

11

Action beyond intent: experiencing ir/reconciliation (Afterword 2)

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As I drafted this afterword in late summer 2020, two news stories that demonstrated the national and global significance of the relationship between ‘reconciliation’ and ‘irreconciliation’ unfolded in parallel here in Canada. One emerged locally at the University of British Columbia (UBC) in Vancouver, where I live and teach on the unceded territories of the Musqueam, Squamish, and Tsleil-Wa-Tuth peoples; the other in Montreal and on the federal level.

On 14 September 2020, UBC released its Indigenous Strategic Plan (ISP) and began planning for its implementation, making the institution ‘the first university in North America to commit to implementing the United Nations Declaration on the Rights of Indigenous Peoples’ as part of ‘UBC Vancouver’s response to the Truth and Reconciliation Commission’s Calls to Action.’¹ Developed through a long-term consultation process with Indigenous and non-Indigenous faculty, students, staff, and community members, the document highlights the need to put ‘truth before reconciliation,’ and once on the pathway to the latter, to keep the focus on ‘meaningful reconciliation’ through a plan to ‘transform intent into action’ as an ongoing process rather than a singular event.

At that time, I was still struggling to understand Canadian Prime Minister Justin Trudeau’s excoriation of anti-racism protesters in Montreal who had toppled a statue of Canada’s first Prime Minister just a few weeks earlier. John Macdonald is widely understood as a key architect of the Indian residential school system in Canada, among other strategies designed to effect the genocide of Indigenous peoples. As CBC reported, ‘The Macdonald statue was toppled and decapitated during a protest calling on political leaders to de-fund police services – part of a wave of protests across the continent against excessive violence perpetrated by law enforcement against Black and Indigenous people.’ Yet Trudeau himself invoked the logic of law and order to condemn these actions, saying, ‘We are a country of laws and we are a country that needs to respect those laws,

even as we seek to improve and change them, and those kind of acts of vandalism are not advancing the path towards greater justice and equality in this country' (Tasker 2020).

These parallel realities highlight the inherent contradictions of reconciliation as a form of politics as well as policy. Such contradictions were catapulted into the media spotlight again in May 2021 with the 'discovery' of the presumed remains of 215 children in unmarked graves on the grounds of the former Kamloops Indian Residential School in British Columbia. While the 'Calls to Action' of the Truth and Reconciliation Commission (TRC) included several points regarding 'Missing Children and Burial Information', the 2021 revelation at Kamloops was the result of research undertaken by the Tk'emlúps te Secwépemc First Nation at their own cost – not by the government. These circumstances served as a brutal reminder of the government's inaction, and led to social media amplification of long-standing claims that 'reconciliation is dead'.

As all of the essays in this special issue show, such forms of irreconciliation may be a necessary embodiment of reconciliation in action, beyond intent. As Noa Vaisman writes, irreconciliation refers to the 'ongoing active practice of vigilance against impunity and to the collective engagement with a living past'. Practices of irreconciliation not only can, but must, live simultaneously with practices of reconciliation to have hopes of making change within existing frameworks of governance. Yet the ongoing irreconciliation between intent and action may also provide a space for productive technologies of power and subjectification to operate. This may paradoxically work to strengthen structures of oppression through the processes intended to dismantle them.²

Irreconciliation and reconciliation; protesters, politicians, and bureaucrats: all are intimately entangled in the *longue durée* dance of structural transformation. A Prime Minister invokes the violence of law to protect the memorialized image of his forebear, at the same time as his government – and its institutions, for instance UBC as a provincial university – proceeds with implementing the 'Calls to Action' put forward by the TRC, which has been a core element of his political platform. As the UBC ISP architects wrote in the *Vancouver Sun*, '[I]t is our expectation that through this plan, the university will demonstrate how public institutions, not just governments, can play a critical role in upholding, advancing, and, indeed, implementing the human rights standards set out in the United Nations Declaration on the Rights of Indigenous Peoples' (Lightfoot, Ono & Moss 2020).

My invocation of 'structural transformation' here derives from the political application of Victor Turner's call to focus our 'attention on the phenomenon and processes of mid-transition' (1967: 110). By taking seriously how structure and transformation are experienced and expressed in discursive and material terms by citizens in so-called 'post-conflict' contexts, I understand specific legal mechanisms for reconciliation such as transitional justice as windows into understanding broader imaginaries of the ideal state and social orders in which people wish to live. In this way, my approach to ir/reconciliation prioritizes political agency and practice in the ritualized sense, rather than power, subjectification, and discourse in the Foucauldian or Derridean sense.

At the risk of giving Trudeau too much credit, perhaps his critique of protesters – whose toppling of statues embodies irreconciliation (as articulated by Mookherjee in this volume) – is a necessary tactic to enable the deep work of structural transformation embodied in institutional processes of reconciliation like UBC's ISP. The practices of the protesters themselves certainly push at the boundaries of this space. In other words, the

affective power of publicly visible acts and words may provide political cover of sorts for the mundane everyday work of transforming intent into action within the institutional structures that govern our lives. In the best of all possible worlds, the results of such hard work can transcend their own already anticipated critiques.

These complex dynamics between affect, temporality, embodiment, and visibility are common themes across the four essays that I have been asked to comment upon. In Colombia (Clarke), Argentina (Vaisman), and Sri Lanka (Buthpitiya), we see how the affects of irreconciliation are embodied in gendered relationships where the ties of kinship call into presence those who have disappeared, demanding their ‘visibilization’ (Clarke) in ways that challenge official narratives of closure. In Mookherjee’s description of the uncomfortable memorialization of slave traders and other figures complicit in the violent past of the global present, we see this relationship between visibilization and disappearance in inverted view: activists like those who toppled Macdonald’s statue in Montreal want these icons to disappear, yet they remain painfully visibilized at the expense of those whom their actions disappeared. In this case, Mookherjee calls not for erasure, but for a shift in memorialization beyond the intended ‘window dressing’ of institutional messaging around BLM while following the action of ‘due process’ to condone long-term bullying and harassment of BAME staff. Instead of reproducing structures of oppression through the very actions of their proclaimed dismantling, she is calling for a meaningful acknowledgement of complicity in pasts linked to entrenched institutional practices of injustice.

In reading these essays together, we can understand the calls for visibilization of the disappeared embodied in the murals of Colombian activists, as well as the placarded photographs of Sri Lankan protesters, as conscious strategies to assert global relevance for what the state often strives to portray as localized grievances. State perpetrators attempt to foreclose global recognition of their wrongdoing by creating scapegoats: diasporic populations and other ‘external’ actors are blamed for fomenting protest, in a doubly violent move that disregards the agency of protesters. While it is ultimately the state and military that need to provide answers, why should they, who have been responsible for violence, become forever memorialized in stone as historical actors, when those who have suffered the consequences of their violence are erased? And how do we understand this question at the heart of irreconciliation as a globally significant one, although it may take different forms across place and time?

Strategies of visibilization such as those Clarke describes in Colombia or Buthpitiya in Sri Lanka invoke the power of what Allen Feldman calls the ‘violent particular’ (2004: 169), while at the same time seeking to universalize it for the purposes of global mobilization. Feldman identifies the tension in this double movement, as well as in our anthropological attempts to understand it comparatively: images of victims may become useful in global narratives of reconciliation when decontextualized from the local particularities of terror, but once deployed in this manner, they lose their power to embody necessary irreconciliations in their political particular. This begins to hint at the limits to comparative conversation under the rubric of ‘reconciliation’, a challenge that the theme of irreconciliation as articulated in this volume seeks to address directly.

This tension between particular and general, and the related challenge of situating multiple ‘locals’ within a shared framework for understanding ir/reconciliation, has framed my own personal experience of settling in Canada over the last several years.³ My family and I arrived from the United States in mid-2014. In late 2015, during my first year as a faculty member at UBC, the final report of Canada’s TRC was released. I

knew little about this process or its history at the time. Rather, my professional life as an anthropologist had focused on Nepal, and I was then engaged in a second project about 'post-conflict' state transformation there,⁴ in the wake of the 1996-2006 civil conflict between the Maoist People's Liberation Army and state forces.

Through my own lived experience, these two historical trajectories in Canada and Nepal began to overlap – often uncomfortably – as I watched Nepal's efforts to establish a TRC falter just as Canada's gained traction.⁵ When I spoke with colleagues and friends here about Nepal's TRC and sought to place it in comparative conversation with Canada's experience, for the most part I received blank looks. There were many reasons for this, some to do with the difference in temporal scale between state-perpetrated violence in each case – a ten-year civil conflict in Nepal versus hundreds of years of settler colonialism-induced genocide in Canada – but also some to do with the way in which, as Buthpitiya's essay highlights, so-called Western liberal democracies such as Canada see themselves as essentially different from those elsewhere in the geopolitical global order like Sri Lanka or Nepal.

The temporal question requires further consideration. On one end of the timeline, although Nepal's civil conflict formally lasted for ten years, from the declaration of a People's War by the Communist Party of Nepal (Maoist) in 1996 to the Comprehensive Peace Agreement in 2006, the histories of state violence, labour and land exploitation, and marginalization on the basis of Indigenous, caste, and other identities that led to Nepal's conflict stretch back much longer. These dynamics were already in place as the era of settler colonialism began in North America. Nepal's 'nonpostcoloniality' (Des Chene 2007) neither absolves the contemporary Nepali state from the need to recognize its own history of internal colonialism, nor places it outside the ambit of global understandings of ir/reconciliation.

On the other end of the timeline, as I wrote about the politics of post-conflict in Nepal in 2014, little did I know that Nepal was not only 'post-conflict' but 'pre-disaster'. The massive earthquakes of spring 2015 then pitched the country into a whole new set of 're'-s: recovery, reconstruction, resilience. My own ongoing ethnographic work in Nepal seeks to understand post-conflict state restructuring in relation to all of these. If, as Vaisman proposes in this volume, irreconciliation is 'an agentic act of social reconstruction', how do we understand the relationship between social and material reconstruction when conflict and disaster intersect?

Further, the essays in this volume push me to ask: if we advocate irreconciliation as a necessary form of transformation, then what would irrecovery, irreconstruction, or irresilience look like? These questions are important in understanding relationships between contemporary states and their citizens as a whole, because they call into question the teleological assumptions baked into all of these putative processes of 're' starting something that never was that way in the first place.⁶ The authors in this volume and their interlocutors provide ways to imagine forms of ambivalent agency (Buthpitiya) that may lead to material as well as social reconstruction – along different lines than that mandated by governments, whether through formal processes of reconciliation or reconstruction. In the research I have been conducting through a collaborative partnership about post-disaster reconstruction in Nepal,⁷ we have learned that the ideal outcomes are usually hybrids – what may often be called 'compromises' in transitional justice legislation. By this I mean that the rebuilt houses that people are most satisfied with are those that blend government-mandated engineering best practices towards future seismic resilience with traditional Indigenous knowledge of

building design. Could we apply this insight to ir/reconciliation as well, to suggest that both reconciliation frameworks in the formal sense, and practices of irreconciliation that push against them, must proceed in tandem?

This calls into question the idea that ‘reconciliation’ and ‘irreconciliation’ are opposites, framing them instead as simultaneously necessary counterparts. The contributions by Clarke, Vaisman, and Buthpitya hint at this by showing that irreconciliation is in a sense enabled by the structure of a formal reconciliation process. By contrast to these cases in Colombia, Argentina, and Sri Lanka, in Nepal the formal structures of reconciliation have never been fully established. This is in large part due to the long, drawn-out process of state restructuring which began in 2006, culminating in the constitution of 2015 and implementation of new political boundaries after local elections in 2017. Refusal may have different valences in different contexts. In some, the very premise of reconciliation may be refused, but in others, where the shape of the polity as a whole is in flux, a well-conceived and implemented legal-judicial framework for tackling impunity may be seen as a desirable element of a newly functional and compassionate state structure. In such cases, like Nepal, ir/reconciliation may be not about refusing reconciliation entirely, but rather about refusing to participate in poorly conceived formal processes that misrecognize the origins of suffering as somehow located outside the state.

The refusal of state forgiveness processes that Clarke highlights resonates with approaches to ‘theorizing refusal’ developed by anthropologists such as Audra Simpson and Carole McGranahan (see McGranahan 2016). However, such practices of outright refusal only seem to make sense in circumstances where there is something on the table to refuse at the collective level. What of a place like Nepal where the TRC was never fully implemented, superseded as it was by the logics of post-disaster reconstruction? Or in Bangladesh, where there is no intention of reconciliation (as Mookherjee explains in the introduction to this volume)? Instead there prevails a refusal to forgive that makes irreconciliation the norm, as the foundational violence of the war of 1971 has not been acknowledged in the first instance – making an apology inconceivable.

In such contexts, it may be more valuable or validating to practise what Clarke calls ‘affective attribution’, or visibilization of those who have been disappeared. On the one hand, we can see this as a refusal of reconciliation. On the other, we can also see it as a means of demanding such a process itself, for instance in the ongoing campaigns of women like Devi Sunuwar in Nepal to secure a legal process to prosecute conflict-era crimes like the murder of her daughter Maina in 2004 by known military perpetrators. In 2019, Sunuwar explicitly made her refusal clear by rejecting an offer from the army of financial compensation and a statue memorializing her daughter as long as they refused to fully prosecute all known perpetrators.⁸ Such strategies of visibilization via refusal may be seen as practices of irreconciliation, but they can also be seen as strategies to call judicial and legal processes into existence in places where those formal frameworks remain flimsy. These efforts by many Nepali family members of the disappeared are represented photographically in a recent project titled ‘The Empty Chairs’ (Jia 2020).

Here in Canada, the practice of visibilization is also paramount in making policy-makers accountable to the TRC’s calls to action, ensuring that intent is translated into action. We can see this in the ongoing campaign for justice for Missing and Murdered Indigenous Women,⁹ as well as in artistic representations such as Cree artist Kent Monkman’s travelling exhibit, recently on display at UBC’s Museum of Anthropology, ‘Shame and Prejudice: A Story of Resilience’.¹⁰ Here a series of nine installations take us



Figure 1. Chapter V: Forcible Transfer of Children. From the exhibition ‘Shame and Prejudice’, Kent Monkman, Museum of Anthropology, UBC, Vancouver, Canada. (Photo by the author, 21 August 2020.)

through the often unspoken history that has produced modern Canada, visibilizing its disappeared along the way. Such multimodal work opens a space for intergenerational transmission and transformation. It was the wall of empty cradleboards from different First Nations, interspersed with empty outlines (see Fig. 1), that stopped me and my 10-year-old daughter in our tracks as we walked through Monkman’s exhibit. Here, the affective horror fully surrounds visitors: of disappearance through residential schools, through generations of kin, a collectivity constituted through ancestral absence. Absence, presence, and the play of the past in the present visibilize ir/reconciliation in these words from Monkman: “This is the one I cannot talk about. The pain is too

deep. We were never the same' (Monkman 2017: 16). Such words resonate with the responsibility of creating a future for our children that can never be the same, yet is rooted in everything that has gone before. That is the work of ir/reconciliation.

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NOTES

¹ <https://indigenous.ubc.ca/indigenous-engagement/indigenous-strategic-plan/> (accessed 29 March 2022).

² I am grateful to Allen Feldman for clarifying this point in his comments as a reviewer of this special issue. In chapter 5 of *Archives of the insensible*, he builds upon the Hegelian notion of 'intentionalist continuity' to show how an overemphasis on intent in reconciliation processes can offer a perverse validation of the political subjectivity of perpetrators (Feldman 2015: 289). For further discussion of Feldman's work and its relationship to the arguments of this special issue, please see Nayanika Mookherjee's introduction.

³ I use the term 'settling' intentionally, following Lowman and Barker's use of the term (2015) to emphasize how all 'new Canadians' are in fact complicit in the ongoing structures of settler colonialism.

⁴ See Shneiderman & Snellinger (2014) for reflections on the limitations of the term 'post-conflict'.

⁵ For scholarly work about Nepal's transitional justice process, see Robins (2012; 2014), Sajjad (2013), and Selim (2018). A recent wave of concern around the TRC's unfinished work emerged in early 2020, as described in media pieces such as K.D. Bhattarai (2020) and S. Bhattarai (2020).

⁶ For reflections on this theme from a linguistic perspective, see Pine & Turin (2017), notably: 'The very use of the prefix "re" in words such as revitalization, rejuvenation, revival, and resurgence points to the undoing of some past action or deed'.

⁷ See <https://elmnr.arts.ubc.ca/> (accessed 29 March 2022).

⁸ Three out of four received life sentences, but the fourth was acquitted, and the army subsequently filed an appeal to the Supreme Court requesting annulment of the life sentences, which is still pending at the time of writing (*My República* 2019).

⁹ <https://www.mmiwg-ffada.ca/> (accessed 29 March 2022).

¹⁰ <https://moa.ubc.ca/exhibition/shame-and-prejudice/> (accessed 29 March 2022).

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