



INSTITUTE FOR INTEGRATED TRANSITIONS

# **POLARISATION**

## The ‘Hyper-Problem’ Transitional Justice Can No Longer Ignore

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## **Acknowledgements**

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**P**OLARISATION has emerged as a major topic of global concern and inquiry in recent years. In its extreme form, polarisation is a ‘hyper-problem’ that makes political and social challenges more difficult to resolve, testing and often weakening the guardrails and norms of a society. As it can decrease social cohesion, contribute to a culture of violence and impunity, and eventually incite mass atrocity, polarisation is a pressing issue for transitional justice – a field designed to address such violations.

Moreover, polarisation can undermine transitional justice processes if spoilers portray them as unjust. In turn, if implemented one-sidedly or clumsily, transitional justice processes can increase polarisation. Both situations risk creating a negative feedback loop that produces additional harms, making future attempts at transition more difficult.

Given the global prevalence of polarisation and its direct impact on transitional justice efforts, a ‘polarisation-sensitive’ form of transitional justice is necessary. The approach should be simultaneously: 1) backward-looking, in recognising polarisation as a cause of atrocities; 2) present-looking, in addressing the risk polarisation poses to any transitional justice intervention; and 3) forward-looking, in lessening or at least not increasing polarisation.

To that end, the first part of this discussion paper compares transitional justice and depolarisation, identifying correlations between their respective objectives and tools. The second part examines ways in which transitional justice and polarisation act as mutual risk multipliers, providing examples from Tunisia and South Africa. The third part proposes practical approaches for ensuring transitional justice interventions are sensitive to polarisation, ranging from technological tools to narrative interventions and policy changes. Above all, the paper aims to provide a conceptual framework for thinking about this critical but underexamined relationship, which is too risky to ignore.

## Comparing Transitional Justice and Depolarisation

Transitional justice is a multidisciplinary field of research and practice that acknowledges and addresses legacies of mass abuses. Depolarisation is an emerging area of work, not yet quite a field, based on understanding the dynamics of polarisation and reducing their negative societal effects. An analysis of the objectives and sets of tools that characterise transitional jus-

tice and depolarisation reveals a number of correlations, as well as tensions, which demonstrate the need for polarisation-sensitive transitional justice processes.

## Transitional Justice

For nearly 40 years, transitional justice has been used to deal with abuses in societies undergoing or transitioning from war to peace or from authoritarianism to democracy, as well as in consolidated democracies to deal with historical violations.

Implemented mainly by states, and at times by international bodies or a range of civil society actors, transitional justice generally has the following objectives, which are often overlapping: 1) establishment of *responsibility* for abuses; 2) acknowledgement of the *truth* about what happened; 3) *redress* for those affected by abuses; 4) *prevention* of future atrocities; and 5) *reconciliation* between divided groups and between citizens and the state. These objectives contribute to the overall goal of transitional justice, which is more peaceful, human rights-friendly and equitable societies.

Transitional justice institutions and tools typically include one or more of the following, which may be integrated or sequenced:

- *Accountability mechanisms* are designed to provide justice and legal redress for abuses. Criminal trials pursue retributive justice, trying and sentencing individuals where proven guilty within a domestic legal system, before an international tribunal or before a hybrid national-international court. Civil trials, a complementary mechanism, hold individuals, companies or institutions responsible by non-penal means, such as injunctions and money damages. Traditional justice measures, meanwhile, use indigenous, religious or community-based practices to hold perpetrators accountable and reintegrate them into communities to restore the social fabric. Conditional leniency mechanisms, such as amnesties and pardons, have also been used as a restorative approach, offering lesser forms of punishment to perpetrators in return for contributions to truth, reparations or reconciliation.<sup>1</sup>
- *Truth-seeking measures* gather information and often provide spaces for individuals and groups to tell diverse stories that can produce a more complex and shared understanding of the past. They generate a historical record of abuses, counter denials of abuses and their legacies, and acknowledge the existence of competing narratives. While accountability efforts may contribute to truth-seeking, these mechanisms place the search for truth front and centre. Truth commissions, the most familiar truth-seeking mechanism, investigate the causes and consequences of specific violations committed during defined periods and make rec-

ommendations for their redress and future prevention. Most provide a platform for victims and survivors to provide statements and give public testimony about what occurred, and some do the same for perpetrators seeking leniency. While their recommendations may contribute to accountability, reparations and reforms, truth-seeking mechanisms' main focus is investigative and narrative.<sup>2</sup>

- *Reparations* encompass initiatives to redress harms suffered by victims and survivors, including measures such as restitution, compensation, rehabilitation and satisfaction. Reparations may be collective or individualised and can provide victims and survivors with a combination of symbolic redress, such as apologies, memorials or public education initiatives, and material redress, such as financial compensation or access to land or housing. Whether administered by states (or occasionally international bodies) or imposed as a sentence on perpetrators by a court, reparations acknowledge abuses and the remedial rights of victims and survivors, while contributing to public awareness of what happened.<sup>3</sup>
- *Institutional reforms* consist of changes to state institutions and systems that perpetrated, facilitated or failed to prevent atrocities. They may include reforms of a government's security forces, vetting of public officials, legislative and constitutional changes aimed at enshrining human rights, and the creation of more democratic and inclusive governance structures. The measures primarily aim to guarantee non-repetition of atrocities.<sup>4</sup>

## Depolarisation

Polarisation describes a "prominent division or conflict that forms between major groups in a society or a political system and that is marked by the clustering and radicalisation of views and beliefs at two distant and antagonistic poles".<sup>5</sup> As a hyper-problem that makes solving other issues harder, polarisation is both a barrier to addressing a violative past and a leading indicator of future risks of conflict and violence.

Implemented by international, state and civil society actors, depolarisation generally has the following objectives: 1) acknowledgement of *othering*, or identification as part of a group that is distinct from and superior to other groups; 2) reduction of *distance*, or the perceived and real differences that separate one group from another; 3) complexification of *clustering*, or the uniformity and density of cohesion within a specific group; and 4) prevention of *radicalisation*, or the mobilisation of people clustered in a group to increase both othering and distance from other groups, including through violence. These objectives contribute to the overall goal of depolarisation, which is constructive engagement among individuals and groups in the middle, between the poles.

IFIT's mapping of global depolarisation initiatives reveals three main categories of preventive and responsive tools, which are partly overlapping:

- *Outreach and dialogue efforts* are aimed at fostering communication and building trust either within or across groups. Outreach to influential insiders may be undertaken to help de-radicalise in-group opinion, while external outreach to moderates within or associated with another group may be undertaken to build bridges between groups. More ambitious external outreach can focus on a minor issue that is related to larger divisive issues, or on something unrelated but in which there is common interest (i.e., the 'fix the potholes' strategy).
- *Fact and narrative interventions* are actions that seek factual clarification and narrative changes. Polarised individuals and groups often have exaggerated or otherwise misleading beliefs about members of other groups, including their relative political, economic and social power, their values and goals, and their openness to opposing viewpoints. Depolarising interventions may, for example, disrupt social media echo chambers, reduce hate speech, expand the space for diverse and inclusive narratives that are open to complexity and engagement, and de-romanticise images of the in-group. In an already polarised environment, fact and narrative interventions that come from individuals within groups tend to be more effective than those that come from individuals outside the group.<sup>6</sup>
- *Structural reforms* are aimed at changing the behaviour of major societal actors by way of changes in political culture, institutions and similar variables. Some of these are long-term projects. Changes in political culture, for example, usually evolve slowly over time. Other changes, such as to institutions, laws and policies, may be achieved in a comparatively shorter period, though their success is often dependent on longer-term variables like political culture. By way of example, such reforms might promote the internal democratisation of a single political party or structural changes to incentivise cross-group cooperation by eliminating or lessening winner-take-all contests.

### Correlations between Objectives

While transitional justice and depolarisation have substantive differences, both are used to address divisions in conflict-affected societies. An analysis of the objectives of the more professionalised field of transitional justice shows how they map onto the objectives of depolarisation.

- *Establishment of responsibility for abuses & reduction of distance and prevention of radicalisation*: Transitional justice and depolarisation both aim to delineate boundaries within which people can address their differ-

ences, defining violence as an unacceptable means of doing so. If accountability efforts are seen to be even-handed, with the same conduct being held to the same level of accountability regardless of the wrongdoer's identity, they should help reduce distance and prevent radicalisation. When done well, transitional justice can shift the basis for defining 'us versus them' from identity or ideology to conduct that transcends such categories and cuts across group identities.

- *Acknowledgement of the truth about what happened & reduction of distance and complexification of clustering:* These objectives are both based on lessening the number of lies circulating in society, amplifying voices that were previously silenced, and diversifying 'black and white' narrative landscapes that legitimise only the in-group. Quality truth-seeking amplifies the voices, experiences and perspectives of specific stakeholders, usually victims and survivors but also perpetrators seeking leniency and institutions reckoning with their role in violations. Some depolarisation efforts similarly focus on listening to complex stories and challenging facts within and across groups. Both strive to humanise the other, highlight common experiences across groups, and lessen the push for individuals to identify exclusively with one group over another.
- *Redress for those affected by abuses & acknowledgement of othering and reduction of distance:* These objectives share a common ground in their aim to acknowledge the other, recognise the legitimacy of certain groups' grievances, and create the conditions for people to take shared responsibility for bridging their divisions. For instance, acknowledgement that atrocities are never justified supports calls for redress. It reduces othering and distance by affirming the equal dignity of each individual and group. For previously marginalised individuals and groups, it can also reinforce feelings of belonging and the legitimacy of the status quo, lessening the push for radicalisation.
- *Prevention of future atrocities & reduction of distance and prevention of radicalisation:* These objectives converge in their pursuit of violence prevention and structural changes. Transitional justice aims to minimise the risk of further mass abuses by creating structural deterrents to the use of violence and strengthening democratic and non-violent avenues for engagement across differences. Such efforts also further depolarisation's objectives of reducing physical, emotional or ideological distances that often result in the radicalisation of views and beliefs.
- *Reconciliation between divided groups & acknowledgement of othering and reduction of distance:* Both transitional justice and depolarisation aim to identify shared interests and values across groups, thus lessening the exclusive appeal of one group over another. Such efforts also minimise

othering of out-group members and the distance between groups. The effort to encourage constructive engagement between survivors and perpetrators of serious violations, at the individual and collective levels, can have a direct impact on the objective of lessening othering and distance.

**Table 1** Correlations between Objectives

Transitional Justice	Depolarisation
Establishment of responsibility for abuses	Reduction of distance Prevention of radicalisation
Acknowledgement of the truth about what happened	Reduction of distance Complexification of clustering
Redress for those affected by abuses	Acknowledgement of othering Reduction of distance
Prevention of future atrocities	Reduction of distance Prevention of radicalisation
Reconciliation between divided groups	Acknowledgement of othering Reduction of distance

## Correlations between Tools

An analysis of the tools of transitional justice and depolarisation reveals a similarly high level of correlation as among their objectives.

- *Accountability mechanisms & fact and narrative interventions:* Accountability mechanisms can provide increased certainty about the facts of a violation, including individual responsibility. They can both strengthen and weaken narratives and thus either increase or decrease polarisation. For example, transitional justice practitioners have developed sophisticated accountability mechanisms that can provide legal security to perpetrators in return for information about the past and their acknowledgement of wrongdoing. Perpetrator acknowledgement and testimony can contribute to altering divisive narratives by providing complex and disruptive accounts that are more likely to be heard by in-group members. By soliciting information directly from perpetrators, such processes can alter narratives in ways that may lessen othering, distance and radicalisation.
- *Truth-seeking measures & outreach and dialogue efforts and fact and narrative interventions:* Truth commissions are platforms that facilitate dialogue between individuals with opposing positions. They use different methodologies to create trust, provide an opportunity for individuals to tell their own truths and hear those of others, clarify the facts of past injustices, and foster reconciliation. They are similar to dialogue efforts that aim to promote understanding and bridge differences. In addition, truth



commissions aim to verify basic facts about injustices and challenge traditional narratives. These efforts are necessary when dominant group narratives support widespread othering and radicalisation. Factual clarification and narrative change are seen as essential solutions to these issues.

- *Reparations & outreach and dialogue efforts:* To address the harms suffered by victims and survivors, reparations programmes may include the promotion of dialogue between victims and perpetrators, as well as acknowledgement of the wrongs suffered by victims and survivors. Similar to depolarisation outreach and dialogue efforts, these satisfaction measures can be used to foster communication and heal broken relationships, increasing the dignity of individuals and communities in a manner that lessens othering. Acknowledging the dignity of the other, and understanding their legitimate needs and grievances, can lessen othering and shorten the distance between poles.
- *Institutional reforms & structural reforms:* With an eye towards preventing future violence, transitional justice practitioners recommend reforming key institutions found to have committed or facilitated violence. Such reforms can include making state institutions more inclusive to increase accountability to communities, which in turn furthers the structural reform initiatives of depolarisation. By altering institutions and making them more inclusive and accountable, reforms may alter the behaviour of the parties involved in previous conflicts and increase cross-group shared interests.

**Table 2** Correlations between Tools

Transitional Justice	Depolarisation
Accountability mechanisms	Fact and narrative interventions
Truth-seeking measures	Outreach and dialogue efforts Fact and narrative interventions
Reparations	Outreach and dialogue efforts
Institutional reforms	Structural reforms

In addition to correlations, our analysis reveals numerous tensions between the objectives and tools of transitional justice and depolarisation. For instance, accountability efforts may encourage othering and distance between poles if they are perceived as being directed primarily at the members of one group. Truth-seeking may harden group identity and othering by elevating and strengthening exclusive narratives. Reparations can contribute to othering and distance by appearing to privilege one group over another. The increased interaction between groups through reconciliation efforts may

increase the perception of group difference and lack of common values, thus furthering othering and distancing.

When implemented in a complementary way, transitional justice and depolarisation can be visualised as a seesaw – as transitional justice objectives are met, the effects of polarisation go down. If they are not polarisation-sensitive, however, transitional justice efforts can cause polarisation to rise.

## Transitional Justice and Polarisation as Mutual Risk Multipliers

Understanding the correlations between the objectives and tools of transitional justice and depolarisation is the first step to developing strategic interventions and programming that further their goals. The key is to align objectives and develop tools that, at a minimum, further the purposes of one without undercutting the other, and that ideally are structured or sequenced in ways that enhance both. To do that requires a deeper understanding of the relationship between polarisation and mass violence.

As a hyper-problem, polarisation can threaten everything, “from the ideal of a tolerant society, to the practice of ordinary politics and law-making, to the prospects for peaceful coexistence and basic liberties”.<sup>7</sup> Polarisation thus presents challenges and threats to transitional justice in three distinct areas.

First, as polarisation is an important factor in understanding the ‘why’ and ‘how’ of mass violence, it should be a focus of inquiry for any analysis of abuses. Ignoring polarisation and its relationship to violations weakens proposals to advance guarantees of non-repetition.

Second, if polarisation is ignored, it can strengthen the ability of spoilers to derail transitional justice. An effective transitional justice process must therefore be designed with the risks presented by polarisation in mind. Otherwise, it may be vulnerable to spoilers intent on using its mechanisms to increase polarisation, thus undercutting its intended purpose.

Third, polarisation can become further entrenched after a period of mass violence, sometimes despite transitional justice efforts and other times because of them. A key element of transitional justice practice focuses on narrative interventions that can increase or decrease polarisation by their impact on othering and distance.

### **Polarisation as a Leading Indicator of Mass Violence**

As rising polarisation is linked to increased support for political or social violence, it is often a leading indicator of mass violence. Othering, when accompanied with increased distance, can lead to radicalisation and an eroding of limits on what is deemed acceptable in competition between groups. Mass violence is often preceded by increased hate speech that dehumanises the other, and hate speech is a product of increased polarisation.

Mass violence in turn can both increase and harden polarisation, contributing to more hate speech, dehumanisation and political violence. This can result in a deadly feedback loop. Mass abuses operate in the same 'us versus them' dynamic that accompanies opposing poles, and polarisation facilitates the dehumanisation of the other that makes mass abuses more likely. Understanding how polarisation has developed and accelerated in a particular society is an important part of answering the 'why' and 'how' questions central to transitional justice processes and preventing atrocities.

### **Polarisation as an Obstacle to Transitional Justice**

In situations of legacies of mass abuses, it is common to observe heightened levels of polarisation. Opposing poles can emerge with radically different positions on crucial issues, such as basic facts about what led to the abuses and who did what. These dynamics often result in a mindset of viewing people as either friends or enemies, which makes efforts to create even a minimally shared understanding of the past difficult.

This can present high risks for transitional justice. For example, transitional justice mechanisms that give space to competing narratives may provide an opportunity for those who want to elevate divisive narratives to abuse the space. If captured in this way, such spaces may no longer be safe for victims and others to share their truths. Transitional justice efforts that challenge binary narratives about heroes and villains and push for accountability and reparations can pose a threat to those who benefit from an 'us versus them' worldview. Such individuals and groups may seek to undermine transitional justice to perpetuate polarising narratives.

Left unaddressed, polarisation can erode trust between groups and institutions, impede cross-group cooperation, discourage victim participation, encourage spoilers and hinder community building and reconciliation.

## Truth-Seeking in Tunisia and South Africa

Tunisia and South Africa provide instructive examples of how polarisation can undermine transitional justice and how transitional justice, even when initially even-handed, can increase polarisation over time.

Tunisia established the Truth and Dignity Commission (2013–2019) amid a highly polarised political environment. Following the fall of the Ben Ali regime, the country was riven by differences over the role of Islam in society. Secularist and Islamist political parties each initially claimed ownership of the truth commission, with secularists securing a mandate limited to regime abuses while Islamists called for investigations further into the past to challenge the secular roots of the Tunisian state. As many of the regime's victims were targeted for supporting the dominant Islamist party Ennahdha, some secularists later questioned the commission's neutrality and claimed that 'fake' victims were giving testimony.

In the end, the Truth and Dignity Commission increased rather than lessened polarisation. Instead of reflecting a shared consensus on the abuses of the past, the commission's final report was used by opposing political factions to promote distrust. For example, the commission president Sihem Bensedrine was accused of taking bribes to alter the report to include allegations of financial corruption by powerful individuals close to the Ben Ali regime. In recent years, Tunisia has undergone democratic backsliding and persecution of opposition figures, in the context of which Bensedrine was imprisoned for over six months on allegations that included falsifying the commission's report.

South Africa established its Truth and Reconciliation Commission (1995–2002) in a similarly polarised environment, in this

case along racial lines. As an example, when the commission began operations, its chair Archbishop Desmond Tutu was generally viewed as a revered dissident by black South Africans, but as a terrorist by white South Africans. The commission responded to post-apartheid polarisation by ensuring that representatives of all racial groups participated as both victims and perpetrators, undermining perceptions of victor's justice and complexifying simple 'us versus them' narratives. It also provided a platform for perpetrators to provide information about past atrocities, making it difficult to deny that the apartheid regime committed systemic abuses.

While the Truth and Reconciliation Commission addressed polarisation more effectively than the Tunisian commission at the outset, it ended up contributing to polarisation down the line. The recent rise of populism and class-based conflict and violence in South Africa have been traced in part to the commission's failure to address the socio-economic foundations of apartheid abuses and rising inequality in the country.

### **Transitional Justice as a Driver of Polarisation**

In the same way that polarisation can create difficulties for transitional justice, transitional justice can create difficulties for depolarisation efforts. It must therefore be 'sensitive' to them. If transitional justice initiatives fail to address polarisation, they may lay the groundwork for the next cycle of conflict and atrocities that will need to be examined by a future transitional justice process.

Truth commissions and other truth-seeking measures may highlight and increase divisions, which may worsen othering and distance. Accountability mechanisms can lead to competing claims of victimhood and exacerbate othering, creating resentment and increasing inter-group conflict. Reparations provided to perceived enemies may contribute to othering and distance by emphasising the benefits of being part of one group over another.

As such, undertaking these transitional justice efforts without taking account of the specific polarisation dynamics of a post-conflict society may undercut their efficacy, exacerbate existing tensions and plant the seeds for future abuses.

## **Towards Polarisation-Sensitive Transitional Justice**

To address the risks that polarisation and transitional justice pose to each other, polarisation-sensitive transitional justice must be backward-, present- and forward-looking. The following ideas may assist state actors, civil society, donors and other stakeholders in crafting a transitional justice process that is attuned to the risks posed by polarisation.

### **Polarimeter**

Surveys and polls, sentiment analysis, samples with focus groups and other information-gathering and data analysis methods, especially using technological tools, may be used to assess the level of polarisation of a particular society or political system at a particular moment. Such a polarisation index could help to inform the decision-making process in creating and implementing transitional justice. Polarisation is not static, and these tools could be activated periodically to shape and guide ongoing transitional justice work.

## Artificial Intelligence Prediction Tools

Analysing the impact of proposed transitional justice decisions on public perceptions and narratives can result in more polarisation-sensitive choices, lessening the risk that such choices will further othering, distance, clustering and radicalisation. Artificial intelligence (AI) tools designed to predict public reactions and behaviours could be used to test the probable impacts of transitional justice choices, at the design and implementation stages, on polarisation. Such tools could be used in conjunction with the polarimeter to guide pre-transitional justice depolarisation efforts, such as narrative interventions, and to guide the design and implementation of transitional justice.

## Narrative Interventions

Narrative mapping can help identify narratives circulating in a society as well as their roots and outcomes.<sup>8</sup> Simplified and self-reinforcing narratives that promote the legitimacy of a particular social group and the moral superiority of its claims over others are the most problematic. These narratives can become rigid and crowd out more complex narratives, deepening polarisation and increasing the risk of violence. Understanding the narrative landscape is a necessary step to developing strategies for lessening polarisation.

Divisive narratives are often resistant to outside intervention; in fact, efforts to change them from the outside can make them more resistant to change and more likely to drive polarisation. Divisive narratives are more effectively challenged by insiders who are open to accepting a more complex and fluid narrative environment, thus lessening othering and distance.

In highly polarised societies, a centralised process such as a truth commission may be risky, as it is open to capture and presents an easy target to react against. In such circumstances, a local and less high-profile narrative process that includes outreach and dialogue efforts may be a better first step.<sup>9</sup>

## Relationship-Building with the Media

Both transitional justice and depolarisation are concerned with narratives, countering and weakening divisive ones and creating or strengthening ones that embrace complexity and inclusive community. Traditional and social media can shape and accelerate the dissemination of narratives. Divisive narratives can be hyper-charged through the media, raising the risk of violence and atrocities. Relationship-building with the media should begin at the outset and continue to be nurtured. Cultivating such a relationship of trust with the media will provide access and influence that help to counter misinformation, elevate inclusive narratives and build public confidence.<sup>10</sup>

**Table 3** Approaches for Polarisation-Sensitive Transitional Justice

Approach	Challenge Addressed	Relevant Transitional Justice (TJ) Tool	Intended Purpose
<b>Polarimeter</b>	The need for baseline information about polarisation in a specific context where TJ initiatives are contemplated or ongoing	All	Depolarise before advancing TJ or help recalibrate TJ in the face of polarisation risk
<b>AI prediction tools</b>	Social perception of justice being politicised and one-sided may increase othering, clustering and radicalisation	Truth-seeking, reparations and accountability mechanisms	Improve the design and implementation of TJ
<b>Narrative interventions</b>	As society is not ready to deal with the truth, even highly legitimate and technical efforts and outcomes might be disregarded or risk increasing polarisation	Truth-seeking mechanisms	Depolarise before advancing TJ
<b>Relationship-building with the media</b>	Politicisation and misinformation may increase othering, distance, clustering and radicalisation	Truth-seeking and accountability mechanisms	Counter misinformation and elevate inclusive narratives before and during TJ
<b>Polarisation-sensitive sequencing</b>	Accountability efforts may be socially or politically unfeasible, resulting in an increase in othering, clustering and radicalisation	All	Depolarise before, during and after TJ
<b>Participatory measures</b>	Lack of credibility and legitimacy of the TJ mechanism may reaffirm prejudices and increase othering and radicalisation	All	Increase engagement and foster buy-in for TJ mechanisms

## **Polarisation-Sensitive Sequencing**

Transitional justice efforts such as truth commissions, reparations or even narrative interventions can help create conducive conditions for more controversial and adversarial transitional justice mechanisms, such as trials. Recognising that transitions tend to be long-term processes that are subject to total reversals, attempts to sequence transitional justice measures so as to acknowledge and address polarisation in an iterative way are more likely to result in participatory and sustainable transitional justice processes and outcomes.

## **Participatory Measures**

This is a transversal category designed to lower barriers to cross-group and cross-ideological engagement and encourage the participation of multiple sectors, stakeholders and voices in the design and implementation of transitional justice.<sup>11</sup> Such measures should include incentives for diverse populations to participate in transitional justice mechanisms, drawing on the lessons of structural reforms in depolarisation efforts. Participation should begin well before a transitional justice process is designed and continue via follow-up initiatives after it ends, ensuring inclusive practices to lessen othering and distancing.

## **Conclusion**

Polarisation is a hyper-problem that transitional justice scholars and practitioners have largely – and dangerously – ignored. Polarisation poses a contemporaneous threat to transitional justice efforts. In the best case, it may neutralise transitional justice efforts. In the worst case, spoilers may succeed in enlisting such efforts to deepen divisions and make future mass atrocities more likely.

Neglect of polarisation and its effects may also result in an incomplete and even misleading analysis of the causes of atrocities, which in turn may result in inadequate or counter-productive recommendations for redressing harms.

A transitional justice approach that addresses the risks and effects of polarisation and draws upon the emerging practices of depolarisation to craft more effective transitional justice policies and processes is crucial. An analysis of the numerous correlations between the objectives and tools of transitional justice and depolarisation – and the ways they multiply the risks each poses – opens the door for new thinking. It opens the door for polarisation-sensitive transitional justice.



## Notes

1. Institute for Integrated Transitions, *Rethinking Peace and Justice* (2019), <https://ifit-transitions.org/publications/rethinking-peace-and-justice-2>. See also Francesca Lessa and Leigh Payne (eds.), *Amnesty in the Age of Accountability: Comparative and International Perspectives* (Cambridge University Press, 2012); Beth van Schaack and Ronald C. Slye, *International Criminal Law and Its Enforcement*, 5th ed. (Foundation Press, 2025).
2. Mark Freeman, *Truth Commissions and Procedural Fairness* (Cambridge University Press, 2006).
3. Pablo de Greiff, *The Handbook of Reparations* (Oxford University Press, 2006).
4. Maja Davidovic, "The Law of 'Never Again': Transitional Justice and the Transformation of the Norm of Non-Recurrence", *International Journal of Transitional Justice* 15(2) (2021): 386–406.
5. Mark Freeman, *First Principles: The Need for Greater Consensus on the Fundamentals of Polarisation* (Institute for Integrated Transitions, 2023), 6, <https://ifit-transitions.org/publications/first-principles-the-need-for-greater-consensus-on-the-fundamentals-of-polarisation>
6. Institute for Integrated Transitions, *The Role of Narrative in Managing Conflict and Supporting Peace* (2021), <https://ifit-transitions.org/publications/the-role-of-narrative-in-managing-conflict-and-supporting-peace>
7. Freeman, 2023, p. 1. See also Lessa and Payne, 2012; Van Schaack and Slye, 2025.
8. For more on narrative mapping and the relationship between narratives and polarisation, see Institute for Integrated Transitions, 2021.
9. For resources on enriching national narrative landscapes to diminish the influence of simplified stories that drive polarisation, see IFIT's Narrative Peacebuilding Hub, <https://ifit-transitions.org/narrative-peacebuilding-hub>
10. For more on the relationship between narratives and the media, see Institute for Integrated Transitions, *Media and Narrative: Managing Conflict in Polarised Societies* (2021), <https://ifit-transitions.org/publications/media-and-narrative-managing-conflict-in-polarised-societies>. Also see Institute for Integrated Transitions, *Changing the Narrative: The Role of Communications in Transitional Justice* (2019), <https://ifit-transitions.org/publications/changing-the-narrative-the-role-of-communications-in-transitional-justice>
11. Jasmina Brankovic and Simon Robins, *Mainstreaming Popular Participation in Transitional Justice* (Centre for the Study of Violence and Reconciliation, 2025), <https://www.csvr.org.za/mainstreaming-popular-participation-in-transitional-justice-lessons-from-multilateral-state-and-civil-society-actors-in-the-gambia-and-somalia/>



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