruction," 20.

73   Ibid.

74   Cole, "Transitional Justice and the Reform of History Education," 127.

75   For more about this, see "Where It's Needed Most: Quality Professional Development for All Teachers," Inter-Agency Network for Education in Emergencies (INEE) and the International Rescue Committee (IRC), New York, 2015.

76   Weldon, "Conflict, Identity and Intergenerational Transmission of Memory," 4.

77   Laura J. Quaynor, "Citizenship Education in Post-conflict Contexts: A Review of the Literature," *Education, Citizenship and Social Justice* 7, no. 1 (2012): 47.

78   Wray, "The Past is Passed Down."

79   Elizabeth A. Cole and Judy Barsalou, "Unite or Divide? The Challenges of Teaching History in Societies Emerging from Violent Conflict," Special Report 163, U.S. Institute of Peace, Washington, D.C., June 2006, 11.

80   Murphy, "Educational Reform through a Transitional Justice Lens," 1.

81   Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 9.

82   Karn, "Historical Commissions and Educational Outreach," 9.

83   Davies, "Post-conflict Education Reconstruction."

84   Cole, "Transitional Justice and the Reform of History Education," 120. Another option is to have someone with an education focus working with a transitional justice measure in charge of planning potential synergies and lines of work.

85   Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 17.

86   Cole, "Education, Transitional Justice, and Outreach," 15.

87   Correa, "Education for Overcoming the Consequences and Legacies." See more generally Parmar et al., *Children and Transitional Justice*.

88   Correa, "Education for Overcoming the Consequences and Legacies."

89   Murphy, "Educational Reform through a Transitional Justice Lens," 3, 24.

90   Zoe Dugal, "Outreach to Children in Transitional Justice Processes in Sierra Leone" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015), 8.

91   Ibid.

92   See also Clara Ramírez-Barat, "Engaging Children and Youth in Transitional Justice Processes: Guidance for Outreach Programs" (New York: ICTJ, 2012), and UNICEF and ICTJ, *Children and Truth Commissions* (Florence: UNICEF, 2010), 21–28.

93   Dugal, "Outreach to Children," 10.

94   Nerma Jelacic, "Building a Legacy: The Youth Outreach Program at the ICTY" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015), 5.

95   Olga Kavran, "The STL Outreach Program," in the Engagement, Legitimacy, Contestation: Transitional Justice and it Public Spheres Workshop at the International Institute of the Sociology of Law, Oñati, Spain, May 8–9, 2014.

96   With the ICTY's Youth Outreach Project, in 2013 1,017 students attended the lectures, of which 61 percent were men and 39 percent women; in 2012, the composition was reversed with 60 percent women and 40 percent men. Jelacic, "Building a Legacy: The Youth Outreach Program at the ICTY," 14.

97   Jelacic, "Building a Legacy: The Youth Outreach Program at the ICTY."

98   Murphy, "Educational Reform through a Transitional Justice Lens," 1.

99   Maalouf and Yakinthou, "Grappling with Lebanon's Enduring Violence."

100   Murphy, "Educational Reform through a Transitional Justice Lens."

101   Ibid., 7.

102   Ibid., 7.

103   Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 25.

104   Correa, "Education for Overcoming the Consequences and Legacies," 14–15.

105   Dugal, "Outreach to Children," 12–13.

106   Jelacic, "Building a Legacy," 6.

107   Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 12–13.

108   Virginie Ladisch and Joanna Rice, ICTJ, "The Challenges of Addressing the Past in Educational Systems in Post-conflict Contexts" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015).

109   Maalouf and Yakinthou, "Grappling with Lebanon's Enduring Violence."

110   Ladisch and Rice, "The Challenges of Addressing the Past in Educational Systems in Post-conflict Contexts: Reflections from Cote d'Ivoire."

111   Bush and Saltarelli, *The Two Faces of Education*, 3.

112   Civil society has been described as an "empty vessel," which "can be filled with groups that foster social cooperation and improve people's lives, or with groups that sow distrust and foment violence." Daniel N. Posner, "Civil Society and the Reconstruction of Failed States," in *When States Fail: Causes and Consequences*, ed. Robert I. Rotberg (Princeton: Princeton University Press, 2004), 237.

113   Elizabeth Oglesby, "Educating Citizens in Postwar Guatemala: Historical Memory, Genocide, and the Culture of Peace," *Radical History Review* 97 (2007): 77–98.

114   Paulson, "(Re)Creating Education in Postconflict Contexts," 24.

115   Clara Ramírez-Barat, *Making an Impact: Designing and Implementing Outreach Programs for Transitional Justice Measures* (New York: ICTJ, 2011), 22.

116   Karn, "Historical Commissions and Educational Outreach," 12–18.

117   Moja, "Education as Redress in South Africa," 15.

118   André Keet and Felisa Tibbitts, "Curriculum Reform in Transitional Justice Environments: The South African Human Rights Commission, Human Rights Education and the Schooling Sector" (Internal Study, ICTJ Research Project: Transitional Justice, Education and Peacebuilding, 2015), 28.

119   Davies, "Post-conflict Education Reconstruction," 24.

120   Correa, "Education for Overcoming the Consequences and Legacies," 14; Moja, "Education as Redress in South Africa."

121   Chauca, "Reparaciones y Educación en Perú."

122   Jelacic, "Building a Legacy," 9.

123   For a more detailed discussion of the issue of child protection in the context of transitional justice educational activities, see Ladisch and Ramírez-Barat, "Between Protection and Participation," 192–195, and Ramírez-Barat, "Engaging Children and Youth in Transitional Justice Processes," 4–5.

124   Sandra Raggio, "*¿Historia o memoria en las aulas?*" in *Efemérides en la memoria. 24 de marzo, 2 de abril, 16 de septiembre. Propuestas para trabajar en el aula*, ed. Sandra Raggio y Samanta Salvatori (Rosario: Homo Sapiens Ediciones Argentina, 2012), 22. Quoted in Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 28.

125   Maalouf and Yakinthou, "Grappling with Lebanon's Enduring Violence," 16.

126   Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 12.

127   Murphy, "Educational Reform through a Transitional Justice Lens," 23.

128   Cole, "Education, Transitional Justice, and Outreach," 16.

129   Paulson, "(Re)Creating Education in Postconflict Contexts," 25.

130   Cole, "Education, Transitional Justice, and Outreach," 17.

131   Paulson, "(Re)Creating Education in Postconflict Contexts," 17.

132   Ibid., 18.

133   Jelacic, "Building a Legacy."

134   Maalouf and Yakinthou, "Grappling with Lebanon's Enduring Violence," 15.

135   Wray, "The Past is Passed Down."

136   Ibid., 6.

137   Jelacic, "Building a Legacy," 9.

138   Maalouf and Yakinthou, "Grappling with Lebanon's Enduring Violence," 17.

139   Correa, "Education for Overcoming the Consequences and Legacies," 2.

140   Chauca, "Reparaciones y Educación en Perú."

141   Moja, "Education as Redress in South Africa."

142   Chauca, "Reparaciones y Educación en Perú."

143   See, for example, Theresa S. Betancourt et al. "High Hopes, Grim Reality: Reintegration and the Education of Former Child Soldiers in Sierra Leone," *Comparative Education Review 52*, no. 4 (2008): 567–87; and Melinda Smith, "The Back-to-School Guide: Evidence Based Strategies to Resume Education in Emergencies and Post Crisis Transitions" (New York: UNICEF, 2013).

144   Dugal, "Outreach to Children," 16.

145   Correa, "Education for Overcoming the Consequences and Legacies," 17; Escalona González, "Educational Reparation Measures in Chile," 14.

146   Maalouf and Yakinthou, "Grappling with Lebanon's Enduring Violence," 18.

147   Correa, "Education for Overcoming the Consequences and Legacies," 16–17.

148   Ibid., 24.

149   Ibid.

150   Duthie and Ramirez-Barat, ICTJ, "Education as a Form of Rehabilitation."

151   ICTJ, *The Rabat Report* (New York: ICTJ, 2009), 52–3, 59.

152   Smith, "Children, Education and Reconciliation," 18.

153   UNESCO, *Education for All Global Monitoring Report 2011: The Hidden Crisis: Armed Conflict and Education* (Paris: UNESCO, 2010), 230, 240.

154   Keet and Tibbitts, "Curriculum Reform in Transitional Justice Environments," 2.

155   Davies, "Post-conflict Education Reconstruction," 26.

156   Jelacic, "Building a Legacy," 14-15.

157   Rodino, "Pedagogical Guidelines for Teaching about the Recent Past, 10.

158   Davies, "Post-conflict Education Reconstruction," 26.

159   Cole, "Education, Transitional Justice, and Outreach," 13.

160   Maalouf and Yakinthou, "Grappling with Lebanon's Enduring Violence," 12.

161   Wray, "The Past is Passed Down," 15–16.

162   Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 8.

163   Ibid., 9.

164   Murphy, "Educational Reform through a Transitional Justice Lens," 14.

165   Wray, "The Past is Passed Down," 2–3.

166   Murphy, "Educational Reform through a Transitional Justice Lens," 3.

167   Rodino, "Pedagogical Guidelines for Teaching about the Recent Past," 11.

168   Hoque, "Outreach and Education."

169   Cole, "Education, Transitional Justice, and Outreach," 22.

170   Correa, "Education for Overcoming the Consequences and Legacies," 27.