Speaking Suffering: A Post-Colonial Analysis of Why the Solomon Islands Truth and Reconciliation Commission Failed to ‘Touch the Heart of the People’

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Statement of Originality

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Abstract

Between 2008 and 2012, Solomon Islands Truth and Reconciliation Commission (TRC) collected the testimonies of individuals who had suffered, or taken part in, acts of violence during the period of conflict known as the ‘ethnic tensions’. Based upon the recently completed work of the South African TRC, the Commission had been advocated for by local faith-based organisations as a ‘moral body, a principled approach’¹, that would provide an alternative to state-led reconciliation initiatives. And yet, during my fieldwork in Solomon Islands, I was consistently told that the TRC had ‘failed to touch the heart of the people’. This thesis seeks to provide an explanation as to why.

As a transitional justice model, the TRC grounded its analysis of conflict-related violence in the internationally normative human rights discourse: violence was categorised and analysed according to international legal definitions of crimes against humanity, and those who testified were afforded human rights ‘victim’ and ‘perpetrator’ subjectivities. Yet human rights remains a highly contested ideology in Solomon Islands. Drawing on postcolonial theory, this thesis argues that, for most Solomon Islanders, the moral–political ideology of human rights can claim to command neither moral nor political authority. I suggest that the particular ‘vernacularisation’ of the human rights discourse that developed in post-conflict Solomon Islands, is both heavily gendered and threatens to present a depoliticised version of rights that reinforces gendered power hierarchies. The thesis considers the TRC a point of contact at what Merry has termed the ‘global–local interface’, and claims that the popular reception of the TRC — including the power dynamics and moral dilemmas ignited by this encounter — must be read in the light of the long history of interactions between Solomon Islanders and outsiders.

¹ Interview with Bob Pollard, Honiara, 3 June 2014.
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PART ONE: INTRODUCTION, METHODS AND THEORY

1. Introduction

It is not only useful, but critical for human rights scholars and advocates to consciously draw on the experiences of the postcolonial world ... ‘To draw on the experiences’ requires understanding and learning from the postcolonial engagement with rights that are informed by the legacies of the colonial encounter.²

This is a thesis about power and morality. It is about the complexities that ensue when a culture, with its unique understandings of values, right and wrong behaviour and social hierarchies, comes into contact with, and is challenged by, another culture — one that is seemingly more powerful and more globally authoritative. It is about the meeting of locally normative and globally normative ideologies and discourses, and the moral dilemmas and power dynamics that ensue at their meeting point — a space that Sally Engle Merry has termed the ‘global–local interface’.³ In this thesis, the ‘local’ refers to Solomon Islands — a young nation formed of an archipelago of roughly 900 islands in the South Pacific — and the ideologies and values that have meaning to, and authority with, the people of Solomon Islands. The ‘global’ refers to the international human rights discourse and its associated institutions. The ‘global–local interface’ is Solomon Islands Truth and Reconciliation Commission, a quasi-official body that was established to investigate patterns of human rights violations which took place during the 1998 to 2003 period of civil conflict that has been widely referred to as the ‘ethnic tensions’.

Although many scholars and politicians, including those from Solomon Islands,⁴ refute the claim that the conflict was ethnic in nature, fighting occurred primarily between armed factions spilt along perceived ethnic lines.⁵ Most agree that in the early years of the tensions at least, animosities were fuelled by perceived ethnic differences and anger at actions that were interpreted as disrespectful to given ‘ethnicities’⁶ kastom.⁶ These simmering resentments were taken advantage of by opportunistic politicians, who used them as fodder to incite violence in an effort to exploit the resources of the national government.

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² Kapur 2012:684.
⁴ See Kabutaulaka 2001.
⁵ As Chapter 4 shall discuss, the term ‘island-based identity’ is more appropriate and accurate.
⁶ Kastom, as Chapter 4 will explain in full, is an appropriation of the British notion of ‘custom’, introduced by the colonial administration as a means of understanding and controlling (unsuccessfully) the ‘traditional’ values and practices of Solomon Islanders. Kastom, as the thesis will detail, is a concept endowed with great moral and political authority for most Solomon Islanders, and one which demarcates ‘our’ way of living and interacting in the world, with the ways of outsiders.
After a succession of peace efforts with varying levels of success, the conflict was ostensibly brought to an end in 2003 by the arrival of the Australian-led international peacekeeping mission RAMSI (Regional Assistance Mission to Solomon Islands). However, although RAMSI’s explicit law and order agenda brought about a rapid end to the fighting, resulting in 6300 arrests and the collection of 3600 weapons, the mission did little to address the root causes of the conflict or catalyse lasting reconciliation between warring parties.

In an attempt to fill this gap and provide space for Solomon Islander-led reconciliation, Solomon Islands Truth and Reconciliation Commission was established in 2008 under the Truth and Reconciliation Commission Act. The mandate of the Commission was to ‘examin[e] the nature, antecedents, root causes, accountability or responsibility for and the extent of the impact of human rights violations or abuses which occurred between 1 January 1998 and 23 July 2003’. Despite the significant delay in its establishment (some five years following the end of the war), the notion of a truth commission had been discussed by civil society advocates as early as 1999, yet had been met with strong opposition from government, as well as (post-2003) representatives within the RAMSI mission. Advocates for a truth commission had taken inspiration from South Africa’s Truth and Reconciliation Commission, which ran from 1995 to 2002, investigating human rights violations committed during the country’s 30 years of racial segregation under apartheid. South Africa’s TRC was widely heralded as a ‘third way’ of achieving justice for the suffering experienced during apartheid — somewhere between the retributive justice of criminal trials and the national amnesia of blanket amnesties. It built upon the transitional justice model of truth commissions previously used in Chile and Argentina during what Samuel Huntington has referred to as the ‘third wave of democratisation’ at the end of the Cold War.

Under the leadership of Chair Archbishop Desmond Tutu, South Africa’s TRC built upon the model’s established grounding in international human rights and humanitarian and criminal justice norms to include a theologically inspired emphasis on truth-telling, forgiveness and interpersonal reconciliation. Although the church had played a role in previous truth commissions (for example,

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7 Larmour 2012:27.
8 See Braithwaite et al. 2010.
10 See Tutu 2012.
11 Huntington 1993.
the Catholic Church was a key advocate for Chile’s Truth Commission,\(^\text{12}\) it was the South African experience that truly brought Christian theology to the forefront of the TRC’s moral philosophy.

Christian activists in Solomon Islands felt that the model would translate well into Solomon Islands’ overwhelmingly Christian society, whilst the notion of reconciliation would simultaneously resonate with Solomon Islands \textit{kastom}.\(^\text{13}\) The concept of reconciliation has particular pertinence in Solomon Islands as it forms an area of key conceptual overlap between \textit{kastom} and Christianity. For Solomon Islands \textit{kastom}, reconciliation practices have long been used to maintain social stability following conflict. With the Christianisation of the country, prayers and practices of public confession and forgiveness have been incorporated into reconciliation ceremonies, in addition to the traditional exchange of pigs, shell money and food. Today, these ceremonies are equally likely to be overseen by a priest as by a chief, and in many communities this may actually be the same person.\(^\text{14}\)

However, despite the grassroots activism surrounding the TRC’s establishment, and the expectation that it would be a locally meaningful alternative to the state-led reconciliations that were broadly perceived as being corrupt, during my fieldwork in Solomon Islands I was consistently told that the Truth and Reconciliation Commission had ‘failed to touch the people’ or had ‘failed to touch the heart of the people’. The aim of this thesis is to provide an explanation as to why.

\textit{A Transnational Model Grounded in International Human Rights Norms}

Truth commissions, like other methods of transitional justice, are grounded in internationally normative assumptions about the nature of human suffering and injustice. Amongst their key goals, TRCs are routinely tasked with analysing patterns of human rights violations and providing an overarching historical narrative about a given period of violence in a nation’s recent past. Despite being non-judicial bodies, they couch their description of suffering and injustice in terms of violations of international human rights, humanitarian and criminal law, and recommend human rights-focused remedies in preventing the reoccurrence of past violence. Today, human rights have attained the status of international justice discourse \textit{par excellence}\(^\text{15}\) through their codification in United Nations

\(^\text{12}\) Moyn 2012:144.
\(^\text{13}\) See Cronin 2017.
\(^\text{14}\) Cronin (forthcoming).
\(^\text{15}\) It is important to note the emerging body of literature engaging in heated debate about the future of human rights as a benchmark for global justice. On the one side of this debate are scholars such as Samuel Moyn, whose recent publication \textit{Not Enough: Human Rights in an Unequal World} presents a pessimistic critique of human rights, in particular the failure of the discourse to respond in any meaningful way to global economic inequality. For Moyn, as Chapter 3 will discuss in detail, human rights are ‘the last utopia’ — a discourse of minimalist ‘moral’ standards that have achieved global consensus for the very fact of their political ineptitude. Moyn’s assertion that ‘human rights, even perfectly realized human rights, are
declarations and treaties that have achieved near-universal ratification.\textsuperscript{16} Elements of human rights jurisprudence, including the international criminal law of the Rome Statute are now considered \textit{jus cogens} (peremptory norms): customary international law that is binding on all states purely as a result of its moral persuasiveness.\textsuperscript{17}

In spite of this, the discourse of human rights remains highly contested both in Solomon Islands and in the broader Pacific Islands region. Following colonisation by the British, the country only recently achieved independence in 1978 and, as such, is a new player on the international stage. When Solomon Islands became independent, its new constitution included a bill of rights modelled on the International Covenant on Civil and Political Rights (ICCPR), and the new state also engaged with human rights lexicons through treaty ratification: an important step in being recognised as a legitimate member of the international community. Although a limited language of ‘rights’ (largely used by men, describing their struggles against attacks on \textit{kastom} by settlers of other ethnicities)\textsuperscript{18} was used in everyday language prior to the ethnic tensions, widespread knowledge of the concept of ‘human rights’ as defined under international law is a relatively new phenomenon, the absorption of which into the local vernacular was rapidly expedited by the civil conflict and the accompanying influx of foreign influence.

Currently, Solomon Islands is a state party to four of the nine major international human rights treaties, two of which — the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination — were ratified shortly following independence in 1978. The Convention on the Rights of the Child was ratified in 1995 shortly before the outbreak of fighting, and the Convention on the Elimination of All Forms of Discrimination Against Women was ratified in 2002 towards the end of the conflict, undoubtedly influenced by high levels of gender-based and sexual violence committed by combatants.\textsuperscript{19}

From a human rights perspective, or at least taking into account the scale of human rights violations

\textsuperscript{16} The Convention on the Rights of the Child has been ratified by all 193 member states of the United Nations; 189 member states have ratified the International Convention on the Elimination of All Forms of Discrimination Against Women.

\textsuperscript{17} See Robertson 2013.

\textsuperscript{18} See Allen 2016.

\textsuperscript{19} See Chapter 6 for a full discussion on why human rights ‘awareness’ developed around women’s rights during the ethnic tensions.
that occurred during the tensions, a TRC was an unusual choice for Solomon Islands. Truth commissions (with or without the additional goal of reconciliation) that predated Solomon Islands’ TRC tended to be implemented after periods of systematic government repression of opposition and information, or following mass killings and systematic human rights abuses — often both. Arguably, neither of these conditions were present in the case of Solomon Islands. An estimated 200 lives were lost over the five-year period due to the conflict\(^{20}\), and state forces were not directly implicated in most of these killings, even though the collapse of the state system, notably the Royal Solomon Islands Police Force (RSIPF), meant that it was often impossible to tell where the state ended and militia forces began. It is also not possible to argue that the government was implicated in any serious attempts to repress dissidence or information. Rather, it is more the case that the accessibility of official information is poor in this developing Pacific Island nation. If anything, repression of information has occurred after the compilation of the *Truth and Reconciliation Commission Final Report*, with successive governments refusing to release the report on the grounds that its contents are ‘sensitive’ and may incite further violence. However, this is not to say that significant human rights abuses did not occur during the period of conflict. The TRC report estimates that some 35,000 individuals were forcibly displaced from their homes, causing an exodus of refugees to Honiara, Malaita and the surrounding islands.\(^{21}\) Among the most widespread human rights violations to occur throughout the tension period were sexual abuse, humiliation and slavery, primarily against women and girls, but also against men and boys.\(^{22}\) In addition, torture and cruel and inhuman treatment, forced labour and the destruction of property were pervasive.\(^{23}\)

### Why did the Solomon Islands Truth and Reconciliation Commission Fail to Touch the Heart of the People?

This thesis aims to analyse the relevance of the truth and reconciliation commission model as a conduit of the international human rights ideology and discourse in the context of post-conflict, post-colonial Solomon Islands. I propose that these two primary contextual factors have had a significant influence how the TRC was received by Solomon Islands society. My research is also a critique of the ‘vernacularisation’ of the human rights discourse in Solomon Islands, observed through the case study of the Truth and Reconciliation Commission. Sally Engle Merry describes vernacularisation as a

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\(^{20}\) Two hundred is the official estimate provided in the TRC report as well as most of the historical literature about the period. However, Braithwaite et al. write that the number is likely to be an underestimate; ‘So probably the estimate of 200 we have coded for this conflict is too low; Archbishop Smith thinks it is less than half a realistic estimate’ (Braithwaite et al. 2010:20).

\(^{21}\) *Solomon Islands Truth and Reconciliation Commission Final Report, Volume II* 2012.

\(^{22}\) Amnesty International 2000:1

\(^{23}\) *Solomon Islands Truth and Reconciliation Commission Final Report, Volume II* 2012.
process of ‘appropriation and translation’. Translators, or as they have been alternatively named ‘intermediaries’, ‘brokers’ or ‘moral agents’: These people negotiate the middle field of power and opportunity ... These people translate up and down. They reframe local grievances up by portraying them as human rights violations. They translate transnational ideas and practices down as ways of grappling with particular local problems. In other words, they remake transnational ideas in local terms. At the same time, they reinterpret local ideas and grievances in the language of national and international human rights.

I contend that in order for the Solomon Islands Truth and Reconciliation Commission and the associated human rights discourse to have succeeded in ‘touching the heart of the people’, vernacularisation needed to have occurred on two levels: moral and political. As Chapter 3 will detail, human rights developed as a moral–political ideology in the aftermath of the Second World War, made enforceable through the vehicle of international, and in turn, domestic law. As such, in order to truly have meaning to a population, the discourse needs to be widely perceived as being both morally and politically authoritative.

Paul Gready has claimed that human rights is a dual discourse. On one hand, he claims, it is a discourse of legally prescribed moralities, ‘of violence and violations (victims, perpetrators)’. Yet on the other hand, it is also a discourse of ‘idealism and just resistance ... an affirmation of collective self-reliance, resistance, and the role of the “righteous”’. Therefore, by the term ‘politically authoritative’, I do not refer to the discourse’s perceived authority with political ‘elites’, but rather the extent to which it is understood by a population as an emancipatory tool for resisting the tyrannical or draconian tendencies of the powerful. As Goodale and Clarke have stated, ‘the meanings of “human rights” ... for local actors take on significance only in the course of actual political and social struggles, only through the process of vernacularization’.

**Human Rights Vernacularisation in Post-Conflict Solomon Islands: The Vulnerability–Emancipation Dynamic**

A process of human rights vernacularisation is occurring in Solomon Islands, expedited by the ethnic tensions and the associated influx of foreign organisations and personnel to urban centres. As

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26 Clarke and Goodale 2010:8.
27 Merry 2006.
28 Gready 2010.
mentioned, although human rights have been constitutionally protected since independence, most people I interviewed during my fieldwork told me that the discourse wasn’t part of popular usage until the period of the ethnic tensions, and in its aftermath.

The vernacularisation of the human rights discourse has occurred along a very limited, and ultimately gendered, trajectory in this environment. This trajectory, in turn, has occurred according to two seemingly contradictory narratives: one that emphasises human rights as protectionism, and another that emphasises human rights as equality. I have termed this phenomenon the ‘vulnerability–emancipation’ dynamic, and will unpack it in detail in Chapter 6. The double-edged sword of the vulnerability–emancipation dynamic is thus: human rights has developed in Solomon Islands as a discourse concerned with the protection of groups of people who are perceived as being vulnerable — primarily women, but also children and, more recently, those with disabilities. This has translated into significant momentum being made in terms of initiatives to reduce family violence (most organisations have made a strategic decision to use the term ‘family violence’ as opposed to ‘violence against women’ to avoid ostracising men). Simultaneously, women’s rights advocates have also used the human rights discourse to advocate for greater gender equality, both in the home and in the public and political spheres. Initiatives according to this narrative, for example those promoting gender equality in parliament, have been met with significant resistance by existing power bases.

According to an understanding of rights as protection, people who are perceived as weak and defenceless are offered protection from a benevolent state, partner or family against something that can generally (or outwardly) be agreed upon as morally abhorrent — for example, rape or domestic violence. Alternatively, the concept of rights as empowerment has proven less easy to universally accept, as it requires a redistribution of power and an unsettling of the protector/protected dichotomy. This focus on protection and vulnerability has also meant that human rights, in the way they have developed, have essentially served to reinforce rather than challenge gendered power imbalances (the status quo). They have also contributed to an association of a human rights-holder and victim subjectivities with being female and, conversely, of human rights duty bearer and perpetrator subjectivities with being male. Essentially, this has prevented both men and women from fully engaging with the full range of subjectivities available within the human rights discourse, an outcome that was reflected in the work of the TRC.

Although most people I have spoken to in Solomon Islands would never outwardly say that domestic violence is acceptable, research conducted in the 2007 Family Health and Safety Study suggests that both men and women believe that there are circumstances in which a man is justified in hitting his wife (Secretariat of the Pacific, Community 2009).
This dynamic can also be partially attributed to the country’s colonial legacy. As I shall describe in Chapter 4, Solomon Islands was ill-prepared for independence when it was granted by the British in 1978. The colonial administration left the newly founded country of ‘Solomon Islands’ with little common sense of statehood, and without having considered the appropriateness of the Westphalian model of government to such a geographically scattered and diverse group(s) of people. As such, the ‘state’ exerted (and continues to exert) very little influence in the lives of the vast majority of Solomon Islanders. It seems fitting, therefore, that rather than human rights developing as a tool for the negotiation of power between the people and the state, they would develop as a tool to negotiate power within families and communities. As I shall illustrate in Chapters 6 and 7, the colonial encounter also served to reinforce gendered power hierarchies in Solomon Islands’ societies — hierarchies that most men are unsurprisingly reluctant to unsettle today.

**A History of Anti-Colonial Resistance and the Ideology of ‘Kastom’**

I shall argue that another significant reason why the human rights discourse is not widely perceived as a language of ‘just resistance’ in Solomon Islands is that it was preceded by another discourse of political resistance that predated the ethnic tensions — that of *kastom*.

The colonial era saw the development of a number of anti-colonial resistance movements, notably the Maasina Rule movement in Malaita and the Moro movement in southern Guadalcanal. These movements drew upon, and solidified, the British concept of ‘custom’ to differentiate the values, norms and traditions of Solomon Islanders from those of the colonial government. *Kastom*, according to Akin:

> labelled a political ideology and actions founded on Malaitans’ determination to pursue change on their own terms, according to their own sensibilities … [kastom demarcated] a realm that the government was to leave fully to Malaitans and that furthermore would include almost everything. *Kastom* became a voracious category, encompassing all things over which Malaitans now claimed authority … eventually including people’s refusal of European rule.³¹

Other anti-colonial movements also appropriated the notion of custom/kastom as a means of resisting colonial influence in and over the lives of Solomon Islanders. While the movements differed in their emphases, with some being more overtly political in nature than others, the ideology of

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³¹ Akin 2013:7.
kastom as a means of differentiating the values and practices of Solomon Islanders from those of Europeans and the gavman (government) was a commonality they shared.

The rhetoric of kastom continued to play a key role in what Allen describes as the ‘grievance narratives’ of militants who took part in the ethnic tensions.\textsuperscript{32} As such, Chapter 7 shall examine the extent to which the Truth and Reconciliation Commission engaged with the political ideology of kastom, and with ex-combatants’ self-professed subjectivities as custodians of kastom, in its human rights narrative. The TRC presented a unique opportunity to broaden the popular understanding of human rights and enable Solomon Islanders to see themselves collectively as having been victims of rights violations at the hands of the colonial, and successive post-colonial, administrations.

**Moral Anxieties at the Global–Local Interface**

The second thread of my research concerned the moral authority of the Truth and Reconciliation Commission. As Chapter 5 shall describe, faith-based organisations played a key role in advocating for the TRC, which was hoped to be ‘a moral body, a principled approach’\textsuperscript{33} to peacebuilding, in contrast to the state-led reconciliation process that was widely perceived as being corrupt. As the following chapters shall illustrate, the people of Solomon Islands expected an institution grounded in both kastom values and biblical theology — the idea of a truth commission was very much ‘sold’ to them on this basis. When the TRC was eventually established, however, the human rights approach took centre stage, ostracising the church and pushing Christian subjectivities to the periphery of its work.

An unexpected finding in my research was that, for many people, especially men, the human rights discourse was seen as something inherently dangerous — a Western, individualist ideology that was threatening the moral fabric of their communities. Human rights’ relocation of moral authority away from God, away from the community, and onto the self was seen as deeply threatening to both kastom and traditional authority. This was often described in interviews as being made visible through the clothing young people chose to wear. Men in particular, when asked about their views on human rights, would often begin to emotionally describe how young women were starting to wear shorts and trousers or boys were wearing messy clothing — this change in dress and the emphasis it expressed on individual choice or an allegiance to an urban, or external, group was seen

\textsuperscript{32} Allen 2016.

\textsuperscript{33} Interview with Bob Pollard, Honiara, 3 June 2014.
as disrespectful to traditional authority. Many perceived human rights ‘awareness’ and its individualistic mentality as anarchic, subversive and chaotic.

What began to surface in my interviews was a general crisis over the location and source of both moral and political authority. Who says what is ‘right’ or what is ‘a right’ and what is wrong, and where does the moral or political authority of an individual or institution, and hence their legitimacy, emanate from? This ‘crisis of authority’ became increasingly important to my analysis. I gained a sense that people feel they have been evangelised to by successions of outsiders who later disregard their earlier messages to evangelise a new ideology. Nowhere is this more apparent than in the perceived differences between the earlier Christian evangelists and the ‘human rights evangelists’. In either case, people feel like they are presented with an absolutist and universal code of living, which is a blueprint for ethical conduct.

**An Anthropology of Human Rights**

In recent years, a growing number of scholars have adopted anthropological research methodology to analyse transitional justice initiatives in order to gain a more nuanced understanding of how they operate in situ. Traditionally considered to fall within the disciplinary realms of political science and international law, an anthropological approach to transitional justice foregrounds the study of people’s lived experiences of, and interactions with, post-conflict truth commissions and criminal trials. As Shaw and Waldorf have argued, international norms are often portrayed as existing in juxtaposition to lived, tangible realities, ‘the intellectual and normative frame of transitional justice floats above these in the realm of the transcendent’. The importance of repositioning the ‘local’ as the centre from where our understandings of these projects emanate is highlighted by the authors, who state:

> The current phase of transitional justice is frequently marked by disconnections between international legal norms and local priorities and practices. When national and international accountability mechanisms are engaged in specific places and times, they are often evaded, critiqued, reshaped, and driven in unexpected directions.

There is, therefore, an ethical and intellectual imperative to engage with and understand the disconnections, translations, mistranslations and fissions that occur when an international justice model unfolds in a specific temporal and geographical space, complete with its unique web of

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34 Shaw and Waldorf 2010.
35 Ibid.
cultural, political, moral and social contexts.

Reflecting recent trends in transitional justice scholarship, my research is interdisciplinary, but is largely influenced by post-colonial studies and the emergent field of human rights anthropology. Gramsci’s theories of hegemonic and counter-hegemonic discourses are of particular importance as my thesis attempts to ascertain the place of human rights for Solomon Islanders in this dichotomy. I assert that the interaction between the ‘global’ and the ‘local’ presented by the Truth and Reconciliation Commission must be read in the light of the long history of interactions between Solomon Islanders and outsiders.

Historically, the fields of anthropology and human rights have had a tumultuous relationship. Anthropologists have traditionally struggled with the human rights ideology, imagining its universalist aspirations to be in binary opposition to the respect for cultural difference that lay at the heart of the anthropological ethical position. Generally speaking, in the early days of both anthropology and human rights, both projects were heavily influenced by a post-holocaust and post-colonial ethical anxiety that saw anthropology lean towards a cultural relativist stance, and human rights embrace the notion of the universal human person complete with universal values.

Over time, this binary antagonism has softened to embrace the complementarity of both positions. It is now possible to refer to an ‘anthropology of human rights’, where human rights are considered a ‘particular ethical theory constituted through social practice’ and a fitting topic for ethnographic observation.

Much of the scholarship in this emerging trend has focused on regions where transitional justice efforts have become synonymous with post-conflict/post-dictatorship state building, such as across Africa, Latin America and Eastern Europe. Despite the richness of anthropological scholarship that has been, and continues to be, conducted across Melanesia, transitional justice initiatives in this region are relatively recent phenomena and as such remain under-studied. The wealth of Melanesian anthropological knowledge that exists provides a unique opportunity to develop transitional justice scholarship within the field of human rights anthropology.

This thesis pays particular attention to the interconnection between transitional justice and human rights, as, along with Arthur and Andrieu, I consider transitional justice to be a ‘new’ discipline in

36 Goodale 2006.
37 Andrieu 2010; Arthur 2009.
the field of human rights, and, in turn, human rights to be the moral–political ideology underlying transitional justice institutions. This thesis considers both the human rights discourse and the truth commission model to be artefacts of a global justice discourse, transplanted into this setting with some limited attempts to mould both their ideals and vocabularies around local subjectivities.

Some Definitions of Key Terms

This section will provide definitions of some key conceptual terms used throughout this thesis.

Post-Colonial

According to Ashcroft et al, the term ‘post-colonial’ refers — broadly — to:

the study and analysis of European territorial conquests, the various institutions of European colonialisms, the discursive operations of empire, the subtleties of subject construction in colonial discourse, and the resistance of those subjects, and, most importantly perhaps, the differing responses to such incursions and their contemporary colonial legacies in both pre- and post-independence nations and communities.38

In designating this thesis post-colonial, I foreground the historical fact of the Solomon Islands’ status as a British Protectorate during the years 1893 to 1978 — a fact that not only imposed a centralised, Westphalian model of nationhood on a culturally and linguistic diverse group of peoples, but one which profoundly influenced notions of moral and political personhood throughout the islands. I will argue throughout the thesis, that the legacies of the colonial encounter (material and ideological) continue to have far-reaching implications for the ways in which Solomon Islanders receive and interact with ‘foreign’ (international) justice institutions and discourses. Only through recognising these legacies in — particular the way in which they continue to shape moral and political personhood — can we understand the conflict reception of the TRC model in this post-conflict, post-colonial nation.

Ideology and Discourse

The concepts of ideology and discourse are very closely linked, and while I will refer to human rights as both an ‘ideology’ and a ‘discourse’, it is important to note the subtle differences between the two concepts for the purposes of a post-colonial analysis. Both concepts are also closely connected to the

38 Ashcroft et al. 2013: 169.
concepts of ‘subjectivity’ and ‘hegemony’, and all four must be explained in relation to each other.

According to Louis Althusser, an ideology is a system of ideas that structures the way in which the world is understood, in particular the values, norms and moral limitations of that world. Alternatively, a discourse, based on the theories of Michel Foucault, is a ‘strongly bounded area of social knowledge, a system of statements within which the world can be known’. Both concepts connote a systematic way of ordering and understanding the world and one’s place in the world, and both are connected to the idea of knowledge production — discourses and ideologies *produce* ‘truths’. They are the prisms that limit and regulate what we can, and what we cannot, understand about our surroundings. For Foucault, discourses are closely linked to institutions, and together these produce ‘regimes of truth’. ‘Each society’, he says, ‘has its regime of truth, its “general politics” of truth: that is, the types of discourse which it accepts and makes function as true; the mechanisms and instances which enable one to distinguish true and false statements, the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of truth; the status of those who are charged with saying what counts as true’.

To relate the concepts to my thesis, the *discourse* of human rights can be seen to be closely linked to the *institution* of the truth and reconciliation commission. Together, these create a ‘regime of truth’ — a prism through which the world, particularly the ethnic tensions and the violence that occurred during the conflict, can be understood.

### Subjectivity

Subjectivities are subject positions created by discourses and ideologies. They refer to the way in which the individual, or ‘subject’, conceptualises themselves and their relationship to the world around them. Again, subjectivities contain within themselves certain ‘truths’ about selfhood — in particular, the conditions in which one is able to, or prevented from, exercising power or agency.

According to Weedon:

> As individuals inserted within specific discourses, we repeatedly perform modes of subjectivity and identity until these are experienced as if they were second nature. Where they are successfully internalized, they become part of lived subjectivity... Yet [they] are not open to all people at all times. They are often restricted to specific groups, usually on the

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40 Foucault in Rabinow 1984.
basis of discourses of class, gender and race ... Non-recognition and non-identification leaves the individual in an abject state of non-subjectivity and lack of agency. At best the individual concerned must fall back on subject positions other than the ones to which s/he is denied access.  

The human rights discourse is associated with a number of potential subjectivities — notably, human rights holder and human rights duty bearer, but also victim and perpetrator. As we shall see, the particular ‘vernacularisation’ of human rights that has developed in Solomon Islands has served to limit the availability of human rights subjectivities to all Solomon Islands. Particularly, the gendering of the human rights discourse has limited the ability of men to associate with the subjectivity of human rights victimhood.

**Hegemonic, Counter-Hegemonic and the Subaltern**

A key question this thesis will ask is whether human rights should be considered a hegemonic or counter-hegemonic ideology in post-conflict, post-colonial Solomon Islands. A hegemonic ideology is one which possesses a monopoly over knowledge production. While the concepts of the subaltern and counter-hegemonic are closely linked, a counter-hegemonic ideology is one through which people actively seek to resist or subvert the hegemon. The concept of the subaltern does not imply active resistance — rather, for Antonio Gramsci, it refers to a people whose history is told for them, whose ‘story’ is subsumed by those speaking the ‘official’ (hegemonic) discourse.

This thesis will suggest that although human rights is largely conceptualised by the international community as a counter-hegemonic discourse, its associations with the West mean that as a previously colonised people, many Solomon Islanders view it (alongside capitalism, consumerism and individualism) as a by-product of colonial rule, and hence part of the cultural hegemony.

Lyotard has coined the term ‘metanarrative’ to refer to ‘universalizing theories that claim to explain societies and the process of history’. Such metanarratives are hegemonic in the fact that they quash alternative theories regarding history and civilisation. As Chapter 3 will illustrate, the ‘universal’ human rights discourse is closely connected to the idea of historical progress, and has a complex relationship with both the ‘civilising mission’ of European colonialism and the eventual decolonisation of former colonies — as such, it may be possible to understand it as a ‘metanarrative’.

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41 Weedon 2004:7.
42 Lyotard in Weedon 2004.
**Authority**

I define authority as the legitimate exercise of power. Traditionally aligned with the field of political science, the concept has referred to a command and obedience relationship between a nation–state and its citizens. Connolly has written that ‘the idea of authority embodies a presumption of legitimacy’, which, in this regard, would correspond to the level of legitimacy a population perceives the state as having to command their obedience. Outside the field of political science, Enroth claims that authority is a ‘cluster concept’ — ‘an internally complex concept with a broad and variable set of criteria’, with ‘mutually related and partly overlapping controversies coached in different theoretical and ideological vocabularies’. Therefore, the dimensions of the concept can be seen to shift according to the field within which it is approached. So, in the field of law, it may refer to a command and obedience relationships between lawmakers and enforcers — usually the state, sometimes intergovernmental bodies, and the subjects of law (citizens and states, respectively). In anthropology and sociology (and, to an extent, moral philosophy), this might translate into the institutions, values and norms of a community and the degree of legitimacy afforded them by the population at large. In this thesis, when referring to the moral authority of the human rights discourse, I refer to the extent to which the discourse is believed to be morally compelling. When referring to the political authority of human rights, I refer to the extent to which Solomon Islands see human rights as a legitimate and useful discursive tool with which they might challenge the potential overuse of power, either by the state or by others in their communities.

**An Overview of the Thesis**

I have divided this thesis into five parts, each part subdivided into chapters. It is important to note that, as a large component of my argument concerns the historical context in which the TRC was established and how this context circumscribed the success of the TRC, I have found it necessary to describe that context in detail. Therefore, in addition to a theoretical chapter that unpacks the field of transitional justice, the institution of the truth (and reconciliation) commission and human rights discourse, I have also designated a part of the thesis to analysing the historical context of the TRC’s establishment. If the TRC is seen as a recent meeting point at the ‘global–local interface’, then it is important to understand it in the light of previous iterations of the global–local encounter.

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43 Enroth 2013:341.
**Part One: Introduction, Methods and Theory**

In Part One of this thesis, I provide an introduction and overview of my thesis (this chapter), a description of my methods and the ethical considerations of my research (Chapter 2) and a theoretical overview of the field of transitional justice, the truth commission model and their relationship to the international human rights discourse (Chapter 3).

**Part Two: Histories**

Part Two is considers the historical context(s) that are crucial to an understanding of the relative successes and failures of the TRC. Chapter 4 considers the colonial history of Solomon Islands and early encounters between Solomon Islanders, traders and missionaries. This history is crucial to my analysis, as it was during these early encounters that the political ideology of kastom solidified, as well as the moral ideologies associated with Christianity. As the chapters in Parts Three and Four will illustrate, kastom and Christianity have become largely conflated in Solomon Islands mindset, and, as such, kastom often used as a moral justification for political hierarchies. We will also see that gendered hierarchies are themselves largely a result of the colonial encounter. Chapter 5 documents the events that led up to the ethnic tensions and describes the dynamics of the tensions themselves. The chapter then considers the establishment of the Truth and Reconciliation Commission, and the peacebuilding initiatives that predated it. In particular, the chapter questions whether previous peacebuilding initiatives should be considered to fall under the rubric of transitional justice. Drawing on my interviews with those who advocated for the TRC, the chapter considers the role of faith-based organisations in lobbying for a truth commission, and the dual fashion in which they framed their advocacy — advocating ‘up’ to the state and foreign governments in the language of human rights, and advocating ‘down’ to the community in the languages of Christianity and kastom.

**Part Three: Politics**

Part Three provides the first section of my empirical analysis grounded in the data I collected during my fieldwork and my analysis of the *Truth and Reconciliation Commission Final Report*. The purpose of Part Three is to question the level of political authority the TRC and its associated human rights discourse can be seen to have had with Solomon Islanders. In Chapter 7, I consider the unique development of the human rights discourse in Solomon Islands — its ‘vernacularisation’ process. I will describe how, partially due to the relative absence of the ‘state’ in the lives of the majority of Solomon Islanders, the human rights discourse has developed as a language to negotiate power
within families rather than as a means for the population to negotiate power with the state. I will also detail the ‘vulnerability–emancipation’ dynamic, which I propose is key to understanding the depoliticised version of human rights that has become popularised in Solomon Islands. Chapter 8 considers the human rights analysis used by the Solomon Islands Truth and Reconciliation Commission. In particular, the chapter asks if the TRC’s analysis was circumscribed by the particular vernacular of human rights that has developed in the post-conflict environment, or if the institution attempted to challenge that vernacularisation. How did the ‘vulnerability–emancipation dynamic’ play out, both in the truth-telling process, and in the analysis contained in the TRC’s final report?

**Part Four: Moralties**

Part Four is concerned with the moral authority of the TRC and human rights in Solomon Islands. The purpose of Part Four is two-fold. Firstly, I will demonstrate how, while the people of Solomon Islands believed that the TRC would be a moral institution grounded in the principles of biblical theology, the TRC’s use of a human rights framework to analyse Solomon Islanders’ experiences of violence during the conflict pushed any Christian understandings of suffering and injustice to the periphery. Chapter 9 will explain, however, how a Christian sub-narrative took shape alongside the primary human rights framed narrative. This sub-narrative was influenced by the role of trauma counsellors, trained in Christian models of counselling, who ‘coached’ testifiers on the shape and content of their testimonies to the TRC. Chapter 10 outlines some surprising findings in my fieldwork that suggest that the human rights discourse is perceived by many, especially men, to be undermining the moral fabric of their communities. For these individuals, human rights is associated with a Western, hyper-individualist mindset that threatens to undermine traditional forms of authority. For some people, human rights are seen to be part of a broader problem of encroaching modernity. The chapter will introduce the reader to the Guadalcanalese concept of *kukini* — a word that connotes a sense of both respect and fear, as well an acute sense of cautiousness with regard to one’s words and actions. I will suggest that the concept is key to understanding anxieties around human rights and provides a compelling explanation as to why the TRC failed to ‘touch the heart of the people’. The chapter will also introduce a metaphor that was presented to me during my fieldwork — that of the ‘closed house’. The house and its inhabitants present an image of the people of Solomon Islands people at a crossroads. Within the house they remain protected by the traditions and values of *kastom*, yet the house is also becoming claustrophobic as people fear opening the windows and doors to let in outside influences. My participant described a need to open the windows and let the fresh air inside — to decide which influences will be allowed in, and which will be discarded.
Part Five: Conclusion

Part Five contains Chapter 10, which provides a summary of my findings and discusses the possible implications of these findings for the fields of human rights anthropology and transitional justice studies. I also consider the broader ramifications of my findings on the promotion of global justice ideologies in the absence of nuanced understandings of the power dynamics that exist within and between communities, and the moral dilemmas they face in their interactions with modernity.
2. Research Design and Methods

Overview

In this chapter, I provide a description of my research design including the theoretical and epistemological approach I adopted and the methods I employed for data collection and analysis. My research is informed by the constructivist grounded theory method promoted by Charmaz\(^\text{44}\) and Clarke\(^\text{45}\) which is an integrated theory/methods approach. I am also influenced by postmodernist and post-colonialist interpretive theories. However, I start by providing an overview of my personal and professional motivation for engaging in this doctoral project and outline how I hope my findings will be situated in, and make a unique contribution to, the existing literature.

Personal and Professional Motivation

Prior to undertaking this research, I worked in a number of human rights-orientated positions in the Pacific region: with an international non-government organisation (NGO) — the Commonwealth Human Rights Initiative; an intergovernmental regional body — the Secretariat of the Pacific Community; and a United Nations agency — UNIFEM, which became UNWOMEN during the time of my employment. Each of these organisations’ mandates are characterised by adherence to, and the promotion of, the allegedly universal rights norms enshrined in the International Bill of Rights.\(^\text{46}\)

During my time with these organisations, I noticed that there was apparently very little critical thinking within such organisations about the applicability of these norms in the settings in which they operated, beholden as they were to head offices in New York, Geneva or London, or to international donors who promoted the rights agenda. The institutionalisation of the rights discourse, coupled with time pressure to meet project deadlines, meant that there was very little theoretical discussion between Pacific governments or grassroots organisations and the agencies that supported them.

However, this didn’t mean that objections didn’t exist — there were indeed many opponents to the promotion of rights in Pacific Island countries. Most objections were framed in terms of a clash between the individualistic, legalistic rights ideology and customary, traditional or religious values. At

\(^{44}\) Charmaz 2006.
\(^{45}\) Clarke 2005.
the same time, most rights opponents tended to belong to those groups that were not identified as primary beneficiaries of rights-based advocacy.\textsuperscript{47} With this in mind, critics of the rights discourse are usually perceived by advocates as people who lack education, exposure to human rights norms or who have misunderstood the rights ideology as promoting the elevation of one group’s interests over another. Or, in more negative terms, they can be portrayed as reluctant to give up the power the status quo provides them, or stubbornly resistant to the inevitable changes of globalisation.

In reality, most Pacific organisations and government bodies are already well-versed in human rights vocabulary and have incorporated international justice terminology into their frames of reference.\textsuperscript{48} Most activists, NGO employees and government officials have received training in the international human rights treaties and have become skilled in framing their issues within this paradigm. There are many benefits to speaking the human rights ‘language’, not least because it provides weight and legitimacy to NGOs’ advocacy efforts. Framing an injustice as a human rights violation attracts universal moral condemnation, shaming governments into action. Conversely, there is great pressure on governments to become party to human rights treaties in order to bolster their place as equal and participating members of the United Nations. This is especially true for new or post-conflict nations such as Solomon Islands.

One thing I found striking working as a rights advocate in this region was that, unlike other regions that have resisted the ‘one-size-fits-all’ international justice model, there has been relatively little attempt to create an ‘indigenised’ rights framework here. Few large regions have failed to create regional bodies and legislation tailored to their unique interpretation of rights. For example, Africa has developed the African Commission, Court and Charter on Human and People’s Rights; the Americas have the Inter-American Commission, Convention and Court of/on Human Rights; and Europe has the European Commission, Court and Charter of Human Rights. Although there has been much talk of developing a human rights mechanism for the region, specifically from organisations such as the Pacific Islands Forum Secretariat (PIFS) and the Secretariat of the Pacific Community (SPC), there has been little discussion about how this would incorporate a Pacific interpretation of rights, and lack of resources continue to hamper its development.\textsuperscript{49}

\textsuperscript{47} As will be discussed in Chapter 6, the development of the rights discourse in the Pacific islands has framed the primary beneficiaries of human rights as being vulnerable groups, namely women, children and, more recently, the disabled.
\textsuperscript{48} For example, one of the key intergovernmental documents for development of the region has been the Pacific Plan endorsed by the Pacific Islands Forum Secretariat (PIFS). The introduction of the plan reads, ‘[w]e seek a Pacific region that is respected for the quality of its governance, the sustainable management of its resources, the full observance of democratic values and for its defence and promotion of human rights’ (Pacific Islands Forum Secretariat 2007).
\textsuperscript{49} In 2012, for example, the Secretariat of the Pacific Community released a publication entitled \textit{Regional Human Rights Mechanisms: Pathways for the Pacific}. Lack of resources and political will are the most frequently cited reasons for the delay in developing a rights mechanism for the Pacific islands.
In 2008, I was co-facilitating a joint Commonwealth Human Rights Initiative, United Nations Development Programme (UNDP) and PIFS freedom of information workshop in Honiara. The Solomon Islands Truth and Reconciliation Commission had just been established and I visited the office to chat to the TRC’s only employee at the time — David Tuhanuku — about its mandate and goals. For my master’s degree, I had researched post-conflict memorialisation of atrocity in Bosnia-Herzegovina, and transitional justice had remained the area of the human rights field I found the most personally and professionally absorbing. A TRC in Melanesia was particularly interesting to me as it drew together the disparate academic fields I had previously studied (language and literature, theology, human rights and transitional justice) and, like my professional work, was concerned with the application of international justice standards in a Pacific Islands setting.

As will be discussed in greater detail in the following chapter, transitional justice and human rights are more than two intimately linked fields. They emerged together hand in hand in the aftermath of the Holocaust atrocities. Transitional justice can be seen as a series of tools implemented by nations attempting to make sense of a violent past. Whether a previous government was complicit in human rights violations or simply failed to take action to prevent them from happening, transitional justice aims to heal the broken relationship between a nation and its citizens and deal with the psychological, physical, political and historical scars that are left behind in the aftermath of widespread atrocity. Transitional justice initiatives are played out in the international lingua franca of human rights and claim universal legitimacy through their adherence to the principles of international rights and humanitarian law.

When I visited the Solomon Islands Truth and Reconciliation Commission in 2008, I knew very little about Solomon Islands conflict or the scale and nature of suffering that Solomon Islanders had experienced during ‘the tensions’. However, I did have experience implementing human rights projects in a Melanesian setting and, as far as I could tell, the TRC was the single largest human rights project to be attempted in this region. The TRC had been advocated for by Solomon Islands people, specifically the Solomon Islands Christian Association (SICA), as a grassroots, faith-based initiative. However, being an international model, it inevitably brought with it the range of universalistic ideologies, discourses and assumptions that I had struggled to apply in my significantly less ambitious projects. Although the hybridity of the model, specifically its emphasis on reconciliation as the ultimate goal of truth-telling, was touted as ensuring its resonance with Solomon Islands’ kastom and
spirituality, it had been developed in South Africa and Chile — in significantly different political and cultural contexts. How likely then, was this transplanted international model to meet the unique needs of Solomons’ population?

Methodological Approach

Constructivist Grounded Theory — A Combined Theory and Methods Approach

To undertake this research, I opted to use the constructivist grounded theory methodology promoted by Charmaz and Clarke. This approach combines a postmodern interpretivist epistemology with the iterative data collection and analysis methods of grounded theory. Rejecting the positivist assumptions of traditional grounded theory, constructivism places emphasis on subjectivity, discourse analysis, the consideration of power and hierarchy, and foregrounds the importance of researcher reflexivity. Emerging theories are viewed as created through the interactions between researchers and participants and meaning is located ‘in larger social structures and discourses of which ... [participants] may be unaware. Their meanings may reflect ideologies; their actions may reproduce current ideologies, social conventions, discourses, and power relationships ... We look for the assumptions on which participants construct their meanings and actions.

Clarke argues that the grounded theory method must be taken ‘around the postmodern turn’. She emphasises the importance of engaging with discourse and draws on Foucauldian notion of ‘regimes of truth’ — discourses that set ‘conditions of possibility’ for meaning, action and values within the social world. According to Clarke, the researcher must engage with the muddle and intricacies of human experience because ‘[p]ostmodern knowledge is validated through practice(s). The postmodern is complicated, impure, messy, full of different kinds of “stuff” that the researcher collected and now must somehow handle — rather like life itself.'

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50 Desmond Tutu, the Chair of the South African Truth and Reconciliation Commission, on which Solomon Islands TRC was modelled, was present in Honiara to launch Solomon Islands TRC. He said of truth commissions, ‘[t]his is a far more personal approach [than punitive justice], regarding the offense as something that has happened to persons and whose consequence is a rupture in relationships. Thus ... efforts are being made to work for healing, for forgiving, and for reconciliation’ (Tutu 2012:55).
51 Creswell writes, ‘My image for data collection in a grounded theory study is a “zigzag” process: out to the field to gather information, into the office to analyze the data, back to the field to gather more information, into the office, and so forth’ Creswell 2014:64.
53 Clarke 2005:27.
This approach was fitting for my research, as it considered the ways in which an international institution and its associated discourses played out in a particular post-conflict setting. In particular, I have tried to grapple with those elements of human experience which tend to slip away from discourse — that which is implied or hinted at.\(^{54}\) The processes of vernacularisation and translation, as described by Merry,\(^{55}\) were of particular concern to my research. I considered the Solomon Islands Truth and Reconciliation Commission as a ‘site of translation’ where local and international discourses of (in)justice were engaged in a struggle for application and legitimacy, and where their complementarities and divergences were tested.

Although my thesis deals with issues of social justice, I have steered away from adopting what Creswell describes as the participatory or advocacy approach, which aims to ‘provide a voice for ... participants, raising their consciousness and improving their lives’.\(^ {56}\) Rather, I see the Truth and Reconciliation Commission as an example of such an approach, based on an assumption of the emancipatory and healing benefits of providing an arena in which Solomon Islanders can voice their grievances. However, as the thesis will unpack in detail, I will illustrate how the particular ‘vernacularisation’ or version of human rights that has developed in post-conflict Solomon Islands has limited the emancipatory potential of the TRC — its ability to ‘speak truth to power’.\(^ {57}\) Influenced by the post-colonial writings of Edward Said, I see my ethical obligation as a researcher to be to scrutinise the ideological discourses I previously promoted as a practitioner.\(^ {58}\)

**Fieldwork**

In practical terms, taking an interpretive approach to grounded theory meant that I relied greatly on my participants during the fieldwork process, trusting them to lead me in the directions that were meaningful and important to them. In some ways this made fieldwork a less structured, more intuitive process in which I ‘felt’ my way from stage to stage. Rather than having clear-cut hypotheses that I went to the field to validate, I tried to cast my net wide at first with proximate notions of the issues I was interested in. Adopting an iterative approach, I alternated between

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\(^{54}\) See Chapter 9 for a full discussion of this topic.

\(^{55}\) Merry 2006.

\(^{56}\) Creswell 2014:21–2.

\(^{57}\) Gready 2010:37.

\(^{58}\) According to Said, the duty of the academic (intellectual) is to ‘publicly ... raise embarrassing questions, to confront orthodoxy and dogma (rather than to produce them), to be someone who cannot easily be co-opted by governments or corporations, and whose raison d’etre is to represent all those people and issues that are routinely forgotten or swept under the rug’ (1994, 2012).
periods of data collection and data analysis, narrowing my focus as themes became clearer. As Hendriks describes:

Interpretive research is driven by practice not theory. So rather than walking along a clear deductive path of verifying the truth of a hypothesis, the interpretive researcher negotiates her way along a journey whose destination for the most part is uncertain. Eventually the research themes will emerge from the data, and in the form of thick not thin descriptions. All this demands being comfortable with a research process that is iterative, uncertain and open-ended.59

At times this uncertainty was uncomfortable, and I sometimes felt ‘in the dark’ as to where my journey would eventuate. But I persevered to trust the research process until themes and patterns began to emerge from the data.

Data Collection Sites

I spent roughly 15 months in Solomon Islands — an initial period of 12 months from 2012–2013 and a second period of four months in 2014. In addition, I spent three weeks as part of an Australian National University observation team for Solomon Islands general elections in November 2014 and had a chance to do a small amount of research during this period.

My chosen fieldwork sites were Honiara (the capital city) and Marau on the eastern tip of Guadalcanal. I also spent one week in Auki, Malaita. Honiara was an obvious choice as it was the base of the Truth and Reconciliation Commission. It is also where the headquarters of many NGOs, church denominations and government ministries and departments are located.

Marau was a less obvious choice. I had originally intended to spend time on the Weather Coast — an isolated area on the south of Guadalcanal notorious for human rights violations during the tensions (especially following the Townsville Peace Agreement when the Weather Coast-based Guadalcanal Revolutionary Army (GRA) took a more central role in the fighting). Harold Keke, the leader of the GRA, has arguably become the ‘face’ of tension-time atrocity, his followers notorious for committing murders, torture, mutilations and rape and forcing individuals into sexual slavery. Although it is peaceful now, a number of people advised me against going to the Weather Coast, possibly concerned for my safety as a female researcher travelling alone, or maybe because of the area’s geographical isolation and stormy climate. Marau was frequently suggested as an alternative.

The tensions unfolded in a very unique way in Marau as a result of the ethnic demographic of the people who have settled there. According to many people I spoke to, Marau is the one place where the conflict could truly be characterised as an ‘ethnic tension’. The original settlers of Marau were Are’Are speakers who had migrated there from Malaita and populated both the mainland and outlying Marau Sound islands. For hundreds of years, Are’Are speaking Malaitans lived peacefully alongside people of Guale origin, notably the Birau ‘bush’ people who lived further inland. There were many intermarriages and shared customary practices between groups, blurring island-specific distinctions. During the tension years, animosity arose against Malaitan settlers in Guadalcanal and GRA activity on the Weather Coast spilled over into Marau. Are ’Are speakers were intimidated by GRA militants and driven off the mainland onto the outlying Islands — their homes looted and burnt down.

I chose Marau as my second primary field site as I felt that the unique unfolding of the conflict here would illuminate some interesting dynamics in the approach of the TRC. For example, despite the fact that perceived ethnic differences were an obvious driver of conflict in this area, the TRC report is very selective in its reference to the International Convention Against All Forms of Racial Discrimination (ICERD), to which Solomon Islands is a signatory.

Data Collection Methods

My primary method of data collection was semi-structured qualitative interviewing. I also collected relevant documentation for analysis (such as the TRC report when it became available, TRC training manuals, etc.) and used ethnographic techniques such as participant observation, informal conversations and the preparation of in-depth field notes. In addition, I attended a number of workshops as a participant observer. I used the networks I had previously developed while working in Solomon Islands to gain introductions to key individuals working in the areas of human rights, peacebuilding and reconciliation, and adopted the snowballing technique in order to recruit further participants.

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60 The diaries of two of Mendana’s crewmen refer to the Are’Are as being in Marau in the 1500s, ‘After a few weeks of coastal trade, the Spaniards brought their ships to anchor in the strait of Marau and there, on the 24th May 1568, the Are’Are people saw these people for the first time’ (de Coppet 1977:26).

61 Consider Joel Robbins, ‘The ethnographic approach studies the way notions of universal rights and canons of justice are operating in the myriad cultural locales to which they and their institutional carriers have been introduced. This approach is perhaps the most popular, and it fits well the general trend in contemporary anthropology of studying the “localization,” “vernacularization,” or “indigenization” of global modernity. Anthropologists have become quite skilled at producing analyses of such processes by which global cultural features find their way into local conceptual and practical schemes, and
Interviews

I conducted approximately 70 interviews with research participants. Interviews were one to one and conducted in a variety of spaces including participants’ offices, homes, gardens, cafes, or even on beaches, sat on upturned boats or in shipping containers. They were mostly conducted in English, however all interviews with Marau-based participants were conducted in Solomon Islands Pijin and have been translated when referenced in the thesis.

Consistent with the participant-led approach of the constructivist grounded theory method, I began my questioning broad and general so as to allow participants room to focus in on minutiae that had meaning and importance to them. I brought an open-ended list of themes and questions to each interview, but adopted a flexible approach, allowing participants to lead the direction and duration. Interviews therefore varied in length from 20 minutes to two hours. Usually I made detailed notes by hand, unless this felt inappropriate or like it would stifle the flow of conversation. Particularly for those interviews where sensitive or personal information was discussed, it could feel inconsiderate to be scribbling away on a notepad, so I would attempt to remember as much as I could to note down afterwards. I tried to conduct interviews in the mornings/early afternoons so that I could spend the evenings writing more detailed analytical notes on my laptop. I endeavoured to record each interview with a handheld voice recorder, but this also was not always appropriate to the sensitive subject matter. At times my recording equipment failed, as it once did ten minutes into a key interview. On these occasions I inevitably lost some of the richness of the conversation in my notes as well as some great quotes.

As I was often dealing with sensitive or emotive subject matter, it was necessary to experiment with subtle shifts between themes and terminology in an attempt to find conversational ‘hooks’ — phrases, words or topics that resonated with participants and would encourage them to open up to me. One of my participants, a development specialist working in the area of gender equality, used the metaphor of the ‘dance’ to describe her advocacy conversations with community members. In the need to translate international justice concepts into terminology that would have local resonance, it was necessary to enter a creative space of trial and error where both parties would ‘dance’ around the issue being discussed, experimenting with discourses and specific words until a common ground was discovered. I often found myself entering this space with participants, trying to

thus studies of human rights carried out under the aegis of this approach are generally sophisticated and valuable’ (Robbins 2010:172).

engage them in a conversation that had meaning for them. This approach also allowed me to become aware of participants’ emotional responses to terminology around suffering and injustice. It is somewhat ironic that in researching the vernacularisation of the human rights discourse and the role of ‘translators’ (as the following section will describe), I inevitably became one myself.

**Participants**

‘Brokers’ and ‘translators’ are the intermediaries who negotiate meaning at the interface between various understandings of (in)justice. According to Merry:

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

In this project, the majority of my participants could be identified as ‘brokers’ or ‘translators’ of the human rights discourse. Participants were therefore drawn from NGOs; the government — in particular the Ministry of National Unity, Reconciliation and Peace; churches and faith-based groups; former staff members of the TRC; and traditional leaders such as elders and chiefs. Some individuals were experts in the fields of human rights, gender equality, reconciliation or peacebuilding, and I found these people to be rich sources of insight into the translation process. As such, I met with a small number of participants on several occasions and am indebted to them for their generosity in sharing their insights with me and recommending further participants.

Originally, I had not intended to conduct interviews with those people whom the TRC had labelled ‘victims’ or ‘perpetrators’ of human rights abuses. However, in carrying out my fieldwork it became apparent to me that these categories were significantly more complex than I had first imagined, and avoiding participants who identified, particularly with the victim category, was impossible. A great number of people in Solomon Islands remain traumatised by what they experienced or witnessed during the conflict. Many ‘brokers’ or ‘translators’ were themselves victims of abuse, and a number were asked to testify before the TRC. An even greater number of these individuals worked closely with victims of atrocity, which has led them to experience secondary traumatisation. Bearing this in

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63 Bierschenk et al. 2002.
64 Latour 2005; Merry 2006.
65 Merry 2006:42.
mind, I felt it was important that I didn’t recycle the TRC’s categories of victim and perpetrator, but rather remained highly sensitive to the possibility that any participant may be suffering psychological distress as a result of their experiences during and after the conflict.

**Ethics and Reflexivity**

*We are not scientific observers who can dismiss scrutiny of our values by claiming scientific neutrality and authority. Neither observer nor observed come to a scene untouched by the world. Researchers and research participants make assumptions about what is real, possess stocks of knowledge, occupy social statuses, and pursue purposes that influence their respective views and actions in the presence of each other.*

My research provided me with many ethical challenges, some of which were primarily theoretical — for example, whether it was possible to maintain a constructivist standpoint whilst still accurately communicating truths about the lived experiences of atrocity that were imparted to me. Others were more practical — was I behaving and conducting my research in a way that was consistent with my own values and principles? These questions became increasingly important to me the further I progressed in my fieldwork, and I realised that my responses to them would form an essential element of my emerging theories. I tried to practice a reflexive way of thinking, not only in an attempt to understand how key aspects of my identity (as an outsider, a woman, white, a researcher) might influence the research process (and in an attempt to minimise bias), but also because self-scrutiny felt key to understanding some of the challenges involved in the truth and reconciliation process. I often felt struck by parallels that must have existed between my own research and that which TRC staff had previously undertaken. Although my main aim differed from the TRC in that, rather than collecting stories of suffering, I was trying to understand the varied factors that might complicate this communication, I inevitably engaged with comparably sensitive subject matter. In this way, it made sense that many of the obstacles and challenges I encountered when conducting my interviews illuminated the ones the TRC may have experienced before me. I found interviewing to be ethically challenging. It was obvious that whilst some people were suffering from research fatigue and had been approached countless times by well-meaning researchers, others felt left out from this wave of external interest and really desired to share their stories.

There are two examples from my fieldwork that illustrate the ethical challenges I faced which I wish to share here. I decided to stop these two interviews less than halfway through because I felt that I

66 Charmaz 2006.
had an ethical obligation to do so. The first example also illustrates some of the mirroring I sensed between my own work and that of the TRC — in particular, how messages concerning human rights research and intent became mistranslated amongst community members.

In the first instance, my host family in Marau had recommended I talk to an elderly man who identified as a ‘victim’. Although I was unsure about conducting this interview (as I’d previously decided against interviewing ‘victims’), the man was keen to talk to me and I had already learnt that such categories were too problematic to inform my choice of participants. As usual with my interviews, I started the process broadly by explaining my research interests and allowed the participant to lead the conversation. The man began to share his story with me but became increasingly upset as he did so. Immediately, my objective changed from wanting to complete a successful interview to offering him comfort and empathy. I found that there were ethical obligations that came to the foreground when talking to a highly distressed person — collecting information no longer seemed as important. Initially I stopped taking notes whilst he spoke, and then turned off the voice recorder as this seemed inappropriate to the intimate nature of the story he was sharing with me. When he began to cry, I had a fierce realisation that I was completely unqualified to manage this situation. The inequity of the exchange (reciprocity being of utmost importance to Solomon Islands’ kastom) was stark: I was not a counsellor, I could offer little in the way of follow-up, nothing in the way of compensation and it would be unethical of me to continue a conversation that might traumatising someone. I explained to the man that if this interview was upsetting him then we should stop, and he agreed. I later learnt that he had misunderstood who I was — mistaking me as a TRC researcher come to Marau to document his story as a victim of atrocity.

The second incident happened after the national elections when I had returned to Marau as an observer. I wanted to visit a woman, Grace, who had lost her leg in the tensions and had become involved in a unique reconciliation project run by ex-militants known as the Sycamore Tree.67 Myself and a friend took a long, hot journey by outboard motorboat in order to reach Grace’s village. When we arrived, we were told that she wasn’t feeling very well and had hurt her neck, but was still happy to talk with us. An entry in my journal documents this as experience as follows:

I explained my work to her and said I would like to hear her story, what happened to her during the tensions and what her involvement was with the Sycamore Tree afterwards. She looked at me and basically just said, ‘I was shot.’ ‘They shot me.’ I waited for more, but there was nothing. ‘Who shot you?’ ‘Militants.’ ‘And afterwards they built me this house.’

67 Chapters 8 and 9 will provide a detailed discussion about the Sycamore Tree project and its biblical approach to restorative justice.
The conversation continued in this awkward, jumpy way. She looked pained. I couldn’t tell whether it was just because she had pulled a muscle in her neck, if the subject matter was too difficult or if she just didn’t want to engage ... I told her I thought she was a very strong person to forgive the people who did this to her, she looked tearful but told me that God had wanted her to forgive.

I felt that, in order to get the information to flow, I would have to get the tears to flow. They don’t come separately with such traumatic experiences and I was completely naive to think that they could. But I so desperately didn’t want to upset her. I felt I had no right to just sweep in, open up old wounds and then leave again ... I could tell she was uncomfortable, and in the end I just wrapped it up. I didn’t have the resources — time, energy, emotional strength, training — to open up the floodgates of the past and, more importantly, I could tell that Grace didn’t either, so I just let it lie.

What these stories illustrate for me is a growing sense of obligation that developed during my fieldwork to people over data, to my participants over the research process (as an end in and of itself). This was a difficult realisation, as it inevitably meant that the research was going to be more time consuming than I’d initially anticipated and require a greater degree of patience. There was no way around this, so I tried to ensure that my emerging theories were grounded in this realisation — in a sense my experiences became my data. As per the thesis title, the criticism I heard the most often about the TRC process was that, in its eagerness to gather enough data to quickly identify patterns of human rights violations, it failed to ‘touch’ the experiences of the people, dehumanising their stories, robbing them of their soul. As a PhD student, I experienced the competing pressures of preparing a written document within a set period of time and remaining acutely sensitive to the needs of my participants.

I felt that developing empathy with participants was my insurance against pushing them to a place where they were uncomfortable. At the same time, creating a relationship of trust opened doors to information that might not have been shared with a stranger. My ability to speak Pijin and enthusiasm to live amongst local families, share their meals and sit and stori68 with them meant that I was perceived as being different to other foreigners — my friends often joked that I was a white Solomon Islander in all except that I couldn’t deal with the heat. Different information was shared with me in different contexts, too. For example, often when interviews were finished and myself and a participant had built up a rapport, they might confide their own personal stories to me. Frequently they spoke in the third person during the interview, but switched to the first person once it had finished.

68 Stori translates to ‘to chat’, ‘to share a story’.
I also tried to live according to the belief systems of the people I lived and worked amongst. For example, in Marau, I was sincerely advised not to leave my hut alone at night, as a man practiced in vele, a dark magic that gave him invisibility and the power to harm, was known to frequent the vicinity and might target me. Out of respect, I followed their instructions — but also because living according to my participants’ belief systems gave me insight into their values and access to information that was widely acknowledged but seldom spoken.

Paul Ransome writes that the Weberian concept of verstehen, which he translates as seeking to interpret the inherent meaning of a given situation, is central to interpretivist research. He writes:

> Only the inductive method can explain and account for the inherently subjective and ‘unobservable’ factors and judgments underlying social action … This method of interpretation or verstehen, as Weber calls it, is a defining characteristic of social research and one that is flexible enough not only to see things from the point of view of the individual social actor (to see things as they are most likely to appear to the individual), but also to try to understand the meanings that social action conveys to those individuals.69

Essentially, verstehen equates to putting yourself in the position of participants in order to understand the subjective meanings and values they attach to given situations or interactions. I interpreted this as a practical empathy that meant not only trying to understand participants’ positions, but living according to the values that they communicate as being important to themselves and their communities.

**Consent**

It is also important under this section to mention consent. When conducting interviews with participants, I fully explained my research objectives to them and offered them an information sheet summarising my project. My research has obtained clearance from the Australian National University Human Research Ethics Committee (HREC) and, as agreed with the HREC, participants gave their oral consent to be included in the study. In most instances, I have changed the names of participants or kept them anonymous to protect their identity. However, where participants specifically gave permission to be named, their real names have been included.

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69 Ransome 2013:66.
In addition to the practicalities of carrying out my fieldwork ethically, a number of theoretical considerations were also important to the ethics of my research process. The first issue concerned the accurate representation of trauma and suffering. Scholarship in the area of transitional justice has long grappled with the question of whether there is an ethical imperative to accurately represent another person’s lived experiences of suffering and, indeed, whether it is even possible to create a reliable communication of pain. In grounding my approach in a post-modernist, interpretivist epistemology and emphasising subjectivity over a singular, factual ‘truth’, was there a danger that I might be complicit in undermining the reality of people’s experiences? Holocaust historian Geoffrey Hartman has argued that in the aftermath of widespread violence ‘it is not justice alone, but also reality — the very sense of reality jeopardized by post-modern amnesia, by anti-memory — that must be recovered’.\(^{70}\) On the other side of the debate, however, are theorists who emphasise the subjectivity of pain and the impossibility of accurately representing suffering. The dilemma is both one of ethics and of aesthetics and the limits of representation. Godwin Phelps writes in *Shattered Voices: Language, Violence and the Work of Truth Commissions* that, ‘A primary attribute of pain is its ultimate unsharability because it cannot accurately be represented in language. Eventually, physical pain can become so extreme that it ceases to be articulable even as metaphor’.\(^{71}\)

In one sense, these questions were central to my analysis of the TRC’s relevance and success, and grappling with them through my research process was beneficial first-hand experience. In another sense, it also made my own research experience slippery and problematic — grasping at ‘truths’ that were just beneath the surface of communicable awareness. Although I was researching the process of the TRC, it was still important to me that people’s accounts of suffering were not diluted — my research added yet more layers, audiences, potential mistranslations and filters in the retelling of their stories. Reflexivity and awareness of my own voice in the research were my only means of dealing with this inevitability. Further, although a constructivist approach emphasises multiple, constructed truth(s), it does so through relocating the source of truth(s) back to the participants. In ensuring participants were viewed as complicit subjects as opposed to objects of study, it was their experiences and their convictions that were given primacy in the data I collected.

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A further theoretical issue concerned the importance of avoiding ‘horror tourism’ or ‘horrorism’ when carrying out interviews. Practically, this translated into ensuring that participants were not made to feel like performers of their own violence stories for the sake of research voyeurism or human fascination with the obscure or grotesque. As G.J. Ashworth has written:

> Violence is provoked by strong emotions and in turn evokes strong emotions, which renders it both more noticeable and more memorable than most human actions ... there is an inherent ambivalence in people’s attitude towards violence and its consequences. It contains elements of both aversion and attraction; it is simultaneously to be avoided and sought, forgotten and remembered.  

Related to this, it was also important that I remind myself that I was not doing a ‘favour’ to my participants in providing them an opportunity to speak about their experiences. My role was to scrutinise the phenomenon of the TRC rather to replicate its processes and assumptions.

**Obstacles, Practicalities and Constraints**

I encountered obstacles conducting research in Solomon Islands. From adverse weather conditions, to bureaucracy, to logistics, to the fact that you are forced to operate on ‘Solomons time’, doing fieldwork there can be trying and time consuming. Getting permission to reside in the country (which was necessary for my length of stay) was one of the biggest obstacles I faced — a nine-month delay in my permit meant that I spent countless mornings in Honiara’s small, cramped immigration office and had to renew my visitor’s visa twice. Arranging meetings with participants was also often difficult as telecommunications systems were unreliable and there were delays or cancellations. I was quite used to operating on ‘Pacific time’ though, so usually found that just showing up and waiting out the day was the best way to secure a meeting with someone who was hard to track down.

Delays in the release of the *Truth and Reconciliation Commission Report* could also be seen as an impediment to my research. As will be discussed in Chapter 5, the TRC report remains unreleased at the time of writing. However, it is in public circulation due to its unofficial release by the report’s Canadian editor Terry Brown.

In April 2014, while I was in Honiara, Solomon Islands experienced the worst flooding in recorded history causing the death of 23 people and sweeping away hundreds of homes into the Matanikau

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72 Cavarero 2009.
73 Ashworth 2008:231.
River. An estimated 50,000–60,000 people were left homeless and a number of temporary evacuation centres were established in and around the capital.\textsuperscript{74} The evacuation centres brought their own problems including food and water shortages and an increase in waterborne diseases. I was extremely lucky that I lived quite far from the river on higher ground. However, like everyone who remained safe in Honiara, I was housebound, without electricity and water for four days. One of the two bridges connecting Honiara’s business district with the side of town where the airport, and my house, were located, collapsed entirely in the flooding and the other suffered severe structural compromise. As a result, there was initially no traffic passing over the remaining bridge, and for weeks to come extremely limited capacity for movement around Honiara. As soon as the rain abated, everyone’s attention necessarily turned to the relief effort, making it impractical to conduct interviews for a number of weeks. During this time, I did a small amount of volunteering with the relief effort in Honiara before travelling to Marau when the airport reopened.

\textsuperscript{74} Australian Broadcasting Corporation 2014.
3. Theory — Transitional Justice, Truth (and Reconciliation) Commissions and Human Rights

The aim of this chapter is to provide broader theoretical context concerning the development of the field of transitional justice, the institution of the truth (and reconciliation) commission and the relationship of both to the human rights discourse. Whilst the remainder of the thesis will focus specifically on the unique case study of Solomon Islands, this chapter will begin with a broad investigation into the larger global picture of transitional justice development. This is essential to understanding the nuances of transplanting an international transitional justice model into the post-conflict Solomon Islands environment.

The chapter will consider the complex relationship between transitional justice and human rights as an internationally normative justice ideology. Despite their similar post-Holocaust origins, the relationship between transitional justice and human rights is not always clearly articulated in either the theoretical or empirical literature. As the justice options available to transitioning countries have diversified over the latter half of the twentieth century, this relationship has become increasingly complex and opaque, enabling countries to underplay the rights-based assumptions of the transitional justice approach for expediency or to fit with local experiences and expectations — as, I will argue, civil society organisations did in post-conflict Solomon Islands.

This chapter, therefore, will be divided into two sections. The first will provide a working definition of transitional justice and attempt to unpack some of the complexities of its relationship with the international human rights discourse to demonstrate the inextricable connection between the two. The second will consider the institution of the truth (and reconciliation) commission in more detail, focusing on how its emergence as a popular transitional justice method complicated this relationship, broadening an understanding of human rights beyond the purely legal to incorporate moral and theological interpretations.  

A Definition of Transitional Justice

The term ‘transitional justice’ refers to a range of mechanisms available to a country undergoing a period of political transition, most often from a state of conflict to one of peace or from an oppressive and/or dictatorial political system to a democratic one, that may enable its citizens to

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75 I previously published a chapter in which I used the wording from some parts of this chapter (Cronin 2017).
better come to terms with a past characterised by gross or systematic human rights violations. Used either in isolation or as a combined justice ‘package’, the following methods are considered to fall under the transitional justice rubric: international or national criminal tribunals; the exchange of amnesty for perpetrators’ testimonies or the surrender of weapons; the lustration or vetting of public officials; institutional reform (most often of government institutions with key roles in the protection, or potential abuse, of human rights such as the police, judiciary or military); reparations and compensation for survivors and their families; rehabilitation of perpetrators; exhumation and return of bodies; memorials, museums or days of commemoration; and truth or truth and reconciliation commissions.76

A transitional justice approach poses the following questions: how are mass human rights violations best remembered and commemorated at the collective, national level whilst still allowing the individual survivor to engage with the process meaningfully? How should the perpetrators of atrocity be dealt with by a transitioning nation, and to what extent can individual criminal responsibility be ascribed?77 Is establishing an accurate narrative of a violent past a more pressing justice priority than pouring (likely limited) resources into criminal trials? How should victims and their families be compensated for the suffering that they experienced? What changes need to be made to the machinery of government in order to ensure a sustainable respect for democracy and the rule of law?

The Origins of Transitional Justice

Although there is some disagreement amongst scholars about the precise point at which the disciplinary field of transitional justice emerged, most trace the origin of the practice, at least, to the Nuremberg International Military Tribunal of 1945–46.78 The tribunal set an important precedent for international criminal liability and codified a definition of ‘crimes against humanity’ in Article 6 of the Nuremberg Charter.

The end of the Second World War and the discovery of Holocaust atrocities by the international community sparked the development of international human rights and humanitarian standards, to

76 See Teitel 2000.
77 This question is particularly pertinent in chain of command situations, e.g. a soldier committing murder or rape as a result of an order from a superior.
78 The Nuremberg Military Tribunal, or the Nuremberg Trials, were held to prosecute key leaders of the National Socialist German Workers’ (Nazi) Party for their role in Holocaust atrocities during the Second World War. The Allied powers decision to hold the trial was not a given — initially the British pushed for mass execution of party members. Criminal prosecution rather than execution was perceived as upholding the rule of law principles that the powers purported to stand for, and ‘stay the hand of vengeance’.
include the new crime of genocide. These standards were codified in international declarations and legal instruments including the 1948 Universal Declaration of Human Rights (UDHR), the 1948 Convention for the Prevention and Punishment of the Crime of Genocide, and the four Geneva Conventions concerning the ethical treatment of civilians, prisoners of war and injured combatants during conflict. Both human rights and transitional justice could be considered to emanate from a global shock response to the Holocaust that began with a commitment to reckon with its dark history through punishing perpetrators and continued with a codification of rights norms through international law to attempt to prevent that history from repeating itself. Both fields transformed the focus of international law by challenging the traditional primacy given to state sovereignty, instead placing the individual person at the centre of international legal consciousness, both in terms of protection and culpability. The prevention of human suffering at the hands of the state and the shift toward individual criminal accountability became the defining features of the international legal system, ultimately leading to the drafting of the Rome Statute of The International Criminal Court in 1998. Robertson interprets the Nuremberg and Toyko tribunals as defining the ‘second age’ in the development of human rights — an age where rights became more than idealistic notions. ‘The first’, he writes:

had been articulated in the declarations of the American and French revolutions; the second was ushered in by the Nuremberg judgment and the triptych of treaties it directly inspired — the 1948 Universal Declaration and the Geneva and Genocide Conventions.

Since the Nuremberg judgments, the mechanisms available for enacting transitional justice have diversified and with this their relationship with international human rights norms have evolved and grown in complexity. Initial transitional justice approaches were judicial, punitive and focused primarily on the prosecution of perpetrators. However, as the twentieth century proceeded and the end of the Cold War brought about a plethora of new democracies across Latin America, Africa and Europe, transitional justice expanded beyond the purely legal to include more diverse approaches to ‘doing’ human rights, engaging with theological, ethical and local customary norms as tools to come to terms with a history of mass violence. International law expert Ruti Teitel has outlined three phases in the development of transitional justice — phase one corresponding to the judicial approach of the Nuremberg trials outlined above, phase two concerned with the evolution of the

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79 Genocide is a term coined by Polish lawyer Raphael Lemkin from the Latin geno (race) and cide (to kill or destroy).
80 Bosco 2013; Grover 2014.
81 The International Military Tribunal for the Far East, also known as the Tokyo War Crimes Trial, was held from 1946 to 1948 to try Japanese leaders for war crimes committed during the Second World War. Although these trials, modeled on those at Nuremberg, are also early examples in transitional justice practice, they are seldom given much weight in historical accounts of the evolution of the field.
82 Geoffrey 2000:xii.
truth and reconciliation model and phase three being the ‘steady state’ normative stage of transitional justice. Phase three is defined by an attempt to bring about a more holistic approach to transitional justice, amalgamating criminal trials, truth commissions and more locally relevant and culturally embedded approaches to peacebuilding.\textsuperscript{83} It is during phase three that the Solomon Islands Truth and Reconciliation Commission was established.

Before I describe the emergence of truth commissions in more detail, it is important to describe how the emergence of the field of transitional justice was intimately entwined with particular developments in the global human rights movement in the 1970s and ‘80s, during which the vocabulary of human rights began to be appropriated for its political and moral persuasiveness, rather than as a strictly legal code protecting citizens from the abuse of state power. This shift is fundamental to an understanding of the Solomon Islands TRC as a case study in phrase three of transitional justice development. As the Solomon Islands TRC (like others) was a non-judicial body, international human rights standards were used for their moral–political persuasiveness as opposed to their legal applicability.\textsuperscript{84} According to Moyn and Arthur, the field of transitional justice was developed by human rights activists as a novel way of engaging with newly democratising governments in the latter years, and aftermath, of the Cold War. Historically, this coincided with the increased popularity of the truth commission model, leading some scholars to see TRCs as the embodiment of the transitional justice ethos, as opposed to the punitive criminal justice approach of the Nuremberg and Tokyo trials.\textsuperscript{85}

\textit{Human Rights in Transition(al) Contexts}

Both human rights as a means of framing social injustice and transitional justice as a means of reckoning with past injustices experienced a period of relative inertia in the 20 or so years following the Nuremberg trials and the drafting of the \textit{UDHR} and \textit{Genocide Convention}. Although United Nations (UN) drafters worked slowly towards the development of the two human rights covenants (International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights), neither gained enough ratifications to come into effect until 1976. The Cold War loomed large over world politics during this time, holding East–West relations in a political and ideological stalemate. However, the latter half of the 1970s brought about a new era in human rights activism and consciousness. I would like to draw upon Samuel Moyn’s theory of human rights as ‘the

\textsuperscript{83} Teitel 2003:71.
\textsuperscript{84} Solomon Islands Truth and Reconciliation Commission Final Report, Volume II, 356.
\textsuperscript{85} See Robertson 2013.
last utopia’ emerging in the 1970s, and Paige Arthur’s notion that the field of transitional justice came into its own in response to changes in human rights activism in the 1980s and 1990s,\[^{86}\] to illustrate this.

According to Moyn, the human rights discourse experienced a revival in the 1970s as activists searched for an ideological ‘utopia’ amongst a general sense of disillusionment with revolutionary politics. Human rights succeeded as a ‘minimalist’ utopia where other ‘maximalist’ utopias had failed because the ideology lent itself to strategic coalition building and, most importantly, was a means of framing injustices in terms of moral rather than political objections to the abuse of state power: the adoption of human rights by church activists in particular gave them the appearance of political neutrality combined with moral authority.\[^{87}\] Arthur also writes of:

> the global decline of the radical Left in the 1970s and a concomitant ideological shift in favour of human rights ... Having abandoned the Soviet Union, Cuba, and many African socialist states as desirable models in the 1970s, many on the Left turned against political ideology and towards the moral framework of human rights.\[^{88}\]

Latin American Catholic activists in particular alluded to the apparent self-evidence of human rights norms, the vocabulary of which ‘proved to be highly coalitional and ecumenical in providing a *lingua franca* for diverse voices’.\[^{89}\] At the same time, activists in the Soviet Bloc and Eastern Europe embraced rights as an alternative to political dissidence: human rights were seen as a way to transcend political divisions in the name of a greater common good. A document defending Czechoslovakian activist organisation Charter 77 reads:

> The concept of human rights is nothing but the conviction that states and society as a whole also consider themselves to be subject to the sovereignty of moral sentiment, that they recognise something unqualified above them, something that is bindingly sacred and inviolable even for them.\[^{90}\]

It was primarily civil society organisations within countries on the verge of political transition who began to invoke the language of human rights norms. It is interesting to note that these same communities were extremely influential in the establishment of truth commissions once their countries had become functioning democracies. The influence of theological interpretations of rights, which came from a largely Christian activist base, can be seen in the transitional justice approaches

\[^{86}\] Arthur 2009; Moyn 2012.
\[^{87}\] Moyn 2012:3.
\[^{88}\] Arthur 2009:338.
\[^{89}\] Moyn 2012:144.
\[^{90}\] Přibáň and Young 1999:135.
that emerged in the 1980s and 1990s — with their emphasis on confession, forgiveness and reconciliation.\textsuperscript{91}

Transitional justice was also to become a strategic approach for human rights activists as they sought new ways to engage with transitioning governments during what Samuel Huntington describes as the ‘third wave of democratization’.\textsuperscript{92} According to Arthur, activists moved into less antagonistic, more supportive interactions with new democracies, and one of the ways in which they negotiated this new role was through assisting countries in coming to terms with a national history characterised by violence and the repression of political freedoms. Transitional justice, she writes, was a term ‘invented as a device to signal a new sort of human rights activity and as a response to concrete political dilemmas human rights activists faced in what they understood to be “transitional” contexts’.\textsuperscript{93} No longer were justice advocates presenting themselves as the antagonists of governments, but rather as a supportive national and international civil society network that would assist them to realise their newly formed democratic goals. As will be discussed later in this thesis, this interpretation of human rights as a non-adversarial tool for supporting the state has implications for a post-colonial analysis of human rights as a potential tool for challenging hegemonic power. As I shall detail, many people in Solomon Islands perceive the discourse to be too closely connected to the (resisted, rejected) Westphalian state to be considered useful in circumscribing its influence. Rather, human rights is perceived by many to be a means of limiting people’s ability to challenge the state’s authority.

The notion of an academic field of transitional justice, albeit an interdisciplinary one combining ethical, theological, political and international legal expertise, was crystallised during a series of conferences held in the late ‘80s and early ‘90s.\textsuperscript{94} The conferences saw a diverse array of activists, academics and politicians convene to discuss the development of an internationally normative framework to assist countries transitioning after a period of political violence. Discussions at these conferences led to the 1995 publication of Neil Kritz’s four volume \textit{Transitional Justice: How

\textsuperscript{91} Moyn describes how the rise of Amnesty International and Helsinki Watch (later to become Human Rights Watch) in the ‘70s assisted with the globalisation of a rights consciousness. Amnesty did not originally describe its mandate in terms of human rights (although it did claim to be non-partisan and apolitical), but through linkages with grassroots organisations, particularly in Latin America, opted to use the framework to gain leverage for their campaigns within the international community — human rights language was largely taken on as a strategic tool (2012).

\textsuperscript{92} Huntington 1993:4.

\textsuperscript{93} Arthur 2009:326.

\textsuperscript{94} These included the 1988 Aspen Conference on State Crimes: Punishment or Pardon, the 1992 Charter Foundation Justice in Times of Transition conference and the 1994 Institute for Democracy in South Africa (IDASA) ‘Dealing with the Past’ conference. The Aspen conference in particular was overshadowed by the recent collapse of Argentina’s military dictatorship, with participants debating how justice might be achieved in this context, who should be punished for human rights violations, how victims might be compensated and the loss of lives commemorated.
Emerging Democracies Reckon with Former Regimes, the first academic piece to cover the subject in detail. Although Kritz was not the first to use the term ‘transitional justice’\textsuperscript{95}, his publication introduced the notion of a disciplinary field to an academic audience, and the term was used by scholars with increasing frequency in the years following its release\textsuperscript{96}.

**Truth and Reconciliation Commissions**

This section will now consider the emergence of truth (and reconciliation) commissions as a popular method of achieving transitional justice goals against the backdrop of Huntington’s ‘third wave’ in the latter years of the Cold War and in its aftermath. Truth commissions imagined suffering and appropriate responses to collective suffering more broadly and subjectively than previous transitional justice mechanisms had done, and attempted to place the narrative voice back with those who had directly experienced human rights violations. In this way, truth commissions could be argued to simultaneously simplify and complicate transitional justice’s historically straightforward relationship with the human rights discourse. Truth commissions simplified this in that commissions, in theory, went directly to the experiential *source* of suffering (defined according to ‘victim’ or ‘perpetrator’ human rights subjectivities) to narrate a history of events. However, they also complicated the relationship in that they attempted to wrestle human rights away from its traditionally legalistic interpretation of suffering — enabling the individual to define her or his experience through the multitude of subjective lenses available to them.

According to Ross:

> Truth commissions link together complex ideas about suffering, justice, human rights, accountability, history and witnessing. Alongside legal practices, they invoke memorial and narrative practices that have important effects in shaping understandings and sculpting new social possibilities.\textsuperscript{97}

TRCs must strive to achieve multiple levels of legitimacy and authenticity. On the one hand, they claim to derive international legitimacy through their adherence to transnational human rights norms. On the other, they must also resonate strongly with the local population of survivors, providing them a personally, culturally and, in some circumstances, spiritually meaningful experience.

\textsuperscript{95} Arthur notes that ‘the first appearance of the term, in keyword searches of databases on international newspapers, law reviews, and social science journals, came in a *Boston Herald* article about the Charter 77 Foundation’s 1992 conference in Salzburg, ‘Justice in Times of Transition’’ (Arthur 2009). The reporter covering the conference noted in passing that this was to be “the first in a year-long series of meetings on transitional justice”’ (Palumbo 1992:16).

\textsuperscript{96} Arthur 2009:330.

\textsuperscript{97} Ross 2003:1.
of coming to terms with what they have suffered. Truth commissions are therefore highly ambitious projects that often fall short of achieving all that they set out to.

**What is a Truth Commission?**

A truth commission is a temporary, quasi-official body established to investigate a history of gross or systematic human rights violations committed during a specific period of conflict or political oppression. Over an average of one to two years, truth commissions conduct interviews with, and collect statements from, potentially thousands of individuals about their involvement, either as ‘victims’ or ‘perpetrators’ in human rights violations during the time under investigation. As I will discuss in some detail in Chapter 5, these designations are inherently problematic in the absence of due legal process. Further, taking a singular focus on ‘direct’ violations, or violations of bodily integrity rights, reveals a tendency to overlook the broader contextual violence that may have inspired people to take part in violent conflict. Ex-combatants in Solomon Islands conflict, for example, have viewed their role in the violence as part of a wider narrative of grievance in which they perceived themselves to be victims of inequity as a result of unjust colonial and post-colonial resource management.

Commissions may also conduct exhumations of individual or mass graves and draw on forensic expertise to identify bodies in order for them to be returned to their families. In the majority of cases, a series of public and private hearings are held during which individuals share their testimonies. Private hearings are usually held for the purposes of providing anonymity for vulnerable individuals, or for those who have experienced particularly traumatic events. In public hearings, the audience may include members of the public, government officials and media representatives, and there is an increasing trend for these to be televised or broadcast over national radio. A commission collates stories and testimonies and analyses patterns of human rights violations, and ideally the broader political context that enabled them to take place. A final report providing an overarching historical narrative of the period in question is prepared with an aim to receive official acknowledgement from the government and be widely distributed to the public in a variety of formats. In reality, however, official acknowledgement only occurs sporadically, with many TRC reports withheld from public view for fear that they may incite further violence or because individuals remaining in power have been identified as perpetrators.

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98 Also see Borer 2003.
Paul Gready describes the seven core characteristics of a truth commission as:

1. a focus on the past;
2. their origins at the point of transition away from war or authoritarian rule;
3. the investigation of patterns of abuses and specific violations committed over a period of time, rather than a single event;
4. a focus on violations of human rights, and sometimes humanitarian norms as well;
5. a temporary, short-term lifespan, usually culminating in the production of a report with recommendations;
6. official status, as commissions are sanctioned, authorized or empowered by the state … and
7. a victim-centred approach.  

As an institution, the historical predecessor of the truth commission was the official commission of inquiry into disappeared persons, and for this reason scholars are not always in agreement about the precise point at which truth commissions emerged as a means of achieving transitional justice goals. Although Hayner considers commissions of inquiry in Uganda (1974), Bolivia (1982), Uruguay (1985), Zimbabwe (1985) and the Philippines (1986) to fall under the definition, according to Gready’s description, the first transitional justice truth commissions were established in Argentina in 1983 (The National Commission on the Disappearance of Persons), and Chile in 1990 (The National Commission on Truth and Reconciliation). Both countries were new democracies coming to terms with pasts characterised by systematic repression, torture and killings of political dissidents, including the ‘forced disappearances’ made infamous by the Argentinian military junta. In these unique environments in which the recent past had been characterised by blanket silencing of information about human rights violations, truth for its own sake became a pressing justice goal. In order for newly democratic governments to start afresh upon a platform of transparency and respect for human rights norms, it was necessary to unearth the information that had been hidden from public view and provide victims and their families with some form of official acknowledgement of what they had suffered.

Unlike criminal trials, truth commissions’ approach to dealing with a former regime’s poor human rights record was significantly more complex than identifying and prosecuting a handful of key political figures. While truth commissions continued to utilise the same international legal frameworks to define incidents of violence (violations of human rights and humanitarian law), the remedies they proposed were inspired by the theological and localised conceptions of suffering and healing that they were now layered with: forgiveness, amnesties and the promotion of national unity and interpersonal reconciliation. It could be argued that this more holistic interpretation of rights

marked a return to the philosophical origins of the concept — to the time before human rights were codified and thus limited through international law. It should be noted that Argentina, Chile and South Africa (whose TRC has become the ‘hallmark’ model for subsequent truth commissions including the Solomon Islands TRC) also pursued criminal trials. However, in both Chile and Argentina, trials only became politically feasible some years following the establishment of their truth commissions. South Africa famously coordinated trials and a commission simultaneously, envisaging the two processes as having a complementary relationship.\textsuperscript{100}

**Truth and Reconciliation**

Truth commissions emphasise restorative rather than punitive justice. The Chilean truth commission of 1990 was the first to specify the pursuit of reconciliation or ‘national unity’ as one of its primary objectives. Although the approach has received criticism from some rights advocates for prioritising political expediency over criminal accountability, the focus on reconciliation has proven to be the truth commission model’s greatest ‘selling point’ as a form of transitional justice. For those commissions that have prioritised reconciliation, the pursuit of truth is not envisaged as a sufficient justice goal in and of itself, but rather, unearthing hidden information is portrayed as a means to a more aspirational endgame — the promotion of interpersonal, and ultimately national, reconciliation. Thus the Solomon Islands TRC report states that ‘[t]he overall objective of the TRC was to promote national unity and reconciliation’.\textsuperscript{101} In this way, truth commissions can be seen to have become an instrument of state and nation-building — increasing dialogue and understanding between various political groups or factions, decreasing the likelihood that simmering resentment may escalate into oppression or conflict in the future. As Chapter 7 shall describe, the nation-building rhetoric of the Solomon Islands TRC was seen as problematic for many who perceived ‘national unity’ as a questionable goal, imposed by a model of statehood they rejected.

TRCs have been subjected to criticism for failing to clearly identify what ‘reconciliation’ might look like. Chile’s TRC, as well as subsequent commissions that followed a similar model, failed to clarify the term ‘reconciliation’, although its rhetoric suggested an assumption of pursuing the dual goals of interpersonal reconciliation (between victims and perpetrators) and national reconciliation. It is possible that Chile first introduced reconciliation as a transitional justice goal because of the country’s unique political context: the TRC’s work was constrained by legislative amendments made

\textsuperscript{100} See Sarkin 1996.
\textsuperscript{101} Solomon Islands Truth and Reconciliation Commission Final Report, Volume I, 21.
before the transition that provided amnesty for most crimes committed by the military regime.\textsuperscript{102} With the former government retaining this degree of influence, it is clear to see why reconciliation was a pertinent political compromise in this context. In later truth commissions, however, in particular the South African TRC, the notion of ‘reconciliation’ became more an expression of a theologically inspired imperative to forgive than a state-building objective.

\textit{Christian and Customary Notions of Reconciliation}

The Christian church was an active advocate for the establishment of the first truth commissions, presumably because of the importance of truth to biblical conceptions of justice, but also as a result of church involvement in the human rights movement in the ‘70s and ‘80s. However, it was in the 1990s, with the establishment of the South African Truth and Reconciliation Commission (1995–2002), that the idea of reconciliation as a Christian imperative linked to spiritual–psychological processes of confession and forgiveness really became part of the transitional justice discourse.

As the South African TRC was drawn on as the primary model for the Solomon Islands TRC (the South African TRC was wrapping up its work in the midst of the ethnic tensions), it is important to outline its role in centralising Christian notions of reconciliation in truth-telling processes. In post-apartheid South Africa, left-leaning, progressive theologian Desmond Tutu was selected to chair the TRC and he took pains to amalgamate international, religious and customary understandings of suffering and injustice in the TRC’s approach. It could be argued that it was this blend of justice discourses already apparent in the ‘hybrid’ South African TRC model that made the truth commission such an attractive option to Solomon Islands advocates. In Solomon Islands, the Solomon Islands Christian Association (SICA) sought a transitional justice model that could appeal to multiple aspects of Solomon Islands society whilst still retaining the highest degree of credibility at the international level, as Chapter 5 will illustrate.

Archbishop Desmond Tutu ensured that confession and forgiveness were a central focus of the South African TRC’s work, and would often encourage testifying victims of abuses to forgive and reconcile with perpetrators.\textsuperscript{103} A \textit{will to reconcile} was presented as integral to the common character of the South African people, in terms of both their religious and traditional moral identities. This was

\begin{flushright}
\textsuperscript{102} It also established former dictator Pinochet as head of the military until 1998, and as senator for life after this.

\textsuperscript{103} Consider Shore and Kline: ‘The AC hearings not only functioned as a means of granting legal amnesty and a new status to perpetrators, but it also helped restore a number of perpetrators to moral community and thus to the moral debate about the future of South Africa’ (2006:14).
\end{flushright}
expressed in the concept of *ubuntu* — a Bantu term roughly translatable to ‘people are people through other people’, or ‘our humanity to one another’. Tutu writes:

> *Ubuntu* is very difficult to render in a Western language. It speaks to the very essence of being human ... It is to say, ‘My humanity is caught up, is inextricably bound up, in yours.’ We belong in a bundle of life. We say, ‘A person is a person through other persons.’ It is not, ‘I think therefore I am.’ It is rather: ‘I am human because I belong, I participate, I share’ ... Social harmony is for us the *summon bonum* — the greatest good. To forgive is not just to be altruistic. It is the best form of self-interest. What dehumanizes you inexorably dehumanizes me.\(^\text{104}\)

There are significant parallels here with Solomon Islands context, in which the notion of *kastom* has come to signify both religious and traditional ways of seeing and behaving in the world. Integral to the Melanesian notion of selfhood is a belief in the essential relatedness of society, sharing many similarities with the South African concept of *ubuntu*.\(^\text{105}\)

Although truth commissions primarily aim to be ‘victim-focused’, i.e. providing a space in which the victims of rights abuses may share and have the truth about their experiences publicly recognised,\(^\text{106}\) they also provide an opportunity for perpetrators to speak, ‘confess’, ‘repent’, seek forgiveness from, and sometimes reconcile with, the people they wronged. Theological connotations aside, this approach provides a potential opportunity to move beyond the somewhat limited rights-based subjectivities of ‘victim’ and ‘perpetrator’ and explore not only the social–psychological motivations of combatants, but potentially the political and economic contexts that may drive people to violence. In reality, however, far fewer ‘perpetrators’ than ‘victims’ participate in hearings due to fears of arrest, or simply a wish to forget about their involvement in traumatic events.\(^\text{107}\)

**Explorations into Historical ‘Truth’**

There are substantial variations in the scope and breadth of truth commissions’ investigations into past human rights violations. Some have limited their research to one or two categories of rights violations, such as the Argentinian National Commission on the Disappearance of Persons; others have focused on violations of bodily integrity rights aligning to the definition of crimes against humanity in the Rome Statute including instances of torture, slavery, rape and killing. As Chapter 7 will describe in more detail, a criticism that has been levied against many truth commissions is their

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\(^{104}\) Tutu 2012:31.
\(^{105}\) See, for example, Carsten 2000; Rivers 2012; White 1985.
\(^{107}\) For a full discussion of ex-combatant’s or ‘perpetrators’ engagement with the Solomon Islands TRC, see Brounéus 2018.
insubstantial engagement with the economic, social and cultural rights violations, or structural
violence, that created the circumstances in which gross violations might occur. Although the scope to
engage with contextual information is inherent within the TRC approach (as opposed to criminal
trials, which generally only investigate individual acts of violence), there has been a tendency for
structural injustice to be underplayed in favour of focusing on specific human rights violations. For
example, the South African TRC investigated violations of bodily integrity rights under the apartheid
system, yet did not investigate the circumstances of apartheid itself in any great detail. This
tendency greatly limits the scope of a commission to address the causes of a conflict or period of
political repression and bring about effective societal change. It also limits the capacity of truth
commissions to resonate strongly with cultures that place high value on community-orientated
rather than individualist conceptions of rights and duties.

**Narratives of Personal and National Healing**

Truth commissions are steeped in narratives of healing and catharsis, often with a somewhat naïve
conflation between the personal, interpersonal and national levels. For example, it is not uncommon
for truth commissions to refer anthropomorphically to the mental and physical scars on the body or
psyche of a nation. Hayner has stated that ‘[f]rom even before its inception, the Truth and
Reconciliation Commission of South Africa was presented as a means to reconcile a troubled nation
and heal the wounds of its troubled soul’.109

Truth-telling, according to psychoanalytic models of trauma healing, is a cathartic process for both
victims and perpetrators of human rights abuses. Herman describes this tradition as having its origin
in the ‘talking cure’ developed by Freud to assist trauma victims in the 1890s. Memory — fractured
and disconnected by traumatic events — must be reconstructed into a narrative, just as the
splintered mind itself is reconstructed through the process of talking. She writes:

> Breaking though the barriers of amnesia is not in fact the difficult part of reconstruction ... 
The hard part of this task is to come face-to-face with the horrors on the other of the
amnesiac barrier and to integrate these experiences into a fully developed life narrative.110

And yet, without the correct support networks in place (counseling, medical care, etc.), there is a
danger that speaking about violence may re-traumatise human rights victims, and this is especially

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108 See Mamdani 2002.
110 Herman 2015:184.
true in contexts such as Solomon Islands where the consequences of engaging in such speech acts must be weighed carefully in order to avoid stigma, shame or the loss of social cohesion, as we will explore more fully in Chapters 7 and 8. The women’s submission to the Solomon Islands TRC, *Herem Kam: Stori Blong Mifala Olketa Mere*, emphasises this when it says:

**Women generally have not shared their stories of the past—their suffering, their pain, their victimhood, and their survival...** Cultural taboos around discussing sexual violence as well as cultural ramifications with sharing the truth often make women’s silence more palatable for them. For women, truth-telling, although very important, needs to be done sensitively.111

A dilemma that transitional justice theorists have grappled with is whether the very act of attempting to communicate an individual’s story is an affront to their lived and unfathomable experience of pain. In Tessa Godwin Phelps’ book *Shattered Voices: Language, Violence and the Work of Truth Commissions*, she argues that in the dehumanisation process that takes place during physical violence, a person’s ability to communicate their experiences becomes one of the first causalities. ‘A primary attribute of pain’, she states, ‘is its ultimate unsharability because it cannot accurately be represented in language. Eventually, physical pain can become so extreme that it ceases to be articulable even as metaphor’.112 Godwin Phelps believes, therefore, that the purpose of truth-telling mechanisms must be to assist in the reconstruction of the shattered voices of victims and to attempt to re-piece together that which has been disconnected, dislocated and rendered meaningless.

**Human Rights in the Past and in the Future**

Olsen et al. have argued that truth commissions not only seek to uncover the truth about past abuses, but, in doing so, claim to improve the future human rights situation in a country. ‘Such a goal’, they write, ‘is integral to truth commissions’ existence. The very process of uncovering the violent past aims to prevent its recurrence. The words “never again”, have become so integral to truth commissions’.113 Kim and Sikkink suggest that truth commissions achieve this outcome through normalising a human rights culture.114 One could argue that truth commissions and their staffs function as Merry’s ‘translators’, bridging the gap between international and local vernaculars— they ‘legitimise the culture, beliefs and values associated with human rights as the new framework for imagining social relations’.115 One way they achieve this is through making recommendations which, if implemented by the state, will long outlive the institution itself. Alongside

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111 Fangalasuu et al. 2011:1.
113 Olsen et al. 2010:458.
114 Sikkink and Kim 2013.
115 Gairdner 1999:54.
recommendations concerning the protection of human rights in domestic legislation and policy, truth commissions may also recommend the ratification of international human rights treaties or the establishment of a permanent human rights oversight body. In this way, truth commissions can be seen as powerful catalysts in the normalisation of a human rights culture, many years after they have finalised their work.
PART TWO: HISTORIES

This part of the thesis will provide historical context for the empirical analysis of the Solomon Islands Truth and Reconciliation Commission that will follow. This thesis aims to answer the question of why the Solomon Islands Truth and Reconciliation Commission failed to ‘touch the heart of the people’. I contend that it is impossible to answer that question without a thorough understanding of the country’s history, including its colonial origins as a British protectorate, the arrival of missionaries to the islands, Guadalcanal’s role as an American military base during the Second World War and the migration of people between islands as a result of uneven development policies. These histories are not only essential to understanding the feelings of injustice that led to the ethnic tensions in 1998, but also to appreciating the development of political and moral consciousness in Solomon Islands. Both of these factors provide a backdrop for the reception of the Solomon Islands TRC.

Braithwaite et al. describe the history of Solomon Islands as ‘a sequence of disintegrative contacts with global forces’.116 The TRC can be read as one of the most recent ‘contact points’ in this series of encounters — a point of convergence at what Merry terms the ‘global–local interface’,117 where international norms and values come into contact with, meld or conflict with local norms and values. An analysis of the negotiations of power and morality that occurred at this interface must be grounded in a broader overview of historical negotiations between the ‘local’ and the ‘global’.

Part Two of this thesis is divided into two chapters covering two crucial periods in the country’s history. Chapter 4 will consider the period from the first known interaction between Solomon Islanders and outsiders, through colonisation under British rule and independence in 1978, up until the first rumblings that frustration against the post-colonial state might turn into violence. Chapter 5 will tell the story of the events leading up to the ethnic tensions, through the conflict itself, to peacebuilding efforts and the arrival of the Regional Assistance Mission to Solomon Islands, until the establishment of the Truth and Reconciliation Commission in 2008.

As the following chapters will illustrate, the designations of ‘global’ and ‘local’ are far from clear-cut, and with each historical interaction, the exchange of ideas, values and materials have complicated the relationship further. If the TRC is seen as a very recent interaction at the global–local interface, and as a case study in the vernacularisation of ‘global’ justice discourses, it is important that it is not envisioned as an isolated incident. Rather, the process of vernacularisation should be seen as

116 Braithwaite et al. 2010:16.
117 Merry 2006.
occurring along a historical continuum, involving a gradual osmosis of ideas, values and the vocabularies with which to articulate them.
4. The Colonial History of Solomon Islands: ‘A Sequence of Disintegrative Encounters’

This thesis argues that one of the key historical facts that complicates the reception of the Truth and Reconciliation Commission in Solomon Islands is what Braithwaite et al. have referred to as a ‘sequence of disintegrative contacts with global forces’.\(^{118}\) The colonial history of Solomon Islands, along with a much longer history of interactions between Solomon Islands people and outsiders, corresponds to a series of relationships with complex power dynamics in which Solomon Islanders have nearly always been positioned as the subjugated and exploited party. They were not passive objects of exploitation, however — as this chapter will document, Solomon Islanders have been protagonists in a long history of resistance to, and strategic engagement with, sources of foreign power.

This history, along with that of the establishment of the TRC, could be considered a chronology of essential points of contact at what Merry has labelled the ‘global–local interface’. For the purposes of this chapter, these points of contact can be roughly grouped into three overlapping categories. First are encounters with foreign traders, which date back to early interactions with whaling ships from Europe who saw the massive capital opportunity in the Islands’ fertile lands and able-bodied young men. Second is the colonial annexation of Solomon Islands by the British from 1893 to 1978. There is considerable overlap between the first two categories, as the rationale for the creation of the protectorate lay in the protection of Britain’s commercial interests in the Islands. Third is the relationship between Solomon Islanders and Christian missionaries. Whilst this interaction may not be classified as ‘disintegrative’ or ‘exploitative’, the relationship profoundly influenced local values and norms and was instrumental in shaping a sense of moral and political identity amongst Islanders. As I discovered during my fieldwork, this history also proved to have profound importance to the TRC’s ultimate inability to ‘touch the heart of the people’. An awareness of these histories is also particularly important in understanding the drivers and grievances that led combatants to take up arms during the ‘ethnic tension’ period.

As the relationship between the global and the local is never politically neutral, the reception and interpretation of the ‘global’ institution of the TRC and associated human rights discourse must inevitably be understood within the historical context of relationships between Solomon Islanders and outsiders, the power dynamics that have evolved between them and the clashes, melding and push-pulling that have occurred when local and foreign values, norms and ideologies meet.

\(^{118}\) Braithwaite et al. 2010:16.
It is therefore important to delve into this history, not merely to provide historical context for the civil conflict, but to begin an analysis of how, in response to this series of interactions, political and moral ideologies were forged as people strove to keep in check the exploitative power of the ‘other’. I will argue that these ideologies became strongly embedded in the mindset of Solomon Islands people, leaving little space for the human rights discourse to take root as a tool of political and moral negotiation with larger powers once it was introduced post-independence. If anything, human rights have come to be perceived, by some demographics in Solomon Islands at least, as being part of an on-going exploitative relationship with outsiders — a neo-colonial tool pushed by the international community that serves to undermine local notions of morality and political personhood, as well as traditional hierarchies of authority. This chapter is therefore divided into three sections: meeting the other, resisting the other and becoming the other, which will describe how the post-colonial state has mirrored many of the exploitative and divisive patterns of the British administration.

An additional factor is also important to this discussion. If we consider the TRC to have been, through its emphasis on the creation of a shared and official historical narrative of the country, alongside its promotion of national reconciliation and ‘unity’ — a ‘nation-building’ project — then the country’s colonial and post-colonial histories take on particularly poignant significance. When discussing the nation’s colonial history and using the terms ‘Solomon Islands’ or ‘Solomon Islanders’, it is important to note that the country and identity as we now understand it did not exist at this time. The country was reluctantly created or, as Mamaloni has famously argued, ‘conceived but never born’ at independence when the British withdrew in 1978. The identity of ‘Solomon Islander’ is arguably still loose and fluid as most ‘Solomon Islanders’ more strongly identify with village-based or tribal identities rather than the elusive Solomon Islands nation-state. It can be argued, therefore that, statehood, just as much as the truth commission, is a foreign institution imposed by outsiders.

As a moral–political discourse, human rights is a tool concerned with levelling extremes in power relationships for moral ends, and has traditionally been tied to the notion of statehood — the relationship between the ‘state’ and ‘citizens’, or duty bearers and rights holders. Thus, in a post-colonial environment in which the concept of statehood is elusive at best, irrelevant or non-existent at worst, the ‘vernacularisation’ of human rights will inevitably encounter some unique

119 As Chapters 6 to 9 will describe, whilst undertaking my fieldwork, I found that it was overwhelmingly older members of the community, as well as male Solomon Islanders, who were the most opposed to the human rights discourse — primarily because they saw it as a threat to what they considered to be traditional hierarchies of power.


121 See Dinnen 2007. It is worth noting, the idea that most Solomon Islands identify more strongly with rural (local) identities than urban (national) ones is contested by scholars such as McDougall. See McDougall 2016.
complications. I will argue that the ramifications of this for Solomon Islands context is that one of the more recent trends in the field of human rights — the broadening of the subjectivity of ‘duty bearer’ to include private actors, and for rights violations to be considered to occur as much in the private as in the public domain — has been more readily absorbed into the local vernacular than more traditional, Westphalian-based conceptions of human rights.122

Meeting the Other: Exploitation and the Solidification of Island-Based Identities

European Traders and ‘Blackbirding’

The first recorded interaction between Solomon Islanders and Europeans details the travels of Spanish cartographer Alvaro de Mendaña and his fleet in 1568, who gave the islands their name due to their belief that they had discovered the long-lost gold of the biblical King Solomon. Although Spanish fleets later attempted to find and colonise the Islands at the turn of the century, they failed to find them a second time, and European exploration ceased until British naval officer Philip Carteret ‘rediscovered’ Malaita and the Santa Cruz Islands in 1767.123 From the late eighteenth century into the first half of the nineteenth century, European whaling ships began to arrive in Solomon Islands, trading iron (hoop iron and tools), weapons and tobacco with coastal communities. In return, Islanders provided the whalers with shells, copra, food and their most valuable commodity — women, ‘a consumer commodity par excellence’.124

The end of the nineteenth century until the middle of the twentieth century became known as the ‘blackbirding’ period, when thousands of Solomon Islanders were taken by recruitment ships to Queensland, Australia and Fiji to work on sugar plantations. Historians remain divided as to whether this plantation recruitment constituted indentured slavery. Moore describes the phrase ‘blackbirding’ as:

122 Whilst it is beyond the scope of this thesis to look in detail at regional particularities, it is important to note the unique relationship that Western Province has had with the colonial encounter. In the late 1970s, the ‘Western Breakaway Movement’ pushed for separation of the Province from the rest of the Solomon Islands, partially because Western Solomon Islanders were seen as ethnically quite distinct from people of other islands, and partially due to the region’s richness in natural resources, over which the Movement sought local ownership and control. See Premdas et al. 1984; and Dureau 1998. A poem titled ‘West Wind’, written by a Malaitan government official and published in the Solomons New Drum in 1978, offensively characterised people from Western Province as ‘Black and ugly, proud and lazy’ helped to solidify Island-group ‘ethnic’ identity and fuel resentment between the groups. The poem’s author was fined SIS9000 and charged with Sedition. Fraenkel 2004: 115-116.
123 Bennett 1979:14.
124 Ibid.
when used today it implies shady, if not illegal activity. Although a wonderfully descriptive word, blackbirding has become too imprecise and loaded to be applied in any accurate manner.\textsuperscript{125}

According to Akin, in the later years of the labour trade at least, most men recruited to work on the plantations went willingly, despite the fact that recruiters used wilfully deceptive methods to persuade them. For most young men, travelling overseas for plantation work became a rite of passage — a promise of adventure, the wealth of the Europeans, entry into the cash economy and eventual status upon returning to Solomon Islands. Keesing and Corris paint a bleaker picture of the trade, however, emphasising poor working conditions on the plantations, the racist attitudes of white plantation owners and the coercive nature of recruitment. Some Solomon Islanders were employed to conduct recruitment themselves, and the authors describe these men, known as ‘passage masters’ as ‘entrepreneurs of slave entrapment’.\textsuperscript{126} Even in these early days of interaction with outsiders, it is possible to see how such experiences produced power hierarchies within Solomon Islands society — the groups that Allen would later refer to as the ‘haves’ and the ‘have nots’.\textsuperscript{127}

Young Malaitan men were the most likely to be recruited, as they had little in the way of trade commodities besides their physical labour. In his history of Malaitan colonial resistance, Akin argues that the earlier blackbirding years had lasting impacts on Malaitan attitudes towards foreigners, noting that:

the early abductions and the continuing exploitative nature of the trade and mistreatment, humiliations and violence on the plantations deeply stained Malaitan historical memories of the labour trade and their long-term perceptions of Europeans. \textsuperscript{128}

For those men who were recruited, working on overseas plantations was a life-changing experience — one which was also to have lasting impacts on Solomon Islands in terms of culture, language, values and politics. For example, it was on the plantations that the common vernacular Pijin developed, facilitating communication between Solomon Islanders from diverse linguistic backgrounds, and also between Solomon Islanders and plantation managers. Pijin remains the \textit{lingua franca} commonly spoken amongst Solomon Islanders today, in addition to over 80 local languages.\textsuperscript{129}

\begin{thebibliography}{12}
\bibitem{125} Moore 2013.
\bibitem{126} Braithwaite et al. 2010:17.
\bibitem{127} Allen 2016.
\bibitem{128} ‘The plantation economy reinforced economic divisions among Solomon Islanders — particularly between those in the east and those in the west — which had already started to develop over the previous forty years of so during the early trading period’ (Bennett 1979).
\bibitem{129} Bennett 1979: 6.
\end{thebibliography}
Life on the plantations also shaped Solomon Islanders’ religious beliefs, with many workers converting to Christianity during their time abroad. Plantation life also unfortunately provided many Solomon Islanders with their first exposure to the European’s sense of racial superiority and, by extension, their own sense of racial inferiority. Their emulation of European styles of dress, for example, was met with disdain by white Australians who felt it a threat to a clearly defined racial hierarchy. Akin writes how:

such men threatened the black–white distinctions and segregations so vital to those Europeans who wanted Melanesians to aspire to status no higher than servants. These white fears later became more palpable back in Solomons with rules that forbid Melanesians to wear shirts, usually citing health concerns.130

The early twentieth century saw the establishment of copra plantations in Solomon Islands at roughly the same time as the international labour trade slowed.131 Large commercial companies such as Lever Brother Ltd (through the newly established Lever Pacific Plantations Ltd) and Burns Philp Ltd collaborated with the British administration to secure land for development. This land was to become the primary source of the colonial government’s revenue. Conditions on Solomon Islands plantations were harsher and wages were lower than they had been in Queensland and Fiji. The patterns of inequality and deprivation that had characterised overseas plantation work continued and were compounded by the geography of the new plantations. Foreshadowing the inequality, spilt along island-identity lines, that would ultimately lead to the ethnic tensions, Allen describes how Malaitans and people from the Weather Coast of Guadalcanal formed the bulk of the labouring population:

People from areas that were unsuitable for plantation development … only had one option for participating in the new economy: to temporarily leave their homes to sell their labor on the plantations … The islands of Malaita, Guadalcanal, and Makira provided 68, 16, and 6 percent of plantation labor respectively over the period 1913–1940 … Most of the laborers from Guadalcanal originated from the Weather Coast.132

Missionaries: The Gospel and Basic Services

It is a generally accepted observation that the Christian missions penetrated the villages of the Pacific earlier, more deeply, and more effectively than did the colonial states, thereby not only generating

130 Akin 2013:21.
131 Allen 2016:70.
132 Allen 2016:71
key narratives about cultural heroes but also providing essential services in the areas of health, education and development.\textsuperscript{133}

One of the most significant early interactions between Solomon Islanders and outsiders, roughly coinciding with the establishment of the colonial protectorate, was the arrival of Christian missionaries to the Islands in the late nineteenth century. From the early days of European naval exploration of the Southern hemisphere, missionaries, primarily from Britain but also from France, Spain and the Americas, had accompanied them. Melanesia was one of the last South Pacific regions targeted by Christian missionaries. Predating the British protectorate, a short-lived Catholic mission was established in Makira in 1841, followed by the Anglican Diocese of Melanesia in 1861. Post-dating the establishment of the British protectorate, a Methodist mission arrived in 1902 and founded a base in New Georgia. The Queensland Kanaka Mission, later to become the South Seas Evangelical Church (SSEC),\textsuperscript{134} established a mission centre on the west coast of Malaita.

Despite their diversity, the missions collectively made an enormous contribution to Solomon Islands society, providing basic services such as education and healthcare that had been largely neglected by the colonial administration. For many young men, Christianity had become closely associated with the kinder aspects of overseas plantation life, where many had first become converts to the religion.

Solomon Islanders quickly took to Christianity, with many rapidly converting to the newly introduced religion. Before the arrival of Christianity, the defining features of Solomon Islands spirituality consisted of various forms of ancestral worship, a belief in magic and the strict following of \textit{tambu} (taboos) governing relationships — most often relationships between the sexes.\textsuperscript{135} Two central concepts in traditional Solomon Islands spirituality were \textit{mana} (spiritual power) and \textit{vele} (magic or sorcery that empowered the person or spirit possessing it to incant curses causing sickness or death). Whilst Christianity seemingly clashed with many of these ancestral beliefs and practices, it resonated strongly with other elements of Solomon Islands’ culture, in particular the Melanesian primacy afforded to community, reciprocity and an emphasis on personal humility. As Chapter 9 will describe, belief in both \textit{mana} and \textit{vele} would later influence the spiritual dimensions of the ethnic tensions, contributing to the pervasive sense of fear and anxiety that characterised the conflict.

\textsuperscript{133} Otto and Thomas 1997.
\textsuperscript{134} As Chapter 6 will illustrate, members of the South Seas Evangelical Church later played a key role in advocating for the TRC.
\textsuperscript{135} For a discussion on the implications of \textit{tambu} for power and morality in relationships, see Chapters 8 and 9.
Although over 96 per cent of Solomon Islanders currently self-define as practicing Christians, ancestral beliefs remain prevalent and important for many people today. White has argued that traditional spiritual practices and beliefs were melded into an ‘indigenized form’ of Christianity rather than obliterated:

Rather than destroy or shrines, the indigenous specialists attempted to transform them ritually with Christian practice. Acts of ‘blessing,’ ‘anointing’ and ‘baptizing’ were (and still are) the weapons in the spiritual arsenal of indigenous Christians. Local catechists and priests were sympathetic to the substantial continuities of the past in the present, of the old in the new. Their model of transformation was not one of rupture but of reformation.136

I will argue in Chapter 8 that this ‘layering’ of old and new religious ideologies can be read as one of the first instances of a ‘vernacularisation’ process occurring in Solomon Islands. I will further argue that one of the factors that complicated the reception of the Solomon Islands Truth and Reconciliation Commission was the attempt to layer yet another ideological framework and its associated subjectivities (human rights) onto an already complex moral landscape. Most Solomon Islanders whom I interviewed did not see any inconsistencies between their belief in ancestral magic and their Christianity faith. While some denominations, particularly the Pentecostal churches, strongly oppose the practice of magic and ancestor worship, they do not tend to discredit the empirical reality of observers’ experiences. Rather, spiritual forces perceived as not emanating from God or angels are generally attributed to demonic activity. Consider, for example, this conversation between myself and a Marau ex-combatant regarding the use of traditional spiritual practices by Guadalcanal militants during the ethnic tensions:

J: One of the reasons I exercised my faith so strongly during the tensions is because Guadalcanal itself highlighted the spirit of Moroism on Guadalcanal.137 They tried to use thunder. It’s a kastom way to kill ... so thunder comes down — inside the village and kills everyone. They said we will use giants in the bush, and then giants will come down and kill, all these things they are spiritual things, we, I, do not believe them, because you and I believe this great God of ours who created the whole universe, he is Elohim, almighty and powerful, and whatever demon and whatever spirit, it is created by him. So, this is my faith. I don’t care whether a giant comes before me — I’m going to stand before him and kill him, because my God is great. I’m so crazy about my faith.

C: What do you think about the thunder and giants then? Is this demonic?

J: Yeah, yeah. Anything that is outside of faith is demonic. Demon powers. So these are things Guadalcanal people thought they might like to use. That reason is one thing ... the major thing [the major reason] that I enter in ... yeah. Because it challenges my faith, you

137 The Moro Movement, which emphasised both a return to kastom and ancestral spiritual practices, will be discussed later in this chapter.
know, and you know what happened, I said if my God is true, or, if the demons are true, then I want to see with my two eyes — then I will believe and then begin to doubt that God is true. But at the end of the day I find out that god is true — my God is real.\footnote{Interview with Johnson Apoo, Marau, 7 May 2014.}

\textit{Tambu} (taboos) also continue to play important roles in regulating behaviour and relationships in modern society, particularly in the area of gender relationships, as Chapter 9 will detail. \textit{Tambu} can refer to complex gender relationships and norms regarding one’s behaviour to members of the opposite sex, and also to sacred sites where ancestors are believed to dwell.

The missionaries preached an egalitarianism that clashed with Solomon Islanders’ experience of racial hierarchy and segregation under the colonial administration. And yet whilst some clergy outwardly opposed the exploitation of Solomon Islanders by the British administration (and as we shall see, British missionaries were amongst the first outsiders to encourage Solomon Islanders to resist colonial rule), there was also significant overlap in the interests of missionaries, government employees and plantation managers. Missionaries paved the way for colonial rule through pacification, most significantly, encouraging the end of the ‘head hunting’ tradition\footnote{Head hunting was not a widespread practice, but specific to Western Solomon Islands.} that had been common practice amongst at-war island groups for centuries. As Bennett describes:

\begin{quote}
Although the missions supported their followers they were also allies of the government. They provided a new ideology of peace that assisted the transition from local control to a more centralised system. As conditions became securer for outsiders and for Solomon Islanders around the islands, white planters as well as traders extended their operations.\footnote{Bennett 2002:3.}
\end{quote}

Keesing and Corris describe the camaraderie between foreigners who, despite their differences, felt themselves to be in a similar, unfamiliar situation and therefore formed close friendships, often challenging each other in cricket matches, describing them as ‘united as a small band of whites in a hostile and dangerous periphery of Empire’\footnote{Keesing and Corris 1980:28.}.

There were also overlaps between missionaries and plantation owners. The Queensland Kanaka Mission, later to be established as the South Seas Evangelical Church, for example, set up a series of plantations in Malaita in order to generate revenue to fund their missionary activities. Working conditions on the missionary-led plantations were, however, significantly better than in other commercial enterprises, with employees offered more favourable wages as well as benefits such as evening schooling.
In 1893, under the rationale of providing protection from the encroaching influence of Germany and France, Great Britain established a colonial protectorate over Solomon Islands — initially to include only the southern Solomons and later in the 1890s to include Santa Cruz, Rennell, Santa Isabel and Choiseul. Britain’s allies Australia and New Zealand had vested economic interests in the region, which had become a cheap source of labour on their sugar plantations. Further, the establishment of the protectorate enabled Britain to stake its interests in the islands ‘without obligation to govern or develop’ them. The British Solomon Islands Protectorate (BSIP) initially fell under the control of the Western Pacific High Commission in Fiji, with a Resident Commission based in Tulagi. British interests in Solomon Islands were primarily self-serving and the colonial administration made little to no effort to improve the lives of Solomon Islanders through the provision of basic services such as healthcare and education. Instead, the BSIP was established on the basis ‘that the colony would be economically self-sufficient, and self-sufficiency was to be achieved through the establishment of a plantation economy based on copra production’.

Key to protecting British power in Solomon Islands was the systematic subjugation of ‘natives’; thus, administrative policy centred on establishing control over all areas of Solomon Islanders’ lives: economic, physical, social, cultural and political forms of control were utilised in order to maintain the colonial apparatus. The system of economic control employed by the administration was shrewd and self-sustaining, involving a dual strategy of requiring Solomon Islanders to participate in the cash economy in order to afford the taxes imposed upon them and providing them with the only source of employment — the plantation economy from which the British directly benefitted. As Bennett has noted, ‘[t]he government had above all to consider the needs of the commercial planters because they and their associated merchants and shippers represented the sources of the protectorate’s revenue’. In 1921, the government imposed an annual head tax on all able-bodied men between the ages of 16 and 60. As Solomon Islanders had had little interaction with the cash economy prior to the arrival of the British, this policy essentially forced them to seek paid employment on British and Australian-run plantations.

Plantation work was poorly paid and working conditions were difficult, with employees frequently subjected to physical violence for failing to meet impossible productivity standards. Yet punishments

142 Bennett 1979:105.
143 Allen 2016:33.
144 Bennett 1979:166.
145 Akin 2013:43.
for failing to pay the head tax were even more brutal — cash fines and imprisonment in one of the administration’s work camps. Protests and strikes were frequently organised but were usually short lived — quashed through threats of, or actual, violence. In return for their work, and for their taxes, workers received no benefits or services commonly associated with taxation: no education, healthcare, etc. According to Keesing, the plantations closely resembled a system of indentured slavery. The plantation supervisors were cruel and derogatory towards Solomon Islands workers — using racial slurs, disregarding kastom, engaging in physical violence towards individuals whose work was perceived as being less than satisfactory.146

**World War II: Americans and Racial Equality**

Within this context, the Second World War had a profound impact on the political consciousness of Solomon Islanders. In early 1942, Japanese forces bombed the British based on Tulagi, causing the exodus of most colonial officers. In late 1942, the US military established a naval base in what is now Honiara and, following two years of battle, succeeded in driving out most Japanese troops to Munda and Kolombangara. The US kept their military base until the end of the war. According to Akin, Solomon Islanders’ experiences during World War II exposed them to ‘a novel social and racial order’.147 They were surprised by the wealth, generosity and camaraderie of the American soldiers, in stark contrast to their treatment by the British government and British and Australian plantation managers. In particular, the racial equality they witnessed between white and black American soldiers fuelled their resentment towards the strict racial segregation they were subjected to under British rule.

Many Solomon Islanders were employed by the American military during this time — mainly as employees of Solomon Islands Labour Corps (SILC) and Solomon Islands Defence Force (SIDF) — and were treated warmly by the Americans who shared their meals with them. Fifi’i, who was a sergeant in the SILC at the time, recounts:

> When it came to eating, the Americans would ask us to come and eat with them. ‘Just bring your plates and have some food with us.’ When it came time to eat, the American soldiers called us to join them. They’d say, ‘Here’s a plate for you. Here’s your spoon.’ We’d never seen anything like that. White people had never shared their food with us before. They’d never let us eat with them. Why hadn’t the British ever shared food with us? Why hadn’t they ever treated us like fellow human beings?148

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147 Ibid.
Working closely with Americans, especially in such a politically fraught environment, provided the opportunity for friendships to build. Solomon Islanders would often engage in lengthy political discussions with their new friends and colleagues, who strongly opposed the way they were being treated by the British. Black soldiers in particular encouraged Solomon Islanders to actively resist subjugation. Fifi'i recounts:

We felt shamed in the face of the other dark-skinned people we were mixing up with ... Some of them were angry about how we were treated. ‘You’re treated like rubbish, they’re walking all over you.’ ...

So this started us thinking; we started to get ideas. We felt angry that we’d been given no power, that we had been treated like rubbish. We had to change all that.¹⁴⁹

In the aftermath of the war, the British administration was losing any semblance of credibility both amongst Solomon Islanders and on the international stage. For Solomon Islanders, the displays of wealth and power and the kindness shown to them by US armed forces contrasted harshly with the parsimony and pomp of the British, and many people hoped that America would take over leadership of the administration. Internationally, Akin describes how:

By the 1930s, and especially after World War II, Solomon Islands were a British embarrassment (when London noticed them) in that direct rule of a colony with no provision for social services or means of advancement had become anachronistic.¹⁵⁰

The ‘Cultural Technologies of Rule’: The Creation of Ethnicity

Cohn created the term ‘cultural technologies of rule’, which Akin describes as being:

How colonial states created and applied ethnographic, historical, linguistic, and other forms of knowledge to construct, categorize represent, restructure, and manage the societies they ruled ... Colonial officials gathered, selected, ordered, modified, and invented knowledge of subject societies for their own purposes ... [including] ... colonial censusing; ethnography; attempted standardizations of languages, texts, and religious codes; and the creation of ethnic groups and boundaries, ‘traditional’ leadership structures, codes of ‘customary law’, and models of race and gender.¹⁵¹

¹⁴⁹ Ibid. 97
¹⁵⁰ Akin 2013:4.
¹⁵¹ Akin 2013:2–3. Compare this to Merry and Coutin’s ‘technologies of truth’ as discussed in Chapter 7.
The institution of colonial rule, keen to impose order on the people it governed, shaped narratives regarding class and ethnic identity, imposing value hierarchies upon their constructed categories.\textsuperscript{152} Bennett and Allen have argued that island-based identities evolved alongside class-consciousness — in other words, the evolution of the notion of Malaitan and Guale ‘ethnicities’ was closely tied to the conviction, held by each group, that people from their island had been dealt a rough deal by the colonial hand and were being exploited both by the colonial powers and people from other islands who had been dealt a better hand. ‘Ethnicity’, therefore, was inextricably linked to a growing class and political consciousness.\textsuperscript{153}

The British protectorate solidified the class hierarchy initiated by the plantation labour trade through the concentration of development on Guadalcanal in and around Honiara. The migration of people from underdeveloped areas — primarily Malaita — to Guadalcanal in search of employment on development projects unwittingly created a land-owning class amongst the Northern Guale people and a working (labour) class of the Malaitans. However, this also occurred on a micro-level within Guadalcanal, where people from the underdeveloped Weather Coast were driven into an under-class mentality. Drawing on Allen’s notion that colonialism created two categories amongst Solomon Islands people, the ‘haves’ and the ‘have nots’, Braithwaite et al. write that:

\begin{quote}
The people of Malaita and the Weather Coast … fell into the have-not category. They sold their labour to the blackbirders, then to Solomons plantation economy away from their homes, then to the Honiara urban economy … this has forged a sense of themselves as a people who have made the most of government neglect of their island to work their way up the class structure of Solomon Islands society.\textsuperscript{154}
\end{quote}

**Resisting the Other: Anti-Colonial Resistance Movements and Kastom as a Political Ideology**

If resistance movements generally develop to counter or keep in check the overuse of power by a state apparatus, in Solomon Islands, they predated the foundation of the nation-state, developing instead as a means of asserting self-identity and agency against the influences of the colonial government. As Solomon Islands was merely a British protectorate as opposed to other colonies established, for example in Fiji, the British invested significantly less here than they had elsewhere, both financially and in terms of the time and effort they took to understand the diverse array of...
customs, languages and practices of the people they were governing. This led to many misunderstandings and a sweeping hand that failed to recognise the plurality of Solomon Islands, but it also provided a unique opportunity for Solomon Islanders to present the notion of *kastom* as both unified and reified, and to use it as a strategic tool of resistance. Anti-colonial movements engaged in what Said has referred to as the narration of an ‘essential, pre-colonial self’ as a challenge to imperial domination. These movements drew upon and solidified both the English idea of ‘custom’ and Solomon Islands concept of *kastom* to differentiate the values and norms of Solomon Islanders from those of the colonial government. As the following chapters shall detail, *kastom* came to be the primary political ideology used by combatants to justify their actions during the ethnic tensions — a fact that was largely overlooked by the TRC once it was established.

A number of anti-colonial resistance movements developed in Solomon Islands during the country’s years as a British protectorate, both before and after the Second World War — given new life by Islanders’ interactions with American military personnel. Solomon Islanders’, especially Malaitans’, experiences during World War II provided the catalyst for the development of anti-colonial resistance movements and ideologies. Reluctant to allow a return to the state of subjugation they experienced before the war, people began to organise in order to assert their own authority and entitlement to self-governance. Generally, these movements began with a place-specific focus, but quickly inspired adjacent communities to assert their political agency in the face of colonial domination. Whilst some were overtly political in their agenda, such as the Maasina Ruru movement, others were more concerned with local sustainability, the development of viable agricultural practices and a return to a more traditional way of living. What most had in common was the utilisation of *kastom* as an ideology of self-determination, self-governance as a means of delineating those aspects of life that they refused external governance over. *Kastom* was an ideology set in binary opposition to the values and systems of the colonial state.

With unwitting assistance from a coloniser keen to codify and therefore contain the political power nascent in this ideology, *kastom* evolved from a fluid and loose concept describing place-specific traditional values and norms into a political discourse that encapsulated the people’s will to self-determination and self-governance. *Kastom* came to connote a system of values and norms that regulated the way Solomon Islanders related to each other while resisting the influence of outsiders.

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156 Akin 2013:50.
Christianity also played a role in anti-colonial resistance, albeit a smaller one than kastom. This was less in terms of providing an underlying moral or political ideology (although the humility and egalitarianism of US soldiers displayed a more appealing form of Christianity than the structured religion of the British) than in enabling social organisation through established networks. Further, missionaries were a category of foreigners who tended to be sympathetic to the cause of self-determination, and often encouraged active resistance to colonial rule.

What is also important to note, however, is that despite the diversity and intensity of anti-colonial sentiment in Solomon Islands, resistance movements did not achieve the unity or breadth of reach to create a sense of nationalism amongst adherents. Therefore, whilst many Islanders actively sought independence from the British, what they did not seek was independent ‘statehood’. As this chapter will argue, when independence from the British was achieved, the very idea of the independent nation-state remained an alien one, and post-colonial governments have tended to repeat many of the same detrimental patterns as the colonial administration. This chapter shall not detail all of the anti-colonial movements that developed, but rather touch upon those which hold the most significance for the main arguments of this thesis.

**The Fallowes Movement**

The Fallowes Movement, also known as the Chair and Rule Movement, is important to this discussion for two main reasons. Firstly, it was an early movement, occurring before contact with Americans: Allen calls it ‘the most substantial prewar expression of [the] emerging political consciousness and resistance to colonial authority’. More importantly, it provides an example of an early moral–political resistance movement in which Christian sentiments played a large role. The Fallowes Movement was established by an English Anglican missionary priest, Richard Fallowes, with Akin describing the movement as important ‘for what is reveals about the growing politicization of church networks’. As well as providing the ideological drive behind the movement, Church networks provided the opportunity for community organisation on a large scale, and spaces where meetings could be held and agendas discussed.160

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158 Allen 2016:78.
159 Akin 2013:102.
160 Although Christianity played a smaller role than kastom in anti-colonial resistance ideologies, it is important to note that some Christian movements also assisted in the establishment of inter-island, regionally-identified networks which worked for self-determination.
Fallowes encouraged his followers to self-organise and present their demands for better treatment to the colonial administration. Although these ‘demands’ were modest and reasonable, the British were threatened by the potential for a growing political awareness amongst Solomon Islanders. In 1939, Fallowes helped to prepare a list of requests which included:

- a lawyer appointed to represent native interests
- the establishment of a technical school
- improvements in medical care
- better prices for copra and shell
- changes in plantation labor regulations
- an increase in the standard wage

Shortly after the high commissioner received the communication, Fallowes was deported back to England.

**Maasina Rule**

Of Solomon Islands’ anti-colonial movements, Maasina Rule has been the most documented and has arguably had the longest lasting impact on Solomon Islands society. This is likely due to the fact that the movement attained such a large following — at the height of its influence, 95 per cent of Malaitans were members. Further, Maasina Rule helped to develop the notion of *kastom* as a political ideology of self-determination and resistance to external rule, and importantly was successful in negotiating significant concessions from the colonial administration.

Maasina Rule or *Maasina Ruru* (*Maasina* meaning ‘brother’ or ‘friend’) began in Malaita in 1944 led by two former employees of the SILC — Nori and Nono’oohimae. Inspired by their interactions with American soldiers during the war, Nori and Nono’oohimae began the movement with the aim of creating a more organised Malaitan society in order to collectively resist the interference of ‘the government’. They identified those elements of their lives that the British were most emphatic about establishing control over and used this knowledge to further their own interests. In particular, Maasina Rule noted British attempts to establish control over the idea of ‘custom’ through codification, and the creation of local councils, administrations and courts. Rather than directly resist these initiatives, followers of Maasina Rule seized the opportunity to utilise them for their own purposes and take back control through appropriation. Akin writes:

> Examples are legion of colonized people appropriating and ‘turning to their own ends’ colonial concepts and institutions, including for manipulating or resisting their colonizers, but what occurred on Malaita was extraordinary. Malaitans did not just shape, harness, or

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161 Akin 2013:103.
162 Keesing 1992:78.
exploit the native administration scheme... they commandeered, expanded, and extended nearly all facets of it... and added many elements of their own making to create a system for self-government and sweeping social reform [...] Kastom became a voracious category encompassing everything over which Malaitans now claimed authority ... eventually including people’s refusal of European rule.\textsuperscript{163}

Anthropologists have written about how kastom denoted a political ideology and authority that was antithetical to the colonial state. Allen describes how ‘Malaitans seized control of “custom”’ — which they recast as kastom — and shaped it into ‘a label for the entire Maasina Rule project and its ideology including eventually people’s refusal of European rule, at least on its own terms’.\textsuperscript{164} In other words, if kastom did not develop specifically as a mode of ‘just’ resistance to colonial oppression, it was certainly solidified as such during colonial years. Kastom came to express a way of differentiating the imposed rules, norms and values of outsiders from the norms and values of Solomon Islanders. It demarcated an ‘us’ and a ‘them’ and expressed a way of saying ‘this is how we do things’. As I will explain in Chapters 8 and 9, kastom has since taken on distinctly moral, as well as political, undertones and is often used as a catch-all justification for prescribed power hierarchies in society — particularly gender norms. Such political social structures are often presented as being the natural and ‘right’ order of relationships, with kastom being used as a moral justification that deflects criticism.

Alongside the objectives of self-government, self-determination and the codification of kastom, Maasina Rule called for improvements in agricultural standards, the consolidation of small, fragmented communities into larger, cleaner villages and the creation of Malaitan councils and courts. Prior to the start of the Second World War, the British had planned to establish a series of indigenous courts and councils at the sub-district level. The purpose of these would be twofold: to appease Solomon Islanders’ calls for greater management of their own affairs, and to assist the administration in local level governance with the least possible financial investment.\textsuperscript{165} Whilst these plans were interrupted by the war, Maasina Rule followers reignited the project, calling for the establishment of a Malaita-wide council for which leaders would be elected from within the community. The establishment of the Malaita Council in 1953 is considered one of the key successes of the movement.\textsuperscript{166}

\begin{itemize}
  \item \textsuperscript{163} Akin 2013:6–7.
  \item \textsuperscript{164} Allen, p.8 in Akin 2013
  \item \textsuperscript{165} Akin 2013:4.
  \item \textsuperscript{166} Ibid.
\end{itemize}
Initially, relationships between Maasina Rule leaders and the colonial administration were civil, but soon soured as the British started to realise the very real threat to their monopoly on power. In 1947, the British launched the dehumanisingly named ‘Operation Delouse’ — a violent and sustained attempt to suppress the movement that saw the arrest and imprisonment of thousands of Malaitans for violations of the British Unlawful Societies Act 1799 and the Seditious Meetings Act 1817. Further fuelling the growing sense of ‘ethnic’ division, the administration employed and armed Western Solomon Islanders as the police officers responsible for carrying out the arrests.\(^{167}\)

The movement, which Keesing terms ‘politico–religious’, was incredibly successful in uniting diverse people together in an anti-colonial resistance struggle.\(^{168}\) Although most of its leaders were SSEC, its followers came from all Christian denominations, along with followers of ancestral religions: by 1946, 95 per cent of Malaitans were members of Maasina Rule. According to Allen, the biggest achievement of the movement can be seen in its demonstration of how religious differences could be put aside for the collective perusal of political ends. Keesing describes how Christianity assisted political awareness through providing education and increasing the literacy of the Malaitan population. There was also a growing awareness amongst Malaitans of the inconsistencies in the messages presented to them by outsiders. The founders of Maasina Rule took it upon themselves to create a way of life that would attempt to resolve these inconsistencies:

> The basic theme of Malaita politico-religious movements, before, during, and since Maasina Rule, has been an attempt to resolve the contradictions of colonial subjugation and Christianization. To reconcile their loss of autonomy, the subversion of valued customs, and the conflicts between Christian doctrine and ancestral religion, the Malaitan people have persistently sought new paths, whether predominantly political or predominantly religious, to regain autonomy and cultural integrity... Revelations from God or the ancestors to resolve the contradictions of colonial subjugation and Christianization draw on processes of religious innovation in pre-European Malaita cultures. Messages from ancestors and spirit familiars, manifest in dreams, visions, omens, divination and possession, and other dissociative states provided a constant stream of new information, new rules, new solutions and constructions on which human action and understanding depended. These provided the mechanism through which Malaitans conceptualised and sought to resolve the conflicts and contradictions of political subjugation and religious invasion and subversion.\(^{169}\)

In the later stages of the movement, the practical politics of earlier years gave way to an element of mythological idealism that resonated with Pacific ‘cargo-cult’ trends. Leaders, for example, claimed

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\(^{167}\) Allen 2016:78.

\(^{168}\) Keesing 1978.

to receive prophetic visions of imminent rescue by US forces who would emancipate them from British oppression.\textsuperscript{170}

Although Maasina Rule was the largest and most unifying of the anti-colonial movements in Solomon Islands, scholars have argued that it was not uniting or successful enough to contribute to a sense of nationalism amongst Solomon Islanders at the time of independence — nationalism, which, had it occurred, might have served as a mitigating factor to later inter-ethnic resentments.\textsuperscript{171} Whilst Maasina Rule undoubtedly influenced an anti-colonial sentiment that spread beyond Malaita, it remained a primarily \textit{Malaitan} movement, and also unwittingly served to reinforce the consolidation of island-based identity and stereotypes.

\textit{The Moro Movement}

The Moro Movement could be considered the second most significant of Solomon Islands’ anti-colonial movements, despite the fact that its character was quite different to that of Maasina Rule. Although it shared many political sentiments with Maasina Rule (such as calls for self-determination), its followers were less adversarial to the British administration and, as such, provoked less violent backlash. It also cast the church as amongst the external forces to resist rather than appropriate. The movement was founded by Pelosi Moro of the Weather Coast of Guadalcanal in the late 1950s in order to ‘[m]obilise a return to \textit{kastom} across Southern Guadalcanal against the church as well as the state’.\textsuperscript{172} Followers, who totalled 3000–4000 at the height of the movement’s influence, were encouraged to eschew Western-style clothing in favour of traditional dress — grass skirts for women and bark cloth known as \textit{kabilato} for men.\textsuperscript{173}

Although Maasina Rule had started in Malaita, its influence quickly spread to neighbouring islands including Makira and some parts of Guadalcanal — notably the Marau Sounds area where Are‘Are speakers had settled an estimated 13 generations previously. The presence of Maasina Rule in Marau had contributed to a deepening perception of ethnic difference amongst the Marau communities, which were composed of Are‘Are speakers and indigenous Birao people who lived further inland.

\begin{footnotes}
\item[170] As Keesing observes, such speculations were not so far-fetched in the post-war context. The ‘confluences of solidly political goals … [with] … mythico–religious symbolism and fantasy’ may be explained in part by the broadening of Solomon Islanders’ empirical horizons during World War II (Ibid.).
\item[171] See Dinnen 2007. It is worth noting that whilst Maasina Rule did not create a national identity, it did serve to reinforce a ‘micro-nationalist’ Malaitan identity.
\item[172] Braithwaite et al. 2010:96.
\item[173] See also Davenport and Coker 1967.
\end{footnotes}
Amongst this growing sense of ethnic division, Moro believed that it was his destiny to lead the Marau-Hauba peoples. Moore states:

The Moro Movement can only be understood in the context of the long-term settlement of Are’Are Malaitans at Marau Sound at the eastern end of the island, the Second World War and the Allied presence on Guadalcanal, the Maasina Rule movement ... and the government's long-term neglect of the Weather Coast.174

Possessing a much more mystical character than Maasina Rule, Moro claimed he received visions while in a coma during a serious illness, in which the air spirit Ironggali showed him how the island of Guadalcanal (originally called Isatabu) was created. In the dream, Ironggali identified Moro as the paramount chief of Isatabu.175 Like Maasina Rule, the Moro Movement can also be argued to have been responding to contradictions evident in Solomon Islanders’ encounters with external influences.176

During the ethnic tensions, the Moro Movement experienced a revival amongst Guale militants, especially the Guadalcanal Liberation Front (GLF) on the Weather Coast. Militants drew on Moro’s teachings in order to create a unique ethnic identity that differentiated them from both the state and Malaitans.177 Militants created Moro Movement villages in which communities lived in traditionally built huts and were forbidden to wear modern clothing. Militants also subscribed to the more mythical elements of the Moro tradition, believing themselves capable of harnessing spiritual powers, evoking giants to help them to fight and using sorcery against their enemies.

**The Freedom Movement, or, The Society for the Development of Native Races**

According to the TRC report:

By the 1950s the government had regained control over Maasina Ruru, but could not avoid the emergence of similar, though smaller, movements in the less developed areas of the eastern Solomons and in the Ndi-Nggai region of Guadalcanal.178

Matthew Belamataga’s Society for the Development of Native Races, alternatively known as the ‘Freedom Movement’, is an important case that provides a counter-argument to one of the main hypotheses of this thesis — namely that the concept of international human rights was absent from

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174 Moore 2013.
175 Keesing 1978.
176 Davenport and Coker 1967.
177 Solomon Islands Truth and Reconciliation Commission, Final Report, Volume I, 98.
178 Ibid.
the justice ideologies and moral–political resistance movements that pre-dated Solomon Islands independence. Fraenkel writes that the Freedom Movement, which emerged in 1948 (the same year as the UN General Assembly’s adoption of the *Universal Declaration of Human Rights*) ‘couched hostility to colonial racial discrimination in appeals to American anti-colonial ideas and the UN Declaration of Human Rights’.179

Considering the relative isolation of Solomon Islands and the lack of accessibility of telecommunications at this time, this example is an anomaly — a unique instance in the country’s history that otherwise overlooks the human rights discourse until the ethnic tensions in the late 1990s. Further, as I will argue in the following chapter, it is notable that this early allusion to international human rights standards was non-partisan, whereas later expressions of the discourse have been heavily gendered as well as concerned with the rights of perceived vulnerable groups. For the Freedom Movement, rather, human rights were adopted as a useful rhetorical device to challenge the overuse of power by the colonial government. However, the Freedom Movement was quashed in its early days with the imprisonment of Belamataga for seditious conduct in 1949: ‘Belamataga was sent to prison for forming an illegal society, with the judge declaring that… the naming of the movement “Freedom Society” provided sufficient evidence of “political” objectives’.180

**Becoming the Other: Post-Colonial Politics**

Otto and Thomas describe ‘the confusion of narratives, authorities, and loyalties that mark the colonial aftermath’ in the Pacific Islands.181 When Solomon Islands gained independence from British rule in 1978, it did so reluctantly, and was ill-prepared to take on the task it was faced with. The British had invested very little in the way of resources to develop the infrastructure necessary for independence or the capacity of Solomon Islanders to self-govern, and had completely failed to question to appropriateness of the Westphalian model of statehood for this diverse and broadly dispersed group(s) of people. Most Solomon Islanders had no meaningful allegiance to ‘Solomon Islands’, but rather anchored their identities within local connections to tribe, kin and community. As the colonial government had also invested little in education, few Solomon Islanders were literate beyond primary school level and, at the time of independence, only 12 Solomon Islanders were university graduates.182

180 Ibid.
182 Bennett 2002:4
The post-colonial state has struggled to keep itself fiscally afloat and has reinforced — even compounded — many of the exploitative policies of the colonial administration, including the inequitable distribution of development projects and the exploitation of natural resources. Post-colonial politics have been driven by large, male personalities with access to enough resources to secure voters and supporters, rather than any commitment to political ideologies — as is demonstrated by the fractional nature of political parties and ‘floor-crossing’ tendencies of politicians.

Allen states how:

Postcolonial politics has also been characterized by the emergence of an elitist political culture that favours patronage and resource distribution above any commitment to the ideals of transparent and accountable democracy and has been closely associated with the lucrative but notoriously corrupt and weakly regulated logging industry.\(^{183}\)

Unsustainable resource extraction with little community consultation has been at the heart of post-colonial political problems, with successive governments over-allocating logging and fishing rights to large foreign (mainly Asian) corporations in exchange for gifts, overseas travel and large sums of cash (which are subsequently used to buy votes). Larmour writes how:

The tendency to bribe individuals (illegally) and countries (quite legally, through foreign aid) has been aggravatd by competition for diplomatic recognition between China and Taiwan. The Pacific Islands’ reorientation towards Asia has been facilitated by small Chinese and part-Chinese communities long resident in the islands, but increasingly influential in post-colonial democratic politics.\(^{184}\)

Certain aspects of Solomon Islands kastom such as the wantok system (which traditionally ensured that people away from home would be cushioned by a secure community network)\(^{185}\) have been misused as an excuse for nepotism and, as the next chapter shall describe, the traditional practice of paying compensation was heavily abused by politicians and militants during the ethnic tensions.

The post-colonial state has achieved little in the way of political authority. For the majority of Solomon Islanders who live away from urban centres, the state exerts very little influence in their lives at all — something which, as I shall describe in Chapter 7, has contributed to the unique

\(^{183}\) Allen 2016:34.
\(^{184}\) Larmour 2012:64.
\(^{185}\) Wantok literally translates to ‘one talk’. See Nanau 2011.
development of the human rights discourse in the country. However, to those people for whom the state has exerted a significant influence, this has been seen as negative — neglectful, disrespectful and presenting a cavalier attitude towards people’s needs, as well as their deeply held values. Liloquila and Pollard describe how ‘the vast majority of Solomon Islanders see [the state] ... as a threat to their resources, their cultural identity and culture, their environment and the basis of sustained community living’. It was in this post-colonial environment, which both replicated and compounded the inconsistencies and inequities of an ill-placed colonial administration, that frustrations with the state erupted into violence during the 1998–2003 ethnic tensions, as Chapter 5 shall describe.

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186 Some scholars, including McDougall, contest the idea that the state lacks influence beyond urban centres in the Solomon Islands. See McDougall 2015; 2017.

This chapter will describe the historical context for the 1998–2003 civil conflict in Solomon Islands leading to the eventual establishment of the Solomon Islands Truth and Reconciliation Commission in 2008. There have been a number of historical accounts written of Solomon Islands ethnic tensions, notably Clive Moore’s *Happy Isles in Crisis*, Jon Fraenkel’s *The Manipulation of Custom*, Braithwaite et al.’s *Pillars and Shadows* and Matthew Allen’s *Greed and Grievance*. This chapter draws upon these histories as well as makes use of the historical data contained within the TRC report itself, particularly Volumes I and II, and the data I collected during my fieldwork. Although later chapters of this thesis will scrutinise the ideological assumptions of the TRC model, the report remains arguably the most comprehensive historical account of the period currently available, and it is therefore important it is not overlooked as a rich source of data. This chapter will focus on the immediate history of the conflict, the peace agreements and initiatives that attempted to bring an end to the fighting, the arrival of the Regional Assistance Mission to Solomon Islands (RAMSI) and the eventual establishment of the Solomon Islands TRC. It will consider whether peacebuilding initiatives that pre-dated the TRC can be considered to fall under the rubric of transitional justice, and the implications of this for an analysis of the Truth and Reconciliation Commission.

The narrative of the ethnic tensions continues where the previous chapter ended, with a people left divided and frustrated with the post-colonial state in the aftermath of independence. Within this dynamic, resentment had been building since independence. Not only were many Solomon Islanders resentful towards the post-colonial government, which they believed to be complicit in corruption, inequitable resource distribution and the favouring of certain island-based identities over others, but there was also building resentment between Solomon Islanders of different island identities. In the context described in the previous chapter, these identities — built around perceptions of inequity, discrimination and deprivation — became significantly stronger than any allegiance to the newly formed nation-state: national identity remained an alien concept, as did the notion of statehood itself. A particularly strong resentment existed between people from Guadalcanal, where the capital Honiara was based and the majority of land development had taken place, and people from Malaita who had moved to Guadalcanal in search of employment. Guadalcanalese people felt that Malaitans were uninvited guests on their land, were disrespectful of their *kastom* and were unfairly favoured.

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188 Moore 2004.
190 Braithwaite et al. 2010.
191 Allen 2016.
for employment in the public service. It is estimated, for example, that by 1998 75 per cent of the Royal Solomon Islands Police Force were Malaitans — a factor that later fed directly into conflict-dynamics.\textsuperscript{192} Fraenkel quotes ex-militant George Gray describing his resentment against Malaitans:

Since independence our people have been murdered, our cultural sites desecrated, our land settled without permission and our people have been treated as second class citizens in the capital city, which is located on our island. I had seen these things since I was a kid and they offended me.\textsuperscript{193}

Also important to the growing sense of resentment was the perception amongst many Guadalcanalese that Malaitans, whose lineage was primarily patrilineal, had, through intermarriage, exploited their matrilineal system to gain access to land.\textsuperscript{194} Conversely, people from Malaita were resentful of the lack of development on their home land and held the conviction that they had been forced to move in order to work and participate in the cash economy. They felt that their labour had been the backbone on which the nation of Solomon Islands had been built and they had therefore earned the right both to live on Guadalcanal and benefit equally from resource revenue.\textsuperscript{195} To complicate this picture, people from the extremely underdeveloped area of south Guadalcanal, the Weather Coast (where the Moro Movement had started), felt resentment both at being excluded from development initiatives and towards Malaitan settlers, particularly the Are’Are speaking people who had settled in nearby Marau.

\textit{The Bona Fide Demands of the Indigenous People of Guadalcanal}

Shortly following independence, demands for compensation and the resettlement of non-Guales began to flow from the newly formed ‘Guadalcanal Provincial Assembly’ to the national government.\textsuperscript{196} In 1978, three months following independence, a letter addressed to prime minister Kenilorea from the Guadalcanal Provincial Assembly presented a series of demands including decentralised federal governance, compensation payments and greater restrictions on the sale and leasing of customary land. In a tone that foreshadowed the violence that would erupt decades later, the letter stated, ‘May we take this opportunity to make it clear to you, that there is very little you

\textsuperscript{192} Fraenkel (2004): 49
\textsuperscript{193} Ibid: 50
\textsuperscript{195} See Allen 2016:5.
\textsuperscript{196} Fraenkel 2014:4.
can do to deter us from achieving our aim.”

Beginning the pattern that would continue to fuel the anger of the Guale people, the government took no action in response to the petition. Demands were reiterated with no action taken over the following 10 years.

In 1988, the murder of three villagers on Mount Austin in Honiara by some young Kwaoi men reignited anti-Malaitan sentiment, leading to a large demonstration in Honiara and the drafting of a document that has become known as the *Bona Fide Demands of the Indigenous People of Guadalcanal*. The document was presented to Prime Minister Alebua Ezekiel, reiterating the demands that had been expressed 10 years earlier. *The Bona Fide Demands* requested:

- The introduction of state (federal) government
- A review of the national Constitution and Lands and Titles Act
- Payment of rent to the GPA for the use of Honiara land
- The relocation of the national capital to another province
- SI$2.5 million compensation for murdered Guadalcanal citizens

Alebua ignored the demands, which proved highly ironic, as it was he in his position as premier of Guadalcanal who later resubmitted them in 1999.

**The Ethnic Tensions 1998–2003**

By 1998:

Young men from the impoverished Weather Coast region of Guadalcanal, with the active involvement of political leaders such as Guadalcanal Premier Ezekiel Alebua … [were] driving settlers from Malaita off the island of Guadalcanal.  

By late 1998, a series of armoury raids had assured that the militia, self-titled the Guadalcanal Revolutionary Army (GRA) (later to become the Isatabu Freedom Movement (IFM)), now had possession of guns and ammunition.

In February 1999, Alebua re-submitted the *Bona Fide Demands* to the Solomon Islands Alliance for Change (SIAC) government, asking in addition for $1 million for the killing of a militant, Ishmael Panda, during an armoury raid at Bungana. Finally, the SIAC government, led by Prime Minister

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197 Letter to prime minister Kenilorea from the Guadalcanal Provincial Assembly, in Kabutaulaka 2002.
198 Braithwaite et al. 2010:2.
Bartholomew Ulufa’alu, responded to the demands, providing a $500,000 goodwill payment to Guadalcanal, along with the requested $2.5 million. A memorandum of understanding (MOU) between the provincial and national governments was also signed to negotiate the remainder of the demands. Despite the compensation payments and MOU, the harassment of Malaitans continued and by late 1999/early 2000 Malaitans had responded with the creation of their own militia force, the Malaitan Eagle Force (MEF). The MEF attempted to secure Honiara as a safe space for intimidated Malaitans.\(^{199}\)

The period of overt fighting between 1998 and 2003 is generally agreed to have fallen into two distinct phases, during which the nature of, and motivations behind, the fighting took different forms. The first phase was characterised primarily by ethnically-motivated fighting between the militia groups, and the eviction of large numbers of Malaitans and other settlers from rural Guadalcanal. Honiara became a Malaitan-enclave during this time as Malaitans fled there for MEF protection, or as a gateway to leave Guadalcanal. The second phrase occurred in the period following the signing of the Townsville Peace Agreement (TPA) in late 2000. Whilst fragmentation within militia forces occurred across all phases of the conflict, this phase was especially categorised by the splintering of militia groups and the rise of criminally motivated, rather than politically motivated, militia. The breakdown of law and order and the ready availability of weapons had created an environment ripe for exploitation by opportunists seeking to use the situation to their own advantage.

Alongside the IFM and the MEF, other key players in the conflict included the Marau Eagle Force and, later, the Guadalcanal Liberation Front (GLF). The Marau Eagle Force consisted of Are’Are-speaking residents of the Marau Sound coastline, not far from the Weather Coast. As Fraenkel states, the conflict in Marau was particularly bitter. Due to the early settlement of the area by Are’Are speakers from Malaita long before colonisation:

> These people had been closely integrated with neighbouring Birao-speaking indigenous communities on the mainland ... Inter-marriage was even more common here than elsewhere on Guadalcanal. Yet the uprising had sparked acrimony between Birao and Are’Are. Around 1,286 people (254 households) out of the total Marau population were displaced.\(^{200}\)

The Marau Eagle Force emerged in the aftermath of the 2000 coup as a result of dissatisfaction with the peace process. The Guadalcanal Liberation Front (GLF) also emerged in the aftermath of the TPA

\(^{199}\) Moore 2004:15.  
\(^{200}\) Fraenkel 2004:104.
as a dissenting faction of the IFM. The GLF was headed by Harold Keke, a warlord whose name became associated with some of the most severe human rights violations committed during the tensions. With a stronghold around Keke’s home region of the Weather Coast, the GLF terrorised communities for nearly two years in the post-TPA period. Keke was largely believed to be mentally unstable and his deteriorating mental health was evident in the surreal nature of his crimes. Allen states that ‘as they [Keke and his men] moved farther west, their crimes became increasingly brutal and bizarre’. Following the TPA, in which Keke and the rest of the GLF had refused to participate, Keke ‘grew more pathological’, developing illusions of godlike grandeur. He began forcing people to worship him and established a Sabbath day for himself known as ‘Harold’s Day’, intimidating people into following a strict code of conduct (including not working on Harold’s Day); the punishment for violations was severe beating or death.

**Conflict-Related Violence**

The TRC report remains to date the most comprehensive analysis of the physical violence committed during the Solomon Islands conflict. This section therefore makes use of the data contained within the report as well as Amnesty International publications and descriptions of tension-related violence contained in the historical accounts mentioned in the introduction to this chapter. Initially, Malaitans and other settlers on Guadalcanal from surrounding islands were the main victims of violence, as the IFM used intimidation, harassment and the threat of weapons to drive people from their homes. The TRC report estimates that some 35,000 individuals were forcibly evicted from their homes, causing an exodus of refugees to Honiara, Malaita and the surrounding islands. Once homes had been evicted, looting and the setting fire to property was commonplace, leaving many families homeless when they were eventually able to return. Livestock, cash, health and education supplies from abandoned clinics and schools were also looted, increasingly so as the militant groups splintered and fragmented.

In comparison to other conflicts of similar length, there were extremely few conflict-related deaths during the ethnic tensions — estimates differ in number with the Truth and Reconciliation Commission Report, which named 200 victims. Other sources suggest the numbers to be as high as

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204 Solomon Islands Truth and Reconciliation Commission Final Report, Volume II, 357.
The TRC report refers to ‘waves of killing’ that peaked in 2000 with the creation of the Joint Operation between the MEF and the RSIPF. As Treadaway commented:

The most remarkable thing about events here in the past 18 months has been the lack of violence compared to similar situations elsewhere in the world. Where else can you find 20,000 people expelled from their homes and an attempted government coup with so little violence or loss of life? Only 20 deaths were believed to be caused by direct fighting, with others a result of shock or trauma, lack of medical facilities (such as babies being born in the bush when their mothers were fleeing violence), suicide and sustained injury. The majority of recorded deaths were amongst Guadalcanalese men and most victims were civilians.

When compared to number of lives lost in other contemporary conflicts in the Pacific region, the smallness of the number is striking, with 200,000 deaths in the 1975 to 1998 conflict in Timor-Leste and 20,000 deaths in the 1988 to 1998 Bougainvillean civil war. This illustrates how Solomon Islands conflict was characterised more by a widespread anxiety at the disintegration of law and order and the threat of gun-wielding militia than by overt combat.

Whilst all militia groups were responsible for killing opponents, the question of state culpability is significantly complicated by the breakdown of the Royal Solomon Islands Police Force (RSIPF) and the increasingly blurred lines between state and non-state actors. During the conflict, two ‘Joint Operations’ were established between the RSIPF and the militia — the first, a collaboration between MEF-sympathetic police officers and the MEF, was responsible for orchestrating a coup in June 2000 to remove Prime Minister Ulufa’alu. With assistance from their ‘spokesperson’ Malaitan lawyer Andrew Nori, a heavily armed Joint Operation placed Ulufa’alu under house arrest before he was replaced with Manasseh Sogavare. Following the coup, the Joint Operation proceeded to establish check points around Honiara and shell suspected IFM positions along the coastline. The Operation profoundly undermines any pretensions towards neutrality on the part of the government and, in its first incarnation at least, starkly demonstrated the Malaitan bias of security forces.

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206 Interview with Adrian Smith, Honiara, 27 June 2014.
209 The TRC report claims, ‘It was a period of paranoia: knife and gun-wielding youths in army fatigues roamed the scene, militants thrilled by the new-found realization that guns could get anything’ (Solomon Islands Truth and Reconciliation Commission Final Report, Volume II, 389).
The second incarnation of the Joint Operation, however, involved actors from both ‘ethnicities’ and occurred in the aftermath of the Townsville Peace Agreement. This time, it was formed with the dual intention of engaging (ex)militants in useful work and capturing Harold Keke, who continued to commit atrocities in Weather Coast villages. The RSIPF recruited former militants as ‘special constables’ and armed untrained civilians in Weather Coast villages, paying them ‘danger allowances’. In March 2001 and October 2002, two unsuccessful attempts were made to capture Keke. For both attempts, the Joint Operation utilised government patrol boats to fire indiscriminately along the shoreline, injuring and killing civilians in the process. One TRC testifier described how the Joint Operation drove families into the bush, where they remained for seven months. When they returned, their homes and been burnt and looted: ‘There was not one house standing, grasses were overgrown and we had to start all over again trying to build shelters and gardens.’

Torture was a prevalent strategy used to intimidate both opposing militia and civilians during the tensions. The TRC received statements detailing 1,413 incidents of torture committed by individuals from both Guale and Malaitan militia groups, in addition to government forces, through the Joint Operation. However, this is likely to be an underestimate. During my fieldwork, especially while away from urban centres, interviewees shared stories of torture and ill treatment of themselves and/or their relatives they hadn’t had an opportunity to share with the TRC. Most people felt like they had no opportunities to share stories with the TRC. As the RSIPF, through the Joint Operation, were complicit in many acts of torture, most people felt that they could not trust the police to provide protection during the conflict and therefore refused to report incidents to the authorities.

The methods of torture used were inventive and cruel. Reports include handcuffing and beating, both with hands and the butts of guns; blindfolding and hooding; tying with wire; the removal of teeth; and suffocation and strangling. Most of the time, victims were targeted because a militia group believed them to be a ‘spear’ or a spy for the opposing side, or in the case of the Joint Operation, believed the victim had knowledge of Harold Keke’s whereabouts. One testimony, for example, describes a victim who:

had been tied and thrown outside face up and was stepped on from head to toe. During the time they beat him, his back was bruised, his belly was bruised, actually all parts of his body were

212 Amnesty International 2000; Solomon Islands Truth and Reconciliation Commission Final Report, Volume II.
213 I describe an incident in Chapter 2 where an interviewee mistook me for a TRC researcher. I only discovered this after our interview.
During the initial stage of the conflict, nearly all torture cases were attributed to the IFM and GRA as they intimidated Malaitans into leaving Guadalcanal. One statement describes a Guadalcanalese man being tortured because of his marriage to a Malaitan woman:

Arriving at the camp they tied his hands and feet again and blindfolded and tied him to a tree upside down. He was left like that the whole night until afternoon of the next day.  

The highest number of tortures cases, however, occurred when the Malaitan Eagle Force was formed and engaged in payback violence. As with killings, 2000 was the year when the most cases of torture were reported to have taken place.

Sexual violence, primarily against women, but also against men, was extremely prevalent. Combatants used sexual violence as a means of humiliating and intimidating their perceived enemies and fragmenting people’s filial and community cohesion. As Chapter 9 will describe, a complex web of social taboos exists around sexuality in Solomon Islands, and sexual violence was a way of violating not only the dignity and morale of victims, but also their kastom.

Peace Initiatives: Attempts to Contain the Violence

Rather than follow a chronological pattern from conflict to peace, the fighting is dotted with numerous attempts to stall the violence, both official and unofficial, ranging from traditional customary feasts, to large compensation payments, to official peace agreements — all of which had limited success until the arrival of RAMSI. Chronologically, some of these initiatives seem incredibly ill-placed, such as the large kastom reconciliation feast, which predated any peace agreement in May 1999 and was described by Andrew Nori as ‘the most untraditional, most stupid and most irrelevant and abnormal ceremony ever held in Melanesia’. This section will briefly discuss some key moments in the peace process before considering RAMSI and the tension trials, and finally the establishment of the TRC.

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217 Solomon Islands Truth and Reconciliation Commission, Final Report, Volume I, 266.
A Note on Post-Conflict Terminology

The term ‘transitional justice’ is rarely used in either early post-conflict Solomon Islands literature or policy documents: transitional justice implies a frame of reference that prioritises a human rights focus — dealing with past abuses and protecting against future abuses. This frame of reference was only introduced in Solomon Islands with the establishment of the TRC. Rather, the terms ‘peacebuilding’ and ‘state/nation-building’ are preferred, the former connoting civil society/church activities or government initiatives prior to the arrival of RAMSI in 2003 (at which ‘peace’ was presumed to have been achieved), the latter referring to any RAMSI or joint RAMSI/government initiatives post-2003. The term ‘reconciliation’ is also used to refer specifically to activities conducted with the intention of bringing two parties together. Theoretically, ‘transitional justice’ is an umbrella term under which all of the above could potentially be argued to fall. However, whereas other countries have self-consciously contextualised their post-conflict transition within this framework, none of the key actors leading post-conflict initiatives in Solomon Islands (civil society, church groups, the government and, from 2003 onwards, RAMSI) did so. Rather, peacebuilding and reconciliation activities were informed by the logic and moral–political authority of kastom, and state or nation-building activities were informed by RAMSI’s ‘pillars of government’ approach, which prioritised punitive justice, bolstering the rule of law and economic reforms. Some scholars have used the term post factum, presenting the RAMSI-led ‘tension trials’ as the first half of a now-common transitional justice approach of combining legal trials with truth commissions. However, notwithstanding the fact that the TRC was established a significant time after the beginning of the tension trials, the two initiatives have never been linked or coordinated, and individuals were prosecuted as lawbreakers rather than human rights violators.

Table 4.1 Government and institutional peace negotiations and forums, 1998–2001

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
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<tbody>
<tr>
<td>17 Dec 98</td>
<td>Communiqué on Provincial Premier’s Special Hearing</td>
</tr>
<tr>
<td>23 May 99</td>
<td>Kastom Feast Ceremony, Honiara Cultural Centre</td>
</tr>
<tr>
<td>10 June 99</td>
<td>Memorandum of Understanding between Solomon Islands and the Guadalcanal Provincial Government</td>
</tr>
</tbody>
</table>

219 See Cronin. 2017
220 See Jeffery 2013.
221 Table from Moore 2004:113.
As the above table shows, numerous peace agreements were made during the course of the conflict with little success in stalling the violence. This section will only consider one of these — the Townsville Peace Agreement (TPA) — in any detail, as this is had the most lasting impact on peace and is the most relevant to the discussions that will follow in later chapters. The TPA was negotiated at a four-day meeting on a military base in Townsville, Australia in October 2000. The meeting was attended by key figures in the MEF/Joint Operation and IFM alongside provincial and national government representatives. Notably absent from the negotiations were Harold Keke and other members of the GLF who refused to participate in the talks, as well as the Marau Eagle Force, who
held separate talks leading to the Marau Peace Agreement early the following year. The militants had also insisted that civil society be excluded from the meeting following recent civil society/militia peace talks aboard the New Zealand Navy ship *Te Kaha*, where the idea of a truth commission was first raised.\(^{222}\)

The resultant meeting and peace agreement was almost entirely focused on appeasing combatants — Fraenkel has labelled it ‘a deeply flawed document, a militants’ charter.’\(^{223}\) Among the main negotiated outcomes was a legislated amnesty for all militants and civil advisers who had been involved in criminal activity, in exchange for the surrender of weapons over a 30-day period overseen by an International Peace Monitoring Team (IPMT) and National Peace Monitoring Council (NPMC). The TPA also negotiated the recruitment of ex-militants as ‘special constables’ into the RSIPF — an agreement that ‘created a monster ... [and] ... further criminalised the security sector’\(^{224}\) with the creation of the ‘Joint Operation’. Provisions for compensation and payments for the repatriation of militants were also made — an agreement that was heavily exploited by militants who returned to Honiara periodically to claim multiple payments.\(^{225}\) The TPA made no mention of compensation to, or rehabilitation of, victims of conflict-related violence — a pattern that would continue and eventually give rise to calls for the creation of the TRC.

The Amnesty Act(s) of 2000 and 2001, which were enacted as a result of the TPA, specified two types of amnesty to be offered to ex-combatants. Firstly, members of the IFM and MEF would be given immunity from prosecution for stealing and possessing weapons (in exchange for surrendering them). Secondly, a general amnesty offered immunity for all who took part in conflict-related crimes (including members of the Solomon Islands Police Force and Prison Service). When RAMSI took control of law and order in 2003, they paid little heed to these amnesty provisions in their arrests and prosecutions. According to Fraenkel:

There are only two reported cases in which amnesty was granted by the courts *Nokia v Regina* (on appeal it was *Regina v Maga* and *Rv Lusibaea, Bartlett, Kili and Fioga.*) There is no record of the latter in the High Court registry.\(^{226}\)

\(^{222}\) Interview with Matthew Wale, Honiara, 5 July 2014.
\(^{224}\) Braithwaite et al. 2010:38.
\(^{225}\) Fraenkel 2004:122.
Compensation and the EXIM Loan

A further example of the government’s prioritisation of combatants over the victims of violence is the Taiwanese EXIM (Export-Import) loan. In 2000/2001, the Solomon Islands government oversaw a large-scale compensation scheme with funds from a Taiwanese loan. Those who felt they had a legitimate claim to government compensation registered with the Ministry for National Unity, Reconciliation and Peace (MNURP) to be beneficiaries of the EXIM loan. Yet most of the successful applicants were ex-combatants rather than victims of abuse. The compensation process was widely perceived as corrupt — a commercialisation of traditional kastom compensation wherein financial gifts would only be token, preceded by acknowledgement of wrongs and reconciliation between parties, as will be discussed further in Chapter 8.227

Unofficial Peacemaking

Unofficially, both the church and women’s organisations made a significant impact on the peace process. With religious actors, this was largely due to their perceived impartiality and the mana (spiritual power) they were believed to possess. The Anglican Melanesian Brotherhood (Tasiu), for example, were able to walk freely between camps and road blocks, praying with militants and encouraging them to surrender their weapons. Because the Tasiu possessed mana, people respected and listened to them. No one act of violence shocked Solomon Islanders more than the murder of seven Melanesian brothers by Harold Keke in 2002 — a crime that undermined deeply held kastom beliefs, as Chapter 9 will describe.

Women also played a significant role in negotiating peace, despite being ostracised by all official peace agreements. Women made use of tambu (taboo) norms regarding their physical space and bodies in order to block fights between militants. Pollard states:

A woman can stand between two warring parties and challenge them by uttering words such as: ‘enough is enough, stop fighting, if you continue to fight after my words, you have walked over my legs’. This is a powerful threat, since in the Areare cultural context it is tambu, ‘forbidden’, for a male to make contact with or step over a woman’s body, especially those to whom he is related by kinship or marriage. Any such transgression requires compensation, or worse in the case of in-laws or sisters. The warring parties should stop fighting immediately.

227 After the Solomon Islands government threatened to switch loyalties to China, Taiwan’s EXIM (Export–Import) Bank agreed to a loan of US$25 million, most of which made its way into the pockets of politicians and ex-combatants. Allan Kemakeza, who was initially the minister for National Unity, Reconciliation and Peace during this time, and later prime minister, awarded himself US$164,754 and was sacked for embezzlement. Fraenkel in Dinnen and Firth 2008:153.
[when] a woman swears in this manner, and guidelines for reconciliation and compensation should at once begin to apply.\footnote{228 Braithwaite et al. 2010:46; Liloqula and Pollard 2000:9–19.}

Women self-organised into networks such as the Reconciliation and Peace Committee, Honiara Women for Peace and the Catholic Daughters of Mary Immaculate Sisters in order to enter bunkers and bring food to militants. Sadly, as Braithwaite et al. note, ‘[t]heir contribution was … quickly excluded from a memory of how peace was accomplished, which was dominated by the RAMSI public relations machine’.\footnote{229 Later, the TRC would attempt to restore that memory, as Chapter 7 will discuss.} Later, the TRC would attempt to restore that memory, as Chapter 7 will discuss.

\textit{The Regional Assistance Mission to Solomon Islands}

It was the arrival of the Australian-led international peace keeping mission RAMSI (the Regional Assistance Mission to Solomon Islands, also known as Operation Helpem Fren) in July 2003 that is considered to have officially brought an end of the conflict. The government had repeatedly made pleas to Australia for assistance which they failed to respond to. However, following the publication of the Australian Strategic Policy Institute report \textit{Our Failing Neighbour: Australia and the Future of Solomon Islands}, which characterised the conflict as a threat to regional security, Australian Prime Minister John Howard finally responded to the Kemakeza government’s pleas for assistance.\footnote{230 Wainwright 2003:14.} Australia’s approach was to react swiftly and with a demonstration of military strength.\footnote{231 Frankel describes the ‘shock and awe’ tactics used by the peace operation as follows: ‘Helicopters whirred down Guadalcanal’s coastline, and joint police patrols combed Honiara’s streets. In total, 2,225 military and police personnel were to be deployed in Solomon Islands, including officers from Fiji, Samoa, Tonga, New Zealand and Papua New Guinea. This was well beyond what was necessary. But the strategy of overkill, a Pacific version of Iraq’s Operation Shock and Awe, had the desired result. The militants were to surrender with barely a whimper.’ Fraenkel 2004:159.}

RAMSI followed the trend of other post-9/11 international interventions, primarily focused on rebuilding the apparatus of a supposedly stable pre-conflict state.\footnote{232 Dinnen describes how in the period since 9/11, ‘[r]esponses that were initially aimed at stabilising post-conflict situations’ to include interventions in Afghanistan, Iraq, Bosnia and Timor-Leste, ‘have evolved into ambitious and costly exercises aimed at (re)-constructing the political institutions of the modern state’ (2008:339).} The intervention was spearheaded and overseen by Australia with resources and personnel contributed by Fiji, Tonga, New Zealand and Papua New Guinea. According to Jeffery, RAMSI’s objectives in Solomon Islands were twofold — firstly to end the violence and disarm the population, and secondly to institute ‘a set of reforms and improvements to the machinery of government, economic governance, and law and
The first objective was fulfilled quickly. Shortly after RAMSI’s arrival, officials had negotiated the self-surrender and imprisonment of Harold Keke\textsuperscript{234} and:

by Christmas of the year of the landing most of the militant leaders were under arrest, including Joe Sangu, Harold Keke, Stanley ‘Satan’ Kaomi and Andrew Te’e on the IFM side and Jimmy Rasta Lusibaea on the MEF side as well as all the leaders of the Joint Operation within the police.\textsuperscript{235}

Within one year, 3400 ex-militants were behind bars. However, some key players remained in political positions for years, and RAMSI has been criticised for allowing some of the ‘big fish’ to remain at large.\textsuperscript{236}

After bringing an end to the immediate violence, RAMSI’s focus turned to its state-building agenda. RAMSI’s mandate fell under three ‘pillars’: law and justice, economic governance and machinery of government.\textsuperscript{237} Thousands of expatriate staff were bought in, primarily from Australia, to manage these programs and to ‘build the capacity’ of Solomon Islanders to eventually take over. Two major criticisms of RAMSI’s work concerned the mission’s unwillingness to address the root causes of the ethnic tensions and, closely related to this, its assumption that a strong state based on the Westphalian model was essential to ensuring ongoing stability in the country and preventing further conflict. Dinnen argues that this model, imposed by British colonialism and hastily handed over at independence, had never fit Solomon Islands’ context — a stable pre-conflict state was a myth. He writes that Solomon Islands was:

ill-equipped for independent statehood when it was granted by Britain on 7 July 1978 … The hastily assembled structures of the modern state had shallow foundations in Solomon Islands society … Like many other post-colonial states, it was also incomplete — what

\textsuperscript{233} Jeffery 2017:23.
\textsuperscript{234} There remains some disagreement over who was the key negotiator for Keke’s surrender. Former TRC commissioner Kamilo Teke insists that he, singlehandedly, negotiated with Keke. He has written a book about this, but the manuscript exists only in paper form and Teke refuses to hand it over to potential publishers for fear it will be damaged or stolen. Teke told me, ‘It was the 4 July — I made him sign the unilateral ceasefire agreement — and I asked him to observe it. At the same time I told him the stories or St. Paul’s conversion and Nelson Mandela … On the 23 July I went back to him and he whispered to me, he said “I will surrender, because of your story.” And I said … if you surrender, I guarantee I will write something down for you, and that’s why I wrote this book’ (Interview with Kamilo Teke, Honiara, 24 June 2014).
\textsuperscript{235} Braithwaite et al. 2010:54.
\textsuperscript{236} Braithwaite et al. 2010:56.
\textsuperscript{237} The objective of the law and justice pillar was to improve law enforcement in the country, build a more efficient court system and contribute to the development of a robust justice system. The economic governance pillar prioritised building a strong cash-centred economy, minimising corruption and increasing economic growth opportunities for Solomon Islands’ citizens. Lastly, the machinery of government pillar had broad objectives such as improving government accountability, building a strong electoral system, improving public services and promoting a free and independent media. See Dinnen 2014; Morgan and McLeod 2006.
Jackson calls a ‘quasi-state’ — with a weak presence in parts of its territory and incapable of delivering basic services, such as education and health, to all eligible citizens.\textsuperscript{238}

Ironically, it was Solomon Islands’ lack of reliance on ‘the state’ to provide these basic services that prevented a full-scale humanitarian crisis when the weak structures of state crumbled during the tensions.\textsuperscript{239}

In 2005, RAMSI began to prosecute ex-militants for their role in conflict-related activities. The first of the so-called ‘tension trials’ concerned the murder of Melanesian Brothers Father Augustine Geve by Harold Keke, Ronnie Cawa and Francis Lewa. According to Jeffery, the tension trials should be considered ‘the first element of the Solomon Islands formal transitional justice process’.\textsuperscript{240} However, prosecutions under the tension trials were totally unconcerned with the international legal norms and standards that typically underpin transitional justice measures: international humanitarian, criminal and human rights law. Rather, they were solely based on domestic criminal law, notably Solomon Islands penal code. Highlighting the lack of concern for international human rights standards, the trials did not include a single prosecution for rape or gender-based violence — considered to be some of the most prevalent human rights abuses that occurred during the conflict.

According to Jeffery, the fact that the tension trials reflected the international criminal justice norm of individual criminal responsibility is enough to consider them as falling within the remit of transitional justice, but any domestic trial would ascribe individual criminal responsibility as the norm, so this is a moot point. The only area where human rights concerns became prominent during the tension trials was not in the prosecution of combatants for committing violations, but in the treatment and conditions under which the accused were held. Mounting caseloads led to overcrowding in prison and an overloaded criminal justice system. Many complaints were received about the length of pre-trial detention for those accused. Accused parties could be held in detention for periods as long as four years before being tried and, in many cases, acquitted:

One interesting aspect of the work as a defence lawyer was how others would roll their eyes at the mention of Amnesty International and their fair trial guidelines or any suggestion of non-compliance. However, during the relevant period, significant rulings were made by the courts on issues such as the treatment of juveniles (no mandatory life sentence) and the treatment of prisoners in circumstances where the court found breaches of international rights. Importantly Solomon Islander Chief Justice cited the Amnesty Guidelines a number of

\textsuperscript{238} Dinnen and Firth 2008:346.
\textsuperscript{239} Ibid.
\textsuperscript{240} Jeffery 2017:23.
times in judgments and embraced the concept of international benchmarks.  

Ultimately, while RAMSI was successful in bringing an end to the immediate physical violence, and through its securitising mandate, assisted in lessening the pervasive sense of ‘tension’ that had characterised the pre-RAMSI years, there remained a sense that the intervention had overlooked the root causes of the ethnic tensions. There was also the issue of reconciliation — so crucial to social cohesion in the Solomon Islands — to be dealt with, and the question of how the victims of violence might be assisted to come to terms with the trauma that had so deeply impacted their lives.

The Establishment of the Solomon Islands Truth and Reconciliation Commission

The transitional justice rhetoric of and ‘truth and reconciliation’ were first introduced to Solomon Islands by faith-based organisation Solomon Islands Christian Association (SICA). SICA was influenced by international media attention surrounding South Africa’s TRC, and proposed that the theological overtones of the truth commission model might resonate with the country’s 96 per cent Christian population.

Influential within SICA were a small group of left-leaning Christians with close connections to international civil society — for example, politician and women’s rights campaigner Alice Pollard and her husband Bob Pollard, the head of Transparency International Solomon Islands (TISI). Most of this small group were members of the Kukum Campus of the South Seas Evangelical Church in Honiara — a small parish well-known for its liberal political activism and commitment to social justice. Although he himself asserts that TRC advocacy was very much a joint effort of this group, most people I interviewed insisted that the TRC was the brainchild of Matthew Wale — then-director of the SICA Peace Office, now member of parliament for the Aoke/Langalanga constituency and briefly deputy prime minister in 2015. Wale states that the Peace Office:

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241 Averre 2008:12.
242 The potential for establishing a commission of inquiry to investigate escalating tensions between Guales and Malaitans had been discussed even before the conflict ‘officially’ began in 1998. Clive Moore writes that police commissioner Frank Short had called on the government to set up an independent commission to investigate the presence of militant groups in Guadalcanal as early as 1997 (2004:110). The discussion continued throughout the tension years, at that time being led by civil society organisations, yet overlooked by the unstable series of governments that attempted to establish some level of law and order over Solomon Islands between 1998 and 2003. Conversations around a potential commission gradually began to reflect the vision and ideologies of advocates, and the idea of a commission developed into something grander that would be focused on re-establishing a respect for human rights, transparency and truth-telling, and would respond to the nation’s need for healing and reconciliation.
tried to harness the immense amount of goodwill that rested with the churches, lots of social capital which was not being brought to bear on the conflict, well it was being brought to bear but in [an] anecdotal and a not very well organised fashion.²⁴³

Wale, a politician born of a Canadian mother and Malaitan father, raised in the Solomon Islands and educated overseas, is an example of someone Merry might refer to as an ‘intermediary’. Brought up in Melanesia and educated overseas, he has one foot in the ‘local’ arena and one in the ‘global’, fluent in the justice vocabularies of both.²⁴⁴ Wale’s rationale for proposing a TRC was overwhelmingly framed in terms of concern for human rights protections in the country. In an interview, he told me:

In my mind there were ... themes that were coming out very clearly. One is the general lack of respect for human rights, and understanding human rights ... two, what I really wanted to see was a standing human rights commission, a constitutional human rights commission."²⁴⁵

SICA proposed that a truth commission would provide a necessary opportunity for victims to talk about their experiences and, at the same time, be accepted as a locally and internationally authentic institution. Wale visited South Africa to consult with their TRC’s principle legal counsel and its chair, Archbishop Desmond Tutu. Tutu had famously woven overtly Christian theology and symbolism into the truth commission model, overlaying the international human rights norms integral to a transitional justice approach with Christian notions of confession, forgiveness and interpersonal reconciliation grounded in biblical teaching. For TRC advocates, the South African TRC appeared to be a ready-made hybrid, well-suited to their pluralistic society and promising to offer something to everybody.

SICA petitioned both the series of Solomon Islands governments in power during the tensions and the Australian government to support the establishment of a TRC, but Australian foreign minister Alexander Downer was ‘absolutely opposed to it’.²⁴⁶ Braithwaite at al. write of the government’s position at the time that:

the Kemakeza government of 2001–06 feared truth and in these years RAMSI preferred prison to reconciliation, seeing reconciliation as something the people of Solomon Islands needed to sort out themselves ... the Kemakeza government told SICA a commission might “open up a can of worms”. Because of the history of dishonouring the spirit of the amnesty in the Townsville Peace Agreement, combatant leaders such as Jimmy Rasta, Alex Bartlett and Andrew Te’e were in 2009 openly

²⁴³ Interview with Matthew Wale, 5 July 2012.
²⁴⁴ This was evident in our initial conversation, which I later noted had tended to flow between the vernaculars of kastom and Christianity and the international human rights lexicon.
²⁴⁵ Interview with Matthew Wale, 5 July 2012.
²⁴⁶ Interview with Matthew Wale, 5 July 2012.
hostile to the Truth and Reconciliation Commission ... They feared what they said would be used against them in further prosecutions.²⁴⁷

Instead, SICA turned their attention to harnessing popular support for their idea. Between November 2002 and August 2003, the Peace Office travelled the country to engage in community dialogue and gauge levels of public support for a truth and reconciliation commission. With assistance from international non-profit organisation the Center for Transitional Justice, SICA relied on its church networks to assist with raising awareness, recruiting participants and setting up focus group meetings. According to Joseph Foukana, who was employed by SICA to oversee the consultation, the whole effort was perceived by the public to be very much a faith-based initiative and, as such, the proposed truth commission came to be seen as one as well. According to Foukona, people had become disillusioned by the extravagant government-led reconciliation ceremonies that were widely perceived to be corrupt, overlooking the ‘little people’²⁴⁸ and the victims of violence and focusing instead on appeasing combatants with large sums of ‘compensation’ money. The TRC was to be a humble, church and civil society-led initiative that would stand in stark contrast to what had come to be seen as a circus of bastardised customary practices.²⁴⁹

Foukona says that all of his conversations during the dialogue had a theological tilt and were based on a small pink advocacy pamphlet published by SICA that emphasised biblical teachings regarding truth-telling and forgiveness. The TRC, he says, was envisaged as a church–kastom initiative in which both spiritual and kastom leaders would play central roles. This perspective persisted through to the early days of the TRC’s implementation, with RAMSI adamantly stating that it would play no role in the truth seeking process, leaving this to Solomon Islanders to both own and implement. The concept of reconciliation has particular pertinence in Solomon Islands as it forms as an area of key conceptual overlap between kastom and Christianity. For Solomon Islands kastom, reconciliation practices have long been used to maintain social stability following conflict. With the Christianisation of the country, prayers and practices of public confession and forgiveness have been incorporated into reconciliation ceremonies in addition to the traditional exchange of pigs, shell money and food. Today, these ceremonies are equally as likely to be overseen by a priest as by a chief, and in many communities this may actually be the same person. Ultimately, both the church and traditional leaders came to feel ostracised by the TRC process when it eventuated.

²⁴⁷ Braithwaite et al. 2010:87.
²⁴⁸ Interview with Joseph Foukona, Canberra, 17 February 2014.
²⁴⁹ Interview with Bob Pollard, Honiara, 3 June 2014.
It wasn’t until 2006 that the Grand Coalition for Change (GCC) government began to seriously consider the suggestion of a TRC. The Ministry for National Unity, Reconciliation and Peace submitted a cabinet discussion paper with assistance from SICA, leading to the cabinet’s approval of a TRC steering committee. According to the TRC report:

In October that year, the newly-elected CNURA Government, led by Prime Minister Derek Sikua, made national reconciliation and rehabilitation a key priority, supporting the establishment a Truth and Reconciliation Commission as a key strategy to shed light on past wrongdoings, with the goal of promoting national unity and reconciliation. The establishment of the TRC was consistent with Government policy and became part of the Government’s overall strategy of pursuing meaningful reconciliation between people at all levels of Solomon Islands society, leading to national healing.250

The TRC Steering Committee included representatives from government, the opposition and the church. Members included Matthew Wale, the permanent secretary of MNURP Joy Kere, deputy chairman of the National Peace Council Paul Tovua and the chairman of the Law Reform Commission Judge Frank Kabui acting as chair. Following an exposure visit to Timor-Leste to consult with representatives of the Commission for Reception, Truth and Reconciliation, a legislative sub-committee drafted a bill to establish a mechanism that would ‘build on existing mechanisms of restorative and retributive justice systems in Solomon Islands’.251

It was important that the proposed TRC complement rather than undermine previous peacebuilding and justice initiatives, particularly the tension trials and the amnesty provisions agreed upon in the Townsville Peace Agreement and given effect by the Amnesty Act 2000. Initially, SICA pushed for the TRC to offer amnesty in exchange for truth-telling about politically motivated crimes (with the exception of gross human rights violations), much like the South African truth commission.252 This, it was felt, would encourage more ex-combatants to come forward and share their stories, and allay their fears ‘that it was somehow a conspiracy between RAMSI and the government, to find information that will be eventually used against them’.253 This idea was eventually dismissed, however, and the Act was drafted with a provision that guaranteed that no information shared before the commission could be admissible as evidence in court.254 In August 2008, a Truth and Reconciliation Commission Bill was introduced to parliament and was passed with a strong majority.

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252 Interview with Matthew Wale, 5 July 2012.
253 Interview with David Tuhanuku, Honiara, 4 June 2014.
254 Solomon Islands Truth and Reconciliation Act 2008 S.20(f).
**The Mandate and Work of the TRC**

According to the Solomon Islands Truth and Reconciliation Act 2008, the TRC was to be an independent statutory body mandated:

(a) to investigate and report on the causes, nature and extent of the violations and abuses referred to in subsection (1) to the fullest degree possible, including their antecedents, the context in which the violations and abuses occurred, the question of, whether those violations and abuses were the result of deliberate planning, policy or authorization by any government, group or individual, and the role of both internal and external factors in the conflict;

(b) to inquire into and report on the facts and circumstances surrounding the raid of police armouries and the destruction or damage caused to public property for the purposes of reconciliation;

(c) to work to help restore the human dignity of victims and promote reconciliation by providing an opportunity for victims to give an account of the violations and abuses suffered and for perpetrators to relate their experiences, and by creating a climate which fosters constructive interchange between victims and perpetrators, giving special attention to the subject of sexual abuses and to the experiences of children within the armed conflict; and

(d) to do all such things as may contribute to the fulfilment of the objects of the Commission.\(^{255}\)

The TRC’s work was overseen by five commissioners, two international (Sofia Macher from Peru and Ratu Joni Madraiwiwi from Fiji) and three national. Initially the three national commissioners were Father Sam Ata (the commission’s chair), Caroline Laore and George Kejoa, however George Kejoa passed away in 2010 and was replaced by Kamilo Teke. In addition to the five commissioners, the TRC employed staff on short-term and long-term contracts, and a number of staff were deployed to the commission from government departments, in particular the MNURP. Centrally, the head of research oversaw the work of a team composed of administrators, program managers, researchers and statement takers, transcribers, exhumation officers, data analysts, communication officers, an archivist, a writer and an editor. In order to ensure that the TRC established a presence across the country and was representative of the whole community, regional offices were established in Malaita, Guadalcanal, Western and Choiseul Provinces.

The Truth Commission employed both statement takers (whose remit was relatively narrow, limited to the completion of forms consisting of pre-prescribed lists of human rights abuses) and researchers (with a broader remit of using open qualitative interviews with key individuals) as part of their Research Program. Researchers were to focus their interviews on five key topics of interest: armed

\(^{255}\) Solomon Islands Truth and Reconciliation Act 2008, s(2)a-d.
actors in the conflict, women, youth, church and the regional histories of the conflict. The TRC describes that:

teams of fieldworkers were employed to visit villages throughout Solomon Islands, raising awareness of the TRC, explaining its mandate and scope and mapping the critical areas in Malaita and Guadalcanal where statement takers should especially be deployed for statement taking.

In total, 2362 statements were collected, 37 per cent of which were from women.

The Solomon Islands TRC used a mix of public hearings, primarily aimed towards the collection of victims’ testimonies, and private hearings to encourage the sharing of stories from ex-combatants, politicians and members of the Royal Solomon Islands Police Force. The hearings were also distinguished as being either regionally or thematically focused. In total, 11 public hearings were held in which 242 individuals shared their testimonies before the public, the media and the TRC commissioners, and seven private hearings were held only before the commissioners. Public hearings were broadcast on the radio and several were televised.

The TRC was also mandated to conduct investigations into the whereabouts of the victims’ bodies, to exhume these bodies and to return them to their families for ‘a proper burial in their homes’. Exhumations were to be conducted in close consultation with the Director of Public Prosecutions ‘to guarantee the collection of evidence in support of the legal obligation of the state to investigate the related criminal cases that might have arisen’. Although the Exhumations Program was successful in mapping a number of graves, ultimately only four graves were exhumed during the TRC’s duration.

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256 Solomon Islands Truth and Reconciliation Commission Final Report, Volume V, 1209.
257 Ibid.
258 Solomon Islands Truth and Reconciliation Commission Final Report, Volume V, 1215.
259 Solomon Islands Truth and Reconciliation Commission Final Report, Volume V, 1215.
Censoring ‘Truth’

Right from the start [the Prime Minister] said the politics here is so divisive — there’s so much distrust and mistrust that it [the TRC Report] ought to be handed straight to the public. So as soon as he receives it, it should be online the same day ... never mind what scars it scratched, that’s the whole purpose of having the thing in the first place, deal with the consequences ... They say it’s too ... explosive. 260

According to Solomon Islands Truth and Reconciliation Act 2008, Article 17(1) states that ‘the Prime Minister on receiving the report of the Commission, shall cause it to be laid before Parliament and the report shall be made available to the public’. However, since receiving the final report in April 2014, the government has made every effort to keep its contents confidential.

No official reason has been provided regarding the government’s refusal to release the report, other than vague suggestions that its contents are ‘too sensitive’ 261 for the public ear and would be likely to incite further violence. Although most individuals throughout government are in strong favour of releasing the report as soon as possible, there remains a cautiousness to give official endorsement to the report’s recommendations at the highest level of government. The Prime Minister’s Office has placed pressure on the Ministry of National Unity, Reconciliation and Peace to reduce or ‘sanitise’ the report in order that it might be released in a more palatable form. An anonymous official at the Ministry told me:

As the report was so sensitive, the government are very happy ... secretly ... they didn’t have to face the consequence of who’s releasing the report ... They were quite reluctant really to release it as early as possible, because of the sensitivity, so they tried to throw back to the Ministry, how do we handle it? Can we condense it? Can we reduce it? And I said no. Our responsibility is to release the report in its entirety ... we have to officially release it in this country, we have to. 262

Other explanations emanating from government have alluded to the cost of implementing the report’s recommendations leading to government bankruptcy, or that the report is too dense and complex for the public to understand in its current form and needs to be condensed or simplified prior to its release. 263 In reality, the sensitivity argument holds little weight, as most of the information contained in the report is public knowledge already. What would be achieved by its release, however, would be an official acknowledgement of the human rights violations that were

260 Interview with Matthew Wale, Honiara, 5 July 2012.
261 This observation is based on various interviews and encounters I had during my fieldwork, as the following chapters will detail.
262 Interview with anonymous, Honiara, August 2013.
263 Interview with Adrian Smith, Honiara, 27 June 2014.
committed during the tension era, and the role that the government(s) of the time played, either in committing these violations or enabling or allowing them to happen. It is likely, therefore, that the simplification argument is underscored by political rather than public-interest motivations.\textsuperscript{264}

In April 2013, the editor of the TRC report, the Canadian former bishop of Malaita Terry Brown decided to leak the report unofficially to his networks via email — an action the government has since incorrectly declared to be ‘illegal’.\textsuperscript{265}

In Parts Three and Four that follow, the thesis will turn its attention towards analysis of the empirical data I collected during my fieldwork in the Solomon Islands. The chapters, that will consider the moral and political authority of both the truth commission model and its associated human rights discourse, shall shed some light on successive governments’ unwillingness to release the final TRC report, and ultimately problematise the nature of Solomon Islanders’ engagement with post-conflict ‘truth’-seeking.

\textsuperscript{264} There may also be more practical reasons that the government is unwilling to officially release the report. From my interviews with representatives from the Prime Minister’s Office, it seems that there is a cautiousness regarding the legal ramifications of the report’s release.

\textsuperscript{265} Interview with Phillip Tagini, Honiara, 30 June 2014.
[Human rights] is, and has always been, a dual discourse of violence and violations (victims, perpetrators), and of idealism and just resistance (dating back to the natural rights tradition) ... an affirmation of collective self-reliance, resistance and the role of the ‘righteous’.  

The following two chapters consider the extent to which the institution of the Truth and Reconciliation Commission and the human rights ideology in which it grounded its analysis of the ethnic tensions can claim to have had ‘political authority’ in Solomon Islands. By the term ‘political authority’ I do not allude to the institution’s authority with the country’s political elites, but rather the extent to which the people of Solomon Islands, those whose stories the TRC collected, saw the institution as being a legitimate tool with which to challenge and rebalance the overuse of power; the extent to which it resonated with Solomon Islanders as political agents.

This thesis contends that in order for the TRC to have ‘touched the heart’ of Solomon Islanders, it needed to engage with them as both moral agents and political agents. As the commission’s analysis was underpinned by a moral–political ideology, I contend that both components of the human rights discourse needed to ring true with the way in which Solomon Islanders conceptualised their experiences during the ethnic tensions. While Chapters 8 and 9 will consider the way in which the TRC engaged with Solomon Islanders in their capacity as moral agents, Chapters 6 and 7 will explore the extent to which the institution and discourse resonated and engaged with them as political agents. The chapters conceive of ‘political’ power in a broad, Foucauldian sense as the power dynamics that constitute social relationships, or as Robson describes, ‘[politics] is concerned with the study of power in society ... its nature, bases, processes, scope and results ... the struggle to gain or retain power, to exercise the power of influence over the other, or to resist that exercise’.  

In writing about the South African Truth and Reconciliation Commission, Paul Gready claims that the human rights discourse is dual in nature. On the one hand, he asserts, human rights is a discourse ‘of violence and violations (victims, perpetrators)’, yet on the other hand, according to the natural rights tradition that gave rise to the international human rights framework, it is also a discourse of ‘idealism and just resistance ... an affirmation of collective self-reliance, resistance, and the role of the “righteous”’. Human rights, therefore, should not only be considered a legal–analytical tool for the interpretation of violence and violent acts, but also an emancipatory tool for resisting the tyrannical

266 Gready 2010:10.
267 Robson 1954:3.
or draconian tendencies of the powerful. In collating the stories of the victims of human rights violations, Gready claims, truth commissions provide an opportunity to ‘speak truth to power’.  

And yet the Solomon Islands Truth and Reconciliation Commission provides a unique case study in the transitional justice anthology, not least because of the difficulty it presents in identifying both a clearly defined political transition and the very power to which testifiers might speak their truth. According to the Westphalian tradition, alongside which the fields of transitional justice and human rights developed, the ‘power’ to which testifiers would speak their truth was the institutional apparatus of the nation-state. But as Solomon Islands is a recently independent, widely dispersed Pacific Island country, the state holds very little political authority here. As Chapter 4 describes, little popular notion of statehood exists outside of the capital, Honiara, and the ‘state’ claims very little power which could be misused against its population: its misgivings have been interpreted more in terms of what it has failed to achieve in communities with regard to under and inequitable development rather than direct abuse of the population. While state culpability can be claimed against some human rights violations that occurred during the ethnic tensions, as the following chapters will describe, this was primarily due to the disintegration of official bodies such as the Royal Solomon Islands Police Force and their integration with armed non-state militia. In the relative absence of the state apparatus, it is fitting that human rights ‘awareness’ in Solomon Islands has turned inwards, away from the externally focused relationship between the people and the state and onto the power dynamics that exist within families, as Chapter 6 will detail.

With regard to political transition, transitional justice initiatives have historically assisted with two types of transition: firstly, that from authoritarian to democratic governance, and secondly from periods of conflict to those of peace. In the first instance, truth commissions have played major roles in unearthing information kept secret by authoritarian regimes, particularly regarding human rights violations committed against dissidents. There have been no strategic attempts by Solomon Islands governments to censor information and, in the country’s short post-colonial history, it has always (on the surface at least) functioned as a democracy.

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269 Although, as Chapter 6 will illustrate, the TRC report found the state was complicit in acts of physical violence against Solomon Islands population during the ethnic tensions.
270 Ironically, it can be argued that it is the post-TRC Solomon Islands governments that have been the most active in censoring information from the public in their refusals to release the TRC report on the grounds of its ‘sensitivity’.
271 While Solomon Islands has held democratic elections since independence, elections have been plagued by instances of corruption, bribery and nepotism that have been made worse by the country’s weak political party system and tendency for ‘floor-crossing’.
skirmishes and the intimidation and threat of violence, this transition is less clear-cut than in many other post-conflict countries that have employed transitional justice mechanisms.

The following two chapters will suggest that beyond questions of the immediate political relevance of the TRC, there are historical factors in the development of Solomon Islands political ideology that have prevented the TRC and human rights discourse from ‘touching the heart of the people’. The TRC’s ability to resonate with some Solomon Islanders on a political level, I will argue, was complicated by the country’s colonial history, its status as a recently independent nation-state and a legacy of anti-colonial resistance movements. I will suggest that one reason human rights have failed to ‘take root’ in Solomon Islands is the fact that the discourse was predated by other resistance discourses broadly conceptualised under the notion of kastom. While kastom carries moral and value-based connotations to most Solomon Islanders, scholars have demonstrated the political construction of kastom as a means of asserting collective self-identity against the colonial ‘other’. Kastom-informed anti-colonial movements, such as the Moro Movement and Maasina Rule, continued to exert influence in the anti-state rhetoric of many ex-combatants during the ethnic tensions. The TRC, as I shall describe, failed to engage with combatants in their self-identification as custodians of kastom and bring them under the umbrella of human rights victimhood. Instead, like many previous TRCs, the Solomon Islands Commission focused on acts of physical violence at the expense of broadening its scope to include structural violence. In addition to this, my data suggests that some Solomon Islanders perceive the human rights discourse as closely aligned with the institutional apparatus of the state and intended to circumscribe their political power — thus further alienating them from identifying as rights holders.

A second, yet related, argument concerns the particular way in which the human rights discourse has developed in Solomon Islands. As Chapter 6 shall illustrate, while human rights protections were written into the constitution upon independence, a human rights ‘awareness’ only really developed in Solomon Islands in the conflict and post-conflict periods. When it did, it developed along a very specific, and ultimately gendered, trajectory. This trajectory occurred along two parallel but seemingly contradictory narratives — the first concerned with increasing gender equality both in the home and in public and political life; the second concerned with the protection of perceived vulnerable groups, including women. While the government has been outwardly supportive of both of these narratives, significant traction has been made in relation to the vulnerability/protection narrative while the equality narrative has been met with obstacles and community resistance. As the

272 See Chapters 8 and 9 for a discussion on the moral connotations of kastom.
following chapters shall detail, this dynamic has led to the popularisation of a protectionist, and potentially depoliticised, version of human rights. Drawing on Merry’s concept of vernacularisation, the chapters shall consider the power dynamics of these narratives and how the TRC engaged with both of them.

While it is important to note, as Chapters 8 and 9 will argue in detail, that the people of Solomon Islands neither wanted nor expected a ‘political’ truth commission, but rather ‘a moral body, a principled approach’,274 the TRC did not operate in a political or discursive vacuum — the human rights subjectivities it endowed upon the people whose stories it collected were saturated with assumptions about the nature of their power, agency and authority. The following chapters imagine the TRC as a quintessential Foucauldian ‘regime of truth’, asking, to what extent was the TRC an expression of grassroots activism, or to what extent did the institution and its associated discourse quash or circumscribe the agency of ‘victims’ and ‘perpetrators’? Human rights, as the opening quote of this section, from Gready suggests, has historically been a counter-hegemonic discourse, a language with which to ‘speak truth to power’. Yet, if human rights is so closely associated with the (rejected, resisted) state by many Solomon Islanders, to what extent can the TRC and human rights be seen as an embodiment of hegemonic power in post-colonial Solomon Islands?

The focus of Chapter 6 is to consider the specific trajectory of human rights ‘awareness’ in the conflict and post-conflict periods, whilst Chapter 7 will provide a detailed analysis of the TRC’s engagement with human rights as a political discourse.

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274 Interview with Bob Pollard, Honiara, 3 June 2014.
6. The Development of Political Ideology in Solomon Islands and the Limited Trajectory of the Human Rights Discourse

This thesis argues that a human rights mentality only really developed in Solomon Islands in the conflict and post-conflict periods. The focus of this chapter is to document the development of the human rights discourse as a political ideology in post-conflict Solomon Islands, and contrast it with the ideology of kastom, which solidified during colonial rule and was used to express frustrations against state policy during the ethnic tensions. Despite the fact that human rights protections — modelled on the UDHR — were drafted into the Solomon Islands Constitution upon independence, my data suggests that most Solomon Islanders did not come into contact with the vocabulary of human rights until much later. The chapter will argue that when a human rights mentality did develop in Solomon Islands, it did so along a very limited, and ultimately gendered, trajectory that has prevented Solomon Islanders from being able to identify with the full range of human rights subjectivities available within the discourse. Drawing on Merry’s concept of vernacularisation, the chapter will also argue that one ‘version’ of human rights that has developed post-conflict represents a protectionist narrative of rights victimhood that ultimately serves to reinforce gender hierarchies and threatens to depoliticise rights subjectivity. I will suggest that much of the ‘backlash’ that has occurred against the human rights ideology in Solomon Islands comes from a drive, largely from men, to preserve these gendered power hierarchies which themselves are a legacy of the colonial encounter.

Discourses of Resistance

When Solomon Islands gained independence from British colonial rule in 1978, the Solomon Islands Constitution established a nation-state whose citizens would be guaranteed fundamental human rights and freedoms modelled on the wording of the Universal Declaration of Human Rights. Chapter II of the constitution provides protection for the rights to: life; personal liberty; protection from slavery and forced labour; protection from inhuman treatment; protection from deprivation of property; protection for privacy of home and other property; protection of the law; freedom of conscience; freedom of expression; freedom of assembly and association; freedom of movement; and protection from discrimination on the grounds of race, etc.

However, as these rights were bestowed by a ‘state’ that as yet hardly existed beyond name and exerted very little influence across the newly founded ‘Solomon Islands’, the country’s population
remained largely unaware of their new identity as citizens, let alone their newly endowed subjectivity as human rights holders. Therefore when tensions began to rise in the late 1990s, and the population started to express their frustrations against state-backed resource development policy, very few people used the terminology of human rights or human rights violations to frame their grievances. Instead, as Matthew Allen has documented, many of the men who were to become militants in the conflict framed their grievances in terms of affronts to kastom. According to Allen:

A central theme for ex-militants on both sides of the conflict is the historical and contemporary relationship between their peoples and the state ... Both sides draw upon a rich tradition of resisting the state ... particularly its perceived imposition upon kastom law ... 275

He goes on to explain ‘the overtly political dimensions of kastom — particularly as an ideology of resistance to perceived external domination and exploitation’. 276 In this reading of the conflict, Solomon Islanders perceived the state, or the gavman, as imposters — merely an extension of colonial power. Rather than framing their relationship with (and grievances against) the state in terms of the legal contractual relationship of human rights, the state is framed as a neo-colonial ‘other’ exerting unwelcome influence over Solomon Islanders’ way of life and values — their kastom.

These grievances might equally have been framed in terms of violations of social, cultural and economic rights — Solomon Islands had ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) on 17 March 1982 — or as violations of the right to be free from racial or ethnic discrimination — the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) was ratified on the same day. But knowledge of international human rights protections and their application at the grassroots level was extremely limited until the conflict period — when violence began to draw international attention and personnel to the country. Until the ethnic tensions, human rights were either unknown (to most people) or viewed as an elite language associated with the bureaucracy of international relations — a necessary prerequisite for membership of, and participation in, the international community. The discourse was certainly not perceived as a tool belonging to the people to protect their safety and interests vis-à-vis the potential overuse of state power. Interviewees told me that they had only started hearing the term ‘human rights’ during the tension period. During this time, and to this day, ‘human rights awareness’ is largely limited to urban centres, partially as a result of large numbers of foreign personnel.

275 Allen 2016:5.
276 Allen 2016:16.
beginning to move through the capital city, bringing Solomon Islanders into contact with ‘Western’ ideologies and vocabularies.

### The Gendered Trajectory of the Human Rights Discourse: The Vulnerability–Emancipation Dynamic

When the discourse did begin to develop, it did so along a very specific, ultimately gendered, trajectory — and this trajectory occurred according to two diametrically opposed narratives. The first narrative was concerned with the protection of groups of people perceived as being vulnerable — women, children and, more recently, people with disabilities. This narrative propagated a widespread misunderstanding of the breadth of the human rights discourse amongst Solomon Islanders — an assumption that it pertains only to the rights of women and children. This was affirmed through my interviews and also by other researchers who have studied women’s rights in Solomon Islands.²⁷⁷ This narrative has also contributed to a widespread association between human rights victimhood and vulnerability: victimhood is seen as both gendered and infantilised. Powerless female or childlike victims are seen as being reliant on adult males to not only protect them from violence, but also to refrain from committing violence against them.

However, the human rights discourse has also been adopted as a vocabulary to advocate for greater gender equality and to challenge entrenched power hierarchies between men and women in Solomon Islands society, particularly in the public and political spheres. This reveals a double-edged sword which I refer to as the vulnerability–emancipation dynamic. According to an understanding of rights as protection, people who are perceived as weak and defenceless are offered protection from a benevolent state, partner or family against something that can generally (or outwardly) be agreed upon as morally abhorrent — for example rape or domestic violence.²⁷⁸ Alternatively, rights as empowerment has proven less easy to accept, as it requires a redistribution of power and an unsettling of the protector/protected dichotomy. This focus on protection and vulnerability has meant that the ‘version’ of human rights that has developed in Solomon Islands has essentially served to reinforce rather than challenge gendered power imbalances.

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²⁷⁷ Anna-Karina Hermkens says of her fieldwork in Marau, for example, ‘Many informants equated human rights with rights for women and children’ (Hermkens 2013:173).
²⁷⁸ Although most people I have spoken to in Solomon Islands would never outwardly say that domestic violence is acceptable, research conducted in the 2009 *Family Health and Safety Study* suggests that both men and women believe that there are circumstances in which a man is justified in hitting his wife (Secretariat of the Pacific, Community 2009).
Whilst the Solomon Islands community has been very responsive to advocacy framed within the ‘vulnerability’ narrative, the ‘emancipation’ narrative has consistently met with roadblocks — with both the government and the wider community displaying reluctance to embrace it. Government concessions — when they have been made — have amounted to little more than lip service or the ticking of gender-mainstreaming boxes now seen as necessary prerequisites for the securement of international funding. During a 2016 campaign to introduce temporary special measures (TSMs) to increase the number of women in parliament (to date, only four female Solomon Islanders have served as members of parliament), permanent secretary of the Ministry for Women, Youths, Children and Family Affairs (MWYCF) Ethel Sigimanu, claimed that:

During the TSM campaign, the voice against us was the loudest. A sound enabling environment was not enough to convince our leaders that TSMs are an approach to fast track women’s equal political representation in politics.279

A report documenting the outcome of the campaign states:

TSMs were seen as a foreign concept applicable internationally, but not in Solomon Islands. CEDAW, often used as an entry point for TSMs, was understood by the wider electorate as a foreign instrument that did not apply to Solomon Islanders. In a society with deeply entrenched perceptions as to a woman’s place in public life, consultations may be where TSMs derive their legitimacy, but they can also work against the acceptability of the measures.280

Conversely, significant momentum has been gained in terms of initiatives to reduce violence against women (or ‘family violence’ as it has been framed in order to deflect criticism of male vilification), at least in terms of legislation and public awareness. For example, in 2016 the government enacted the Family Protection Act 2014, a law that criminalises domestic violence. The law accords with international standards in domestic violence legislation, defining violence broadly to include physical, sexual, psychological and economic abuse. Nearly all people I interviewed were in favour of the criminalisation of domestic violence — this is one element of the human rights discourse that people seemed to be overwhelmingly supportive of. On the other hand, despite the government’s drafting of the National Gender Equality Policies of 2010 and 2016,281 and the inclusion of gender equality indicators in national development strategies,282 no progress has been made either in legislative or practical terms on bridging the vast gender gap in parliament.

280 Ibid.
281 See Ministry for Women, Youth, Children and Family Affairs 2016.
282 See, for example, Ministry of Development Planning and Aid Coordination 2016.
Why Do Human Rights (Only) Equal Women’s Rights in Solomon Islands?

There are a number of possible explanations for why the human rights discourse gained traction around the particular issue of women and gender at the time of the ethnic tensions. One explanation might simply lie in the response to a need — as the following section will illustrate, there exist deeply held beliefs regarding appropriate gender roles in Solomon Islands’ society. While some of these beliefs, particularly those regarding female subservience to men, are undoubtedly a legacy of ‘disintegrative encounters’ with foreign patriarchal cultures (for example, Solomon Islands still upholds many of the outdated laws introduced by colonial Britain that the UK has long since amended), some — especially those that pertain to cultural tambu regarding male and female filial relationships — have arguably evolved to protect communities from incest. Domestic and gender-based violence is a significant problem in the country, with a Secretariat of the Pacific Community (SPC) report suggesting that it has some of the highest rates in the world.

This still begs the question as to why public ‘awareness’ of women’s human rights gained such ground during the ethnic tensions period in particular. As there is no reliable data on levels of violence against women in Solomon Islands before the conflict, researchers have little way of knowing whether the period saw a dramatic increase in rates of gender-based violence. Whilst the TRC and Amnesty International reports suggest that combatants on all sides of the conflict, including government personnel, used gender-based violence — particularly sexual violence — to torture and intimidate victims and their families, anecdotal evidence suggests that prior to the conflict domestic gender-based violence was both widespread and normalised. One interviewee told me that:

prior to the tensions there wasn’t much data collected and hitting your wife was seen to be the normal thing to do ... to really brutally hit another human being, that would be considered violent, but to just give a slap, a quick punch, maybe that’s considered normal ... Rape in marriage is normal. Especially if you’ve been paid for, if money has been exchanged for you.

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283 For example, according to s.39 of the Labour Act 1960, ‘Women cannot be employed during the night in any undertaking, except raw materials or materials in course of treatment which are subject to rapid deterioration, emergency, responsible position, nursing caring for sick or health and welfare work, in a cinema, hotel bar restaurant and club, pharmacist’ (Jivan and Forster 2007:346).
284 See Chapter 9 for a full discussion.
285 Secretariat of the Pacific, Community 2009.
287 Interview with ‘E’, 5 June 2014.
The 2009 Solomon Islands Family Health and Safety Study: A Study on Violence Against Women and Children conducted by the SPC found that women in Solomon Islands suffered extremely high rates of sexual and domestic violence at the hands of their intimate partners. For example, the study reported that 64 per cent of ever-partnered women had experienced their partner being physically violent towards them, 55 per cent had been the victims of sexual violence and 56 per cent had experienced emotional abuse. Due to taboos and shame around talking about sexual violence in Solomon Islands, it is likely that these figures underestimate the extent of the problem.

However people expressed surprise when the study showed Solomon Islands to have some of the highest rates of gender-based violence in the world, with an interviewee explaining to me her disbelief that Solomon Islands was being painted in so negative a light — ‘Where did they get their data from?’ She suggested to me that this discrepancy was more likely due to differences in perception of what levels of physical punishment constituted violence rather than inaccuracy on the part of the researchers. This observation affirms the normalisation of gender-based violence and the likelihood that less extreme forms of violence, particularly domestic violence, are likely to have gone underreported.

Another possible explanation pertains to broader trends in international development. Kilby and Olivieri describe how, in the mid to late 1990s, international aid organisations, including those present in Solomon Islands such as AusAID, then known as the Australian International Development Assistance Bureau (AIDAB), were experiencing a shift in the way they conceptualised gender programming. The authors describe a move away from a tokenistic ‘welfare’ approach to gender to integrating gender more broadly and holistically across development policy — a move that has come to be referred to as gender mainstreaming:

During the mid 1990s, the notion of Gender and Development (GAD) and the idea of ‘mainstreaming’ gender into development work gained currency and began to take over from the former WID [Women in Development] approaches. GAD represented a change to the approach to gender issues in development in a number of ways. Firstly, it changed from a ‘needs-based’ to a ‘rights-based’ approach, covering ideas such as human rights, equality and empowerment for women … Secondly, it prompted a shift from the idea that the solution to gender inequality was not only by integrating women into development, but more importantly integrating gender into policy.

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288 Secretariat of the Pacific, Community 2009:3.
289 Interview with ‘L’, 7 July 2014.
290 The author acknowledges the closure of the Australian Agency for International Development (AusAID) in 2013, and its absorption into the Department for Foreign Affairs and Trade (DFAT).
The trend coincided with, or was possibly prompted by, the Fourth World Conference on Women in 1995, which gave rise to the Beijing Platform for Action — a progressive global agenda for women’s empowerment that pressed the need for ‘urgent and sustained action … to transform the structures, institutions and norms — economic, political and social — that are holding back progress on gender equality’.\textsuperscript{292} Not only did gender mainstreaming prioritise a human rights-based approach to development, it also recognised the huge obstacle that gender inequality was to sustainable economic development in the global south.

The answer could lie in an amalgamation of these newer trends alongside the influx of foreign institutions and personnel to Solomon Islands in the post-conflict period. The ethnic tensions led to a significant increase in international funding\textsuperscript{293} as well as the arrival of the Regional Assistance Mission to Solomon Islands in 2003. Scholars have documented a perceived correlation between the arrival of RAMSI and the popularisation of the human rights ideology. Matthew Allen, for example, quotes from an interview he conducted with ‘L’, who told him:

> The real problem which is happening to us since RAMSI has come in is the balance of power in the family because of the rights for women which RAMSI has introduced … It has really changed the balance of power in the family and men no longer have the same rights which we have always had from when I was a small boy up until 2003.\textsuperscript{294}

And yet RAMSI was notably different from other peacebuilding interventions of the time precisely because it lacked an explicit human rights agenda. A governance-focused regional intervention, it stood in stark contrast, for example, to the recent (human rights and transitional justice-driven) UN Mission in Timor-Leste (UNMET). Sue Ingram, the head of RAMSI's Machinery of Government pillar from 2004 to 2007 describes how ‘the yawning absence in the mission was the absence of any structural component … looking specifically at human rights, which is absolutely critical in the post conflict context on so many fronts’.\textsuperscript{295}

However, whilst not explicitly framed in terms of human rights, women’s political empowerment was a key program in RAMSI’s Machinery of Government pillar. Ingram describes how, in developing RAMSI’s Women in Government project, she was responding not only to evident gender inequality in Solomon Islands’ political system, but also to a recognition that post-conflict peacebuilding would only be sustainable with the involvement of women in positions of authority. Whilst women had

\textsuperscript{292} United Nations 1995.
\textsuperscript{293} See, for example, Cox et al. 2012.
\textsuperscript{294} Allen 2009:12.
\textsuperscript{295} Interview with Sue Ingram, Canberra, 15 January 2019.
been active peace advocates during the ethnic tensions, they were entirely ostracised from formal peace negotiations. She told me:

Something I’d taken very much to heart while working as part of the UN transitional administration as part of the peacekeeping mission (in Timor-Leste) was UN Resolution 1325 and all that embodied, and the importance of women in post conflict settings in positions of responsibility … There was a lot of evidence around suggesting that women in positions of authority were less susceptible to corruption, and corruption and conflict so often go hand in hand.296

Other scholars have documented the proliferation of ‘awareness-raising’ workshops in Solomon Islands’ communities, conducted by international inter- and non-governmental organisations as well as government bodies in compliance with international funding streams. These workshops focused mainly on the rights of women and children. Talking about the area of Marau where she also conducted fieldwork, Anna-Karina Hermkens describes how:

[...]he human rights programs that have been conducted in Marau mainly focused on rights for women and children. They addressed gender issues, like how to deal with disagreements between men and women, and domestic violence. Consequently, many informants equated human rights with rights for women and children.297

Hermkens argues that the focus on women’s (and children’s) rights at the expense of men’s rights in Solomon Islands is due to the biases of the international organisations that push a women’s rights agenda and conduct human rights reporting in the region. She claims that the emphasis betrays an international cultural bias that vilifies culture as being oppressive to women, framing them as dual victims — both of violence and the cultures that sanction that violence. She writes that:

the tendency of NGOs and organisations such as AusAID to emphasise and generalise women’s situations, to frame local gender relations and culture as sustaining gender inequality, and to stress the growing importance and significance of indicators in assessing human rights and gender violence, ignores local contexts, reduces women to victims, and displaces alternative concepts of violence, social relations, rights and values.298

However, rather than challenging the essentialist notions of culture that she critiques, Hermkens’ argument leans towards a romanticisation of Solomon Islands culture — an apologetic response to universalism that itself is essentialised — as it overlooks the complexity of the power dynamics within and among Solomon Islands communities. I suggest that the primary reason the vulnerability

296 Interview with Sue Ingram, Canberra, 15 January 2019.
narrative of human rights has thrived whilst the emancipation narrative has stalled is precisely because the vulnerability narrative serves to reinforce gendered power hierarchies, while the emancipation narrative threatens them.

**Kastom, Colonial Resistance and Gendered Hierarchies**

As scholars such as Rebecca Monson have argued, while an element of gender hierarchy may have existed prior to colonisation, it was tempered — in Guadalcanal and much of Western Province at least — by matrilineal systems of land inheritance. Whilst it is important not to confuse matriliney with matriarchy, matrilineal systems nevertheless placed women in positions of authority over the tribe’s most valuable assets. Monson has noted that throughout the chronology of interactions between Solomon Islanders and outsiders, outsiders have unwittingly created the ‘big man’ culture of political authority through their tendency to negotiate with individuals (men) rather than the entire tribe:

As was the case with traders, missionaries and colonial administrators before them, loggers and provincial authorities today wish to identify and engage with individuals rather than entire matrilineages—a process that is facilitated by the requirements of the state legal system. This has enabled a small number of individuals to carve out a ‘big man’ status and strengthen their power base within their matrilineage by obtaining and distributing logging revenue.[299]

Ironically, this contradicts the oft-cited criticism of the rights discourse put forward by many Melanesians — that it prioritises the individual at the expense of the community.300 Therefore, whilst Solomon Islanders can be seen to have been collectively subjugated in the colonial encounter, some individual Solomon Islanders actually gained power in the process. Further, while men as a demographic felt that their power was undermined by the colonial administration, as was expressed through various anti-colonial movements, colonisation served to reinforce male power in the area of gender relations. In both cases, *kastom* has been used as a discursive tool — to challenge power in the area of political resistance and to legitimate power in the area of gender-relations. Both anti-colonial resistance and male dominance over women have also been explained by the need to protect ‘traditional authority’. As Chapters 8 and 9 will document, many Solomon Islanders feel that encroaching modernity is threatening and undermining traditional authority, particularly with individualism and gender equality being pushed by human rights advocates.

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300 See, for example, Dickson-Waiko 2001; Fraser 2010; Jolly 2004.
Interestingly, when *kastom* is used to legitimate male authority over women, it is often expressed in terms of protecting the moral rather than political order. By framing power hierarchies as morally and spiritually ordained, they are presented as an expression of the ‘natural order’ — thus deflecting criticism and critique. Consider, for example, the following excerpt from an interview I conducted in Marau:

God created Adam and Eve in the garden and he said — I will take you from the [inaudible] — I won’t take you from the leg or the head, but I’ll take you from where love comes, so that a woman should be the supporter of the husband. And human rights gives equal rights to a woman, yeah, which contradicts what the Bible says, and you will find these days, it causes marriage break ups. You might not believe it, but that’s what happens, because everyone has the right. In my culture, women have ... I mean their right comes to a level and not beyond that of the husbands — when husband says, ‘No, don’t do this’, women have to submit, but when human rights come, women feel every ... just in the same level. So, just like iron beating against iron, it causes fire. So that’s one part of human rights I don’t accept.301

Here, male authority over women is presented as biblically sanctioned and therefore part of the right (and just) moral order. When women are granted equality with men, the natural order is threatened and chaos will ensue. This fear of moral degeneration caused by the human rights discourse will be discussed in greater detail in Chapters 8 and 9. For my participant, the promotion of gender equality, rather than being an effective means of reducing gender-based violence, was in fact the cause of violence as men were forced to reassert the upset power imbalance in their homes. My data suggests that some men in Solomon Islands feel genuinely threatened by human rights as they think that it promotes a subverted hierarchy in which men must be subjugated to women. Women’s rights advocate Elsie Wickham told me, for example, that the male staff she worked with in the Honiara prison at Rove were convinced that the human rights ideology placed woman on a higher pedestal than men; she said, ‘Men in the correctional service were surprised that human rights said nothing about women being better than men.’302

Sandra Bernklau, then-director of SPC’s Pacific Regional Rights Resource Centre (RRRT) explained human rights ‘backlash’ as ultimately about the drive to protect power. She said:

It’s really about not wanting to share power. That’s the bottom line ... Every change that comes in, be it religion, be it human rights — is pushing change against hierarchical systems. Equality is deeply troubling for many societies. Not just gender equality. But in general — some societies are BUILT upon inequality — the need for it — caste ... class ... chiefly —

301 Interview with Johnson Apoo, Marau, 7 May 2014.
302 Interview with Elsie Wickham, Honiara, 30 June 2014.
you’re threatening the entire power base just by this one value ... Now human rights is this other affront to those older systems and again people are uncomfortable with that.\textsuperscript{303}

Researchers Richard Eves and Stephanie Lusby also describe men in Malaita’s ‘tendency to see power in terms of a “zero-sum game”, where any gain in power for women is taken to be a loss of power from men, and so should be resisted’.\textsuperscript{304}

The Political Authority of Human Rights

Human rights expert Jack Donnelly has stated that ‘most leading comprehensive doctrines now see human rights as the political expression of their deepest values’.\textsuperscript{305} But with the particular trajectory of the human rights discourse in Solomon Islands, to what extent can human rights be considered to have developed as a political ideology here? In other words, to what extent is human rights a politically authoritative ideology for the people of Solomon Islands, and has it provided them with a discourse to ‘speak truth to power’? The answer depends entirely on who is doing the speaking and the power to which they speak. As we have seen, power in post-colonial Solomon Islands is heavily gendered, and thus the experience of negotiating with a more powerful ‘other’ will be vastly different for men and women. Whilst men have historically asserted agency against the colonial and post-colonial state, women have historically asserted agency against male control over their lives. In addition, it is important to note that because of the state’s notable absence in most Solomon Islanders’ lives, frustrations against the state have generally been prompted by neglect rather than its overuse of power.

Solomon Islands men have tended to use the ideology of kastom to voice their political grievances, and in the limited time that the human rights discourse has been ‘vernacularised’ in post-conflict Solomon Islands, human rights subjectivities have become profoundly gendered. The notion of the female victim and male perpetrator/protector has served to limit the availability of human rights victimhood to men whilst also overlooking the possibility that women too can be culpable in human rights violations. There are some outliers to this phenomenon and some examples exist of human rights being used in a gender-neutral fashion. For example, as noted in Chapter 5, the anti-colonial Freedom Movement drew on the Universal Declaration of Human Rights to legitimate calls for self-governance and self-determination, although this was quickly quashed by the British administration. Child rights programs in Solomon Islands, for example, as run by the international NGO Save the

\textsuperscript{303} Interview with Sandra Bernklau, Suva, 11 September 2011.
\textsuperscript{304} Eves et al. 2018:42.
\textsuperscript{305} Donnelly 2013:59.
Children, are gender-neutral. However, they too have played out according to the vulnerability–emancipation dynamic. As Part 3 of this thesis will illustrate, when framed according to the vulnerability narrative of child protection, such programs have been widely embraced. However, when children and young people have used the rights discourse to disobey or challenge their parents’ authority, they have provoked a reaction dismissive of human rights as an anti-kastom Western ideology that promotes a dangerous anarchy and individualism.\(^{306}\)

Notably, SICA and the Civil Society Network framed their government-focused advocacy for the establishment of the TRC in human rights arguments. For example, Matthew Wale told me that:

> In my mind there were ... themes that were coming out very clearly. One is the general lack of respect for human rights, and understanding human rights ... two, what I really wanted to see was a standing human rights commission, a constitutional human rights commission.\(^ {307}\)

Importantly, however, the Network framed its community-based advocacy in ideologies that were thought to have resonance at the local level, according to the Christian and kastom principles of forgiveness and reconciliation.\(^{308}\) My interview with Matthew Wale suggests a willingness on the part of faith-based organisations to adopt a human rights framework where it was expedient and convincing to do so.

For Merry, the process of vernacularisation involves individuals or organisations ‘trying on’ new subjectivities as a person would new clothes. She gives an example of a woman taking on a human rights subjectivity, writing:

> She tries it on, not abandoning her other subject positions as partner/wife, member of a kinship network that usually includes her partner's family as well as her own, along with other subject positions such as ‘local’, Christian, and poor. She is, in a sense, seeing how it goes.\(^{309}\)

Intermediaries or ‘translators’ are particularly adept at shifting between subjectivities as they are familiar with various discourses that resonate with different audiences and ‘pitch’ their argument

\(^{306}\) In recent years, the introduction of the UN Human Rights Council’s Universal Period Review (UPR), with compulsory reporting for all UN members states, has forced the government at least to begin to consider a much broader conceptualisation of human rights subjectivities. Solomon Islands have submitted two UPR reports to the council — the first in 2011 and the second in 2016 (Solomon Islands government).

\(^{307}\) Interview with Matthew Wale, Honiara 5 July 2012.

\(^{308}\) Morgan Wairiu has suggested that the formation of the Civil Society Network demonstrated the determination of civil society ‘to bring about a new political order’ in the face of government inaction over the ethnic tensions (Wairiu 2006:410–11).

\(^{309}\) Merry 2006:46.
accordingly. As intermediaries, SICA and the Civil Society Network can be seen to have ‘danced’ between justice lexicons depending on their advocacy audience, translating human rights ideas ‘down’ and translating customary and religious ideas ‘up’. As Merry states:

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

In highlighting the vulnerability–emancipation dynamic, I am not in any way suggesting that the women (and men, as some men are also gender advocates) who advocate for the ending of violence against women are not activists — indeed, they are activists in the truest sense of the term, as they not only lobby the government for legislative and policy reform, but also their families and communities to adopt new ways of thinking about violence. However, they are also translators — and have collectively pitched their arguments according to the audience they seek to convince. The most convincing narrative through which to frame women’s rights in Solomon Islands has proven to be the vulnerability narrative, as it positions men so that they can embrace women’s rights whilst not having to forfeit their power in the gender hierarchy. Therefore, while men have benefitted from this narrative, we may argue that so too have women, as it has identified and wedged open a gap in an otherwise difficult to penetrate mindset. As Vasuki Nesiah has written, ‘[t]hose struggling against injustice have to analyse the political landscape for where they might find the thin wedge to pry open the door’.

It is important to ask: is human rights a counter-hegemonic or a hegemonic ideology in Solomon Islands? The answer is far from simple. On the one hand, the discourse is closely associated with the Westphalian state that many Solomon Islanders have rejected as neo-colonial. Despite the fact that human rights have applied more to filial relationships in the private sphere of the home than they have to the public relationship between the people and the state, the discourse remains

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310 The idea of ‘dancing’ between vernaculars depending on the audience you are presenting an idea to was given to me by an interview with a World Vision staff member in Honiara. She suggested that in advocating for human rights protections, different terminology was thrown back and forth between herself and her audience, like a dance, until eventually they found middle ground and a common understanding.
311 Merry 2006:42.
312 Nesiah 2016:5.
313 Consider Donnelly’s claim that human rights is a hegemonic ideology: ‘Today, human rights are backed by the world’s preponderant political, economic, and cultural powers and have become ideologically hegemonic in international society. Not only do few states today directly challenge international human rights, a surprisingly small number even seriously contend that large portions of the Universal Declaration do not apply to them.’ Donnelly 2007:282
intimately connected to notions of statehood. It is apparent that many men see the discourse as hegemonic: an imposed ideology that is threatening the social fabric of their society. Yet, on the other hand, human rights have proven a compelling vehicle for women to negotiate power that may otherwise have been non-negotiable.

The question of a hegemonic or counter-hegemonic ideology is crucial — the level of political authority the human rights discourse has with the people depends upon it. In reality, it seems to occupy an ambiguous space between the two, demonstrating how any ideology might function as a tool of either oppression or emancipation, depending on how it is used and who uses it. The same can certainly be argued of kastom.

The following chapter will look at the way in which the Truth and Reconciliation Commission used the human rights discourse to analyse the violence that occurred during the ethnic tensions and question the degree to which the institution capitalised on the political potential of the discourse. As we shall see through the next three chapters, kastom played a negligible role in the truth-seeking process. However, Christianity did play a role — occupying not a counter-hegemonic but arguably a subaltern space, opening an opportunity for Solomon Islanders to speak using a vernacular that had meaning to them — one that was seen as ‘morally authoritative’ as opposed to ‘politically authoritative’.
7. The Political Authority of the Truth and Reconciliation Commission: Human Rights and Political Agency

The purpose of this chapter is to examine how the Solomon Islands Truth and Reconciliation Commission engaged and resonated with Solomon Islanders in their capacity as political agents. As I previously describe, a central argument of this thesis is that in order for the TRC to have succeeded in ‘touching the heart’ of the people, it needed to have resonated with them both on a moral level and a political level. As a transitional justice model, the TRC analysed conflict-related violence through the framework of human rights: a discourse complete with internationally normative assumptions regarding moral and political personhood.

However, as Chapter 6 illustrates, the human rights discourse only became popularised in Solomon Islands very recently and has developed along a very limited trajectory. This trajectory comprises two seemingly contrasting narratives — one concerned with the protection of perceived vulnerable groups, and the other concerned with achieving equality and levelling power hierarchies. As I have discussed, while the former, protectionist narrative has been broadly embraced by communities and governments alike, the latter, equality-focused narrative has been met with resistance, with many Solomon Islanders (particularly men) feeling that equality threatens to undermine traditional authority and the values associated with kastom. I refer to this phenomenon as the vulnerability–emancipation dynamic and suggest that it is crucial to an analysis of the TRC’s political resonance.

The previous chapter also describes the gendered nature of human rights subjectivities in post-conflict Solomon Islands, with human rights holders or victims being broadly conceived of as female and human rights duty bearers or perpetrators being broadly conceived of as male. I argue that this gendered and conflicted version of human rights has served to limit the ability of all Solomon Islanders to engage with the full range of subjectivities available within the discourse. Further, the widely held conception of human rights as a tool to negotiate power within families may have prevented people from also seeing it as a tool to negotiate power with the state — historically, the ideology of kastom has served this role.

This chapter therefore questions to what extent the political resonance of the TRC was limited by the particular ‘version’ or ‘vernacularisation’ of human rights that had developed in post-conflict Solomon Islands. Did the TRC attempt to challenge the vulnerability–emancipation dynamic, or did it merely replicate it? And did the TRC attempt to broaden the applicability of rights subjectivity to
both genders? Did the TRC engage with former combatants in their self-identification as custodians of kastom, and did it attempt to align this subjectivity with the human rights framework? Ultimately, the chapter is concerned with the question: to what extent was the Truth and Reconciliation Commission a meaningful opportunity for Solomon Islanders to speak truth to power?

**Human Rights Violations in the Solomon Islands Truth and Reconciliation Commission**

This chapter begins with an overview of the TRC’s human rights mandate and the analysis it conducted of conflict-related violence. As Chapter 5 describes, the human rights mandate of the TRC was set out in the Truth and Reconciliation Commission Act 2008. From the outset, the TRC’s agenda was clearly and explicitly framed in terms of international human rights and humanitarian and criminal justice protections.

Section 5(1)(b) of the TRC Act 2008 states that:

> The objects and function of the Commission shall be to promote national unity and reconciliation by — (b) examining the extent of the impact on human rights violations or abuses which occurred between 1st January 1998 and 23rd July 2003, including the destruction of property, deprivation of rights to own property and the right to settle and make a living.

Section 5(3) goes on to qualify that ‘human rights violations’ include:

- (a) killings, abductions, enforced disappearances, torture, rape, sexual abuse, persecution of any identifiable group, forced displacements, deprivation of liberty, serious ill-treatment of any person; 
- (b) the violation of other fundamental rights and freedom which are guaranteed under Chapter II of the Constitution; 
- (c) any attempt, conspiracy, incitement, instigation, command or procurement to commit such violations; or 
- (d) destruction of any property including personal or public property.  

While the protections guaranteed under Chapter II of the Solomon Islands Constitution are exclusively those which would be considered civil and political human rights, the TRC chose to interpret its mandate broadly to include what it deems ‘soft rights’, or violations of social, economic and cultural rights, along with the human rights of women and children. At the time the TRC was established, Solomon Islands had ratified four international human rights treaties and the

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314 Chapter II of the Constitution of Solomon Islands 1978 protects the rights to life; personal liberty; protection from slavery and forced labour; protection from inhuman treatment; protection from deprivation of property; protection for privacy of home and other property; protection of the law; freedom of conscience; freedom of expression; freedom of assembly and association; freedom of movement; and protection from discrimination on grounds of race, etc.

commission therefore chose to include those in its considerations, broadening the somewhat narrow definition contained in the TRC Act 2008. These treaties were: the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); the Convention on the Eliminations of All Forms of Discrimination Against Women (CEDAW); the International Covenant on Economic, Social and Cultural Rights (ICESCR); and the Convention on the Rights of the Child (CRC). 316

The TRC was highly ambitious and aspirational in its attempt to draw on a broad range of international and domestic sources of human rights, criminal and humanitarian law. This, it was felt, would give weight and legitimacy to its analysis. Perhaps the most aspirational element of the TRC’s human rights analysis was its decision to use the definitions of crimes against humanity contained in the Rome Statute of the International Criminal Court as the baseline for its analysis of tension-related violence. Despite the fact that the TRC had no judicial powers and Solomon Islands was not a state party to the International Criminal Court (ICC), the report states that:

The TRC decided to base its definition for the classification of the human rights and international humanitarian law violations committed during the armed conflict in Solomon Islands during 1998-2003 on the Rome Statute. Although this may cause some disquiet, the concern was to have some internationally-recognized benchmark as a guide to assessing the violations of human rights and international humanitarian law which occurred during the armed conflict. In taking this approach, the TRC does not ignore the exacting standards of investigation and evidence required for criminal prosecution under the Rome Statute. However, in present circumstances, it is being referred to as a reference point in which to contextualize the violations and criminal acts that were committed during the period. 317

As I shall describe, the TRC’s decision to use the Rome Statute as the benchmark for its analysis led some activists to wrongly believe that former combatants would later be prosecuted as war criminals at the ICC. 318 Therefore, while the allusion to international criminal standards may have added an aura of authority to the TRC’s analysis, it also inadvertently contributed to a false impression of the TRC’s level of influence at the international (legal) level.

The report itself is divided into five volumes, ranging in size from 203 pages (Volume II, which covers the analysis of human rights violations) to 377 pages (Volume IV, which contains transcriptions from

316 No further human rights treaties have been ratified since this time.
318 Even if Solomon Islands were to ratify the Rome Statute as per the TRC’s recommendations, the convention could not be applied retrospectively.
the commission’s 11 public hearings). Volume I contains an executive summary as well as a historical narrative looking at the ‘antecedents and root causes’\(^{319}\) of the conflict. Volume III considers specific impacts of the tension, firstly on woman and children, secondly on the health and education sectors and more broadly on Solomon Islands’ economy. It also contains an overview of the TRC’s Exhumations and Victims Program and the report’s overall recommendations. Volume V is a collection of annexes, including a section detailing the history of the TRC and profiles of the TRC commissioners.

As this chapter will unpack in detail, despite the TRC’s insistence that it interpreted its mandate under the 2008 Act as broadly as possible, its human rights analysis was surprisingly limited, with only six categories of violations singled out for in-depth scrutiny. These were: killings; abduction and illegal detention; torture and ill-treatment; sexual violence; property violation; and forced displacement\(^{320}\) — all of which were believed to be most prevalent during the ethnic tensions. The remainder of this chapter will attempt to answer the questions set out earlier in order to assess the TRC’s political resonance with the people of Solomon Islands.

**Human Rights Subjectivities in the TRC Report**

To answer the question of whether the TRC’s analysis was limited by or attempted to challenge the particular version or ‘vernacularisation’ of human rights prevalent in Solomon Islands at the time of its establishment, it is necessary to look at the way in which human rights subjectivities were constructed — both in the report itself and through the truth-telling process. I suggest that while the TRC was both aware of and went to lengths to challenge the vulnerability narrative of human rights, in some respects, this narrative was replicated both through the truth-telling process and in the TRC report. I suggest that the TRC’s attempts to challenge the narrative were limited both by constraints implicit in the truth commission model, but also by a drive to be apolitical so as not to unsettle a fragile peace. This drive has continued into the present, even after the TRC has completed its work. The government’s reluctance to ‘speak truth’ for fear of inflaming political sensitivities and igniting further violence has been demonstrated in an unwillingness to officially release the report to the public. I will begin this critique by considering the way that human rights violations, and therefore human rights victims, were conceptualised in the truth-telling process.

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Human Rights Violations and Human Rights Victims

The TRC was established as a result of widespread disillusionment with state-led reconciliation. One of the key frustrations voiced by those who advocated for the commission was that the state had wrongly conceptualised ‘victimhood’ through targeting its reconciliation and compensation programs largely towards the appeasement of ex-combatants. The TRC report criticizes, for example, the EXIM bank compensation program, stating:

\[ \text{the great proportion of monies borrowed from the EXIM Bank of Taiwan for this purpose was paid for dubious claims made by militant leaders, politicians, public servants and well-connected persons, leaving most of the genuine victims destitute, disillusioned and despairing.} \]^{321}

The state-led reconciliation process was felt to be overly politicised — what was needed instead was ‘a moral body, a principled approach’\(^{322}\) that would prioritise the victims who had suffered violence during the ethnic tensions. In some ways, this approach would require a reconceptualisation of the way the peace process had framed victimhood so far. During the conflict, combatants had seen themselves as the victims of successive governments that had either completely neglected them (as in the case of Malaitans and people from the Weather Coast) or allowed outsiders to take over their land and disrespect their kastom (as in the case of people from Guadalcanal). In the new conceptualisation of human rights victimhood put forward by the Truth and Reconciliation Commission, civilians who had not fought became the innocent victims of the conflict, while ex-combatants were framed as human rights perpetrators or duty bearers.

The TRC did attempt to look broadly at the impacts of the conflict on both those who had suffered violence and those who had been directly involved in fighting through its dual mandate of examining both patterns of violations and the root causes and antecedents of the tensions. However, the use of binary victim and perpetrator subjectivities\(^{323}\) and the fact that the TRC was established to prioritise the needs of the victims of violence sent a clear message regarding whose side the commission was on. From the outset, ex-combatants were extremely weary of the TRC, assuming the initiative was a ploy by RAMSI to trick them into self-incrimination. David Tuhanuku, who was responsible for the commission’s initial setup, told me:

322 Interview with Bob Pollard, Honiara, 3 June 2014.
323 The term ‘perpetrator’ is used interchangeably with ‘ex-combatant’ and ‘ex-militant’ in the TRC report. Although it is clear the TRC did not see all ex-combatants as perpetrators, it is certainly possible that this was the impression given.
Now when we started there was some strong resistance from the militants, especially the Malaitans. They actually spoke out openly against the establishment of the TRC and they said that it was not going to work ... We had a lot of threats against myself and against the commissioner representing Guadalcanal. I worked through some church leaders, some community leaders on Malaita, to try and convince the former militants that what we were doing was not what they feared, that it was somehow a conspiracy between RAMSI and the government, to find information that will be eventually used against them.324

Ex-combatants might be forgiven for believing that the TRC was a judicial body aligned with RAMSI. Despite a clause in the TRC Act 2008 stating that no information given to the TRC would be admissible as evidence in court,325 Guthrey documents the arrest of members of the militant group the Black Sharks whilst giving their testimonies to a TRC hearing in Western Province.326 Further, the use of victim and perpetrator subjectivities — terms laden with legal connotations — by an extrajudicial body in the absence of due process may have been perceived as unfair by the people labeled with those subjectivities, especially those considered ‘perpetrators’.

**Gendered Human Rights Subjectivities: The Vulnerability Narrative**

The reframing of victimhood to refer only to those who had suffered physical violence necessarily meant that human rights subjectivities in the TRC process were gendered. Women and girls were disproportionately the victims of violence during the conflict, with sexual violence being commonplace. While the human rights mandate set out in the Truth and Reconciliation Act was overwhelmingly gender-neutral, Section 5(2)(c) mandated the commission to give special attention to ‘the subject of sexual abuses and to the experiences of children within the armed conflict’,327 and Section 6(4) states that ‘the Commission may also implement special procedures to address the needs of such particular victims as children or those who have suffered sexual abuses’.328

The TRC chose to interpret this mandate so as to conduct a full analysis not only of the experiences of children in the conflict, but also of women — demonstrating a conflation between sexual violence and gender-based violence:

This chapter shall attempt to fulfill this mandate [of researching sexual violence] in greater depth beyond simply documenting human rights abuses against women... to understand, in addition to sexual violence against women, also the gendered background, experiences and

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324 Interview with David Tuhanuku, Honiara, 4 June 2014.
325 Solomon Islands Truth and Reconciliation Act 2008 S.20(f)
326 Guthrey 2015:36.
327 TRC Act 2008 5(2)(c).
328 TRC Act 2008 6(4).
impacts of the conflict.\textsuperscript{329}

Although the TRC received very few reports of sexual violence (only three per cent of the total reported human rights violations), the commission estimates that this is a vast underestimate of the violations that occurred, with people being unwilling to talk due to fear of social stigma or ostracisation from their families or communities. The reports that the TRC did receive are extreme: sexual violence was committed against children, sexual slavery was prevalent, especially amongst members of the GRA who ‘kept’ women for months against their will, gang rape was the norm, and weapons were used to rape women vaginally and anally. Rapes were committed by militia on all sides of the conflict, including those acting on behalf of the state as part of the Joint Operation.\textsuperscript{330}

Sexual assault against women was also used as a means of humiliating or punishing their male relatives who were considered to be ‘spear’ or spies. Women were also treated as mere war bounty — rape of a female family member was an alternative way to claim compensation from a man who had refused or was unable to pay in cash or goods. The report states:

\begin{quote}
If a man or boy was alleged to be a spy, his sister, daughter, mother or other female relative would be sexually violated in that person’s presence. Given the context of avoidance between male and female relatives throughout Solomon Islands this was the ultimate form of humiliation and degradation to human dignity.\textsuperscript{331}
\end{quote}

The TRC concludes that this pattern:

\begin{quote}
was a consequence of pre-existing perceptions of women as objects which ownership could be exerted over, combined with social disruption, irreverent behaviour by militants with power and guns, and the breakdown in traditional forms of security for women and girls.\textsuperscript{332}
\end{quote}

The TRC’s conflation of sexual violence with women’s human rights violations also led the commission to dedicate most of a single volume exclusively to women’s experiences of the conflict. Consistent with an understanding of women as primary rights holders, Volume III is by far the most in-depth and comprehensive human rights section in the TRC report. However, this is largely due to the fact that, as will be explained later in the chapter, the material for Volume III was not only based on research carried out by TRC staff, but also on data collected in a parallel, unofficial truth-seeking project run by local women’s rights advocates, Herem Kam.

\textsuperscript{329} Solomon Islands Truth and Reconciliation Commission, Final Report, Volume III, 539.
\textsuperscript{330} Solomon Islands Truth and Reconciliation Commission, Final Report, Volume II, 470.
\textsuperscript{331} Solomon Islands Truth and Reconciliation Commission, Final Report, Volume II, 498.
\textsuperscript{332} Solomon Islands Truth and Reconciliation Commission, Final Report, Volume III, 609.
Male Victimhood: Reversing the Vulnerability Narrative

However, this conflation of sexual violence with female victimhood also speaks to another dynamic closely related to the vulnerability narrative I describe. I would like to turn the attention to an incident I witnessed during my fieldwork to illustrate the dynamic I am referring to.

Although women and girls were disproportionately the victims of sexual assault during the conflict, the TRC also found that sexual violence was prevalent against men and boys. These assaults took the form of forced nakedness, forced masturbation, violence against sexual organs and being forced to witness sexual violence.\footnote{Solomon Islands Truth and Reconciliation Commission, Final Report, Volume II, 470.} As Chapters 8 and 9 will describe, it is highly taboo (tambu) for women to speak openly about sexual violence as this violates an unspoken tenet of kastom that forbids a male relative to hear about his female relative’s sexual life. As such, speaking about sexual violence is doubly shameful for a victim as it also implicates her in contravening the norms of kastom and bringing shame upon her male relatives. Anecdotal evidence from my fieldwork, however, suggests that it is even more deeply shameful for a man or boy to be a victim of sexual violence, and speaking about male victimhood is taboo to the point that the topic produces great social discomfort and incites ridicule.\footnote{The fact that the evidence is anecdotal is indicative of the taboo nature of talking about both sexual violence against males and homosexuality, which are often incorrectly conflated topics.}

I attended a UNDP-run peacekeeping workshop at the Iron Bottom Sound Hotel in Honiara. Most of the participants who attended had worked with the TRC and many were now trained trauma counsellors.\footnote{See Chapter 8 for a detailed discussion of the role of trauma counsellors in the truth-telling process.} The topic of sexual violence against men and boys was raised and a participant stood up and asserted that ‘sexual violence against men and boys does not occur in Solomon Islands because we are a Christian country and there is no homosexuality here’. The room immediately exploded in laughter — not at the logic of the participant’s statement — but because the topic was so uncomfortable to raise in public.

According to the argument put forward, it is impossible for men and boys to be victims of sexual abuse, as this would negate their masculinity and imply they are homosexual. As homosexuality ‘does not exist’ in Solomon Islands, it follows that Solomon Islands men cannot be sexual violence victims. This accords with the vulnerability narrative of human rights, which equates victimhood with femininity — for men to identify with a human rights victim subjectivity would be both emasculating
and disempowering. It is likely that this logic lent a bias to the work of statement takers as they gathered data regarding the incidence of violence against men.

Merry and Coutin have referred to inherent biases in human rights reporting as ‘technologies of truth’ — ‘[a]ssumptions about evidence, categorization, adjudication, and measurement privilege certain forms of suffering over others, even as they omit phenomena that defy categorization’. 336 It is possible that, in addition to the ‘technologies of truth’ common to most truth commissions (such as blindness to structural violence, as will be discussed shortly), other ‘invisible modes of power’ 337 implicit in Solomon Islands’ cultural biases meant that certain forms of violence were rendered largely invisible in the TRC process.

**Challenging the Vulnerability Narrative of Women’s Rights**

As described, the TRC interpreted its mandate to give special attention to patterns of sexual violence so as to conduct an in-depth analysis of the gendered impacts of the conflict. The commission states that Volume III’s purpose is to move beyond simply documenting acts of violence to recognise that gender-based violence is indicative of broader structural inequities:

> The Commission understands that patterns of gender-based human rights violations may be explained, at least in part, by prevailing social norms and ideologies on sexual differences and identities, and the institutional structures that maintain and reproduce them. However, emergencies, such as a violent conflict, often aggravate normal situations. In societies where aggression against women is prevalent even in peaceful times … during a violent conflict women become one of the most vulnerable groups in society. 338

This broad interpretation may have much to do with inputs from the Herem Kam initiative and report. Herem Kam was the result of collaboration between Solomon Islands women’s rights activists and the International Committee for Transitional Justice (ICTJ). It involved five regional workshops culminating in a three-day national workshop attended by 60 Solomon Islands women. The final report, *Herem Kam: Stori Blong Mifala Olketa Mere: Women’s Submission to Solomon Islands Truth and Reconciliation Commission*, 339 provided a great deal of the data and analysis on which Volume III was based, and strongly endorses an emancipation narrative, promoting women’s empowerment and gender equality. The report strives to debunk the myth of female victimhood by not only

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336 Merry and Coutin 2014:1.
337 Ibid.
339 Translates from Solomon Islands Pijin as ‘come and listen to the stories of all of us women’.
referring to some women as exacerbators of conflict-related violence, but also highlighting women’s role as peace advocates during the tensions. The executive summary opens as such:

When the conflict erupted women united and took on a formidable role as peacemakers. They proved themselves as peacemakers, heads of households, counsellors, and leaders. There were some women, as there will always be, whose negative involvement exacerbated the conflict, but the overwhelming impression is one of women as champions of peace. They were innovative in their methods of survival, and were inclusive and strong in their resolve to help bring the conflict to an end. Despite this, women were excluded from the peace talks in Townsville in 2000 and even today there are no women members of national parliament.340

Whilst Volume III of the official TRC report is not as strongly worded as the Herem Kam report, it does demonstrate both a keen awareness of the vulnerability dynamic and a drive to challenge it. The report draws attention to the association of victimhood with femininity and tries to counterbalance this narrative by also focusing on the active roles women played as peacebuilders during and after the conflict period, stating that ‘[e]ssentialist paradigms often present narrow depictions of women’s experiences during conflict as either “women as victims” or “women as peacemakers” ... They showed a remarkable capacity to adapt’.341 In situating the violence experienced by women during the tensions in the broader contexts of not only ongoing peacetime gender-based violence, but also patterns of gender inequality in Solomon Islands’ society, Volume III stands apart from the rest of the report as a mini case study on women’s rights, drawing links between the physical and structural violence experienced by women and engaging critically with the vulnerability–emancipation dynamic described above.

Also interesting in Volume III is the way structural inequalities between the genders in Solomon Islands society are further contextualised within the broader historical narrative of Solomon Islanders’ interactions with outsiders. For example, the report discusses how the introduction of the cash economy began to give men more negotiating power over land, even in traditionally matrilineal societies. Therefore, one interviewee is quoted as saying:

In most cases they sell the lands or arrange for logging companies to come and operate on our lands without the consent of us women. In Guadalcanal customs, women are the boss over the land; they hold the birth right ownership over the land. These newly adopted attitudes reflected by males contradict the original Guadalcanal custom. They want to be the boss.342

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The section of the report focusing on women’s experiences therefore succeeds where the remainder of the report does not, bringing structural gender-based violence within the framework of the human rights narrative. The result of this can be likened to a Russian *matryoshka* doll of human rights violations, with patterns of physical violence embedded within patterns of structural violence. Physical violence against women is contextualised by the structural violence of gender inequity. However, gender inequity is further contextualised by the structural violence of the ‘sequence of disintegrative contacts with global forces’. The section achieves in minutiae what the TRC report as a whole fails to — a holistic human rights narrative, as will be described shortly.

**Gendered Power Dynamics in the TRC Process**

For the purposes of this analysis, it is important to recognise the difference between the TRC report as the final product of the commission, filtered through the perception of international authors and editors, and the TRC process as it was experienced by Solomon Islanders. My fieldwork data suggests that for the women who took part in the process as testifiers, there was a feeling that it too mirrored the problems inherent within the vulnerability–emancipation dynamic. Many described the TRC process as replicating the problems associated with the notion of victimhood as vulnerability — in particular, the gendered dynamics of victimhood described above.

Thus, despite the TRC’s focus on sexual violence and violence against women, there was a definite sense that the process of truth-seeking, particularly in the form of public hearings, was a distinctly masculine experience. Not only did women consistently report that they felt overlooked by the official TRC process, but the structure of the hearings reflected too closely the dynamics of the courtroom — an arena, along with all public professions in Solomon Islands, overwhelmingly dominated by men. Thus women felt ‘naked’ and on show as they stood to present their stories to a group of commissioners, spectators and media teams — one interviewee reported:

One woman said “I felt really naked being up there, airing out all my ... the things that had happened to me. I didn’t feel really secure.” It was *aired on tv!* You know! [I felt], you shouldn’t have done it! You should have blinded the face of the person you talk with, so that no one recognise them, yeah? They should have done that. They were asking these women to talk about their experiences — really bad.343

The powerlessness and feeling of being part of a voyeuristic process meant that women’s political agency as human rights holders was neutralised through the very process that was meant to reaffirm

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343 Interview with Judith Siota, Honiara, 11 June 2014.
their personhood — to ‘give voice’ to their suffering. Ironically, some women negotiated this dynamic through their refusal to participate in the TRC process. In their silence and refusal to give their stories to the TRC, women guaranteed their own safety from public shame and humiliation: political agency was asserted through opting not to participate in the TRC process — ‘[f]or women, sometimes their silence is louder, stronger and safer than anything they say out loud because of the risks involved in telling their stories’. 344

Another way women mitigated this dynamic was through the innovative Herem Kam project. The Herem Kam project achieved success in key areas in which the TRC itself struggled. Firstly, in bringing women together in small, closed stori circles, Herem Kam was much more in tune with customary approaches to truth-telling and created a non-threatening environment in which women could speak freely. Thus, Elsie Wickham, one of the leaders of the project, told me:

> Because it wasn’t so much an interrogation, the women were, you know ... they were allowed to just tell their story the way they wanted to, the way they felt, without having ... There were leading questions, but we weren’t questioning them like what was happening with the Truth and Reconciliation [Commission]. It wasn’t a court, it wasn’t a hearing so to speak, it was just a space for the women to come and tell their stories.345

Secondly, because of the ethnic diversity of attendees — women were brought together from Guadalcanal, Malaita, Western Province, etc. — the small stori circles achieved a level of interpersonal reconciliation that evaded the TRC. Despite modeling itself largely on the South African TRC process, the Solomons Commission failed to achieve the interpersonal dynamic between ‘victims’ and ‘perpetrators’ that was so central to the South African Commission’s operation. Although all participants in the Herem Kam circles were cast as victims rather than perpetrators, their identities as ‘Malaitan’, ‘Guale’ etc. meant that they took on representative personas for their islands’ ‘ethnicities’, creating new friendships between previously hostile peoples. Women had not been actively involved in the tensions as combatants, but in standing in for those who were, they asserted a political agency that had been denied to them in the official peacebuilding process, from which they were ostracised.

Interestingly, there was little use of human rights vocabulary in the Herem Kam stori circles, despite the fact that the women leading them were known as prominent women’s rights activists within the Solomons’ community. One leader asserted:

345 Interview with Elsie Wickham, Honiara, 30 June 2014.
We didn’t really talk about human rights as such. It was more about their experiences ... We didn’t really go through the ... the human rights ... what I know of the human rights ... it was just a sharing of their experiences.\(^{346}\)

As a discourse of political emancipation, or even of vulnerability, in the absence of male power-holders, the need for a vocabulary of negotiation, of concessions, leniencies and conferred freedoms was negated: there was no ‘other’ to wrestle power from.

**Human Rights Victimhood: Crimes Against Humanity Verses Structural Violence**

I would now like to turn the attention towards the TRC’s construction of human rights subjectivities more broadly. In particular, this section will contrast the way the TRC considered physical violence, or violations of civil and political rights, with the way it considered structural violence, or violations of social, cultural and economic rights. While the TRC report stresses a broad approach to human rights, inclusive of social and economic violations, the ways in which the two types of violence/violations are framed are vastly different — having direct implications for the TRC’s representation of human rights victimhood.\(^{347}\)

As I outline, the TRC focused its human rights analysis on six categories of physical violence. These were: killlings; abduction and illegal detention; torture and ill-treatment; sexual violence; property violation; and forced displacement.\(^{348}\) The human rights analysis contained in Volume II is heavily legalistic in tone and opens with an in-depth consideration of the legal applicability of international criminal law (genocide and crimes against humanity), international humanitarian law (war crimes) and international human rights law (human rights treaties and the UDHR) to the Solomon Islands crisis. International legal standards are presented as the justice discourse *par excellence*, and the report is explicit in sourcing its definitions of human rights abuses from the Rome Statute of the International Criminal Court’s definitions of crimes against humanity. While the report recognises the non-applicability of the International Criminal Court (ICC) (Solomon Islands is yet to ratify the Statute), it refers to its provisions in order ‘to have some internationally-recognized benchmark as a

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\(^{346}\) Interview with Elsie Wickham, Honiara, 30 June 2014.

\(^{347}\) The traditional division of human rights as either ‘civil and political’ or ‘economic social and cultural’, or second generation rights, is misleading. First generation rights have traditionally been labelled as ‘political’ as they refer to a basic standard for citizens in a functioning democracy — the right to vote, to move freely within national borders and to choose one’s religion. Second generation rights, however, are considered to be protections that require a government to invest significant time and resources in protecting and, as such, the International Covenant on Economic, Social and Cultural Rights committee considers it permissible for state parties to realise these rights gradually, over time. However, to suggest that first generation rights are more ‘political’ than second generation rights is extremely misleading. The open-ended nature of these protections leaves them open to (mis)interpretation and exploitation by duty bearers: where a government chooses to invest its resources is a highly politicised topic, one on which elections are won and lost.

guide to assessing the violations of human rights.  

**Crimes Against Humanity — ‘A Crime So Heinous’**

As Chapter 3 details, the truth commission model emerged as an alternative to criminal prosecutions in the aftermath of gross human rights atrocities. Focused on recording the stories of victims as opposed to punishing perpetrators, truth commissions are based on a restorative rather than retributive transitional justice approach, although the two are often seen as complementary and are used simultaneously.

Solomon Islands had no criminal prosecutions for human rights violations. While the RAMSI-led ‘tension trials’ saw many ex-combatants incarcerated for conflict-related offences, they were based entirely on domestic criminal law. The fact that they lacked a human rights focus is evidenced by the complete absence of prosecutions for acts of sexual violence committed during the conflict. It is very likely that in alluding to what it considers the highest standards of human rights law, the TRC is responding to this gap in Solomon Islands’ transitional justice process. As previously mentioned, after the TRC report was unofficially released, there was hope amongst those who had fought for its establishment that the report might lead the country to hold international criminal tribunals in the nature of those for Rwanda and the former Yugoslavia. However, the use of the Rome Statute gave an appearance of international legal authority that the TRC in fact lacked, as well as evoked a sense of gravity and moral condemnation towards the six categories of physical violence.

The term ‘crimes against humanity’ commonly refers to the most grave and serious of human rights violations when they are committed in a widespread and systematic fashion by a government against its population. The definition is concerned exclusively with acts of physical violence that are considered to violate international customary norms by the nature of their immorality — crimes which by their nature are cross-culturally abhorrent. As Geoffrey Robertson explains, the concept describes:

> A crime so heinous that it is “against humanity” because the very fact that a fellow human being could conceive and commit it demeans every member of the human race, wherever they live and whatever their culture or creed ... What sets a crime against humanity apart is that it is an act of real brutality ordained by government — or at least by an organization exercising or asserting political power.  

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This necessarily creates a hierarchy in the human rights framework — one that identifies violations of bodily integrity rights as more heinous and grave than violations of social, economic and cultural rights, and, indeed, international criminal law deals exclusively with bodily integrity rights as opposed to less overt structural injustices.

While it is certainly likely that the TRC’s six identified human rights violations were the most prevalent during the conflict, in reality these categories were predefined, chosen because of the limited awareness of the human rights discourse in Solomon Islands. The report reads:

These [six] violations were identified on the basis of the Act and that the familiarity of Solomon Islanders with the notion of human rights and rights violations was limited ... To ensure that the concept of human rights violations was properly understood, it was therefore necessary to formulate the violations in simple terms and group similar violations together to facilitate the work of statement takers in the field, because people did not distinguish between some of these violations, as well as to enable the victims to identify more readily the types of violations and abuse they suffered.351

Statement takers described to me how they went into the field with a ‘checklist’ of human rights violations that they were required to mould people’s subjective experiences into. At the same time, some statement takers didn’t use the vocabulary of human rights at all when describing their work to people. For example, Welchman, a statement taker and researcher for Guadalcanal told me: ‘When you use [the local language] you’ve already gone away from human rights themes ... so most time I didn’t use this thing about human rights or conflict’.352 The provisions of the Rome Statute were therefore translated to accord with local understandings of suffering — as Louise Vella has written of the TRC, these international standards were in effect ‘lost in translation’.353

Returning to Merry and Coutin’s concept of ‘technologies of truth’, the ‘[a]ssumptions about evidence, categorization, adjudication, and measurement privilege certain forms of suffering over others, even as they omit phenomena that defy categorization’.354 It is possible to identify these processes at work in the way that TRC staff gathered data. Certainly the predefined categories of human rights violations privileged six specific types of physical violence to be showcased in the TRC report and defined those whose stories could be shaped to have experienced them as human rights victims. One phenomenon that by its nature ‘defies categorisation', however, is structural violence — and whilst the TRC provided a historical narrative of structural violence, it certainly did not cast those

352 Interview with Welchman, Honiara, 19 September 2013.
353 Vella 2014.
354 Merry and Coutin 2013:1.
who had experienced it as human rights victims.

**Phenomena That ‘Defy Categorisation’: Structural Violence**

The idea of structural violence, envisaged as the systems, institutions and mechanisms that create the circumstances that cause people to experience acute suffering, creates a problem for the representation of human rights violations in the work of truth commissions. Structural violence is more diffuse in nature than physical acts of violence and does not allow clear categories of victim and perpetrator to be identified. According to Paul Farmer:

> Social inequalities are at the heart of structural violence. Racism of one form or another, gender inequality, and above all brute poverty in the face of affluence are linked to social plans and programs ranging from slavery to the current quest for unbridled growth. These conditions are the cause and result of displacements, wars both declared and undeclared, and the seething, submerged hatreds that make the irruption of Schadenfreude a shock to those who can afford to ignore, for the most part, the historical underpinnings of today’s conflicts.

Truth and reconciliation commissions have often been criticised for their singular focus on physical acts of violence as opposed to considering the broader structural conditions that created an enabling environment for that violence. For example, Mahmood Mamdani has strongly condemned the South African TRC for what he calls the ‘dehistoriciz[ing]’ and ‘decontextualiz[ing]’ of the crimes of apartheid. He writes:

> If the leadership of the TRC was eager to make the story of apartheid — especially the lessons of reconciliation — universally available, its ambitions were easy to reconcile with equally universalist aspirations of those in the human rights community who looked forward to framing the problem of apartheid as one of a violation of individual rights — albeit on a wide scale. Both shared the tendency to dehistoricize and decontextualize social processes, and to individualize their outcomes.

In focusing primarily on acts of physical violence, truth commissions also depoliticise such violations, either portraying them as isolated incidents or as patterns of violence occurring only within the clearly defined narrative timeframe of a conflict, but not embedded in a longer history. The fact that the Solomon Islands TRC made the examination of the ‘antecedents [and] root causes’ of the conflict part of its mandate, and its numerous allusions to economic, social and cultural rights, demonstrates

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355 ‘Pleasure at another’s’ misfortune’ (German).
357 Mamdani 2002:58.
an awareness of this critique and a drive to broaden its focus beyond physical acts of violence. 358

In accordance with this mandate, Volume I of the TRC report provides a detailed analysis of the history of structural injustices, referred to as the ‘grievance narratives’, of those who engaged in fighting.359 Acknowledging that ‘internal conflicts are often a culmination of actions precipitated by a social environment structured in the past’,360 Volume I considers historical interactions between Solomon Islanders and outsiders including interactions with traders, the blackbirding period, colonialism and the Second World War — the ‘sequence of disintegrative contacts’,361 all of which are portrayed as having exacerbated the likelihood of violent conflict.

The TRC presented a unique opportunity to put forward a broad and inclusive understanding of human rights subjectivities that may have enabled Solomon Islanders to perceive themselves as rights holders whose collective rights were violated through exploitative colonial and post-colonial policy. This framing may have also presented an emancipation narrative that Solomon Islands men were able to engage with, broadening the dynamics of the human rights discourse to not only focus on relationships within families, but also on the relationship between the people and the state. By framing the ‘other’ — or the ‘power’ — to which one must speak truth as extrinsic rather than intrinsic to the ‘private’ domain of the home, Solomon Islanders may have been able to see themselves as collectively holders of fundamental human rights.

However, while the report makes allusions to economic, social and cultural rights, it fails to explicitly frame structural violence as a violation of human rights. It also fails to engage in any systematic manner with the notion of kastom as an ideology of political resistance, framing it instead as merely a moral code — something that was ‘offended’ by the disrespectful actions of people of other island-based identities. Also of note is the TRC’s separation of the historical narrative detailing the root causes of the conflict and the sections analysing human rights violations. Whilst the report engaged with a broad historical narrative of structural violence, it failed to do so within the human rights framework that was so crucial to its analysis of tensions-related violence. As a rights framework necessitates an understanding of rights holder and duty bearer identities, establishing both a power

358 As a number of international staff had significant experience working on truth commissions elsewhere in the world (commissioner Sofia Macher and head of research Ludwig Huber, for example, both held the same positions with the Peruvian Truth and Reconciliation, which ran from 2001 to 2003), it is likely that they went to lengths to ensure that the TRC did not repeat the mistakes of previous commissions.
359 Allen 2016.
361 Braithwaite et al. 2010:16.
and an obligation relationship between the two, refraining from using this framework to talk about the causes of the tensions serves to politically neutralise that narrative.

In bringing physical acts of violence under the human rights narrative whilst considering structural violence under a separate, non-human rights focused narrative, the TRC report unintentionally reinforces the notion of a hierarchy of suffering, antithetical to the principle of the indivisibility of rights promoted by the international community. This is ironic as the report itself states that ‘non-hierarchical order’ is one of the ‘basic principles’ that governed its research and analysis: ‘[t]he cases and themes selected were not considered more important than other cases and themes that were left to be privately investigated’. However, this ‘basic principle’ only claims non-hierarchy in those incidents considered to be ‘cases and themes’. The principle still fails to explicitly underline the relevance of human rights subjectivities — in particular, victimhood — in the discussions regarding the historical ‘antecedents’ and ‘root causes’ of the tensions.

This is congruent however, with the development of human rights awareness in Solomon Islands, especially its focus on vulnerability. When a human rights violation can be judged to be morally abhorrent, it has proven much easier for advocates to create public pressure around the issue. However, topics that are felt to be political, because they fundamentally challenge the balance of power, are more strongly resisted by those whose power is threatened.

If human rights are considered to embody the overlap between political and moral thought, then ‘crimes against humanity’ might be seen as the point on which this overlaps hangs. Rarely, however, is the same moral condemnation extended towards structural conditions. Perhaps structural violence is just far too messy to engage with — especially with time-bound institutions such as truth commissioners. Human rights narratives lend themselves to clear protagonists — victims and perpetrators. When we delve into structural injustices, the boundaries of guilt, blame, victimhood and culpability become blurred — it is not possible to assert blame, and attempting to do so threatens to drag the conversation into the same inflamed rhetoric that led to conflict in the first place.

Physical violence is an altogether cleaner subject to deal with. Victims and perpetrators are clearly identifiable and it is much easier for the onlooker to engage from a moral, or moralizing, perspective. Physical violence is also less politically messy, making it easier for the onlooker to take sides.

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Recognising the structural injustices that gave rise to an environment in which conflict was likely to happen would also require a greater degree of political commitment from new governments, as it would likely implicate both the current and previous government and colonial policy in creating these conditions. It would also require significantly more resources and span a much broader historical period.

**Speaking Truth to Power: Culpability and Solomon Islands Government**

A final question in considering whether the Truth and Reconciliation Commission enabled Solomon Islanders to ‘speak truth to power’ is whether or not the state was framed as the human rights duty bearer in any part of the TRC report. According to the transitional justice tradition, speaking truth to power would equate to holding the state accountable for its role in human rights violations and recognising the culpability of government agencies and institutions — either for their direct involvement in violence against civilians, or in allowing the violence to take place. Through framing Solomon Islands’ government as the primary duty bearer, the TRC report also presented an opportunity to unsettle the common understanding of human rights subjectivities as strictly gendered, with all men being considered duty bearers and potential perpetrators.  

Government forces were certainly complicit in carrying out acts of physical violence against the Solomon Islands population during the tensions, and with the breakdown of state institutions, particularly the Royal Solomon Islands Police Force, the boundaries between state and non-state actors became increasingly blurred as the conflict progressed. In particular, the creation of two ‘Joint Operation(s)’ between non-government militia forces and the Rapid Response Unit of the Police Force implicated government agencies in human rights violations. The second Joint Operation in particular was complicit in firing indiscriminately at civilians along a Weather Coast shoreline, as well as establishing a ‘camp’ where some 400 civilians were kept prisoner for 10 months. The TRC report states:

363 It is also extremely important to note, however, that developments in international human rights standards that have seen culpability for rights violations placed on third party actors — for example corporations, and indeed, men who commit violence against women — have been important progressions, not least in recognise domestic violence as a human rights violation. That said, even when third parties are considered culpable, the ultimate responsibility for enabling rights abuses to take place, or for not taking adequate steps to prevent them, falls directly on the state according to its due diligence obligations. Of course, human rights subjectivities remain largely gendered in Solomon Islands, even when the state is considered the duty bearer. As Chapter 6 describes, societal norms regarding gender roles mean that nearly all public servants and politicians are men. At the same time, women were disproportionately the victims of conflict-related violence.
The Joint Operation forces established a virtual concentration camp in the village of Malaheti on the Weather Coast in late 2002 while trying to capture Harold Keke and held approximately 400 people from villages on the Weather Coast captive for ten months.\textsuperscript{364}

Whilst the TRC report is clear that it considers the state the culpable party in any violations involving the Joint Operation, for the purposes of data analysis, it chose to consider acts of violence carried out by all militia groups (in addition to state forces) as violations of human rights, stating:

The TRC wishes to emphasize that it has adopted a broad and inclusive view of violations and applied violations definitions to the actions of the armed militant groups as well. If it were to limit it only to Government or state-endorsed armed groups in the latter part of the tension and to the Rapid Response Unit of the Royal Solomon Islands Police Force in the early stages of the armed conflict, then the majority of violations and abuse which were committed by the GRA/GLF/IFM and MEF would not be subject to scrutiny.\textsuperscript{365}

According to the legal principle of due diligence, the state should be considered the duty bearer even in the case of third-party violations. However, such obligations, which would require the state to have taken appropriate measures to prevent acts of violence, are not mentioned at all in the report.

Considering the TRC defined perpetrators as including non-state actors, it is interesting that it chose to base its definitions of human rights violations on those of crimes against humanity in the Rome Statute. If these definitions were applied in a legal setting rather than simply being used as a ‘reference point’, then state culpability would be a necessary factor.\textsuperscript{366} Further, there would also be a requirement that violations were ‘committed as part of a widespread or systematic attack’ by the state against civilians, neither of which was found to be the case in Solomon Islands. In analysing who was responsible for the majority of acts of physical violence during the conflict, the TRC report found that non-state militia were the primary perpetrators in all cases except for those of illegal detention.

\textsuperscript{364} Solomon Islands Truth and Reconciliation Commission, Final Report, Volume II, 357–58.
\textsuperscript{365} Solomon Islands Truth and Reconciliation Commission, Final Report, Volume II, 356.
\textsuperscript{366} “Attack directed against any civilian population” means a course of conduct involving the multiple commission of acts referred to in paragraph 1 against any civilian population, pursuant to or in furtherance of a State or organizational policy to commit such attack’ (Rome Statute of the International Criminal Court Article 7.2(a)).
\textsuperscript{367} Rome Statute of the International Criminal Court Article 7.1.
Ethnic and Racial Discrimination: The International Convention on the Elimination of All Forms of Racial Discrimination

A final surprising ‘silence’ in the TRC report that should be noted is the omission of any discussion around the construction of racial and ethnic identity in line with the International Convention for the Elimination of All Forms of Racial Discrimination (ICERD), to which Solomon Islands is party. Despite the ICERD being one of the few international human rights treaties that Solomon Islands has ratified, and despite the ICERD being highly relevant to the mandate of the TRC, the Convention is only mentioned a few times in passing in the report’s narrative, and these mentions are restricted to lists of ratified treaties — not one section analyses the treaty’s relevance to Solomon Islands’ situation.368 An analysis of how human rights protections under the ICERD applied to discussions around ethnicity as a driving factor for the conflict, would have proven highly relevant to the TRC’s mandate. While the report documents how perceived ethnic and cultural differences were the primary drivers of violence and refers to debates over the framing of the conflict as an ‘ethnic’ tension, there is a reluctance to frame any of these debates in terms of human rights protections or violations.

The fact that Volume II draws heavily on case studies from the International Criminal Tribunal for the former Yugoslavia to illustrate the legal applicability of humanitarian law makes the omission even more striking: no significant comparisons are made between Bosnia’s ethnic cleansing campaign and the ‘ethnic’ tensions.369

Perhaps this is because the authors are attempting to get away from the ‘ethnic hatred’ rhetoric condemned by Tarcisius Kabutulaka, who writes that:

The argument ... that there is something primordial about the hatred between the peoples of these two islands [is] a lazy shorthand explanation that divorces the crisis from contemporary socio-economic contexts ... Ethnicity was simply the arena through which the conflict manifested itself in overt forms; it was the avenue through which frustrations were expressed.370

Whilst this may be the case, it is very rare that any ethnic or racial hatred — be it an isolated incidence or state-led public scapegoating of an entire group — cannot be contextualised within a broader array of socio-economic factors.

Race and ethnic identities are rarely ‘natural’, but, particularly in conflict situations, are often the result of propaganda driven by the political elite to manipulate public opinion. This was certainly the case in Solomon Islands. Clive Moore and Jon Frankel have both documented how opportunist politicians stoked the fire of young Guales’ dissatisfaction by encouraging them to direct their frustrations against outsiders, especially Malaitans.

The fact that ‘ethnicity’ was largely constructed as a means of directing public frustration makes it no less worthy of analysis. The confusion between class and ethnicity is a classic pattern in so-called ‘ethnic’ conflicts that have occurred in the aftermath of colonisation. In Rwanda, for example, Belgian colonists favoured Tutsi landowners for the lightness of their skin, mistaking a feature that was a consequence of class divisions (Tutsis spent much time indoors while Hutus were primarily land-working labourers) as an ethnic distinction. In Solomon Islands, the apparent ‘ethnic’ differences between Guales and Malaitans became solidified in island-specific stereotypes. The labouring Malaitans were portrayed as burly, aggressive and uncivilised whilst the Guales were portrayed as lazy, selfish and Westernised.

Overlooking the human rights implications of ‘ethnic’ discrimination may also have been a strategic decision by the TRC in its attempts to build ‘national unity’ through creating a shared historical narrative. This illustrates a key difficulty in pursuing both ‘truth’ and ‘reconciliation’ through the same institutional apparatus. If reconciliation is prioritised above truth, there is a danger that historical realities may be underplayed in order to avoid provoking inter-group anger. This was certainly the case in the aftermath of the report’s (unofficial) release when the government refused to officially release it for fear of inciting violence. Instead, they sought to create a ‘sanitised’ and condensed version of the report for public consumption. To date, neither the full report nor a sanitised version have been officially released.

The TRC report makes frequent reference to the theme of national unity, suggesting that the scripting of a shared national memory written by Solomon Islanders will contribute to future peace:

371 For an in-depth discussion, see Mamdani 2014.
373 The concepts of ‘national unity’ and reconciliation have been pertinent in Solomon Islands’ politics since before the ethnic tensions. From 1993 to 1997, for example, Mamaloni led the Group for National Unity and Reconciliation (GNUR), forming the leading government political party from 1994 to 1997. Following the Townsville Peace Agreement (TPA) in 2000, the government established the Ministry of National Unity, Reconciliation and Peace (MNURP) to oversee implementation of the TPA.
374 Interview with Phillip Tagini, Honiara, June 2014.
The Commissioners are convinced that a critical reflection on the historical evolution of the country and the creation of a national memory by Solomon Islanders who have more than a mere academic interest in the topic is a crucial step in the process of building a unified and peaceful Solomon Islands.375

My interviews with those who worked for the Ministry of National Unity, Reconciliation and Peace, however, suggest another dynamic — a sense of resentment at the imposition of ‘national unity’ by the state, which approximates to the imposition of post-colonial nationhood. One individual told me that national unity was ‘a fucked up thing’376, while another explained how the imposition of ‘unity’ had in fact stripped Solomon Islanders of their rights:

Solomon Islands is different countries sewn together — or different provinces or different groups trying to work as a nation. It is a very big challenge … in order to unite Solomon Islands, we have to recognise the power that has been stripped off by the colonial masters and our own independence …

It really stripped off rights, it stripped off relationships, resources, benefits, all this because it’s based on British government, on the British system, it doesn’t fit into Solomon Islands. Solomon Islands is owned by the people, the government doesn’t own Solomon Islands.377

This quotation speaks not only of Solomon Islanders’ frustration with both the narrative of national unity propagated by the TRC, but also with the political authority of nation — and state — hood itself. As my interviewee articulates, the imposition of unity has ironically been perceived by many, to ‘strip’ Solomon Islanders of their rights, rather than consolidate their identities as rights-bearing citizens of the state. The quotation also hints at the sense of moral injustice that many Solomon Islanders bring to their engagement with both the notion of statehood, and the ‘rights’ that the state, seemingly benevolently, endows upon the population. As the following chapters shall detail, a moral anxiety around the imposition of external models of governance — and of the parameters of moral values themselves — can be argued to be a key complicating factor in Solomon Islanders’ conflicted interactions with the Truth and Reconciliation Commission.378

376 Interview with D, Honiara September 2012.
377 Interview with Reuben Lilo, 16 June 2014.
378 Post-colonial scholar Makau Mutua has offered an alternative, tripartite, structure of human rights subjectivities to those offered by this thesis. Mutua’s ‘three-dimensional compound metaphor’ comprises three, rather than two subject positions— savage, victim and saviour. For Mutua, the construction of these subjectivities — and indeed the international human rights system as a whole — are ultimately bound up with the European colonial project and serve to reinforce rather than unsettle the global power inequities it established. Thus, rights subjectivities are constructed along racial lines — Mutua states that ‘the SVS (savage-victim-saviour) metaphor of human rights carries racial connotations in which the international hierarchy of race and color is reintrenched and revitalized. The metaphor is in fact necessary for the continuation of the global racial hierarchy. In the human rights narrative, savages and victims are generally non-white and non-Western, while the saviors are white.’ For Mutua, the post-colonial state is posited as the ‘operational instrument of savagery’, while international human rights NGOs play the role of saviours to the savage states’ human rights victims. As such, for Mutua, there can be no emancipatory potential in human rights — on the macro level of international race
relations, Mutua’s depiction of human rights is located unequivocally in the vulnerability narrative. However, while Mutua claims that ‘the issue of power is largely ignored in the human rights corpus’, in his focus on states as the sole ‘savages’ in the human rights narrative, and on race and economics as the main barometers by which power might be measured, Mutua’s analysis overlooks the complexity of power dynamics that exist on micro (sub-national and local) levels.

As this thesis demonstrates, both power and human rights subjectivities have been constructed along gendered lines in the Solomon Islands. To extend Mutua’s metaphor to this micro-level scenario, women (who would accord to Mutua’s victims), have used human rights to navigate power relationships with men (who would accord to Mutua’s savages), all without the assistance of a ‘saviour’. Not only does Mutua’s metaphor fail to recognise the possibility of non-state actors as ‘savages’, but by only recognising the possibility of a singular, vulnerability-focused human rights narrative, Mutua overlooks the multiple ways that so-called ‘victims’ might navigate rights-based subjectivities for their own advantage (see Mutua 2001).
PART FOUR: MORALITIES

The conflict provided an opportunity for the people to turn to God instead of looking to another idol, the iconic TRC. Instead they bring another God, which is the TRC.379

The above quotation is from an interview I conducted with Pastor Nacanieli Seru of the Sycamore Tree Project, a faith-based civil society organisation located in Honiara that works to reconcile ex-combatants with those whom they committed violence against during the ethnic tensions. The quotation is telling as it encapsulates some of the key themes that emerged during my research, in particular the central role that spirituality, or more specifically the Christian God, must play in any ‘authentic’ and meaningful reconciliation process. It also speaks, however, of the anxieties that many Solomon Islanders voiced during interviews — anxieties about their encounters with foreign institutions and ideologies that claim to possess moral and political authority in their world, and the power imbalances that play out during these encounters. Seru’s statement suggests elements of both reservation and resentment towards the self-proclaimed moral authority of the Truth and Reconciliation Commission — its presumptions of universal relevance. Being the most recent in a long series of attempts to put Solomon Islands’ violent past to rest, Seru likens his society’s misplaced faith in the institution to the false idols warned about in old testament scripture — promising redemption but ultimately proving to be spiritually destitute: ‘You shall have no other gods before Me … You shall not make for yourself an idol … you shall not worship or serve them’.380

The following two chapters attempt to unpack some of the complexities and anxieties surrounding the ‘moral authority’ of the Truth and Reconciliation Commission in Solomon Islands. The ideological discourse of human rights and its related institutions such as truth commissions are often written about in academic literature as being legal and secular entities unencumbered by the subjective ambiguities of faith and moralit(ies), but as the discussion around the evolution of human rights and transitional justice in Chapter 3 demonstrated, this is far from the case.

In particular, as was touched upon in Chapter 5 and will be considered further in the following chapter, the idea of a truth and reconciliation commission was very much ‘sold’ to the Solomon Islands public on the basis of its seemingly deep resonances with both Christian theology and Solomon Islands kastom. The people expected a church-led, spiritually meaningful process by which they might come to terms with the past in a way that felt authentic — both to their collective faith as

379 Interview with Nacanieli Seru, Honiara, 10 June 2013.
380 Exodus 20:3–6.
a Christian nation, and to their shared traditional values and practices. Yet ultimately, the institutional machinery of the TRC, coupled with UN and state bureaucracy, quashed any such aspirations, ostracising the church from its operations and pushing Christian subjectivities to the periphery of its ideological framework.

An important epistemological observation to make here is the near inseparability of the concepts of morality and spirituality in Solomon Islands thought. In particular, through my research I found that it is impossible to talk of moral authority in a Solomons context without the assumption that the source of that authority lay singularly with the Christian deity. Moral thought and moral behaviour therefore cannot be considered to exist in a spiritual vacuum, and any claims towards morality in the absence of Christian authority are viewed with deep suspicion. The following chapters will argue that one of the key reasons the TRC failed to ‘touch the heart’ of Solomons people was its reliance on an apparently secular and individualistic (in popular perception at least) moral ideology of human rights at the expense of aligning itself primarily with Christian theology. This led many to interpret the institution as meaningless at best, and dangerously anarchic at worst.

As the chapters will unpack, this picture has more complexity than it would first appear. As discussed previously, the Solomon Islands TRC was modelled directly on the South African Truth and Reconciliation Commission, which achieved relative success using a hybridised ideology of human rights, Christianity and the South African customary principle of ubuntu. However, this ready-made hybridisation, I will argue, failed to transplant successfully into Solomon Islands context. As in the previous chapters that considered the political authority of the Truth and Reconciliation Commission, I will describe how contextual factors including the country’s colonial history; previous encounters between Solomon Islanders and foreign institutions and ideologies; complexities around gender, tambu and kastom; and deep-seated anxieties concerning the rapid pace of modernity ultimately complicated the institution’s transplantation.

Two key strands of data emerged from my research with regard to the moral and spiritual authority of the Truth and Reconciliation Commission. The first strand was the least surprising to me and concerned with the perceived clashes between internationally and locally normative moral ideologies, as well as the logistical processes that led to the ostracisation of the church and faith-based organisations in the TRC process. This shall be the main subject matter of Chapter 8.

The second strand came as more of a surprise to me, and I felt that in unearthing and analysing this data I came closer to a deeper understanding of why the institution of the TRC sat so uncomfortably
with many Solomon Islanders. This strand spoke more of a generalised anxiety — a crisis of authority — that went well beyond the Truth and Reconciliation Commission, and yet was intimately connected to the ethnic tensions and the interactions with the external world which both led to the conflict and came about as a result of it. This strand felt somewhat like peering into a Pandora’s box of Solomon Islands history — one which the TRC had had no interest in opening. This shall be the primary subject matter of Chapter 9.
8. The Moral Authority of the Solomon Islands Truth and Reconciliation Commission

*For SICA, the importance of truth, justice and reconciliation are central themes of scripture, drawing from the very nature of God.*

A truth and reconciliation commission professes to be an institution with moral value, indeed one with moral authority. While the lawmakers who draft truth commission legislation may not make this explicit in TRC preambles, this fact is implicit in the institution’s grounding in international human rights and humanitarian norms. As Chapter 3 describes, the development of these norms was catalysed directly as a result of Holocaust atrocity — the *Universal Declaration of Human Rights* reads, ‘Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind’, and continues to assert the necessity of human rights standards ‘if man is not compelled to have recourse, as a last resort, to rebellion against tyranny and oppression’. Human rights, therefore, is both a political and moral ideology — an attempt to circumscribe absolute power for the achievement of moral ends, made enforceable through the vehicle of international, and in turn national, law.

Thus, when the commissioners of the Solomon Islands TRC opted to hold up the Rome Statute of the International Criminal Court as a benchmark for ‘assessing the violations of human rights and international humanitarian law which occurred during the armed conflict’, they did so with an awareness of its status not only as a benchmark of international legal norms, but as a benchmark of international moral norms also.

In Solomon Islanders’ expectations, however, the Truth and Reconciliation Commission was to have moral resonance beyond the application of international norms — they expected it to have spiritual resonance with their Christian beliefs — indeed they expected it to be a faith-based institution grounded in the principles of biblical theology. Faith-based organisation SICA was largely responsible for ‘marketing’ the idea of a truth and reconciliation commission to the Solomon Islands public. In Solomon Islands, civil society is overwhelmingly composed of faith-based actors and as such it is difficult to extricate faith-based organisations (FBOs) from a hypothetical secular civil society base. Civil society therefore overwhelmingly grounds its understanding of morality and justice in biblical theology, and Christian subjectivities are integral to public understandings of both social justice and appropriate responses to injustice.

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381 Solomon Islands Christian Association 2002.
382 United Nations General Assembly 1948: Preamble.
Taking inspiration from South Africa’s recent truth commission experience, SICA proposed to transplant the model used in the post-apartheid setting into Solomon Islands post-conflict context. For SICA, this ready-made institutional hybrid seemed to promise to be the peace and nation-building project that Solomon Islands people had been waiting for. Indeed there were some similarities between the two nations’ political transitions. Both countries had been former European colonies in which preferential colonial treatment had ingrained notions of racial and ethnic identity in their populations’ mindsets leading to resentment and violence. Further, people in both countries embraced moral value systems that had amalgamated traditional customary principles with adherence to the Christian faith. However, although the South African Truth and Reconciliation Commission had blended international norms seemingly successfully with theological notions such as forgiveness and interpersonal reconciliation, from the outset of Solomon Islands experience a disconnect was evident between the ideological framework through which the TRC would eventually operate and the framework through which the public expected the TRC to operate.

This chapter will begin by considering the moral and spiritual resonance of the central concepts of truth-telling and reconciliation to Solomon Islands’ people before examining why, despite initial attempts to replicate the theological tone of the South African Truth and Reconciliation Commission, a human rights mentality came to take centre stage and the church and faith-based organisations came to feel ostracised by the TRC process. I will argue that choices regarding the commission’s design and implementation, in particular not to include amnesty in exchange for testimonies, contributed to this ostracisation and the pushing of theological understandings of injustice to the periphery of the TRC’s work.

The chapter considers the TRC as a case study in ‘vernacularisation’ and begins to unpack some of the complexities involved in the interplay between Christianity and kastom subjectivities and rights-holder and rights-bearer subjectivities. I will argue that, far from being a simplistic layering of global upon local subjectivities, the vernacularisation process was complicated by the fact that a layering of subjectivities had already occurred in Solomon Islands. As Chapter 5 describes, in the long history of interactions between Solomon Islanders and foreigners, human rights has not been the first ideology, nor the TRC the first institution, which has made claims to universal moral truth and asked Solomon Islanders to adjust their worldview and behaviours accordingly — indeed, Christianity could be argued to be the most successfully ‘vernacularised’ ideology introduced to Solomon Islands.\footnote{According to the 2009 census, 92 per cent of Solomon Islanders identify themselves as Christian, with 90 per cent affiliating themselves with one of the country’s five main Christian denominations: Anglican Church of Melanesia 33 per}
missionaries first arrived in Solomon Islands, whilst some elements of their Christian worldview synthesised readily with pre-existing value systems and spiritual practices — in particular the new faith’s focus on humility, love for your neighbour and restorative justice, others — particularly the individualism associated with the doctrine of personal salvation, did not: those elements of Christian theology which tended to reinforce the status quo were upheld and became central to a Solomon Islands Christian ontology, whilst those which clashed or undermined pre-established values and norms were afforded less prominence.\textsuperscript{385}

Solomon Islands’ history of ‘disintegrative contacts with global forces’ therefore led to a complication of the power dynamics at play between different institutions, discourses and subjectivities in the TRC process. Utilising post-colonial theory, I will explore the idea that during this process, Christianity manoeuvred into the role of the ‘sub-altern’, resisting the hegemony of human rights that dominated the transitional justice model. As a result of this, two distinct narratives became apparent in the final TRC report. On the one hand was a narrative that reflected the voices of those who testified — spiritual in tone and reflective of the Christian ideologies on which the idea of a truth commission was initially ‘sold’ to the Solomon Islands public. On the other was an official narrative grounded in international legal norms that had seemingly little in common, ideologically, with the first.

The history of faith-based advocacy around the Truth and Reconciliation Commission, particularly the role of SICA in garnering public support for a potential TRC through emphasising strong resonances between truth and reconciliation and Solomon Islands’ kastom and Christianity, has been provided in Chapter 5. As such, this chapter will not retell that history, but rather focus on exploring these resonances further, considering why the concepts of truth and reconciliation were thought to resonate so deeply with Solomon Islanders’ value systems, and why it was perceived that this particular institutional model might ‘touch the heart of the people’ in a way that other post-conflict initiatives had not.

**The ‘Key Value Orientations of a Culture’: Truth and Reconciliation**

Barker writes that while there has been a tendency in anthropological research ‘to subordinate moral issues to discussions of social control, law, politics, social change, or most broadly, power’,\textsuperscript{386}
moralities form ‘the key value orientations of a culture’ and therefore should be considered important study foci themselves. This section will consider how the concepts of truth and reconciliation resonate with Solomon Islanders’ key value orientations and suggest that only when they are perceived to align with Christian values and teachings are they considered morally authoritative concepts.

The concept of reconciliation has long-standing traditional roots in Solomon Islands kastom. Historically, identity in Solomon Islands has centred on ‘bonds of kinship, shared (local) language and ties to ancestral land’. Whilst this statement was undoubtedly true prior to colonisation, to a large extent it remained the case following independence and can be argued to do so today with ‘[l]ocalism prevail[ing] over nationalism in virtually every sphere of social, political and economic activity’. In this environment, the development of effective dispute resolution methods was essential to the maintenance of peace and social order, and reconciliation ceremonies, traditionally overseen by a village elder, were a key component of local restorative justice practices. Integral to the reconciliation process was the payment of compensation to the wronged party in the form of shell and feather money, pigs and other foodstuffs. Compensation was valued for its symbolic relevance rather than the monetary or material value of the goods exchanged:

After [the reconciliation] occurs, the event is not to be spoken of again, and is in essence buried because social harmony has been restored and there is no need to dwell on the wrong that has been righted.

With the introduction of Christianity, the sentiment behind reconciliation practices began to shift to incorporate theological motifs, and today a reconciliation ceremony is equally likely to be overseen by a priest or pastor as it is by a chief; in many communities these are the same person. Contemporary reconciliations involve prayers and blessings, and the concept of Christian forgiveness is now considered one of the most important elements of the reconciliation process. The party who is seen to have done wrong must seek forgiveness from the person they have offended, and in this

387 Ibid.
389 Ibid.
390 It should be noted that the materials exchanged during reconciliation were not uniform across Solomon Islands communities. Shell and feather money for example, were not universally exchanged.
391 ‘The symbolic rather than the material aspect is of tantamount importance’ (Pollard and Wale 2004:589).
392 Jeffery, 2013 in Guthrey, 11.
way their broken relationship may be mended under the authority of God. Reconciliation, therefore, has taken on a distinctly moral and theological dimension in addition to continuing to make use of customary rituals such as the exchange of compensation.

**Reconciliation: Vernacularising Christianity**

As I suggest, one of the complicating factors in the vernacularisation of a human rights discourse in the Solomon Islands TRC is the fact that the ‘local’ discourse the institution attempted to weave international norms with was itself a product of vernacularisation. The concept of reconciliation provides a key example of the vernacularisation of Christianity in Solomon Islands.

The data that emerged from my interviews suggests that not only did these previously *kastom*-informed reconciliation practices begin to take onboard more spiritual and moral significance with the introduction of Christian teachings, but that Christianity itself had been broadly interpreted through the lens of the customary practices that preceded it.

Consider the following excerpt from an interview with Pastor Tomas concerning the significance of reconciliation for Solomon Islanders:

> When you talk about reconciliation, you talk about heart of God, yeah. You’re talking about the very heart of God in the sense that at the beginning of history, at the fall of Adam and Eve people fell into sin and therefore, through his love, he has to reconcile the world through his son Jesus on the cross of cavalry. So when we talk about reconciliation, something begins with God. It begins inside the garden of Eden, therefore, sin fell on the human race ... Because you know, the heart of man is no good — it can cause violence. 393

In this interpretation, Christianity itself, as manifested through the sacrificial crucifixion of Christ, is expressed as a reconciliation between God and humanity. Sin is portrayed in relational terms — as a broken relationship that occurred when Adam and Eve first exercised free will in defiance of God and ate from the forbidden tree of knowledge. Christ’s sacrificial death becomes simultaneously a compensation exchange made on behalf of mankind to God, and an offering of forgiveness from God to mankind — the crucifixion becomes the reconciliation ritual and Christ embodies the fact of reconciliation. Reconciliation according to Solomon Islands Christianity, therefore, is as much about mending man’s broken relationship with God as it is about mending man’s broken relationships with each other.

393 Interview with Pastor Tomas, Marau, 11 April 2014.
Reconciliation is described as ‘the very heart of God’, whereas the ‘heart of man’ is described in terms of discord, disorder and violence. Other participants also described sin in terms of relationality — as a broken relationship with God — with violence described as the endgame of freewill, the ultimate expression of selfish individualism that fragments relationships. The violent ‘heart of man’ shatters bonds not only between mankind and God, but also in filial relationships in the case of domestic violence and between communities — for example in the destructive violence that occurred during the ethnic tensions. As Chapter 9 will consider in more detail, my participants often spoke of conflict-related violence as an expression of extreme individualism and a subversion of the communal values associated both with kastom and a Christian moral code.

While I was in Marau, a theologically inspired domestic violence project called Channels of Hope was being piloted by non-governmental organisation World Vision. The project aimed to reduce rates of domestic violence by furthering the idea of violence as representing the embodiment of man’s sinful nature — the result of the original broken relationship with God that required reconciliation. The program described this as the ‘Genesis mandate’. The program’s coordinator explained:

> If you are violent, you are breaking this ‘Genesis mandate’. Genesis shows that there is an ordered creation. Adam and Eve were the first human beings — when they disobeyed God they disrupted this order. Then after this disorder, God sent his son Jesus Christ and Christians believe that he is the redeemer of the world — in that — you can see transformation. There is an ordered creation and there is disorder, and there can be transformation ... Maybe you feel like you have a disordered life, everyone can hope for transformation. 394

Other interviews elaborated this concept for me, such as with Pastor Seru of the Sycamore Tree, a restorative justice initiative that works closely with and through ex-combatants, many of whom remain in prison.

For Pastor Seru, the Sycamore Tree initiative encapsulates the Christian process of reconciliation in action. The initiative and its name are inspired by the New Testament story of Zacchaeus in Luke 19:1–10. 395 Seru explained the story to me as follows: Zacchaeus was a tax collector — one of the most despised members of society — considered corrupt and ungodly. Jesus passed by Zacchaeus, but he was too short to see over the crowds so climbed a nearby sycamore tree. Here, Jesus saw him, singled him out by name and told him that he would come to his house for dinner that evening.

394 Interview with Anastasia, 5 May 2015.
When Zacchaeus ate with Jesus he experienced a realisation of all the pain he has caused people and decided to give away half of his belongings to the poor. To the people he had wronged, he paid back everything he owed them multiplied by four.

Seru considers himself to have been given a similar ministry to work with people on the periphery of society. Like many evangelical Christians I interviewed, he claimed to have received his ministry through a series of visions. He received his first vision at a time when he used to sleep in an old copra mill. He described waking up surrounded by old, unused and rejected copra and instantly becoming aware that the copra symbolised the people he would help through his ministry. In the second vision, he describes skimming stones on a Marau beach and finding a pebble circled with a perfect white line as if it had been broken in half and put together again. To Seru, the pebble symbolised the broken people of Solomon Islands and the line symbolised his ministry of reconciliation. He tells me that the Bible says the ministry of reconciliation belongs to the church — the government, he claims, may currently have the ministry of reconciliation but it doesn’t have the word — making state-led reconciliation meaningless and void.

Pastor Seru made an extremely clear distinction between state-run justice and reconciliation (describing the criminal justice system as itself ‘criminal’), as well as reconciliation that occurs in a spiritual context. He described the atmosphere as totally different ‘when God is there’. Alternatively, in the state-run system:

The perpetrator gets fed and clothed while the other family struggles. Maybe the other family cannot sleep, is in fear, has no confidence. Therefore, there is no justice and no healing. Everyone loses in this system.\textsuperscript{396}

\textit{Layering Subjectivities, Shifting Moral Authority}

In terms of vernacularisation, it is possible to identify in these reconciliation stories what Merry describes as a layering of subjectivities,\textsuperscript{397} and I suggest that with each layer there is a corresponding shift in the location of authority. Prior to Christianisation, people perceived themselves as custodians of \textit{kastom}, and when \textit{kastom} was broken so too was the relational glue that bonded them together.\textsuperscript{398} The authority to right these wrongs and reunite the aggrieved parties lay with the village

\textsuperscript{396} Interview with Nacanieli Seru, Honiara, 10 June 2014.
\textsuperscript{397} Merry 2006.
\textsuperscript{398} As Chapter 9 will discuss, the notion of \textit{kastom} overlaps very closely with that of respect — therefore, when a person acts or speaks in a way that contradicts or undermines \textit{kastom}, they are by extension behaving disrespectfully towards the community. Importantly it must be noted, as Chapters 4 and 6 detail, the concept of \textit{kastom} was appropriated from the
chief, who had primary responsibility for the oversight of kastom.

With the advent of Christianity, moral authority shifted from the chief ultimately to God, yet this authority was exercised on earth through a priest or pastor. Now people not only self-identified as custodians of kastom but also as Christians — people of whom there were expectations of right and wrong moral behavior. Christianity did not replace kastom, but rather was layered over it. With this layering, when society’s moral and behavioural codes were broken, the people responsible had not only offended kastom, but were also considered to be sinners who must repent both to God and to the person they had wronged.

Following colonisation, the state can be seen to have added yet another layer of both subjectivity and apparent authority — although this authority was, and still is, widely resisted. Under the colonial administration, people were colonial subjects and, following independence, they became citizens of Solomon Islands. Yet the nation-state — centralised in Honiara, far removed from the majority of people’s day-to-day lives — was not perceived as possessing the authority to oversee the righting of wrongs or the reconciliation of aggrieved parties, despite the fact that after the ethnic tensions they claimed to. I suggest that this layering of subjectivities and authorities is crucial to an understanding of the Solomon Islands TRC as it provides the context that complicated both its reception and its relative successes and failures.

**Tripartite Vernacularisation: Kastom, Christianity, Human Rights**

The unforeseen potential problem with the model of the Truth and Reconciliation Commission lay in the fact that it would add yet another layer of subjectivity and authority on top of what was already a

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399 The extent to which Christianity was, as I have claimed, ‘layered’ with existing spiritual and moral cosmologies in the Solomon Islands — the extent to which it was ‘vernacularised’ — needs to be read with reference to debates regarding ‘continuity thinking’ in Melanesian ethnographic literature. Joel Robbins, for example, has claimed that cultural anthropology ‘has generally been a science of continuity’, explaining that by this, he implies that ‘cultural anthropologists have for the most part either argued or implied that the things they study—symbols, meanings, logics, structures, power dynamics—have a fundamental and enduring quality and are not readily subject to change.’ While Robbins emphasises a individualism in Melanesian Pentecostalism which provides a radical break from previous spiritual cosmologies, McDougall provides a more tentative critique, suggesting that the extent to which Christianity represents a break from the past is dependent upon denomination. For example, Adventist Ranonggans, she claims, ‘deny that any non-Christian local spirits have any lingering powers in the landscape. Instead of cooling shrines after conversion, Adventists destroyed them, throwing shell valuables and other ritual objects into the sea.’ On the other hand, members of the United Church have retained more continuity with the past. From my own ethnographic research, I observed a significant degree of importance placed on appeasing ancestral spirits by members of all church groups that I interviewed, including pastors. However, I admit I did not collect a great deal of information on denominational particularities. See Robbins 2003:221; McDougall 2009:12
complex moral landscape. Whilst it was hoped, indeed expected (by the public at least), that Christianity would provide the underlying ideology for the TRC, the role of human rights would also be central — a fact that was largely underplayed by SICA during their advocacy and national consultation.

However, the human rights subjectivities of ‘victim’ and ‘perpetrator’ had already become part of the public dialogue during TRC advocacy, partially because of increased ‘human rights awareness’ during the ethnic tensions, but also because they so closely resembled the subjectivities of the state-led criminal justice system, especially in the ‘tension trials’, which began shortly after the end of the conflict. As we have seen, these subjectivities contain normative assumptions that prioritise some forms of violence over others, and, as Chapter 9 will unpack in detail, the recentralisation of moral (and indeed political) authority to the self that is implicit in the ideology of human rights was perceived as threatening and anarchic to many Solomon Islanders.

The Solomon Islands TRC was established against a backdrop of extreme disillusionment with government-led reconciliation processes, such as Nacaniel Seru describes. Since before the conflict even ended, the government had invested significant time and resources into costly and elaborate reconciliation feasts that many described as staged, corrupt and illegitimate.400 Traditionally, it was unheard of for the government — a secular, centralised body with little perceived authority across Solomon Islands, especially outside the urban centres of Honiara and Auki — to run a reconciliation ceremony.401 They simply lacked the legitimacy to oversee this important customary and spiritually significant practice. These staged ‘kastom reconciliation spectacles’,402 as Fraenkel refers to them, were attended mainly by provincial premiers and politicians who were widely perceived to be corrupt, and were certainly not seen to have the authority to agree to reconcile on behalf of the aggrieved parties. Further, the scale of the reconciliation that was required to bring the parties together was unprecedented — reconciliations were traditionally small-scale and intimate affairs. A reconciliation between entire island-based identities had previously been inconceivable. As Vella describes, ‘[l]ocal understandings of reconciliation are centred around this primarily inter-personal, inter-familial and inter-communal process focused on restoring relationships’.403 Additionally, most ex-combatants believed the government to have significant culpability in the ethnic tensions and it was therefore deeply ironic that they would ‘oversee’ a reconciliation process.

401 The government, however, had been involved in negotiating compensation before the time of the ethnic tensions. See Akin 1999
A Moral Body with a Principled Approach to Transitional Justice

What it was felt was needed at this stage instead, Bob Pollard — the Director of Solomon Islands chapter of Transparency International and an active member of SICA — told me, was an ethical body, a moral body with a ‘principled approach to transitional justice.’ ‘Reconciliation’, Bob told me, ‘is an incredibly spiritual process’. Solomon Islands required an initiative that could deal with the scale of the brokenness in the country whilst still being perceived as legitimate and meaningful to the people — and for that, the initiative would need to involve the churches. Another concern was that all previous attempts at reconciliation had only considered ex-militants to be aggrieved parties — as Chapter 7 details, no one had considered those people who had been subjected to physical violence at the hands of the militants during the tensions. Surely these people too were aggrieved parties to whom compensation and apologies were due. The victims of violence, Bob Pollard told me, needed a form of reconciliation that acknowledged their suffering and allowed them to voice their grievances rather than just forgetting the past and moving on. What the government wanted, it seemed, was reconciliation without truth, and this involved a social amnesia that was seen as unacceptable, politically expedient and morally corrupt — truth-telling, acknowledgement, apologies and forgiveness were all necessary stages in the reconciliation process. The past could only be laid to rest once all these steps were complete.

With these things in mind, it is important to ask what, in fact, Solomon Islands people believed they were getting in a truth and reconciliation commission. To answer this question, it is necessary to look briefly at the South African Commission on which the Solomon Islands TRC was modelled. Whilst there have been a handful of truth commissions established as a result of Christian advocacy, it is very important not to underplay the influence of the South African TRC, as its work was being finalised at the height of the ethnic tensions and it had gained international renown as a successful ‘alternative’ means of carrying out transitional justice. Representatives of the SICA Peace Office made exposure visits to both South African and Timor-Leste before settling on the South African TRC as the model they would base their own commission on.

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404 Interview with Bob Pollard, Honiara, 3 June 2014.
405 See Philpott 2007.
406 Interview with Matthew Wale, Honiara, 5 July 2012.
The South African TRC was established in 1996 and completed its work in 2002. Its scope and scale were significantly grander than the Solomon Islands TRC, with a staff of 300, 17 commissioners, four offices and an initial budget of US$18 million a year. In comparison, the Solomon Islands TRC had a skeleton team of staff, five commissioners and an annual budget averaging US$700,000. The South African Commission was established to hear testimonies from people who had experienced and committed violence under the country’s apartheid regime during a 34-year period from 1960 to 1994. The Solomon Islands Commission heard testimonies from those who had carried out and were the victims of violence committed during the five-year ethnic tensions from 1998 to 2003.

The South African Commission’s hearings had heavily theological overtones, largely due to the ongoing influence of the church in its leadership. Four of the 17 commissioners were Christian public figures, including the Archbishop Desmond Tutu acting as chair and Methodist minister Alex Boraine as deputy chair. Although it wasn’t initially planned that religion would play a role in the work of the commission, Christian symbolism and ritual came to play a major role in public hearings. At the beginning of each hearing, Desmond Tutu would light a candle, say a prayer and attendees would join him in signing the Xhosa hymn Lizalis’ indinga lakho (‘Let your will be done’). ‘The hearings’, commented Lyn Graybill, ‘resemble a church service more than a judicial proceeding’. Desmond Tutu, who Saunders terms the ‘charismatic purveyor of forgiveness’ was hugely influential in shaping the architecture and ideological proclivity of the TRC, with Boesenecker and Vinjamuri calling him ‘the lynchpin connecting the human rights, reconciliation, restorative justice and nation building components that constituted the South African Truth and Reconciliation Commission (TRC)’.

The commission was sub-divided into three committees: the Human Rights Violations Committee, the Amnesty Committee and the Reparation and Rehabilitation Committee. According to Shore and Kline, it was during the hearings of the Human Rights Violations Committee that religion came to play the most obvious role — a somewhat ironic observation considering the discord between the two discourses in the Solomon Islands TRC. However, it was during these hearings that the testimonies of victims were heard and, as we shall see in the case of Solomon Islands, it was in the testimonies of

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407 United States Institute of Peace.
408 Solomon Islands Truth and Reconciliation Commission, Final Report, Volume V, 1228.
409 According to Johnny de Lange, who was part of TRC negotiations: ‘During the negotiations that established the TRC, religion was not part of the equation. The TRC was not intended to be a religious process’ (Shore and Kline 2006:312).
411 Graybill 2002:43.
412 Saunders 2011:121.
413 Boesenecker and Vinjamuri 2011:356.
victims that theological notions of forgiveness and reconciliation came to play the greatest role. Shore and Kline write that Tutu’s prayer at the beginning of each hearing was ‘a political act that validated religious discourse as a legitimate mode of truth-telling ... The overt use of Christian language was an empowering mechanism for many of the victims and survivors. In telling their stories of human rights violations in their own words, as the TRC encouraged them to do, they were free, if not at times prompted, to use a religious narrative to tell their truth.’

Desmond Tutu’s Opening Prayer

Oh God of justice, mercy and peace, we long to put behind us all the pain and division of apartheid together with all the violence which ravaged our communities in its name. And we ask you to bless this Truth and Reconciliation Commission with your wisdom and guidance as it commences its important work of redressing the many wrongs done both here and throughout our land ... We ask that the Holy Spirit pour out its gifts of justice, mercy and compassion upon the Commissioners and their colleagues in every sphere, that the truth may be recognized and brought to light during the hearings; and that the end may bring about that reconciliation and love for our neighbor which our Lord himself commended. We ask this in the holy name of Jesus Christ our Savior.

Amnesty as Absolution

Further to the overtly Christian character of its public hearings, the South African Commission offered amnesty to those who had committed politically motivated crimes in exchange for full disclosure. Hayner regards the decision to offer amnesty as the institution’s ‘greatest innovation ... and the most controversial of its powers’. Although only 849 out of 7112 applications for amnesty were granted, it was the possibility of legal and moral absolution represented in the amnesty provisions that I believe was vital to the commission’s relative success in blending the human rights approach with theological notions of confession and forgiveness. Like sinners confessing to a priest, perpetrators were offered legal absolution by the TRC’s lawyers if they were able to convince them that their crimes had been politically motivated. It was a true mix of judicial, political and theological approaches to establishing and absolving (criminal and personal) responsibility. The possibility of amnesty encouraged a great number of ‘perpetrators’ to come forward and testify, and also succeeded in bringing both victims and perpetrators together in one mediated space, allowing the commission to fulfill its mandate of promoting interpersonal reconciliation — an area in which the Solomon Islands TRC fell short.

Attempts to Replicate a Theological Model in Solomon Islands

There were significant initial attempts to replicate the theological tone of the South African TRC in Solomon Islands. Notwithstanding the fact that conceptually, as illustrated, both truth and reconciliation have important theological connotations in Solomon Islands society — at the inception of the Solomon Islands TRC, its public face was Christian. Following in the footsteps of South Africa, the appointed chair was a member of the clergy — Anglican priest Father Sam Ata. Archbishop Desmond Tutu was invited to Solomon Islands to oversee the TRC’s inauguration and, following a grand opening ceremony in Honiara on 29 April 2009, he told an interviewer that peace ‘will happen here because God wants to give you the gift called peace and secondly prosperity, such a beautiful place, it looks like the Garden of Eden’. Prayers were made at the beginning of hearings, which were regularly held at churches, and church staff assisted with the overall logistics of the hearings. However, church leaders came to feel ostracised by the truth-seeking process.

I propose that there are three main factors that complicated the Solomon Islands Commission’s ability to successfully replicate the theological tone of the South African model. Firstly, logistical issues concerning the TRC’s ownership and management meant that it was never entirely clear which national institution the TRC was, or should be, aligned with (if any). Secondly, yet related to the first, is the church’s diminished role in TRC leadership, which was partially an outcome of the confusion over ownership. The third complicating factor, I propose, is the commission’s decision not to offer amnesty in exchange for testimony regarding crimes committed during the ethnic tensions.

Logistical Debates Over Ownership of the TRC

With regard to logistical and administrative issues: the United Nations Development Programme (UNDP) took onboard the financial management of the TRC, and it came to be viewed as marred by UN bureaucracy, delays and mismanagement. There were disagreements between the Ministry for National Unity, Reconciliation and Peace (MNURP) and the UNDP over ownership and management, including the extent to the commission should remain free from government interference. This was further complicated by the fact that many of the TRC staff were seconded from government departments, in particular the MNURP, so it was difficult for secondees to know where their allegiances should lie. Amongst the internal politics, UNDP took control of the financial and logistical

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419 Desmond Tutu on Radio Australia 2009.
420 Interview with G, Honiara, 2 June 2013.
management of the commission, further neutralising any ideological influence that the church and
civil society might have had. The International Commission for Transitional Justice attempted to bring
the church and the TRC together, holding workshops for church leaders in an effort to make them
vehicles for awareness raising, but they were largely unsuccessful. ‘It was the TRC’s role to really
bring the church in’, an interviewee told me, ‘and they just never really did it effectively’.421
International Commissioner Ratu Joni Madrawiwi told me that:

In hindsight we should have worked more closely with the churches. Our chair was an
Anglican churchman and we just assumed that it would all fall into place, which it didn’t. I
regret that — I think it was our fault. But when you read the report, its focus is human rights.
It could have been better drafted.422

These debates over management and ownership of the TRC take on particular significance when
considered in light of the discussion regarding the moral authority invested in institutions. As the TRC
was established amidst an atmosphere of extreme disillusionment with state-run reconciliation
attempts, people simply did not want yet another government-led reconciliation project — UNDP
was perceived as a more ‘neutral’ alternative. Once established, the TRC never really considered that
the churches themselves might collaborate to oversee such a large national initiative. And yet, as an
international body whose mandate was informed by international human rights norms, UNDP’s
oversight of the TRC ironically had the effect of pushing the churches and their influence further to
the periphery of its work.

‘You Don’t Have a Mandela’ or a Tutu

When SICA was originally advocating for a truth and reconciliation commission, Matthew Wale was
told by an Australian diplomat that a TRC would never work in Solomon Islands because ‘you don’t
have a Mandela’.423 I would stretch this to say that it was the lack of a Tutu rather than an Mandela
that contributed most to the ideological gaps that influenced the direction of the TRC.424 What I
mean is that, although the chair of the Solomon Islands TRC was a member of the clergy, the
ideological drive behind the truth commission, once it was established, came primarily from
international staff who had worked in a number of other truth commissions. These transitional

421 Interview with D, Canberra, 12 March 2013.
422 Interview with Ratu Joni Madrawiwi, Honiara, September 2011.
423 Interview with Matthew Wale, Honiara, 5 July 2012.
424 Shore states that ‘the relative success of the Commission as a component of transitional justice in South Africa has led a
number of scholars, most notably Lyn Graybill, to ask whether the TRC is a model for future conflict resolution processes or
a unique miracle performed through the charismatic leadership of President Nelson Mandela and TRC Chair Archbishop
Desmond Tutu’ (Shore 2016:2).
justice experts had a great deal more influence over the ideological framing of the truth commission than Solomon Islands commissioners, the staff or the chair himself, and they ultimately pushed the international human rights framework as the ideological foundation for the truth commission’s work.

One of the most common criticisms of the TRC I encountered during my fieldwork was that in the absence of the church, and by extension of God, the truth and reconciliation process was somehow sterile or spiritually poor. Even though the church still had a minimal amount of influence in the TRC through Father Sam Atu’s leadership — for example each hearing began with prayers — there was still a perception amongst the public that the commission’s hearings more closely resembled court proceedings than a church service, in stark contrast to the South African experience. While in the advocacy stage of the TRC there was a widespread belief that the institution would be church-led and theologically inspired, during and after the commission’s implementation stage, people generally perceived it as being government-led and hence laden with the same corruption and financial mismanagement issues as all previous state-led reconciliation initiatives had been seen to be. Where the state was seen as having control over a process, that process was perceived as being morally destitute.

Marau Eagle Force Commander Johnson Apoo put it like this:

God has given the church a ministry of reconciliation. If the church carries out the ministry of reconciliation, I tell you, reconciliation would be totally from the heart. No matter how many pigs, or how many shell money, or how many thousands of dollars … the true healing must come inside, from the spirit man. But government knows nothing about the spirit man, it deals only with the physical man outside …

I like to tell you because I’d like to you see the importance of reconciliation because that’s where government can’t get over — even today there’s no real reconciliation — there’s no forgiveness … and anyone who is not born a child of God, cannot reconcile. Us in Solomon Islands have a strong culture on reconciliation but God’s principle when we like to do reconciliation, God’s principle, you’ve got to go God’s way. You’ve got to do it God’s way.

*Exchanging Truth for Amnesty Nothing?*

Another major factor that I suggest complicated the TRC’s ability to replicate South Africa’s theological tone, and one that may have proven to be fundamental to the South African TRC’s success in melding international and local approaches to justice, was the decision to not offer amnesty in exchange for testimony. Despite the fact that amnesty is a legal process, it has distinct

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425 Interview with Judith Siota, Honiara, 11 June 2014.
426 Interview with Johnson Apoo, Marau, 7 May 2014.
theological connotations that add a redemptive element to the truth-telling process as well as appeal to the exchange culture so central to Solomon Islands.

Solomon Islands chose not to offer amnesty in exchange for testimony partially because of its previous unsuccessful attempt to offer amnesty through the Amnesty Acts of 2000 and 2001. These laws legislated a key provision of the Townsville Peace Agreement (TPA), which specified two types of amnesty to be offered to ex-combatants. Firstly, members of the two primary militia groups, the Isatabu Freedom Movement (IFM) and the Malaitan Eagle Force (MEF), would be given immunity from prosecution for stealing and possessing weapons if those weapons were surrendered. Secondly, a general amnesty offered immunity for all who took part in conflict-related crimes (including members of Solomon Islands Police Force and Prison Service). When RAMSI took control of law and order in 2003, they paid little heed to these amnesty provisions in their arrests and prosecutions. According to Fraenkel et al:

There are only two reported cases in which amnesty was granted by the courts Nokia v Regina (on appeal it was Regina v Maga) and Rv Lusibaea, Bartlett, Kili and Fioga. There is no record of the latter in the High Court registry.

Rather than specifically offering amnesty in exchange for testimony, the Truth and Reconciliation Commission Act contained a clause which guaranteed that no information provided through TRC testimony would be admissible as evidence in a court of law (Solomon Islands Truth and Reconciliation Act 2008, VI, 20(f)). As discussed in Chapter 7, however, the spirit of this provision was undermined when RAMSI police arrested ex-combatants as they testified. Guthrey documents how RAMSI officers arrested a member of the Black Sharks militia group in Western Province as they were testifying to the TRC. This arrest undermined any attempts made by the commission to convince ex-combatants of its independence from RAMSI and their safety in sharing their stories.

**The Bastardisation of Forgiveness: The ‘Forgiveness Bill’**

Many government leaders and ex-combatants were unhappy with the TRC’s unwillingness to offer amnesty, and in 2009 Sam Iduri, then-minister for National Unity, Reconciliation and Peace, proposed a ‘Forgiveness Bill’. Forgiveness, however, is a concept that can be easily manipulated for political gains — and certainly, if there is an expectation of forgiveness placed on the victim, then it

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may easily become a tool of re-victimisation. With heavily theological overtones, the proposed bill mimicked the amnesty provisions of the South African TRC, offering amnesty to ex-combatants including those who were already in prison. This bill was an overt example of selling a political product to Solomon Islands people through appealing to Christian values. In July 2009, Iduri told the media that a Forgiveness Bill Steering Committee had been established and was in discussion with the churches before the conversation would be rolled out to the public through a national consultation.\(^\text{430}\) TRC commissioners strongly objected to the bill, however, on both human rights and spiritual grounds, and the consultation fell flat before it started. On the one hand, commissioners felt that offering amnesty to people responsible for human rights abuses would not assist the reconciliation process, arguing that the idea would amount to ‘some kind of process to remove the responsibility for crimes committed during conflict from former militants and perpetrators … without conceding justice to the victims. Impunity is not helpful for reconciliation’.\(^\text{431}\) On the other hand, commissioners reasoned that forgiveness is a deeply personal process that must remain the ‘sole prerogative and domain of the victims’.\(^\text{432}\) This prerogative should not be politicised or legislated for the benefit of ex-militia and should not become seen a necessary prerequisite to reconciliation and healing. Further, the government, they claimed, had no authority to forgive on behalf of victims. Christianity, therefore, and the prerogative to forgive associated with a Christian subjectivity, was understood as having moral preeminence in the personal realm, whereas human rights was to take moral preeminence in the political realm. One (the political morality of human rights) could be legislated — the other (the personal morality of Christianity) could and should not be.

Because so many of the ex-combatants and politicians who played an active part in the ethnic tensions remain in positions of authority within Solomon Islands’ executive branch and legislature, it logically follows that the proposed forgiveness bill would effectively translate into the government forgiving itself. In fact, it was these individuals who have continued to petition for the forgiveness bill long after the conversation had been put to rest.

**Christianity at the Periphery of the Truth and Reconciliation Commission**

Chapters 6 and 7 discuss in detail the use of the human rights discourse to frame and analyse the violence that was experienced during the ethnic tensions, thus that will not be recounted here. What this chapter will now consider is the way in which Christian subjectivities and understandings of

\(^{430}\) Jeffery 2017:130.


\(^{432}\) Ibid.
moral authority continued to play a role in the truth and reconciliation process despite the fact that the church was ostracised from TRC leadership. This section argues that, alongside the official human rights framed narrative, a second, unofficial narrative ran parallel — one framed primarily in terms of Christian subjectivities. I would like to consider the possibility that the Christian sub-narrative is an expression of a subaltern voice. That is, it was a means for Solomon Islanders to assert resistance to human rights as the official, and therefore hegemonic, ideological framework in the Solomon Islands Truth and Reconciliation Commission.

This may be an overly positive analysis. Just as Shore and Kline suggest a level of ambiguity regarding victims’ agency in their use of a Christian narrative voice in the South African TRC — ‘they were free, if not at times prompted, to use a religious narrative to tell their truth’433 — I will suggest that an as yet unintroduced third party in the TRC process — trauma counsellors — played a powerful role in shaping the religious language used in victims’ testimonies.

The Role of Trauma Counsellors in the Solomon Islands TRC

At the coalface of interaction between staff and the people who testified before the TRC, Christianity continued to play a subtle yet powerful role. Trauma counsellors employed by the TRC to assist in preparing people’s testimonies were the first point of contact for individuals who testified. Aside from the researchers and statement takers who interviewed people directly ‘in the field’ and through the process of testifying itself, counsellors were the only direct interaction that members of the public had with the commission.

The concept of counselling is an extremely new one in Solomon Islands, as is the broader concept of mental health — both were only really introduced as a result of the ethnic tensions in the context of conflict-related trauma. As psychological and psychiatric services in Solomon Islands remain extremely limited and most trauma counselling in the post-conflict period has been conducted by the church, counselling tends to have deeply theological overtones and places great emphasis on interpersonal forgiveness and reconciliation.434 Whilst there was only one fully qualified counsellor working in the country during my fieldwork,435 there were many ‘trauma counsellors’ who had received training either through a Caritas initiative that occurred during and in the immediate aftermath of the conflict or through a UNDP-sponsored program rolled out through church networks.

434 See Guthrey 2014.
435 There was one fully qualified (by international standards) counsellor in the country during my fieldwork — Australian Helen Pollard — who ran a small private practice in the Honiara-based Hyundai Mall.
Caritas-trained counsellors were commissioned to provide psychological support to ‘victims’ and ‘perpetrators’ the evening before they provided their testimonies. A small team of trauma counsellors run by Honiara-based Martha Horiwapu were often the first people with whom an individual may have shared their story.

On the evening before a hearing, counsellors conducted one-on-one sessions with those who were to testify the next day. They performed their role under a great deal of pressure, sometimes staying up all night before a hearing to complete counselling sessions. As well as providing pastoral support, a counsellor’s main role was to prepare an individual for their testimony, explaining the process of the TRC to them and helping them to shape their experiences into a narrative suitable for presentation to the commission. As such, counselling sessions tended to evolve into coaching sessions where people were advised how their testimony should be structured and delivered. One of the counsellors described it to me as such:

I would like to have three drawers for them. Open the first drawer, and you tell your name, where are you from, so that it will give them confidence that they will not forget to talk. And the second, you tell your story. And the third one, you say thank you everybody for listening to your story. And you just thank your family for listening to your story. And you thank God for keeping you alive. That’s all. It’s about you, not about anyone else. Drawer 2 — you’re going to tell your story, as you told in counselling. Drawer 3 — I hope you know what happened now.

As the process of appearing before the commission was incredibly nerve-racking for most people, it was felt that this structuring of their stories would make the process more manageable, as well as minimise the possibility that individuals might become overwhelmed by their memories of the violence they had experienced, and therefore re-traumatised. Even counsellors described how working with the victims and perpetrators of violence had left them experiencing secondary trauma:

... how could you possibly put a time to this thing? You do injustice to the victim... or you traumatis the counsellor. Stressed. Health, because in counselling you have to look after your own health ... you are human and you have your limitations. You have to eat good, you have to have good rest, and at times we have to do this at night because the next day is the public hearing day. Imagine if they bring in new victims because of political influence so these people too are going to be heard tomorrow. We have to go through the night.

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436 Interview with F, 18 March 2018.
437 Interview with A, 05 March 2014
Even though individuals were free to share their story however they wished, the provision of a Christian framework with which to structure their stories was thought to make the process more accessible and less intimidating.

The counsellors I interviewed expressed conflicted feelings about both the counselling itself and the broader truth-telling process of the TRC. For example, whilst one counsellor described the process to me as ‘dehumanising’, as, in being so time poor, the TRC was ‘mass producing’ testifiers, ushering them along a ‘conveyor belt’ that ultimately served to re-traumatised many who spoke, the same counsellor described how, for many others, the sharing of their personal stories of suffering was an incredibly spiritual and cathartic process. The counsellor told me:

We saw people tell their stories and they seemed to get over ... some healing beginning to come, and people beginning to smile, and their faces beginning to change, because blood begins to flow. This thing that [they were] keeping in their mind, came out. As soon as they throw it out, they call it throwing, even at the end of the hour ... some of them went for two hours, they were telling their story to us [in the pre-session counselling] you could actually see their face changing. Some of them ... their face ... those with the lighter skin, their face, the blood flow. But somebody would come with the dark skin, as soon as she talks, and she finishes the whole process, they look... we asked them, ‘How do you feel?’ — ‘As though I’ve dropped a heavy load’ — that’s what they would say. So, the summary of this is, it did something to the people, but most of them they told their stories, most of them cried, they told of the atrocities.

The demonstration of emotion, especially the act of crying, was consistently described as a mark of an authentic truth-telling experience, and one in which the speaker had been ‘touched’ and received healing. It is apparent that during the counselling sessions at least, the counsellors did indeed feel as though the TRC had succeeded in ‘touching the heart’ of the people.

In spite of these descriptions, however, the spiritual coaching resulted in testimonies that were surprisingly homogenous and formulaic. Nearly every testimony reflected the influence of the TRC counsellors, following a carefully set pattern of story introduction followed by the offering of forgiveness (or an apology in the case of those who had committed violence against others, or felt that they had wronged others) and an invitation to reconcile either with the perpetrator/victim or their family. Sometimes they also included a thank you to the commission, the offering of a blessing.

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438 ‘When you deal with human suffering, you don’t put a clock to it ... It was amazing how the TRC puts a clock on everything ... [The] suffering of the people is not taken care of, and this is inhuman. Instead of bringing them up, for telling the people about their stories, we are actually asking them to suffer more, because how we process them is actually an inhuman process. They need time’ (Interview with A, 05 March 2014).
from God and an appeal for reconciliation to be achieved at a national level as well. The following excerpts are just a few examples of similar testimonies published in Volume IV of the TRC report:

Now I would like to appeal to anyone who is not in good terms with me to come forward so I can forgive you, so we can live in peace and harmony. Thank you.\textsuperscript{439}

After that time until today I would like to praise God. I would like to appeal to those people who harassed me during those times that today I forgive you in the name of the Father, Son and Holy Spirit. In case any of those people who harassed me at that time is here today, please, I would like to shake hands with you today.\textsuperscript{440}

For those of you who destroyed my brother’s properties, whether you live in other parts of Guadalcanal or Reko area, on behalf of my brother, Niger, I forgive you in the name of the Father, Son and His Holy Spirit.\textsuperscript{441}

I would like to call on the person who did this to us that I have forgiven you in the name of the Father, Son and Holy Spirit and that God loves you. I am here on behalf of my brothers and we have all forgiven you, I would like to appeal to all the church leaders of the nation and especially those in the Western Province, we must work together to try and help them, reach out to them since I believe that those people have never attended church on Sundays.\textsuperscript{442}

I would like to call on the people who had done this to me to kindly come forward so we can reconcile and forgive each other for what had happened.\textsuperscript{443}

Please forgive me and if they heard my name please if they want to reconcile with me, please come forward. If they wish to make reconciliation according to our custom, church or other modes, please do not hesitate to contact me.\textsuperscript{444}

I would like to appeal to the boys and men who had harassed and assaulted us and destroyed our properties to come forward and we can shake hands together and forgive them for the things they did; thus we can establish love, peace and joy among us.\textsuperscript{445}

At that time they pointed the gun just like a child; I later realized I had a cross around my neck and I prayed, “Father forgive them for they do not know what they are doing.”\textsuperscript{446}

I call on those who had threatened my family and my staff, we no longer hold grudges and are willing to reconcile and forget the past. I welcome any reconciliation with those who had caused me stress and had forced me to leave the job.\textsuperscript{447}

\textsuperscript{439} Mr. Felix Kojamana’s story, Solomon Islands Truth and Reconciliation Commission, Final Report, Volume IV, 846.
\textsuperscript{440} Mr. Nelson Siama Vatora’s story, Solomon Islands Truth and Reconciliation Commission, Final Report, Volume IV, 840.
\textsuperscript{441} Mr. David Pitisopa’s story, Solomon Islands Truth and Reconciliation Commission, Final Report, Volume IV, 842.
\textsuperscript{442} Ms Andy Foaman’s story, Solomon Islands Truth and Reconciliation Commission, Final Report, Volume IV, 857.
\textsuperscript{443} Ms Margaret Gina’s story, Solomon Islands Truth and Reconciliation Commission, Final Report, Volume IV, 861.
\textsuperscript{444} Mr. John Fataka’s story, Solomon Islands Truth and Reconciliation Commission, Final Report, Volume IV, 909.
\textsuperscript{445} Pastor Sia Tavuata’s story, Solomon Islands Truth and Reconciliation Commission, Final Report, Volume IV, 933.
\textsuperscript{446} Mr. Peter Maru’s story, Solomon Islands Truth and Reconciliation Commission, Final Report, Volume IV, 962.
\textsuperscript{447} Mr. Isaac Vula Tatapu’s story, Solomon Islands Truth and Reconciliation Commission, Final Report, Volume IV, 866.
Some people I interviewed, particularly international commissioners and TRC staff, expressed concern over the degree of influence the counsellors had in shaping, and therefore circumscribing, individual testimonies. For example Sofia Macher, a TRC commissioner from Peru, said, ‘Sometimes I feel that the counsellors intervene too much in the presentation of the victims … [there was] too much pressure from the counsellors’, and Ratu Joni Madrawiwi, TRC commissioner from Fiji said of Martha Horiwau:

We wondered if she intervened too much in terms of influencing what the victims said. We felt — I felt and Sofia — a little uncomfortable with the influence. She was acting independently but she had been strongly involved in Caritas just after the troubles.

A Dual Narrative: The Official Human Rights Voice and Unofficial Christian Voice

The distinctly Christian narrative voice that is apparent in people’s testimonies is in stark contrast to the heavily legalistic human rights language used throughout the rest of the TRC report. The result is a dual narrative — the official story of the ethnic tensions being framed exclusively in terms of human rights violations, and the unofficial narrative being framed in terms of theological motifs such as repentance and forgiveness.

Considering the influence of the counsellors in shaping the Christian sub-narrative, to what extent can the use of Christian subjectivities be read as an assertion of agency, or an act of resistance to international norms, on the part of Solomon Islanders? If not on the part of the testifiers themselves, then on the part of the counsellors who coached them? I suggest at the beginning of this section that it might be possible to read the Christian narrative in the TRC report as an expression of a subaltern discourse vis-à-vis the perceived hegemony of human rights.

For Gramsci, the term subaltern refers to people whose history is told for them and subsumed by those people and institutions speaking the ‘official’ discourse (the discourse with ideological hegemony), typically the post-colonial state. If the TRC is read as a post-colonial nation-building project — an attempt to hold together the breaking mould of the Westphalian state around the people of ‘Solomon Islands’, bringing them together in ‘national unity’, it makes sense to also read the use of a Christian narrative as an expression of the subaltern. Indeed, Gramsci himself recognises the place of the church in the post-colonial state as being subaltern, stating that the ‘[church] is no longer an ideological world power but only a subaltern force’.  

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448 Gramsci 1996:139.
Characterising, or indeed recognising, the Christian sub-narrative in the TRC report as subaltern doesn’t necessarily imply either agency or political resistance on the part of those who testified, but rather it can be seen as a descriptive characterisation, one that recognises the post-colonial power dynamics at play between the institutions that claim to possess authority in contemporary Solomon Islands. Whether unduly influenced by trauma counsellors or not, the fact that those people who testified before the Truth and Reconciliation Commission told their ‘truths’ through a Christian, as opposed to human rights, ideological framework brings our attention back to these dynamics and ultimately serves to render the authority — both political and moral — of the TRC questionable.

This society is a closed society ... This is a closed house ... and inside this house, it’s stuffy, it’s smoky ... that’s why we cannot cope with crisis until we can adapt to new ways of looking at our own lives ...

The mind is actually a one-way street in Solomon Islands. And that’s why I talk to you about the closed house, and this house needs fresh wind to blow through so open the windows...to have them know of the influences from outside. Which ones they can adapt ... they chose ... this influence cannot stop from coming.449

It is in this final empirical chapter that I discuss the most unexpected findings drawn from the data I collected during my fieldwork. These findings suggest that, cumulatively, the ‘sequence of disintegrative contacts’ between Solomon Islanders and global forces; the power dynamics and the moral dilemmas these meetings have agitated; and the challenges that have ensued when traditional value systems and modes of authority have been challenged by global institutions and discourses have led to what I have termed a ‘crisis of authority’ in Solomon Islands.

This crisis has arisen partially in response to the perceived disparities between old and new ways of thinking (or, in terms of ‘vernacularisation’, between local and global discourses and subjectivities), and partially as a result of the sheer proliferation of options available to the globalised Solomon Islands citizen. By this I imply that, associated with all the trappings of ‘Westernisation’ — individualism, consumerism, a capitalist economy and accessible telecommunications — is a recentring of authority away from the community, away from God, and onto the individual person. For some, particularly young Solomon Islanders, this recentring is liberating, providing them with opportunity, newly discovered ‘rights’ and freedom from filial and kinship obligations. For others, however, this recentring threatens to be anarchic and dangerous.

In my interviews, a number of participants viewed human rights and the individualism they associated with it as the epitome of this recentring of authority. As such, the discourse was perceived as presenting a significant threat to traditional authority, kastom and even the moral fabric of their societies. Many Solomon Islanders believed that they had witnessed the outcome of such individualism during the ethnic tensions when, armed with weapons, the singular power of the gun provided individuals with the ultimate freedom to behave as if the constraints of kastom and morality did not exist. The inevitable consequence of this freedom was violence and anarchy — more than this, it was a sadism that they previously believed impossible amongst their fellow Solomon Islanders.

449 Interview with Francis Kari, Auki, July 2013.
For these interviewees, the Truth and Reconciliation Commission has entirely failed to ‘touch the heart’ of Solomon Islands people, as, in grounding its work in a human rights ideology as opposed to Christian theology and/or customary principles, its work had been carried out in a moral and spiritual vacuum. The TRC’s processes of data collection, public and private hearings and ultimately the narrative it told through its final report were meaningless precisely because they lacked moral authority. For these people, the international benchmark of the Rome Statute was irrelevant: if the TRC could not operate through practices and ideologies that resonated locally and tell the people’s stories through their own voices, then it had been a waste of Solomon Islands’ valuable resources.

Nacaniel Seru, for example, described to me how he attended the ceremony at parliament where the TRC handed over its final report to the government, and cried — not because the ceremony was meaningful, but because of the waste of all of it: ‘I really believe peace is not an absence of violence — it’s where needs are met.’

However, others I interviewed took a more ambivalent stance towards human rights and other foreign influences. This chapter begins with a quotation from an interview I conducted with Francis Kairi of the Ministry for National Unity, Peace and Reconciliation. In the quotation, Francis describes a recurring theme that emerged in my data — a cautiousness that implies that not acting or not speaking is usually preferable to acting or speaking in any way that might have negative consequences for oneself or one’s kin, a tendency to err of the side of caution that at best serves a protective social function, but at worst may leave a people or culture in a state of inertia or stalemate. Francis describes this cautiousness using the metaphor of a closed house.

As he describes, the house is dark, smoky, claustrophobic and, in my imagination, also full of old, dusty artefacts. The windows and doors of the house remain closed, so no fresh air is able to circulate inside, and the house’s inhabitants remain indoors. Francis likens the house to a mindset that refuses to let in outside influences, that persists with the old ways for their own sake rather than letting the breeze in and sorting through those external influences to decide which are positive and which may be negative, potentially damaging or threatening.

This chapter will unpack this metaphor and recurring theme in more detail, including my thoughts regarding its connection to Solomon Islands’ kastom and tambu, and how it may have circumscribed

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450 Note that, as mentioned previously, for many Solomon Islanders, kastom and Christianity are perceived as being interchangeable, with both referring to a perceived overarching moral and social framework for living and behaving.

451 Interview with Nacaniei Seru, Honiara, 10 June 2014.
people’s interactions with the Truth and Reconciliation Commission. I interpret the house as representing those aspects of life that have historically provided people with security, belonging and a sense of identity. Keeping the windows and doors closed has served an important social function — enabling the house’s inhabitants to protect their way of life, their values, their environment and their community from changeable and fickle outside influences. But now the doors remain locked more because of resistance to change than for any useful social purpose. Anxiety and cautiousness keep its inhabitants stifled as opposed to protected, and ill-equipped to deal with inevitable modernisation: ‘We cannot cope with crisis until we can adapt to new ways of looking at our own lives ... this influence cannot stop from coming.’

This chapter will begin by considering the idea that, far from being considered a benchmark of moral authority, the human rights ideology in which the work of the Truth and Reconciliation Commission was grounded is perceived by many Solomon Islanders as undermining morality in their communities. Interviewees described the threat posed by human rights as manifesting itself in a variety of ways, but the two most commonly talked about were the clothing that young people chose to wear and the destabilisation of gender relationships in families. As discussed in Chapter 6, for some interviewees, human rights is seen as the cause of gender-based violence across Solomon Islands rather than a means of overcoming it. Young people’s choice of clothing was seen as an outward display of their disrespect towards both kastom and their communities. I will consider how the individualism and equality associated with the human rights ideology is seen as undermining bonds of kinship and community and dissolving the glue that holds societies together.

The chapter will then proceed to look closer at the metaphor of the closed house and consider how the theme that continued to remerge in my data — cautiousness — can be seen to be related to Solomon Islands kastom, particularly the Guadalcanal concept of kukini.452 I will consider how the concept may provide some explanation as to people’s fears regarding the impact of the human rights discourse and how a tendency towards cautiousness may have circumscribed people’s interactions with the Truth and Reconciliation Commission and their willingness to openly share their stories.

**Anxieties Around Modernity — A Crisis of Authority**

Solomon Islands is a rapidly modernising society — or rather, it is a society experiencing a shock of exposure to globalised culture. The ‘sequence of disintegrative encounters’ referred to by

452 As we will see, the concept of kukini connotes both fear and reverence.
Braithwaite et al. has, in a sense, both sped up and exponentially multiplied in the conflict and post-conflict periods. Many scholars of the Pacific Islands have critiqued the concept of ‘modernity’, suggesting that its implicit dichotomies — between the old and the new, traditional and modern, local and global — are outmoded and overly simplistic. R.J Sutcliffe, for example, warns that Pacific scholars need to work to unsettle those ‘images of modernity that privilege rationalism, acosmism, secularism, and reflexivity at the expense of other prominent dimensions of human experience’.  

We need to guard, therefore, against crude binaries that see the Pacific as embodying ‘tradition’ and ‘the West’ as embodying ‘modernity’.

What can be argued, however, is that in the past two centuries, global culture has become increasingly homogenised and defined in terms of a capitalist market economy — mainly as a result of world exploration and, even more so in the past half century, because of developments in global communications technologies. What can also be argued is that the Pacific Islands in general, and Solomon Islands in particular, have been amongst the most recent parts of the world to be exposed to this global culture. The ethnic tensions can be seen to be a direct result of this exposure, with capitalist ventures exploiting natural resources and deepening the divide between the ‘haves and have nots’, and the conflict can be seen as having itself rapidly expedited this exposure, attracting an influx of foreign personnel, international ideologies and donor investment.

What must also be recognised is that one of the primary ways in which people across the Pacific Islands have felt this exposure to foreign influences is as a threat to their traditional value systems, a potential undermining of the moral fabric of their communities. Therefore Patterson and Macintyre talk of the role of modernity in ‘the transformation of moral economies in the Pacific’, and Karen Sykes argues that in spite of global capitalism’s threat of a ‘possessive individualism’, there is a ‘perseverance of a customary moral order’ in the Pacific.

John Barker, whose work on morality in Melanesia I discovered after my fieldwork, writes the following:

[Across Melanesia] many communities feel the contradictions between the ideal of egalitarian unity and individual autonomy extremely intensely. They anticipate momentous change: the breakdown of the old sociality leading either to chaos or its total replacement with something new. This exists mainly as a kind of low-level buzz much of the time … The

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454 Allen 2016.
455 Macintyre 2014:17.
increasing exposure and dependence upon money and commodities, the ever-expanding presence of major resource extraction projections, participation in Western-based educational and political systems, and encounters with global consumer images … the pervasiveness of the contradiction Melanesians feel between communal and individual values … Melanesians experience the contradiction of values as a ‘point of concern’. 457

The anticipation Barker describes, the ‘low-level buzz’, is something I sensed very keenly in my interviews. I read it as a kind of anxiety — a palpable tension — that is very closely related to the crisis of authority I previously described. Further, the reason I believe my conversations with Solomon Islanders progressed quickly towards uncovering this anxiety is that the Truth and Reconciliation Commission was a site at which the ‘contradiction of values’ Barker alludes to was brought to light. Specifically, on questioning people about the relevance of the human rights approach used by the TRC, it became apparent that, for many people, the topic of human rights was an emotive one, precisely because the discourse was seen to encapsulate the problem (or Barker’s ‘point of concern’) that Solomon Islanders faced in their confrontation with foreign influences. There were varying degrees of emotionality in people’s responses, but two specific areas of concern were frequently offered as pertinent examples of the ‘problem’ with human rights. These were, firstly, clothing, especially changes in the way women and girls are dressing, and secondly, in the proliferation of violence in Solomon Islands communities — both gendered violence and conflict-related violence.

**Clothing, Women’s Rights and Moral Decay**

When I started interviewing people about the tensions, the TRC and human rights, it fascinated and confused me slightly that the topic of conversation always flowed towards clothing, particularly the clothing of women and girls. What people, or more specifically men, seemed to be very concerned about was the way that young people were dressing — boys in messy clothing, but even more so, women and girls in trousers and shorts — clothing that was considered to be male. For my interviewees, there was an intimate and obvious connection between these trends in dress and the human rights ideology. For example, Walter, the host of the national radio program *lumi Tok Aboutem Pis* (Let’s Talk about Peace), told me:

> In our culture, Solomon Island culture, you don’t see women wearing long trousers … But just because of the rights, people will say, ‘Oh it’s my right, I’m protecting myself from … there maybe two reasons why they use that kind of dress up for themselves, maybe protecting them from rapist or maybe people would attack them, and that’s quite a reasonable right,

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but it might be against our culture or *kastom* because when you go to the village our elders would not want to see you wearing men’s clothes, or men wearing women’s clothes ... and that’s when we’re saying there is a conflict coming up between people who see all these kinds of happenings happening in our community.\(^{458}\)

Consistently, dress was portrayed as an external, very visible expression of either conformity to the socially prescribed standards of *kastom* or, alternatively, of individual choice or affiliation with a different (urban or foreign) social group. As described in the previous chapter, there are very close connections between the notions of *kastom* and respect, and therefore behaving in a way that undermines *kastom* is seen as behaving disrespectfully to others.

*Women’s Sexual Morality and ‘Tambu’*

Overwhelmingly, this dialogue was gendered. A conversation about clothing was also a conversation about morality — specifically women’s sexual morality. According to my interviewees, it was the role of women to dress modestly so as not to inflame men’s sexual desire — trousers and shorts were considered too revealing as they showed off the contours of women’s bodies. As Chapter 7 discusses in detail, the development of the human rights discourse in Solomon Islands has developed very specifically around the rights of women along a two-pronged trajectory. One side of this trajectory is concerned with the protection of women and serves to reinforce gendered hierarchies, the other is concerned with equality and actively seeks to destabilise these hierarchies. In the minds of the men I interviewed, a woman’s decision to wear shorts or trousers was aligned with the second, destabilising narrative. In these findings, there are parallels between my research and the work of anthropologists Maggie Cummings (who wrote about ‘the trouble with trousers’\(^{459}\)) and Tait Brimacombe (who wrote about ‘trending trousers’\(^{460}\)), both of whom conducted extensive fieldwork in Vanuatu. Brimacombe states that women’s clothing is the one issue ‘around which the politics of tradition, and tensions between *kastom*, Christianity and modernity are most clearly illustrated’.\(^{461}\) She demonstrates how the wearing of clothes considered acceptable within prescribed gender norms is considered to be ‘respecting *kastom*’ and ‘respecting the church’. In either case, respect was used as a reason ‘to sanction women’s clothing choices’\(^{462}\) in the church and *nakamal*.\(^{463}\)

\(^{458}\) Interview with Walter, Honiara, 17 June 2014.

\(^{459}\) Cummings 2008.

\(^{460}\) Brimacombe 2016.

\(^{461}\) Brimacombe 2016:20.

\(^{462}\) Brimacombe 2016:24.

\(^{463}\) The *nakamal* is a traditional meeting house in Vanuatu where *kava* is consumed.
It is important to note that, accordingly to some of my interviewees, kastom norms around correct gendered behavior have developed as a way of preventing incest and therefore serve a practical social function. Depending on one’s tribe or clan, there exist elaborate tambu or rules regarding forbidden behavior and relationships, all with the ultimate goal of preventing sexual relationships between family members. For example, Elsie Wickham of UN Women told me:

Each island might have a different taboo — what is taboo for my island won’t be taboo for another island. A lot of taboos have something to do with religious activities and also to safeguard behaviours that are considered appropriate for the different sexes and the families. So [it would be taboo] if a woman’s brother walked under a clothes line where her clothes were hanging. It was [also] taboo for her brother to come and enter her room. 464

Clothing here is seen as an emblem of a woman’s sexuality, and it is therefore forbidden for a brother to walk underneath it. Tambu might also be concerned with talking about women’s body parts. Elsie explained:

[If] you should call this part “mouth” [she gestures to her mouth] and mention the word “mouth” [someone hearing this] can ask for compensation … That part of your face — it’s like you’re being crude — it’s brash — too direct. 465

With this in mind, behaviour and speech that disregards gendered norms is considered especially disrespectful, particularly to older generations who have not been as exposed to new ways of thinking that encourage them to question the continued validity of the tambu. For these people, the human rights discourse is seen as threatening for the very reason that it encourages this questioning. In a society where (in pre-colonial times at least) law enforcement was largely absent and social order was maintained through the careful following of rules, disregarding these rules and behaving according to one’s own selfish whims feels dangerous, reckless, and above all disrespectful. 466

**Avoiding the Provocation of Conflict, Shame and Compensation**

A further yet related concern regarding clothing is a genuine anxiety about the danger of provoking conflict. One interviewee told me:

[Wearing inappropriate clothing] is disrespectful to our community and our people as a whole in the community, but this might be a starting of conflict and it might disrupt

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464 Interview with Elsie Wickham, Honiara, June 2014.
465 Ibid
466 It is worth noting that while gendered tambus take different forms in different regions, they are nevertheless pervasive, and the burden of observing them almost always falls more heavily on women. See also McDougall 2003; 2009.
peacebuilding in the community too, because people might see you as a negative person when you talk to somebody in their family and they would not agree with the words that you’ve been saying to the member of the family due to the dress up code she had.\textsuperscript{467}

Individual behaviour is enmeshed in a web of consequences for one’s own and one’s family’s relationships with and amongst the broader community. Offending \textit{kastom}, particularly through the contravention of gendered taboos, is highly likely to lead to compensation demands against either yourself or your family. Much of what are considered customary norms have developed around the avoidance of causing such offence or incurring compensation claims. Shame too is a powerful social motivator, as those who have caused the offence are likely to be ostracised by the community and risk losing the protection of their networks.

The moral implications of clothing are also part of the legacy of missionaries to Solomon Islands. One interaction I had was especially telling in this regard. I talked to a male customer who was buying food at my hosts’ store in Marau one afternoon. He asked me what I was researching, and he began to berate human rights as another ideology that is being evangelised to Solomon Islanders. He used the analogy of dress:

\begin{quote}
When the missionaries first arrived in Solomon Islands we wore very little — just cloths and grass skirts. They told us that our dress was immoral — that we were Christians now and we needed to cover our flesh for modesty and to avoid inflaming the lust of the opposite sex. Now foreigners come to the resort (he gestures towards the Tavanipupu Resort a few kilometres across the water) and swim in their underwear shamelessly flaunting their bodies! So, before you told us one thing, now you tell us something completely the opposite!\textsuperscript{468}
\end{quote}

Central to this man’s frustration was a sense that the value systems that were being ‘evangelised’ to them by foreigners were inconsistent — how were they to know what to believe? Implicit in this interaction was firstly an assumption that foreigners consisted of one unified people who should act with consistency, and secondly a belief that notions of morality are static and don’t evolve over time. The inconsistency here, however, lies in the fact that the outsiders promoting moral ideologies have tended to do so from the same standpoint — pushing them as immutable, universal and definitive — \textit{the} morally authoritative blueprint for acting and interacting in the world.

\textsuperscript{467} Interview with Walter, Honiara, 17 June 2014.
\textsuperscript{468} The conversation took place on 16 April 2014 in Marau.
Human rights is considered to be part of a new, dangerous way of thinking that prioritises the individual over the community and personal choice and whim over traditional authority, and destabilises power relationships that play an important role in family and community cohesion. As Chapter 6 details, because of the trajectory of human rights development in Solomon Islands, most people perceive human rights as being synonymous with women’s rights. Whilst the women’s rights narrative that advocates equality between the sexes has been largely resisted, the narrative that focuses on ending domestic violence has gained significant traction, largely, I propose, because it promotes a protectionism that reinforces gendered hierarchies both within families and in the broader community. However, for some people I interviewed, human rights, or rather women’s rights, were seen as the *cause* of increased rates of gender-based violence rather than a means of reducing them. I return to an excerpt from an interview with Marau Eagle Force Commander Johnson Apoo:

> I’d like to comment about human rights please. I think that where the TRC is a little bit … [inaudible] I accept one side of human rights — about the protection of the people — but my belief, my religious belief, I don’t accept human rights on the other side. Because it goes beyond plans where God doesn’t allow. For example … women’s rights, because women have to submit, the Bible says women submit to their husband, and when God created Adam and Eve and Eve in the garden he said — I will take you from the [heart], I won’t take you from the leg or the head, but I’ll take you from where love comes, so that a woman should be the supporter of the husband. And human rights gives equal rights to a woman, yeah, which contradicts what the Bible says, and you will find these days, it causes marriage break ups. You might not believe it, but that’s what happens, because everyone has the right. In my culture, women have … I mean their right comes to a level and not beyond that of the husbands — when husband says, ‘No, don’t do this’, women have to submit, but when human rights come, women feel every … just in the same level. So, just like iron beating against iron, it causes fire. So that’s one part of human rights I don’t accept.469

Here, where human rights are seen as being used as a political tool — in that they challenge power relationships — they are considered to be immoral. In this reading, the political (power) order in Solomon Islands is seen as also being the moral order as it is decreed by God. Apoo goes one step further in suggesting that not only is this moral–political order decreed by God, but prior to Christianity it was decreed by *kastom* also:

> My *kastom*, it almost was in line to the Biblical standard, just almost in line … for us, men were the head. I think that for you in the Western world it’s the same - man. So when I say man is the head, I think it’s clear because not everything man has to make the decision

469 Interview with Johnson Apoo, Marau, 7 May 2014.
about, but when it comes to a very serious thing — issues where we must make a decision, man must make the final [decision].

In reality, whilst it is the case that a patrilineal social order amongst Are‘Are speaking peoples predated their interactions with outsiders,\textsuperscript{470} it was most certainly early interactions with Europeans that solidified a patriarchal social order. Eighteenth century European traders and missionaries who themselves organised according to a strict patriarchy assumed the authority of men in their negotiations with Solomon Islanders, therefore transferring wealth, and by extension power, to men.

Further, as Chapter 6 highlights, these interactions assisted in the solidification of a ‘big man’ political culture, which further ostracised women from decision-making and leadership.\textsuperscript{471}

The disruptions in filial power dynamics described to me were not limited to the relationship between men and women. Children and young people were also increasingly ‘aware of their rights’ and used them as a challenge to the authority of their parents. A participant told me:

Young people are saying that ‘it’s our right’, so they don’t care about their attitude or behaviour or maybe listening to their parents or teachers, so when you talk to them, people say, ‘Oh, it’s my right and it’s none of your business to talk about all these things because I know my rights and I have to do according to my rights’, and so.\textsuperscript{472}

Again, a human rights mentality is perceived as correlating with a lack of respect for others, particularly others who have traditionally been a source of authority. It connotes a ‘do what you like’ attitude that fails to take account of the consequences of one’s actions — a mentality that couldn’t be further from the premise of Solomon Islands kastom.\textsuperscript{473}

**Human Rights, Individualism and the Proliferation of Violence**

The extreme individualism associated with human rights is perceived as being inherently dangerous and chaotic in its relocation of the source of moral authority away from God, away from the community, and onto the self. Data gathered from my interviews suggests that people feel a great deal of anxiety regarding this relocation of authority. People perceive it as anarchic and threatening to the natural order of society, similar to Barker’s description of the ‘anticipat[ion of] momentous

\textsuperscript{470} Johnson Apoo is a member of the Are‘Are community of people, originally from Malaita, but who have settled in the Marau Sound area of Guadalcanal. As Chapter 5 discusses, the Marau and Weather Coast areas were hit particularly badly by the ethnic tensions — partially due to tensions from the settlement of Are‘Are people.

\textsuperscript{471} Monson 2013.

\textsuperscript{472} Interview with Walter, Honiara, 17 June 2014.

\textsuperscript{473} For a discussion on young Solomon Islanders’ use of the human rights vernacular to challenge authority, see Oakeshott 2019.
change: the breakdown of the old sociality leading either to chaos or its total replacement with something new.\textsuperscript{474}

Human rights are associated with a morally degenerate ‘Western’ culture that young people are being corrupted by.\textsuperscript{475} For example, interviews about human rights often led to participants steering the conversation onto topics such as internet pornography, drugs and alcohol consumption. Judith Siota of the Christian Care Centre in Honiara, an organisation that works with victims of domestic violence, told me that, in her opinion, the ‘Westernisation’ of Solomon Islands culture was having a detrimental impact on the levels of violence in society. When I asked her how, she explained to me:

I think, there is a lot of porn in the country and the internet is very accessible. Even the movies and DVDs that are coming in. There are R-rated movies that children should not be watching but they are watching. I was counselling one woman — her husband wanted to do something he had seen watching porn. Want to practice on their wives — wife becomes suspicious that he has seen a prostitute — accuses him — and then the violence starts. [...] People are bringing all sorts of ... stuff.\textsuperscript{476}

**Individualism, the Authority of the Self, the Power of the Gun**

Although my participants drew no direct correlation between conflict-related violence and a human rights mentality (after all, the language of human rights only really began to be popularised during the conflict), people often connected the selfish individualism they associated with human rights with the mentality that had inspired people to take part in acts of violence. Some of my interviewees had lived through the endgame of this extreme individualism and did not like where it led. This was vividly illustrated by the singular authority and power of the gun:

We call ourselves the Happy Isles but all of a sudden we have this violence coming, with the gun, yeah? The men who hold a gun were really powerful ... they could do whatever they wanted ... they were going around terrorising everyone ... they think, I’m strong, I’m powerful, I have the gun, I can do whatever I want ... there’s no kastom, no conscience amongst them, no thinking about it. This is [a] new thing — I have this gun and ... it can speak volumes. So, you know, I’m powerful, that sort of thing, that sort of mentality\textsuperscript{477}

The gun personified chaos and anarchy through the concentrated and undeserved power it bestowed on an individual. Under the power of the gun, the moral order was subverted, and this manifested itself in acts of violence that were both spiritually and morally dehumanising — sins

\textsuperscript{474} Barker 2016a:10.

\textsuperscript{475} For more on youth culture in Solomon Islands, see Evans 2016.

\textsuperscript{476} Interview with Judith Siota, Honiara, 11 June 2014.

\textsuperscript{477} Interview with Judith Siota, Honiara, 11 June 2014.
against both God and *kastom*. Alphonse, a member of the *Tasiu*, described this to me as people ‘going to the other side’.\(^{478}\)

**Crimes Against Humanity (and) Morality (and) ‘Kastom’**

The extent of the depravity that Solomon Islanders witnessed during the ethnic tensions was described to me with examples of violence that had not only perverted the moral order, but also the social orders of *kastom* and *tambu*. Nacanieli Seru, for example, described to me how ex-militants had forced a father to witness the rape of his daughter and a beheading in which the militants responsible played football with the head of the victim. Francis Kairi described some of the atrocities that people recounted during the Truth and Reconciliation counselling process:

> The hacking of the head, chopping of the hand, or burning him in the house, having the father rape the daughter in public. So these are all the different kinds of crimes. And some of them, one guy from Malaita was carrying a group of ladies … The way he described, he was so affected, because the militants are actually abusing the women. They’re stopping the truck and they’re holding the women and they’re abusing every single part of their body. And he was watching the side mirror, and he was crying inside … he was really affected.\(^{479}\)

The worst atrocities were described as those acts of violence that directly contravened *kastom* — often sexual crimes in which family members were made to watch or participate in the sexual humiliation of one another. These crimes were seen as especially humiliating as they implicated the victim in the breaking of *kastom* and ensured that the social stigma and shame they would experience for the rest of their lives would continue to victimise and subjugate them in their communities.

One militant is described as being notorious for committing crimes that offended both *kastom* and morality. Harold Keke, the leader of the Guadalcanal Liberation Front, was widely believed to be mentally unstable — increasingly so as the conflict progressed. Keke believed himself to be a God and ordered community members to worship him, creating a new Sabbath called ‘Harold’s Day’. Amongst the crimes committed by Keke and his followers was the murder of seven Melanesian Brothers — the *Tasiu* who had come to negotiate their surrender.\(^{480}\)

\(^{478}\) Interview with Alphonse Garimae, Honiara, 12 June 2014.  
\(^{479}\) Interview with Francis Kairi, Honiara, 15 March 2014.  
\(^{480}\) For a full discussion of the murder of the seven *Tasiu* see Carter 2006.
The murder of the Melanesian Brothers was all the more shocking to the Solomon Islands community because the Tasiu are believed to possess mana — the spiritual power that protects them and gives them the authority to pass unharmed through the bases of all armed factions. Charles Montgomery describes the mana of the Tasiu as such:

Islanders recognized that the Melanesian Brotherhood had a tremendous amount of mana. People said that the Tasiu were not afraid of devils or ancestral spirits. They could heal the sick and perform miracles. Their mana was similar to the power held by kastom priests, but it did not come from traditional spirits or ancestors. It came from God. What made the Tasiu holy was their prayer, their devotion, their vow of poverty, their separation from material striving. People respected the clergy. But they revered the Tasiu. Everyone knew that God worked through the Tasiu and that crossing them was akin to crossing God.481

Keke’s murder of the brothers therefore was seen as the worst kind of sinful violence. The immorality of the act was magnified by the fact that Keke was widely known to have been practising ancestral worship during the tensions, calling on spirits to empower him with vele, a black magic that would enable him to bring harm to others. Father Adrian Smith described the difference between vele and mana to me as such:

The main emphasis I think we must be very careful on is — if the fruit of the encounter is evil, well then it’s not a godly thing. I think that’s the main sort of thing you have to get across. But the fear of the vele, and you know that swelled up, that really surged during the ethnic tension, they were going around beating up people accusing them of using vele power to control some of the young people.482

Kastom, Respect and Cautiousness

I would like to shift the attention slightly now to unpack the close connection between the themes of cautiousness, respect and kastom that emerged in my data, and consider how they might relate to the Guadalcanalese concept of kukini. I will suggest that is it the tendency for Solomon Islanders to err on the side of caution and to always consider the consequences of their actions and words for both themselves and others that may have circumscribed people’s interactions with the Truth and Reconciliation Commission.

One of the themes that consistently resurfaced during my fieldwork was an anxiety around both information itself — as if the validity of a piece of information must always hang in the balance and should not be acted upon — and the act of speech. This showed itself during the Truth and

482 Interview with Adrian Smith, Honiara, 27 June 2014.
Reconciliation process in various forms where cautiousness around speaking about the past, particularly if that story was contentious or politically or personally sensitive — and especially if the thing talked about was likely to offend kastom in some way — was considered to be the most prudent course of action. This was especially true for women who testified, and the cautiousness was amplified further if the issue spoken about involved sexual abuse or rape. Thus, women who testified about sexual violence rarely spoke about themselves in the first person, but instead approached the story from the side, from an angle as if the story was in some way still very dangerous in the present. Rather than talk about themselves, women spoke in the third person, and referred to other women they knew who were victims of abuse. Ratu Joni, one of the TRC’s international commissioners, explained:

It was extraordinarily difficulty to get them to talk about it. They mostly talked about it in the third person, and we had focus groups, etc, and that still ... it was like ... uh... pulling teeth — they just did not want to talk about it. I think you can actually count on the fingers of one hand the people who were actually prepared to talk about it happening to them ... For instance we had a witness ... she never talked about the fact that she was raped, she was raped and she was pregnant, and she appeared at the hearing with the baby that she was carrying when she was raped — she never talked about it.483

My data suggests that, according to kastom, highly sensitive topics are best faced indirectly, and I visualise this approach to truth-telling as being similar to looking at a galaxy in the far distance. In the context of Solomon Islands, the story only begins to present a clear picture once you look past it rather than directly at it. There is simply too much shame, anxiety and danger involved in facing the event head on. For women, this indirect truth-telling was true even in a more generic sense. For example, when testifying about violence of any kind that occurred during the ethnic tensions, women were much more likely to talk about the suffering that their male relatives had experienced than to talk about their own personal suffering. This is reminiscent of Elsie Wickham’s comment regarding tambu: speaking too directly, especially when the subject matter could be construed in any way as having sexual connotations, is considered crass and disrespectful to others.

This tendency to treat information as potentially dangerous may have showed itself in the aftermath of the TRC’s submission of its final report to parliament when, despite having a legal obligation to immediately release the report to the public under the terms of the TRC Act 2008, the government held onto it, claiming that its contents were ‘too sensitive’ and may incite further violence. It is difficult to know whether this was a genuine anxiety shared by members of parliament or whether it

483 Interview with Ratu Joni Madraiwiwi, September 2012.
was simply a politically expedient excuse likely to be easily digested by the public precisely because cautiousness is such a highly regarded sentiment.

Certainly the government’s reasoning was not heavily contested by civil society. I can recall two instances in which civil society demonstrated that they thought this reasoning sound. Firstly, I attended a public discussion held by umbrella civil society organisation Solomon Islands Civil Society Forum at which cautiousness around the potential sensitivity of the information contained within the TRC report was provided as a reasonable, even important, excuse as to why it shouldn’t be made publicly available (this predated Terry Brown’s unofficial leaking of the report). 484

Secondly, I conducted an interview with Catholic priest Adrian Smith in which he recounted accompanying SICA to petition the prime minister to release the report to the public. He said:

> It was fairly clear that he wasn’t prepared to, you know, take the report to parliament. I honestly think ... I think he had a smokescreen to be very honest. His smokescreen was he was frightened that if and when the TRC report comes out, that people will immediately hook onto the recommendations and continue to demand that the government continue to fulfil all the recommendations, and he did a little bit of a scare tactic — he sort of said to the group, ‘That’ll mean the economy will collapse’ ... for using that tactic, it was fairly clear to me he had no intention ... I got the feeling that the group more or less accepted. They accepted because he kind of gave a very dreary picture. 485

For Smith, this reasoning was merely an excuse for more political motives — most likely the fact that the report lists the names of many current politicians who were involved in the tensions, and a general anxiety over any potential legal ramifications of that fact should the government put its official stamp on the report. This interpretation is backed up by my interview with Secretary to the Prime Minister Phillip Tagine, a lawyer given the responsibility of reading the report thoroughly in order to advise the government of such ramifications. Ironically, Tagine refused to read the report on a legal–ethical interpretation of the TRC Act 2008’s stipulation that first it must be released to the public. The Office of the Prime Minister therefore found itself in an uncomfortable stalemate. Even if the government was not convinced by its own catastrophising rhetoric, they appeared to be tapping into, and capitalising on, a general fear amongst the public that sensitive information could provoke conflict and compensation demands that might cripple the country’s economy. This points to an underlying belief that speaking out, just like acting out, can have consequences for the community as a whole, and therefore must be approached with a great deal of caution and forward planning.

484 See Cain 2013.
485 Interview with Adrian Smith, Honiara, 27 June 2014.
The anxiety over the TRC report’s contents has also been demonstrated in the government’s various attempts to have it ‘sanitised’ or ‘condensed’ for public consumption. Following the unofficial leaking of the report by its editor Terry Brown, the Ministry for National Unity was approached and asked to produce a reduced version for official release, but refused as they didn’t believe this step was legal or in the public interest:

To me, personally, I think it’s good that somebody from outside release, as the report was so sensitive and the government (laughs) are very happy ... secretly ... they didn’t have to face the consequence of who’s releasing the report ... They were quite reluctant really to release it as early as possible, because of the sensitivity, so they tried to, to throw back to the Ministry, how do we handle it? Can we condense it? Can we reduce it? And I said no, [inaudible]. Our responsibility is to release the report in its entirety. So although the release was unofficial, most people reading it, read through it, some of us got a copy. But we have to official release it in this country, we have to. 486

The task therefore was given to the Prime Minister’s Office, where a technical team led by Phillip Tagine was appointed, but as we have seen, clashes on moral–legal interpretations of the TRC Act 2008 led to a standstill there also.

I suggest that this tendency to err on the side of cautiousness may be closely related to Solomon Islands kastom. Consistently, my interviews suggest that the notion of respect is of critical importance to how Solomon Islanders interpret kastom, and while the practices and rituals of kastom may differ from island to island and tribe to tribe, it is through the upholding of these practices that people are able to demonstrate respect for other people. Respect is portrayed as the glue that holds communities together — through acting and speaking in a manner that is deferential to others, one maintains a sense of humility whilst avoiding conflict and the need for compensation and keeps intact the social and moral order of the community.

‘Kukini’ — The Connection Between Respect and Cautiousness

Whilst talking with Father Adrian Smith regarding the tendency for people to err on the side of caution that continually resurfaced in my interviews, he introduced me to the Guadalcanalese concept of kukini. Kukini, Smith describes, is a word for both respect and fear — a kind of respectful fear or reverence — that underlies people’s interactions with one another. He said:

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486 Interview with anonymous MNURP representative, June 2013.
In most of the languages, the word fear is not too fine-tuned, as it were, except on Guadalcanal. On Guadalcanal, they have a very special word for respect ... In Guadalcanal when they want to say ‘he did not show respect for such and such a person’, they will have this very special word *kukini* and it has a whole lot of sides to it that I think play a big role in relationships ... It has the concept of reverence and respect ... And the other thing you’ve always to remember is it’s a society that’s very conscious, or believes very strongly that the ancestral world still knows what’s going on.\textsuperscript{487}

Implicit within the concept of *kukini* is a fear or anxiety about the consequences of one’s actions — either through causing offence to others or through the possibility of causing offence to the spirit world and therefore incurring spiritual repercussions such as sickness or death. It implies a sense that one cannot predict the consequences of one’s actions and thus it is always best to act and speak cautiously. Smith further explained that most Solomon Islanders live comfortably with a dual belief in both a Christian God and ancestral spirits, and that the idea of insulting the ancestors is both ‘sacrilegious and offensive’.\textsuperscript{488}

On questioning Smith further about the relationship between belief in ancestral spirits and the black magic *vele*, he responded by drawing a parallel with the biblical creation story:

> Are you aware of the prohibition in the book of Genesis about the trees in the garden, and the one was the tree of knowledge? Don’t eat [from] the tree of knowledge, because if you eat from the tree of knowledge you will become like God and you will know everything. And I think basically we’re being told there ‘live with the unknown’. Now people don’t like to live with the unknown.\textsuperscript{489}

Smith’s parallel suggests on one hand that belief in *vele* is a way of labelling ‘the unknown’ — he later describes *vele* as the power people can have over each other through the influence of self-beliefs — but also, the parallel evokes the cautiousness implicit in the concept of *kukini* — that one must not ‘eat from the tree of knowledge’ and bring shame upon oneself. *Kukini* implies limiting one’s actions and speech out of a reverence for others and an acute awareness or fear of consequences. Doing the opposite implies breaking taboos, eating from the tree of knowledge and opening a Pandora’s box that could prove incredibly harmful.

The concept may go a long way towards explaining why it was so culturally difficult for Solomon Islanders to interact with an institutional truth-seeking model. According to Solomon Islands *kastom*,

\textsuperscript{487} Interview with Adrian Smith, Honiara, 27 June 2014.

\textsuperscript{488} Interview with Adrian Smith, Honiara, 27 June 2014.

\textsuperscript{489} Interview with Adrian Smith, Honiara, 27 June 2014.
not only is facing and telling the truth head on too ‘brash, too direct’, but it is also something that may bring shame upon others. Rather than seeing physical and speech acts as isolated, *kukini* suggests that there is always an acute awareness of the potential reverberations of one’s actions. Just as Solomon Islanders rarely perceive themselves as isolated individuals, but rather as connected parts of a complex social network, so too physical and speech acts do not occur in a vacuum — they occur as part of a complex system of values and norms. They are connected to others, embedded in both the future and the past — and their consequences ripple outwards in all directions.

**The Closed House, Fear and Critical Thought**

This discussion brings us back to the metaphor of the closed house introduced at the beginning of this chapter. The metaphor was given to me by Francis Kairi of the Ministry for National Reconciliation, Peace and Unity. For Francis, the protective functions of *kastom, kukini* and *tambu*, or rather their implicit impenetrability, and the mindset which says that questioning them is dangerous, have become something threatening in Solomon Islands, something that is keeping the society ‘spiritually sick’. He uses the metaphor of the house — something that was built to provide safety and stability — that has become a kind of prison, preventing its inhabitants from experiencing the ‘fresh air’ of critical thought. He describes:

“This society is a closed society … [t]his is a closed house … and inside this house, it’s stuffy, it’s smoky … I put in in a negative way because you come with good things for us to change society, such as ‘choose non-violent ways to solve your problems’, but to them it is only a one-way street … Some of these things are hurtful in this society, this closed society, and these are the things that I say are in this house.

You try to tell them about the new ways, they think, ‘Where are you from? [Are] you from Pluto or from where?’ That’s why we cannot cope with crisis until we can adapt to new ways of looking at our own lives […] The mind is actually a one-way street in Solomon Islands. And that’s why I talk to you about the closed house, and this house needs fresh wind to blow through so open the windows … to have them know of the influences from outside. Which ones they can adapt … they chose … this influence cannot stop from coming but don’t take it all because it does not fit your context.”

Francis conceptualises the social mindset of Solomon Islands in a very different way to many of my interviewees. The metaphor of the house (unintentionally, I believe) draws parallels with a description of the house of Zacchaeus I was given in an interview with Nacaniel Seru. Pastor Seru

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490 Interview with Elsie Wickham, Honiara, June 2014.
491 Interview with Francis Kairi, Honiara, 19 April 2014.
described: ‘The house of Zacchaeus was a very sinful house, nearly everything would have been stolen. It was a dirty house, corrupt ... the house of Zacchaeus is a picture of anybody’s life’.\textsuperscript{492}

Whilst for the majority of the people I interviewed this house and the claustrophobia inside might represent an inward-looking, insular mindset in which one’s individual desires are hoarded and prioritised over the needs of others, in Francis’ metaphor, the inward looking mindset refers not to the sinful individual, but to the community as a whole — a community insistent on locking its doors to any outside influence. Yet the metaphor suggests that people shouldn’t fear the consequences of opening the doors and windows and engaging with the outside world, as it is in their power to decide which influences to adapt and which to disregard.

When this metaphor is considered in light of people’s responses to the Truth and Reconciliation Commission, especially people’s emotive reactions to the human rights approach, it suggests that the recentring of authority implicit within the approach need not lead to chaos and the breakdown of the moral order, but could be perceived as empowering — enabling Solomon Islanders to exercise agency and choice with regard to the influences with which they engage.

\textsuperscript{492} Interview with Nacanieli Seru, 10 June 2014.
PART FIVE: CONCLUSION

10. Conclusion: A Crisis of Authority at the Global–Local Interface

Human Rights, Authority and the Colonial Encounter

At the time I write this thesis, it is 2019, some 74 years since the establishment of the United Nations and 71 years since its adoption of the *Universal Declaration of Human Rights* (*UDHR*). Significant changes have occurred since this time — both in the global order generally and in the development of the human rights discourse specifically. Whilst some might claim the human rights discourse was born — as perceived in its first iteration at the Nuremberg trials — out of transitional justice, others would argue that transitional justice has developed as a sub-field of human rights to assist the multitude of countries that have transitioned to democratic rule since the 1940s, and specifically since the end of the Cold War. The last seven decades have seen the enactment of nine international human rights treaties, as well as the development of international jurisprudence on crimes against humanity as solidified in the Rome Statute of the International Criminal Court. At the same time, truth (and reconciliation) commissions have developed as a non-judicial alternative for dealing with the aftermath of gross human rights violations. The human rights discourse is more ‘universal’ now than it was in 1948.

Concurrently, most of the lands that remained under colonial rule when the *UDHR* was drafted — including most of the South Pacific Islands — have since become independent nation-states that have taken their place as equal members of the United Nations. The architects of the international human rights machinery apparently saw little inconsistency between the *UDHR*’s insistence that ‘[a]ll

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493 Robertson 2013.
494 Andrieu 2010; Arthur 2009.
495 The International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child; the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment; the Convention on the Rights of Persons with Disabilities; the International Convention for the Protection of all Persons from Enforced Disappearance; the International Convention on the Protection of All Migrant Workers and Their Families
496 In spite of the proliferation of human rights treaties in recent decades, as well as the development of international standards of criminal justice in the Rome Statute, some scholars are currently describing what they perceive to be a crisis in human rights’ authority at the international level. A particularly vocal critic is Samuel Moyn whose historical critique of human rights norms *Not Enough*, laments the ‘melancholy truth of our failure to invent other ideals and movements’. In particular, Moyn identifies (what he perceives as) the failure of the rights discourse, as being its inability to respond in any meaningful way to widening gaps in material inequality. Despite Moyn’s critique of human rights as a politically and morally authoritative justice discourse however, he does not offer any viable alternatives by which we might improve upon them (Moyn 2019).
human beings are born free and equal in dignity and rights’ and the ‘civilising mission’ of the European colonial project. As Susan Waltz has documented, the drafting of the UDHR involved much debate over:

the notion that fundamental freedoms must include the right to political independence [...] these efforts were resisted at every turn by colonial powers not yet persuaded that decolonization was an idea whose time had arrived.497

Whilst early scholarly debate saw a clash between the universalism ironically put forward by these same powers and the notion of cultural relativism endorsed by anthropologists, human rights eventually became part of the rhetoric of decolonisation in much of the world — as Skinner describes, there was a ‘discursive shift in which ideas of democracy and universal rights became a normative standard for political legitimacy’.498

However, while most regions of the world were consulted for their input into the precise content and wording of the UDHR, as Niezen has pointed out, ‘[n]one of the representatives consulted for input into human rights instruments were from exclusively oral societies’, 499 which, at the time, would have included most of Melanesia, and certainly Solomon Islands. This meant that the assumption of universal relevance, and the stamp of ‘global’ legitimacy that was gleaned from a supposedly worldwide consultation process, overlooked the values and norms considered essential to a notion of moral and political personhood in Melanesian societies.500 Thus, Niezen describes how:

The authority of elders in arranging marriages, and controlling the lives of junior family and community members, is a widely distributed feature of what are variously called oral, subsistence-based, or kin-based societies. The Universal Declaration, with its emphasis on individual protections, opposes such exercise of authority.501

As this thesis has shown, the challenge to ‘traditional’ forms of authority presented by the popularisation of the human rights discourse in post-conflict Solomon Islands has been perceived by many as being both subversive and threatening. The challenge posed by human rights, as observed in Chapter 9, has not only been in relation to the discourse’s perceived threat to traditional authority, but also the threat it is seen to pose to the very moral fabric of society — a moral fabric on which the

500 ‘In 1947 UNESCO created a committee on the theoretical bases of human rights which included leading intellectuals, philosophers and political scientists. A questionnaire was sent out to politicians and scholars, such as Mohandas Gandhi or Aldous Huxley, soliciting their opinion on the idea of a Universal Declaration of Human Rights’ (UNESCO.)
political order of society, ordained by the highest authorities of God and kastom, is seen to hang. The hyper-individualism of the human rights discourse is perceived as being part and parcel of a commercialised, capitalist Western value system that eschews community-focused morality and refocuses the source of authority away from God, away from the community, and on to the self. For many Solomon Islanders I interviewed, there was a sense that they had witnessed the endgame of this hyper-individualism during the ethnic tensions — personified by the singular power and authority of the gun and the violence committed by militants when it was in their possession. As the participant told me, ‘There’s no kastom, no conscience amongst them, no thinking about it. This is [a] new thing — I have this gun and ... it can speak volumes’.  

Writing about the challenge to authority presented by systems of global governance, Enroth suggests that the advent of these systems has served to relocate the source of political (and in some cases moral) authority away from the nation-state and upwards onto global institutions of power such as the United Nations. Similarly, Puchala describes the United Nations as representing ‘the West as collective hegemony’. Referring to Cox, he suggests:

> World hegemony is also a normative, ideological, or ethical structure. It ‘is expressed in universal norms, institutions, and mechanisms which lay general rules of behavior ... its economic basis, its ideological expression, and its form of political authority as an interactive whole, Antonio Gramsci called ... the blocco storico’.  

Hooge and Marks suggest that rather than represent a singular relocation of authority upwards, the advent of global governance reflects the ‘relocation of authority upward, downward, and sideways from central states’. I believe that it is this diffusion of authority represented by the human rights discourse that is perceived as being so threatening to many Solomon Islanders. To expand upon Hooge and Marks statement, the advent of global governance means that, according to the neoliberal model at least, intergovernmental organisations such as the UN now have a higher level of authority to command obedience over sovereign states. The human rights ideology also, hypothetically, relocates a level of authority to the individual human person who is empowered to use the standards of international law to challenge the authority of the government and command obedience, through international courts and monitoring, to transnational human rights standards.

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502 Interview with Judith Siota, Honiara, 11 June 2014.
Thus, human rights as a form of global governance relocates ‘authority upwards, downward, and sideways’.  

In post-colonial Solomon Islands, however, where the institution of the nation-state has never achieved the level of political authority referred to by Enroth, and where formal legal systems exert a negligible influence over the lives of most people, the threat posed by human rights is far more existential in nature. Those who feel the ‘low-level buzz’ or ‘point of concern’ Barker describes, or the ‘crisis of authority’ I describe in Chapter 9, experience the looming threat of modernity — and human rights as its defining moral–political ideology — as a threat to their very way of life, indeed to their kastom. Global governance for the people of Solomon Islands has seen the relocation of authority inwards towards the individual person. One participant describes the threat of human rights as such:

    In our culture we don’t talk about rights ... you’re spoiling our kastom and culture. You’re spoiling it ...it’s wrong. According to our culture, when you talk about the rights, you are damaging everything.

However, as this thesis demonstrates, not all members of Solomon Islands society perceive human rights as a threat to their traditions and moral values. As Chapter 6 illustrates, many women are using human rights as a means to negotiate and level power imbalances both in the home and in the public and political spheres. Power and authority are heavily gendered in Solomon Islands society, and in the absence of a significant state presence in most people’s lives, human rights has developed more as a discursive tool for negotiating power within families and communities than as a tool to negotiate power between the people and the state.

During my fieldwork, much of what was presented to me as ‘traditional’ forms of authority undermined by human rights were, in fact, relationships between men and women. In particular, men felt that human rights were a threat to a husband’s authority over his wife, which was presented as being dually sanctioned by both kastom and the higher authority of God. The story of Adam and Eve was frequently presented as biblical justification for this hierarchy, which was assumed as the natural and right order of society:

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505 Sideways in the fact that judicial decisions regarding the application of human rights law will generally favour the rights of the population at large over those of the individual: the ideology contains within it a public duty to protect the entire community.

506 Barker 2016b:10.

507 Interview with R, Honiara, 16 June 2014.
God created Adam and Eve in the garden and he said ... I’ll take you from where love comes, so that a woman should be the supporter of the husband. And human rights gives equal rights to a woman, yeah, which contradicts what the Bible says ... In my culture, women have ... I mean their right comes to a level and not beyond that of the husbands — when husband says, ‘No, don’t do this’, women have to submit, but when human rights come, women feel every ... just in the same level.  

Ironically, as Chapter 6 illustrates, the ‘traditional’ order of male authority over women has been demonstrated by scholars such as Liloqula, Pollard and Monson to itself be largely a result of the colonial encounter. During the ‘sequence of disintegrative contacts with global forces’, Europeans’ tendency to negotiate with individual men rather than communities or women helped to solidify the ‘big man’ system of politics. This is true even of matrilineal societies (such as Guadalcanal) where women were the traditional custodians of land. Therefore, while it can be said that Solomon Islanders have been collectively subjugated and exploited through their interactions with outsiders, as a demographic, men have actually gained power through these encounters, at least in the realm of gender relations. Thus, while colonisation helped to solidify the notion of kastom as a political ideology, it also served to solidify kastom as a tool of moral rhetoric to deflect critique away from gendered structures of power.

The Truth and Reconciliation Commission: Engaging with the Vulnerability–Emancipation Dynamic

Within this context, the Truth and Reconciliation Commission was established with a mandate to investigate the ‘nature, antecedents, root causes, accountability or responsibility for and the extent of the human rights violations or abuses which occurred between 1 January 1998 and 23 July 2003’. As a post-conflict transitional justice institution, the role of the TRC was to consider acts of violence that occurred during a limited and predefined narrative timeframe: the ethnic tensions. As has been the case with most post-colonial ‘ethnic’ conflicts, the roots of the tensions were undoubtedly planted in the soil of colonialism and replicated through the inequitable policies, corruption and nepotistic tendencies of successive post-colonial governments, as scholars Allen, Akin, Bennett and Kabutaulaka have all argued. In response to her own questions, ‘What went wrong in Solomon Islands? ... Why did civil war erupt mainly between Guadalcanal and Malaitan people?’, Bennett responds:

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508 Interview with Johnson Apoo, Marau, 7 May 2014.
510 Monson 2017.
511 Braithwaite et al. 2010:16.
512 See, for example, Blanton et al. 2001; Bowen 1996; Chambers and Curti 1996; Wimmer 1997.
Independent governments have not fulfilled the aspirations they represented. Though Christianity in its various forms has become more naturalised, the political structures bequeathed by the British are foreign additions that have not sat well on the Melanesian foundation. Yet Solomon Islander politicians in the years since independence have done no more than tinker with them, because they have given such men a degree of personal power in the disposal of resources.\footnote{Bennett 2002:1.}

It might be considered ironic that an institution mandated to investigate the causes of a conflict with roots in colonisation would also be mandated to frame such an analysis within the parameters of the very ideology that many Solomon Islanders reject as the paraphernalia of Westphalian statehood. A pertinent question to raise in response to this might be whether, if the human rights discourse had been vernacularised in a more gender-neutral manner, one in which the subjectivity of human rights victim, and therefore human rights holder, was equally available to men as it was women, would it still be considered a product of a neo-colonial development agenda by so many Solomon Islands men? As Chapter 6 details, the vernacularisation of the human rights discourse in the post-conflict environment has occurred according to a very limited and ultimately gendered trajectory.

The answer may lie in men’s ambivalent relationship with the dual narrative of human rights I describe in Chapter 6. As I outline, the vernacularisation of human rights in Solomon Islands has occurred according to two diametrically opposed narratives. The first narrative is concerned with the protection of groups of people who are perceived as being vulnerable — primarily women, but also children and people with disabilities. According to this narrative, benevolent rights duty bearers offer protection to the vulnerable by refraining from committing acts of violence against them and condemning those who do. When interviewed, most men do not oppose the vulnerability narrative of human rights.

On the other side of the dynamic, however, is the narrative of human rights as equality — specifically gender equality. Initiatives that have been framed according to this narrative have primarily focused on closing the vast gender gap in Solomon Islands politics. Whilst successive governments have outwardly made commitments to increasing gender equality, they have remained reluctant to put in place concrete measures such as Temporary Special Measures (TSMs) that would action such commitments.\footnote{For a full discussion, see Chapter 6.} Not only were many (not all) of the men\footnote{I interviewed strongly opposed to this narrative of human rights, some also believed it was a driver of gender-based violence. As one participant told me:} I interviewed strongly opposed to this narrative of human rights, some also believed it was a driver of gender-based violence. As one participant told me:

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513 Bennett 2002:1.
514 For a full discussion, see Chapter 6.
515 I feel it is important to again stress that there are many male gender equality advocates in Solomon Islands.
Human rights gives equal rights to a woman, yeah, which contradicts what the Bible says, and you will find these days, it causes marriage break ups. You might not believe it, but that’s what happens, because everyone has the right.\footnote{194}

I label this dual narrative the ‘vulnerability–emancipation dynamic’ and suggest that a protectionist, vulnerability-focused rights discourse threatens to bolster a depoliticised version of human rights victimhood. The vulnerability narrative, which has proven to be the most effective way of framing gender-based violence in Solomon Islands, essentialises the notion of a dependent, female human rights victim lacking political personhood and, conversely, of a strong, male human rights duty bearer. In other words, where human rights have been perceived as a threat to existing power hierarchies they have been resisted, and where they have been seen to reinforce the status quo they have been embraced. As I underline in Chapter 6, by making this observation, I am in no way denying the agency and activism of women’s rights campaigners who have successfully advocated for an anti family violence agenda. Rather, I draw attention to these activists’ acute awareness of, and negotiation with, the power structures in which they conduct their work. In the truest sense, they are Merry’s ‘translators’,\footnote{517} Bierschenk’s ‘brokers’,\footnote{518} and Goodale and Clarke’s ‘moral agents’,\footnote{519} framing their advocacy according to their audience, ‘analys[ing] the political landscape for where they might find the thin wedge to pry open the door’.\footnote{520}

It is in the context of the ‘vulnerability–emancipation dynamic’ that the Truth and Reconciliation Commission was established. The commission engaged with the dynamic in novel ways, at times seeming to fiercely challenge the vulnerability narrative of human rights, while at others seeming restricted by the limitations of the vernacularisation process. These inconsistencies were no doubt influenced by the sheer number of people who contributed to the report and the filtration or ‘translation’ of data and stories as they were passed from researchers and statements takers, through writers, to the international editors who were ultimately responsible for crafting the report’s historical narrative. This collaborative engagement corresponds to what Gready has termed the ‘imperfectly realised hybrid genre’\footnote{521} of truth commission reports, which amalgamate the work and narrative voices of many individuals into one seemingly singular and ‘true’ historical account of a nation’s past.

\footnote{516}{Interview with Johnson Apoo, Marau, 7 May 2014.}
\footnote{517}{Merry 2006:42.}
\footnote{518}{Bierschenk et al. 2002.}
\footnote{519}{Clarke and Goodale 2010:8.}
\footnote{520}{Nesiah 2016:5.}
\footnote{521}{Gready 2010:20.}
As Chapter 7 describes, Volume III of the report was largely based on a parallel truth-seeking project: *Herem Kam: Stori Blong Mifala Olketa Mere*. Organised by local women’s rights activists with assistance from the international NGO the International Center for Transitional Justice, Herem Kam involved one national and five regional workshops and resulted in the *Women’s Submission to the Truth and Reconciliation Commission*. The *Women’s Submission* was strongly informed by an emancipation narrative and drew firm links between the prevalence of gender-based violence in Solomon Islands — both during the conflict and in peace time — and broader patterns of gender discrimination. Overwhelmingly, Volume III reflected the tone of the *Women’s Submission*, contextualising gender-based violence both within broader social constructions of gender and the longer history of interactions with outsiders. Thus, as Chapter 7 describes, Volume III achieves in minuitiae what the report as a whole fails to — I liken Volume III to a matryoshka doll: physical violence is contextualised within broader gender norms, which in turn are contextualised within the history of ‘disintegrative contacts with global forces’.

The TRC presented a unique opportunity to challenge the gendered ‘vernacularisation’ of human rights in post-conflict Solomon Islands and make accessible the full range of human rights subjectivities to all Solomon Islanders. One way it might have achieved this is through engaging ex-combatants in their self-defined subjectivities as custodians of *kastom*, and framing all Solomon Islanders as having collectively been victimised through outsiders’ and successive governments’ misappropriation of their land and resources. Truth (and reconciliation) commissions have often been criticised for their failure to engage with the broader patterns of ‘structural violence’ that create the contexts in which physical acts of violence are committed.

While the TRC report dedicated an entire volume to investigating the ‘root causes’ and ‘antecedents’ of the tensions, and while the historical narrative contained in Volume I includes an analysis of the impacts of the colonial legacy, what the narrative fails to achieve is bringing those historical injustices into line with its human rights framework. Instead, the pre-conflict history is detailed in Volume I and a separate human rights framed narrative that focuses on six, pre-defined categories of physical human rights violations is contained in Volume II. There was certainly scope to have brought structural violence under the framework of human rights violations, as Volume III’s analysis of women’s experiences recognises many structural concerns as violations of women’s rights.

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522 Braithwaite et al. 2010:16.
Translation: Bridging the Global–Local Divide

The TRC’s focus on acts of physical violence and its use of the definitions of crimes against humanity from the Rome Statute set up a hierarchy of violations and place greater emphasis on acts of ‘extraordinary’ violence than on the more corrosive and insidious systems of structural inequity that led to the tensions. Considering the very limited understanding of the international human rights framework in Solomon Islands, there was a vast gap between people’s personal understanding of the violence they had experienced and the framing and analysis of that violence as it eventuated in the TRC report. While the commission states that it based its limited consideration of rights violations on the limited knowledge of rights in Solomon Islands society, its use of the Rome Statute as a ‘benchmark’\(^ {523} \) by which to define violations would certainly have meant very little to most people who shared their stories.

A process of ‘translation’ was at play as TRC researchers and statement takers carried out their work. As researcher Welchman told me: ‘When you use [the local language], you’ve already gone away from human rights themes [...] so most time I didn’t use this thing about human rights’.\(^ {524} \) TRC staff therefore functioned as Merry’s ‘translators’:

> These people translate up and down. They reframe local grievances up by portraying them as human rights violations. They translate transnational ideas and practices down as ways of grappling with particular local problems. In other words, they remake transnational ideas in local terms. At the same time, they reinterpret local ideas and grievances in the language of national and international human rights.\(^ {525} \)

Another key group of translators in the TRC process, as Chapter 8 describes, were the trauma counsellors employed to prepare individuals to share their testimonies. The evening before a TRC hearing, Caritas-trained trauma counsellors worked closely with those who were due to testify and coached them on how to shape their narratives. As I explain in Chapters 5 and 8, the people of Solomon Islands expected that the TRC would be ‘a moral body, a principled approach’\(^ {526} \) grounded in the Christian principles of forgiveness and reconciliation\(^ {527} \) yet when the TRC eventuated, its strong grounding in international human rights norms ostracised the churches and pushed Christian subjectivities to the periphery of its work.

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\(^ {524} \) Interview with Welchman, Honiara, 19 September 2013.
\(^ {525} \) Merry 2006:42.
\(^ {526} \) Interview with Bob Pollard, Honiara, 3 June 2014.
\(^ {527} \) As I also describe, the concept of reconciliation is an area where it is possible to identify the layering of Christian norms and subjectivities onto kastom norms and subjectivities — an earlier example of vernacularisation.
That periphery was the coalface of interaction between trauma counsellors and testifiers. Individuals were coached to frame their narratives using Christian motifs, resulting in a surprising homogeneity in people's testimonies. 'Victims' would offer forgiveness to those who had wronged them and ask them to come forward and reconcile. 'Perpetrators' or ex-combatants would express remorse for their sins and ask for forgiveness and reconciliation with their victims. It is difficult to say whether this framing made the truth-telling process any more meaningful or accessible for testifiers. Whilst one counsellor describes the process as have been 'dehumanising' and 'like a conveyor belt', he also describes how, for some people he worked with, the process of sharing their story for the first time had been nothing short of miraculous:

As soon as they throw it out ... even at the end of the hour ... some of them went for two hours ... counselling ... you could actually see their face changing. Those with the lighter skin, their face, the blood flow. But some would come with the dark skin, as soon as he talks, and he finishes the whole process, they look ... we asked them, 'How do you feel' — 'As though I've dropped a heavy load' — that's what they would say.\(^{528}\)

While the TRC had originally been inspired by the South African Truth and Reconciliation Commission, and, it was hoped, would reflect the theological ethos that Desmond Tutu brought to bear on its work, Christianity eventually played a marginal role in Solomon Islands TRC's work. One key area where the TRC did not emulate the South African model was in its decision not to offer amnesty in exchange for perpetrators' testimonies.

In South Africa, the exchange of amnesty for the 'truth' about politically motivated crimes encouraged many 'perpetrators' to share their stories with the commission. This not only translated into opportunities for interpersonal reconciliation between 'victims' and 'perpetrators', but also functioned as a symbolic offering of forgiveness for sins. Amnesty presented an amalgamation of spiritual and criminal absolution and lent a practical tangibility to the commission's 'reconciliation' mandate.\(^{529}\) Conversely, the promised reconciliation of Solomon Islands' TRC was envisaged as an enigmatic future outcome of truth-telling and was framed in terms of the promotion of national unity, rather than interpersonal reconciliation. The concept of national unity — as Chapter 7 describes — is one that many Solomon Islanders feel resentful towards, interpreting it as inherently connected to the neo-colonial model of statehood: a number of the people I interviewed viewed the implicit nation-building agenda of the TRC with suspicion.

\(^{528}\) Interview with A, 5 March 2014.

\(^{529}\) Or the possibility of amnesty, as far fewer amnesties were granted than applications received.
The TRC’s engagement with ex-militants was deeply flawed. While I explain in Chapter 7 how most ex-militants deeply distrusted the TRC process and hence avoided the hearings altogether, Karen Brounéus writes how those who did testify ‘decided beforehand what to say in the hearings’. She writes how this resulted in ‘[a] systematic telling of untruths’. Therefore, both ‘victim’ and ‘perpetrator’ testimonies were circumscribed by the perceived limits of acceptable truth-telling. Ironically, neither were limited by the human rights framework adopted by the TRC — the ‘technologies of truth’ that Merry and Coutin describe — but rather by the anxieties they brought to their interactions with this global truth-telling institution. Just as ex-combatants framed their testimonies in ‘safe’, non-incriminating narratives, counsellors told me how the Christian template was offered as a means of calming people’s anxieties about the process of testifying — familiarising it and containing an overwhelming and alien experience:

I would like to have three drawers for them. Open the first drawer, and you tell your name, where are you from, so that it will give them confidence that they will not forget to talk. And the second, you tell your story. And the third one, you say thank you everybody for listening to your story. And you just thank your family for listening to your story. And you thank God for keeping you alive. That’s all.

One of the defining features of the truth commission model is that, in contrast to criminal trials, it aims to give a narrative voice back to the victims of violence — empowering the powerless to challenge prescribed versions of history and speak their own personal truth(s). One of the key ironies of establishing a TRC in Solomon Islands is that it is so often considered culturally inappropriate to speak ‘the truth’ here, especially when that truth contains details that are considered shameful. In Chapters 7 and 9, for example, I explain how strict kastom norms (tambu) regarding knowledge of a family member’s sex life mean that talking about sexual violence is considered forbidden. If, through your truth-telling you ‘hurt the ears’ of your brother, for example, you may be required to pay compensation in order for him to ‘unhear’ your story. As the TRC report recognised, ‘[f]or women, sometimes their silence is louder, stronger and safer than anything they say out loud because of the risks involved in telling their stories’. Therefore, most women who testified spoke in the third person, referring to acts of violence that had been committed against others. In the light of Solomon Islands tambu, having a predefined template through which to deliver testimony made the truth-telling process a safer, less overwhelming experience.

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530 Brounéus 2018.
531 Interview with F, 18 March 2018.
The Guadalcanalese concept of *kukini* was introduced to me during my fieldwork. The term connotes a tendency to err on the side of caution in all of one’s behaviours and speech acts — it implies a mixture of fear and respect, a deep reverence for the consequences of one’s actions. Implicit within the concept is the imperative to not only avoid offending others, but also to avoid causing offence to the spirit world — as Adrian Smith described: ‘The [...] thing you’ve always to remember is it’s a society that’s very conscious, or believes very strongly that the ancestral world still knows what’s going on’.\(^{533}\) The belief in the spirit world, and its coexistence with Christian beliefs, became very apparent to me in my interviews in which people shared stories of their spiritual trials during the tensions and described the practice of *vele* by militants. This dual belief system played out in the intricacies of the conflict and contributed to the pervading sense of fear, anxiety or ‘tension’ that characterised it. As I suggest in Chapter 8, if we are to consider the TRC a case study in the vernacularisation of the human rights discourse, it is important to remember (and to read its reception in the light of) the process of vernacularisation that has already occurred in Solomon Islands — with Christian norms, values and subjectivities being layered over, and melded with, *kastom* norms, values and subjectivities. The TRC failed to engage with the nuances of Solomon Islanders’ belief systems, and to recognise that it is those things that are not openly talked about in Solomon Islands that often exert the most profound influences on people’s actions and words.

**Emancipation and the Post-Colonial Legacy**

I return now to the central question of this thesis. Why did Solomon Islands TRC fail to ‘touch the heart of the people’? I suggest that in order to have ‘touched the heart’ of Solomon Islanders, the moral–political ideology in which the TRC grounded its work — human rights — needed to have rung true with them on both a moral and political level; it needed to have been seen as morally and politically authoritative. My research suggests that for many Solomon Islanders, it was neither; or, as one participant told me, human rights is both ‘a gloss and a repellent’\(^{534}\) in Solomon Islands.

In urging human rights scholars to grapple with the ‘postcolonial engagement with rights that are ... the legacies of the postcolonial encounter’,\(^{535}\) Ratna Kupur draws attention to the paradoxical position human rights occupy in the post-colonial world. She writes: ‘Human rights has come to occupy the space of emancipatory possibilities, and also effectively marginalise any other

\(^{533}\) Interview with Adrian Smith, Honiara, 27 June 2014.  
\(^{534}\) Interview with J, Honiara, 31 March 2014.  
\(^{535}\) Interview with Judith Fangalasuu, Honiara, 3 April 2014.
emancipatory projects. The human rights discourse contains within itself the emancipatory and subversive possibilities of a counter-hegemony — the potential to ‘speak truth to power’. However, in its intimate alignment with the Westphalian model of statehood, it simultaneously quashes its own potential as a tool of emancipation from that model. In other words, in order to access the political potential of human rights, post-colonial peoples need to recognise the authority of the power to which they speak their truth — to work within and with the system that originally oppressed them.

Perhaps the emancipatory potential of human rights in post-conflict, post-colonial Solomon Islands lies in its ability to unsettle the gendered hierarchies which are themselves legacies of the colonial encounter. Gender activists’ use of the vulnerability narrative ‘to pry open the door’ of social change may provide an apt example of working within the confines of available social structures. To return to the metaphor of the ‘closed house’ introduced in Chapter 9, maybe the prospect of opening the all of the windows and doors to global influences all at once is too overwhelming for many. Rather, as a result of local activists prying the door open little by little, others may be able to decide ‘which ones they can adapt ... they chose ... this influence they cannot stop from coming’.

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536 Kapur 2012:666.
537 Nesiah 2016:5.
538 Interview with Francis Kari, Auki, July 2013.
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