

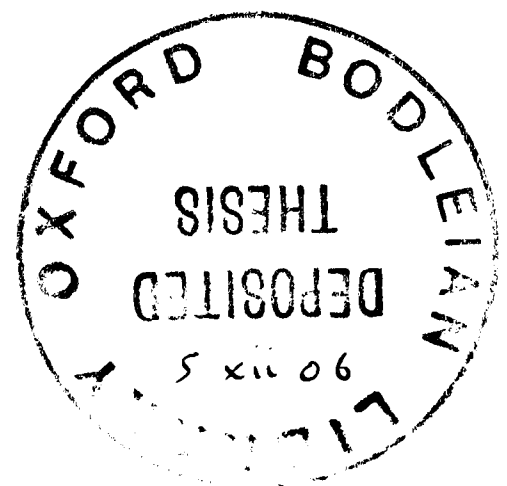
**Perceptions of Justice, Identity, and Political Processes of
Forgiveness and Revenge in Early Post-Conflict
Transitions.**

Case Studies: Northern Ireland, Serbia, South Africa

*Thesis submitted in partial fulfilment of the requirements for the Degree
of Doctor of Philosophy*

by

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THESIS ABSTRACT

This thesis offers an alternative way to reframe issues and questions that have plagued peace processes during post conflict transitions throughout the 1990s and beyond. This framework, derived from a survey of relevant literature, observation, and fieldwork interviews in Northern Ireland, Serbia, and South Africa, examines perceptions of justice, formation of identity, and political processes of forgiveness and revenge in post conflict transitions. This thesis is organised into three sections; Issues and Concepts: Chapters One to Three, Country Background: Chapters Four to Six, and the Conclusion: Chapters Seven and Eight. In the first section, Chapter One depicts perceptions of justice as fairness as a strong and underlying motivation for formation of identity and processes of forgiveness and revenge. Chapter Two focuses on issues of post-conflict identity and the claim to victimisation by all groups formerly in conflict. Chapter Three demonstrates how these concepts interact with and motivate evolutionary, parallel, and entwined political processes of forgiveness and revenge in post conflict transitions. The concluding section explores the problems of violence during peace processes, in Chapter Seven; and proposes some alternative ways for the international community to approach peacekeeping and aid conditionality. A key finding of this thesis is that a willingness for all individuals and groups to practice forbearance from revenge, rather than unconditional forgiveness, is the strongest factor directly impacting political, social, and economic relationships between former enemies. Seen as a mid phase between processes of forgiveness and revenge, this “passive resentment”, where a decision to forbear from enactment of revenge has been consciously taken, has emerged as a key factor for moving political cooperation and reforms forward.

Authorship Declaration

I hereby certify that this thesis is the result of my own work except where otherwise indicated and due acknowledgement is given.

The author's signature has been removed from the online version of this thesis.

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Introduction

One of the great challenges in the post-Cold War era has been how best to cope with the emergence of intense conflicts and their aftermath. Rather than ushering in an optimistically anticipated peaceful coexistence, the 1990s appeared to unleash cataclysmic forces that erupted into numerous violent civil conflicts around the globe. This has resulted in a decade where much of the developed world has been in the process of adjusting to repercussions from what in many cases have been new variations on old conflicts, while simultaneously searching for more effective ways to settle them. The international community's quest to find solutions has resulted in much discussion regarding the use of political, economic, and social aid, and military force, in order to bring stability to a country or region. However, despite many well-intentioned efforts, numerous core problems remain.

Key problems in recovering from conflict have focused on the process of political cooperation between former enemies. This cooperation is necessary to strike a peace agreement, to rebuild and create institutions, and to lay a foundation for sustainable peace. Many problems experienced in contemporary post-conflict transitions have resulted from a lack of understanding by international interveners of the underlying dynamics within post-conflict societies. The importance of identifying and addressing these dynamics and their effect on internal and external motivations to pursue peace has become increasingly apparent. As international relations scholar Fred Halliday has observed, peace processes in the late twentieth century have had a mixed record of success. With more conventional methods of dealing with post-conflict transitions running into increasing difficulty, the

international community has begun searching for new ways to address more effectively these complex problems. (Halliday, 2000, 277-8)

Halliday has described four types of peace processes dominating post-Cold War conflicts throughout the 1990s that have been plagued by these underlying problems. One type is a process, which despite experiencing difficulties, makes progress that results in a stabilised, successful peace within a time frame of five to ten years. A second has been one where political negotiations continue but where unanticipated problems and delays have occurred. A third is where hostilities have formally ceased but where a political stalemate exists between all parties and the process becomes stalled; and a fourth is where peace breaks down completely and conflict is renewed at the previous or an escalated level of violence. (Halliday, 2000, 286)

This thesis proposes a basic framework that identifies and explains many of the key problems inherent to the peace processes described by Halliday. It offers an alternative view of examining old problems and reorganising priorities to more effectively address sensitive issues related to political cooperation. This work defines perceptions of justice as fairness; formation of post-conflict identity, especially victimisation; and political processes of forgiveness and revenge, as key issues during the early post-conflict transitional period. It describes their relationship to each other and impact on the will of populations to cooperate in the earliest phases of peace. The role of violence during peace processes and the ways in which it relates to the theoretical framework, is also explored. These issues have been examined in the context of three cases, Northern Ireland, Serbia, and South Africa.

These conflicts were of particular interest as they appeared to have been written off by national and international political circles as ‘intractable’ or ‘no hope’ scenarios (see Chapter Three, Seven). Prevailing national and international attitudes assumed these populations were doomed to an inevitable and perpetual cycle of conflict. In many ways this attitude allowed both the national and international community to abandon any attempt to identify and address root causes of these conflicts, and to continue implementing a policy of military containment, rather than making a serious effort to seek resolutions.

A short time before the 1998 Northern Ireland Peace Agreement was struck, a meeting held with a distinguished mostly British audience at Chatham House, London, evoked strong negative reaction when it was suggested by attendees from Northern Ireland that the world had moved on and was redefining the Northern conflict in its wake. (Cox et al, 2000, 2-3) There had been previous periodic attempts to reach a solution, but core problems had been viewed by many in the British government as essentially insolvable or irrelevant, rather than as symptoms of a conflict based on historic and current political, economic, and social factors.

During the late 1990s South Africa, another allegedly no-hope scenario, came to a peaceful resolution as the new government conducted a Truth and Reconciliation Commission, better known as the TRC (see Chapter Five). Serbia, located in the midst of the historically turbulent Balkans, and troubled not only by the uncertain status of Kosovo but by a difficult post-Communist, post-conflict transition, has continued to struggle toward achieving the political and economic standards of Western Europe (Chapter Four).

During this time, inspired by the South African TRC, intangible issues such as forgiveness, previously treated as irrelevant political concepts by most non-

theologian scholars and policy makers, began to be widely discussed in political and legal forums. Inclusion of forgiveness began to emerge in international peacemaking discussions as a new way forward in the process of promoting social reconciliation. However, examining the political dimensions of forgiveness and revenge was not new and had been previously discussed by post-World War Two philosopher Hannah Arendt, who had explored the motivations of Nazi Germany, and later in the 1980s by Susan Jacoby, who examined the relationship between justice and revenge. (Arendt, 1958, The Human Condition; Jacoby, 1985, Wild Justice: The Evolution Of Revenge) However, it wasn't until the mid 1990s when studies such as Donald Shriver's An Ethic For Enemies, Forgiveness in Politics appeared, that a serious discussion, outside of Christian theological paradigms, began to take place. (Shriver, 1995)

Shriver, a pastor in North Carolina and participant in the 1960s civil rights marches in the American South concluded that the concept of forgiveness which had been “customarily relegated to the realms of religion and personal ethics” belonged “at the heart of reflection” in pondering ways that groups of humans could repair damage from past conflicts with each other. Because forgiveness embraced “moral truth, history, and the human benefits” that flowed from conquering enmity, Shriver defined “*forgiveness*” as a “word for a multidimensional process that is eminently political”. (Shriver, 1995, x)

From the beginning, research and fieldwork clearly underscored Shriver's interpretation and reinforced the work of Arendt and Jacoby. Both forgiveness and revenge emerged as deeply intertwined parallel processes that directly impacted political cooperation while encompassing all aspects of justice. This has been reflected in justice studies. While still in the early stages, considerable evidence has

begun to mount that when confronted with serious emotional issues of justice and injustice in “high impact situations”, individuals will give precedent to reestablishing justice over a sense of personal financial gain. (Lerner, 2003, 396)

“If the justice motivation and emotional arousal are sufficiently strong, the imperative to act may narrow the focus of attention and thought” resulting in a diminished response to self-interest. Individuals may be willing to give up “considerable economic incentives to punish a harm-doer”, working instead to help those they perceive to be innocent victims rather than working to increase their own profit. In some cases they may go so far as to “derogate their own self-worth” determined to withstand potentially severe political, economic, and social costs as a consequence for their support. In this context justice assumes a counter-intuitive position as an independent and important source of motivation, overriding and separate from “self-interested desires to maintain self-esteem and maximize profits.” (Lerner, 2003, 396) The reactive hypersensitivity characteristic to most post-conflict environments combined with the deep connection and interaction between justice, forgiveness, and revenge, make this interpretation of the justice motive especially relevant to understanding the evolution of peace processes.

A clear distinction between peace and reconciliation processes has also evolved from work on this thesis. Peace processes, which often result from pragmatic deals struck with short-term objectives, can lack solid guarantees for long-term peace. They are commonly characterised by escalating violence and are not to be confused with the longer process of reconciliation. As Halliday has observed, conditions for peace are “neither wholly internal or external” but both are necessary. Internal conditions usually depend on the will of the principal military and political players. Peace does not necessarily occur “through replacement of the

nasty people by nice people” but rather through a decision taken by the “nasty people” that at a particular moment, it is more advantageous to pursue peace rather than war.” (Halliday, 2000, 284-5) This pragmatism has been echoed by Stephen Stedman who maintains that the greatest risk to sustained peace comes from “spoilers” or “leaders and parties who believe that peace emerging from negotiations threatens their power, worldview, and interests, and use violence to undermine attempts to achieve it.” (Stedman, 1997, 5)

Genuine reconciliation, though formed in the earliest stages of peace, is a longer process and likely to encompass multiple generations and diasporas. It can be seen as having its real beginning at the point when deeply contentious issues which have been initially set aside to move a peace process forward begin to hinder a countibliographyry’s political progress. These moments of face-off between pragmatic peace agreements and aspirations, expectations, and reality of implementation have been described in Chapters Three to Five which describe the background of the conflict in each case study.

In striving for sustained peace in a society where violent conflict has created deep distrust there is a need for all sides to develop a style of personal and political toleration that a majority can accommodate and a minority can aspire to. This toleration of groups with different histories, cultures, and identities is pursued not for its own sake, but because many aspire to its value as justification for a “peaceful coexistence and of the life and liberty that it serves.” This toleration of difference shifts the burden of social accountability onto those who would reject these values through acts of indiscriminate abuse such as forced removals, ethnic cleansing and other destructive deeds, to justify their actions. (Walzer, 1997, 2)

A key characteristic of any successful regime of toleration is that “it does not depend on a particular form of virtue” nor does it require that “all its participants stand at one point on the continuum.” Some societies may work better with an atmosphere of resignation, indifference or stoicism while others have a need to encourage curiosity and enthusiasm. (Walzer, 1997, 12) Viewed as an attitudinal state of mind, toleration embodies a range of possible approaches to accommodating a wide range of different groups within the same society.

Walzer has described five types of civil toleration depicted as evolutionary stages. The first is a basic religious toleration with origins in the sixteenth and seventeenth centuries, a resigned acceptance of the other for the sake of peace that is derived from an exhaustion accumulated from years of killing. A second stage embodies a passive indifference to and benign acceptance of others. A third stage is described as a kind of “moral stoicism” where it becomes the moral duty and obligation to accept that others have rights to practise their beliefs even when it is unattractive to some. A fourth stage expresses openness, curiosity and respect, and is accompanied by a willingness to listen and learn from difference. A final and perhaps ultimate form embraces and endorses difference as “a necessary condition of human flourishing” where individuals are offered choices that “make their autonomy meaningful.” (Walzer, 1997, 10-11)

Most importantly, Walzer depicts toleration as an ongoing negotiated arrangement whose goal is to strike a balance that provides a version of peaceful coexistence that is in itself “an important and substantive moral principle.” While not necessarily a formula for harmony, it nevertheless legitimises previously repressed or “invisible” groups, and allows them fair access to competition for available resources. The presence of these formerly excluded groups will in turn

benefit all by expanding the “amount of political space” through the increase in number and range of political institutions along with opportunities for individual participation. It has been found that politically engaged citizens who have a “growing sense of their own effectiveness” in civil society are its best insurance against racist or extremist political ideologies and commitments. (Walzer, 1997, 6, 107)

Seeking a form of toleration that facilitates political cooperation and a will to sustain peace is a challenging but necessary achievement for societies emerging from conflict. A key finding of this thesis is that a willingness for all individuals and groups to practise forbearance from revenge, rather than unconditional forgiveness, is the strongest factor directly impacting political, social, and economic relationships between former enemies. Seen as a mid phase between processes of forgiveness and revenge, this “passive resentment”, where a decision to forbear from enactment of revenge has been consciously taken, has emerged as a key factor for moving political cooperation and reforms forward (see Chapter Seven).

The extent of courage and determination required by all sides to achieve this phase has been widely underestimated and misunderstood by the international community. A key objective of this thesis is to provide a framework that can be used by the international community to understand better the views of internal post-conflict populations, who will in turn be able to express their needs more directly.

To provide coherence, this thesis has been grouped into three sections focusing on theory, country backgrounds, and conclusion. A diagram of the analytical framework inserted before Section I depicts both the linear structure and interactive flow of what I have identified as three areas; perceptions of justice, formation of post-conflict identity, and political processes of forgiveness and

revenge, that are key to understanding post-conflict transitions. Justice and identity are described in Section I, Issues and Concepts, which lays out a theoretical framework that analyses two of the underlying dynamics in early post-conflict transitions. Section II, Country Backgrounds, describes a history of the conflict in each country where fieldwork was conducted in a way that is relevant to issues discussed in Section I and III. Section III, the Conclusion, draws together elements discussed in previous chapters through exploration of reasons for escalating violence during early phases of peace processes in Chapter Six, the core Chapter Seven on political processes of forgiveness and revenge, and conclusions and reflections on peace processes in Chapter Eight.

Section I - Issues and concepts

This section lays out the theoretical framework for analysing two key components of the underlying dynamics in early post-conflict transitions: perceptions of justice and formation of post-conflict identity. Each concept has been observed to have a direct effect on the political motivations of early post-conflict populations to pursue sustained peace or return to violent conflict. It is evident from the timeline of interviews and observations of others that internal reactions to these issues evolve over time. Initial elation over implementation of peace agreements almost invariably gave way to disillusionment as progress was perceived to have occurred less rapidly or not in the way originally anticipated. The underlying dynamics observed in each country, though shaped by the specific conflict, were found to be universal in concept. These are laid out in Chapter One as perceptions of justice as fairness, and in Chapter Two as formation of post-conflict identities.

Chapter One examines perceptions of justice as fairness, known as ‘justice judgments’ in the context of each case study. While not replacing formal legal trials and other procedures, these perceptions are formed early by all groups in order to rapidly assess their individual and group status in an unstable post-conflict transition and directly influence decisions and opinions affecting cooperation with former enemies.

During work on this thesis, the link between perceptions of justice and formation of post-conflict identities assumed greater significance than had been previously understood. Individuals and groups were observed to re-negotiate their identities utilising their perceptions of justice as fair treatment which in turn shaped political processes of forgiveness and revenge.

Chapter Two analyses an assumption of a victim identity common among all groups in each of the three countries. While still focused on conflict-defined groupings, they were less concerned with inter-group grievance than with all groups’ perceptions of themselves as victims of violence. In each case the formerly dominant group was especially vulnerable to assuming this identity and an articulation of victimhood was often found to have been a motivating factor for this group in initiating or prolonging the original conflict.

In recent work on the relationship between justice, identity and behaviour, Tom Tyler and Steven Blader observed that development and maintenance of a positive individual and group identity most strongly influences cooperation and leads “people to be internally motivated to engage in and cooperate” with groups. Attitudes and values are an important part of this process as “to the degree that people are internally motivated, they engage in cooperative behaviors for personal reasons, and they do not need to receive incentives (rewards) or to face the risk of

sanctions (punishments) to encourage their group-related behaviors.” (Tyler and Blader, 2003, 353-4) They found that social identity is formed from three interconnected areas; identification, pride and respect.

Identification reflects the degree to which people cognitively merge their sense of self and their evaluations of self-worth with their judgments of the characteristics and status of their groups. Pride reflects the person’s evaluation of the status of their group. Respect reflects their evaluation of their status within the group. (Tyler and Blader, 2003, 354)

Section II - Country Backgrounds

The case studies, Northern Ireland (Chapter Three), Serbia (Chapter Four), and South Africa (Chapter Five) have each demonstrated these theoretical issues in a myriad of ways. Chosen for their relative similarities and as well as differences, they demonstrate internal and external lessons relevant to other countries emerging from violent conflict. For example, the story of Northern Ireland was well known worldwide to those who are or have been involved in violent civil conflict. Referred to with frequency and familiarity by many individuals interviewed in Serbia and South Africa, it was one of the world’s longest standing, unresolved civil conflicts until the Good Friday Agreement in 1998.

The most recent Northern Ireland “Troubles” as they have been euphemistically known, began in the late 1960s during an era with very different views and definitions of accountability of human rights and causes of conflict. Fought within the territorial boundaries of the United Kingdom, a highly developed country, this conflict embodied the range of problems characteristic of civil wars fought in the recent decade. While the actors within Northern Ireland were the focus of this chapter, the role of Great Britain was of particular interest.

The most recent results of the two year quest to reinstate the Northern Ireland Assembly, have been increased support of and face-off between the province’s two

most extreme political parties; Ian Paisley's ultra conservative DUP Party (Democratic Unionist Party), and Gerry Adams's Sinn Fein Party with IRA connections. Although refusing to meet face to face, they were in negotiations brokered by the UK and Irish government but had not succeeded in reaching a final agreement by late 2004. While there has been huge pressure by the Irish and UK governments on both Sinn Fein and the hard right Democratic Unionist Party (DUP) led by the Rev. Ian Paisley to reach a political accommodation, it has been pointed out that Northern Ireland is more segregated in 2005, especially in communities surrounding peace walls, than it was before the cease-fires, and this is a trend that is not showing any signs of abating. (Shirlow, 2003, 2002)

In early 2005, this difficult political relationship was exacerbated by public accusations made by both Irish and UK governments citing IRA involvement in an historic £26.5 million Northern Bank heist in Belfast, December 2004. Especially damaging was the accusation that some senior members of Sinn Fein had had prior knowledge, as there is some overlap between the IRA Army Council and Sinn Fein, thus linking them directly to the robbery. At the time of this writing, April 2005, there was still no hard evidence offered to substantiate this or directly implicate either Gerry Adams or Martin McGuinness. Further complicating matters, the murder of Robert McCartney, a young father from an area known for its support for Sinn Fein, outside a Belfast bar in late January 2005, was directly linked to members of the IRA and by association to Sinn Fein. (This killing was particularly controversial as locally known IRA members appeared to behave as if they were entirely above the law and after the murder had taken place oversaw the forensic cleanup of the scene and 'encouraged' potential witnesses to refrain from talking to police.)

McCartney's sisters made their 'anti-terrorist' case in the international media and were embraced by powerful, high profile leaders. Gerry Adams was subsequently shunned by many American politicians who had previously welcomed him to March 17th Saint Patrick Day's celebrations while the sisters of the slain men were given an international forum by the White House and President George Bush to state their quest for justice. As a result, the threat to the peace process by both these events has been politically significant, and public accusations and support articulated by national and international governments in both cases has eroded all appearances of neutrality. On 6 April 2005, Gerry Adams made a public statement appealing to the IRA to embrace peace and to help rebuild the Northern Ireland political process. A brief positive response was made by IRA leadership, and it is anticipated that a more detailed and positive move will be forthcoming.

Nevertheless, many members of the opposing parties, for all their extreme differences, share a deep pragmatism toward the political process. This was evident in a joint public appearance at a Visiting Parliamentary Seminar on Conflict Resolution at Oxford University just prior to the murder of Robert McCartney, where both Martin McGuinness, Northern Ireland MP and former Education Minister and public spokesperson for Sinn Fein, and Peter Robinson, MP for the Democratic Unionist Party (DUP), alluded to the improbability of the overall bank heist accusation holding for all Sinn Fein members. The convenor, Labour MP Martin O'Neill, concluded the session by citing the Nixon lesson in China – that Nixon was able to negotiate a deal with communist China in the late 1960s because he was known to be a staunch anti-Communist and thus had rock solid credibility and trust in making an advantageous agreement. He alluded to the May 2005 national UK elections with indications that both Sinn Fein and the DUP would

dramatically increase their numbers. The audience was left with the distinct impression that, similar to the Nixon scenario, the key participants believed that eventually a deal would be made between both parties in order to allow the Northern Ireland Assembly to be reconvened. (St Antony's College, 2005, Oxford) However, by all accounts it has been acknowledged that formal power sharing between the two parties is still some time away.

Serbia, located at the edge of Western Europe, has been a prime example of violent political transitions often seen in less developed countries on other continents. The choice of Serbia evolved as an opportunity to study a developed European population newly emerging from a conflict situation that had many characteristics of African and Asian ethno-nationalist conflicts – genocide, torture, rape, massive ethnic cleansing, pervasive government corruption, organised crime, and paramilitary organisations. It provided an opportunity to observe the reactions of Serbs, often perceived by the international community to be responsible for the break up of the former Yugoslavia (as Slovenia and Croatia were the areas that first opted for independence this perception is questionable: see Chapter Four) during their transition from a communist to democratic system as well as to the United Nations administration of Kosovo.

Previous to the 1990s war which led to the break up of the former Yugoslavia, the collapse of Communism in the former Soviet block in the 1980s led to the loss of jobs, guarantees of access to education, health care, and retirement pensions and the predictable doctrines and familiar faces of the previous ruling party. The resulting increased poverty and uncertainty about the future made the population vulnerable to the economic and political security offered by the concept of ethnic nationalism, making them easy to exploit by leaders seeking to increase personal

power. One young man interviewed in the early post Milosevic days spoke of Serbs as being previously motivated by a victim ideology and a “self absorbed ...strong...tough” image and Serb journalist, Bratislav Grubacic, maintained that in order not to repeat a similar war, Serbs needed to understand that “Serb nationalism needs to be examined and politics adjusted to the modern world”. (Serbia Interviews, January 2001: see Appendix)

South Africa was chosen as a comparative case for two reasons. First, it was a natural extension of analysis from the Northern Ireland conflict as there had been a long historic relationship between and perceived similarity by all groups in both countries. This interchange with the island of Ireland had begun in the early 20th century when “Irish republicans identified with Boers, who, like them, were engaged in a militant campaign against the British.” This empathy ended with the apartheid regime in 1948, when the conflict shifted from Afrikaners versus Britain, to white Afrikaners against blacks. (McGarry ed., 2001, 5) It was revived in the 1980s and 90s when Northern Ireland nationalists and republicans identified with the ANC and the anti-apartheid movement in South Africa. During the same time Northern Ireland unionists and loyalists sympathised with the Afrikaners who they perceived, like them, to be a beleaguered minority defending their culture and territory.

Secondly, the format of South Africa’s Truth and Reconciliation Commission (TRC) had begun to be adopted and promoted by the international community. While not replacing formal tribunals or trials it was increasingly proposed as a form of peace conditionality and along with forgiveness began to be publicly promoted as a necessary prerequisite to social reconciliation. However, as internal reaction to

and assessment of the TRC's outcome continued to elicit a wide range of verdicts, it became clear that this form of transitional justice needed closer examination.

Section III – Conclusion

The final section frames Section I and II in the context of Chapter Six, “Violence in Peace”, which discusses the relevance of transitional violence to the success or failure of peace agreements and processes; Chapter Seven, “Political Processes of Forgiveness and Revenge”; and Chapter Eight, “Conclusions and Reflections on Peace Processes”.

In the earliest days of a declared peace, many populations are especially vulnerable to the violence of settling scores, and language on all sides resonates with hypersensitivity. Conflict-induced displacement and the seemingly uncompromising demands surrounding fundamental issues such as land, discrimination, and violence, move to secondary but no less important issues such as prisoners and investigating commissions. “Nomenclature and symbolism” that signals the onset of “what the French call *l'évolution des esprits*, a broad change of mind, is much slower to come than initial enthusiasm might suggest.” (Halliday, 2000, 286) As Halliday notes,

there is a special problem about bringing peace in societies that are ethnically fragmented...as distinct from riven by predominantly social divisions...or where the conflict appears at least to be one between locals and outsiders....In fragmented societies, the war creates or reinforces...a deep suspicion and cleavage in the society which no rush of optimism or agreement, let alone international involvement, can overcome.
(Halliday, 2000, 286)

For the much of the population who are supportive of peace and who have begun reaping rewards from the newly acquired stability (such as being able to shop without worrying about bombs or attacks), it is a time of great concern for a broad range of social, economic, and political issues. Depending on the level of devastation, these concerns can range from acquiring basics such as food, clothing,

shelter, clean water; and issues of equal access to quality health care for physical disability, HIV, and emotional disorders; to generating sufficient income to cover living costs without being forced to engage in illegal gray or black economies (this was a paramount problem in Serbia and Eastern Europe).

The early post-conflict period is a time of great internal group pressure. Intimidation that has been commonly utilised during conflict by armed militias to coerce group members to conform to decreed standards of behaviour, such as not showing sympathy or support to declared enemies living nearby, or forcing others to arm themselves and fight, does not suddenly evaporate when a peace agreement is signed. Much of the violence inherent to ethno-national conflicts is a “complex phenomenon” that varies

in scale, complexity, intensity, longevity, number of actors, degree of external involvement, and military sophistication of the combatants....Often the interpretations of violence are contested. A violent act may have multiple motivations and interpretations; the perpetrator and victim may variously interpret an action as criminal, political, or random or as motivated by religion, ethnicity, race, or identity. (McGinty, 2001, 640)

Much research in Northern Ireland and other countries had previously assumed violence to be a consequence of political problems that would immediately disappear following a settlement. This chapter explores and suggests reasons why political violence has often drifted into criminal violence. As Keen has observed, the “‘transition from war to peace’ is unlikely to see a clean break from violence to consent, from theft to production, from repression to democracy, or from impunity to accountability.” Instead a negotiated peace is very “likely to institutionalize violence in some form” and “may not be possible without institutionalizing violence in some way.” (Keen, 2001, 10)

In this climate of fear, construction of a post-conflict identity that reinforces a sense of security, assumes paramount importance. It is during this hypersensitive time when the international community can play a crucial role.

The crucial difference between the success and failure of spoilers is the role played by international actors as custodians of peace. Where international custodians have created and implemented coherent, effective strategies for protecting peace and managing spoilers, damage has been limited and peace has triumphed. Where international custodians have failed to develop and implement such strategies, spoilers have succeeded at the cost of hundreds of thousands of lives. (Stedman, 1997, 6)

For internal security forces – both police and military – this is a time of increased defensiveness and hostility, as they too face dramatic internal organisational and image changes. In their view, they sacrificed their lives as the last line of defence between complete anarchy and civilized society, trying to protect civilians, only to be accused and blamed in post-conflict transitions for actions they felt were not always in their control. This situation was particularly prevalent in Northern Ireland where, in a controversial move, demanded by republicans and generally resisted by unionists, the recommendations of the 1998 Patten Report for a complete overhaul of the RUC (Royal Ulster Constabulary) was implemented by changing among other things their name – to PSNI, the Police Service of Northern Ireland – as well as uniforms, and recruitment procedures. (The redundancies in the transition to peacetime policing resulted in recruitment of many former RUC to assist in organising independent police forces in Kosovo, and other post-conflict countries).

Chapter Seven is the core chapter of the thesis. It describes the ways in which perceptions of justice and formation of a victimisation identity are linked to a complex parallel, evolutionary, and inevitably political process of forgiveness and revenge in a post-conflict transition. Although still in its infancy, the analysis of

forgiveness and revenge and its relationship to political processes present in all national and international political systems raises important questions for the international community as well as the internal victims, perpetrators, and bystanders.

When considering how forgiveness unfolds for victims, the motivations underlying forgiveness decisions become important. Do people forgive to release themselves from discomfort, or do their decisions reflect more principled motives? Are such distinctions about motives important, in terms of predicting outcomes for forgivers or offenders? (Exline et al, 2003, 345)

Recent analysis has also shed light on the pragmatic advantages of adopting a stance of passive resentment. While potentially destructive feelings of bitterness or hatred can be eliminated through unconditional forgiveness, a mid-phase of passive resentment or forbearance from revenge may have elements of self-preservation deemed necessary for surviving a violent post-conflict transition.

...Some have argued that principled feelings of resentment can be beneficial; in fact, it might actually be dangerous or morally remiss to set them aside. Expressions of forgiveness, although often facilitating reconciliation, might also create risks for offended parties. (Exline et al, 2003, 345)

As indicated in this chapter, genuine and unconditional forgiveness is ultimately an individual spontaneous act that is not necessary to create an initial short term climate of tolerance or political cooperation. However, the implication is equally strong that if the issue of forgiveness remains unaddressed by subsequent generations or diasporas, they may re-emerge with an unfettered vengeance to erupt into another cycle of violent conflict in the future.

Chapter Eight, “Conclusions and Reflections on Peace Processes”, summarises key findings and ways in which the underlying dynamics described in Chapters One, Two, and Seven relate to the process of political cooperation. This final chapter lists practical suggestions for monitoring internal dynamics of post-conflict

transitions and for improving the relationship with the international community.

The role of social memory in constructing histories that perpetuate and fuel future conflicts are discussed. The way stories of conflicts are passed to subsequent generations and to diasporas are a critical factor in transmitting either bitterness or hope. As Jan-Werner Muller observed in the context of World War II, “with the waning of Holocaust survivors (as well as slave labourers and soldiers who served in the Second World War), ‘communicative memory’, that is, living oral memory based on personal recollection, is passing into ‘cultural memory’” which is understood as a cultural representation that lacks the “immediacy of first-hand recollection.” (Muller, 2002, 13-4)

It also covers aspects of transitional justice that relate directly to these issues.

The conclusion emphasises that directly or indirectly, it is followers, not leaders, who have the final word on the direction and long term outcome of peace processes.

Summary of Fieldwork Conducted for the Purpose of This Thesis

Fieldwork was conducted in Northern Ireland, Serbia, and South Africa, during a three year period, 1999 to 2002 with the intent of identifying the relationship between perceptions of justice as fairness; formation of post-conflict identity; and political processes of forgiveness and revenge during the early post conflict transitional period. Within these three countries, the following hypotheses have been examined:

- that perceptions of justice as fairness, known as “justice judgments”, while not replacing formal legal justice, are formed early by all groups in order to begin a pragmatic form of reconciliation that directly influences all decisions and opinions shaped early in a post-conflict environment;
- that post-conflict individual and group identities are re-negotiated through these perceptions of fair treatment and relied upon in shaping political processes of forgiveness or revenge;
- that political forgiveness and revenge are parallel complex evolutionary

processes present in all national and international political systems, are directly related to perceptions of justice, and can be used as indicators of the will of populations to seek a permanent peace, or a return to sustained violent conflict; and if not addressed, these key issues identified as present in early post conflict transitions, will eventually be motivation for renewed conflict.

Examined in the context of each country, each issue's priority was defined by the culture and circumstances of the conflict, but found to be present in each post conflict society and as having significant impact on the will of populations to work together during the earliest phases of peace. The case studies were also chosen for potential lessons they could share with other conflicts. At some point, each of these conflicts had been viewed as hopelessly intractable by external observers. Upon initial observation each area appeared to be imprisoned by its history however closer examination through interviews and research made it clear that many citizens did understand their fundamental problems but needed more external understanding and support in seeking long term solutions.

Northern Ireland was chosen as a base case, as stated earlier, it remained one of the world's longest standing and unresolved civil conflicts. By the mid 1990s it had become clear that the Northern Ireland conflict had not been unique to the country or situation, but embodied many of the dynamics and issues shared by the new 'ethnic conflicts' which had began surfacing around the globe. For the purposes of this thesis, Northern Ireland was chosen as a geographically and linguistically accessible area in which to conduct the first phases of fieldwork and to compare observations made there with the two other case studies.

South Africa, was chosen as a second comparative case firstly for its longstanding history of identification and interchange with first, the entire island of Ireland and later, with Northern Ireland specifically. The second reason is, as has been previously mentioned, international adoption of South Africa's Truth and

Reconciliation Commission (TRC) as a tool for social reconciliation needed assessment.

As noted earlier, the choice of Serbia evolved as an opportunity to study a European population who had recently emerged from a conflict that shared many characteristics with developing world ethno-nationalist conflicts, as well as an opportunity to observe the earliest stages of transition to democracy, enforced partition of Kosovo, and formation of post conflict identity. The difference in language and circumstance in Serbia also provided an additional opportunity to test the relevance of observations made in Northern Ireland and South Africa.

Northern Ireland did prove to be a model of the type of ethno-nationalist conflict that became commonplace throughout the 1990s. Northern Ireland interviews took place in March 1999, the entire month of April 2000, and from mid to late November 2000. There were additional visits for the purpose of presenting findings at a Queens University Belfast conference (2001) and research in the Political Collection in the Linen Hall Library, Belfast, where the most comprehensive collection of published and artifact memorabilia on the Northern Ireland conflict was housed. Interviews, research, and observation conducted in Northern Ireland sharpened interview skills and research strategies for later work in the other countries. By using Northern Ireland as a base case, I was well-prepared to understand the processes taking place in Serbia when I visited in January and March 2001, and June 2002. Experience in both countries aided in interpreting results from final fieldwork in South Africa for six weeks in November and December 2002.

Subsequent fieldwork in Serbia did provide valuable insights into the earliest phases of a post-conflict transition. Unexpectedly it also provided a basis for

understanding the ethnic diversity of Serbia's population and shed light on why the significant population of Croats in Vojvodina Province did not break with Milosevic during the earliest phase of the Yugoslav war. It also reinforced the fact that the Kosovo war was primarily a conflict between competing nationalities, Serbs and Albanians, rather than between Christians and Muslims, and highlighted issues surrounding the internal displacement of Serb refugees from other areas of the former Yugoslavia.

South Africa was especially interesting as a case study for this thesis as having previously, along with Northern Ireland, been considered to be one of the world's most intractable situations, it had subsequently launched an international reconciliation prototype by establishing a high profile truth and reconciliation commission as a way to deal with divisive post-conflict issues. The South African Truth and Reconciliation Commission (TRC), is now seen by many South Africans as a positive part of the process of building a new country and as a way to recollect history (if not always accurate) but not as a guarantee to a long term reconciliation. Many South Africans interviewed in November/December 2002, agreed that despite the TRC, the hard work of building a new country had "just begun". (South Africa, Cape Town, 2002) This fieldwork was particularly important for the purpose of this thesis as South Africa was the final country visited and viewed as an indicator of what might lie ahead for Serbia and Northern Ireland and other conflicts. It also had some of the most comprehensive survey data on the evolution of the reconciliation process of any of the three countries.

Methodology

Background for this work was developed through an early pilot study undertaken in Northern Ireland (1995); a thorough literature review of political,

economic, sociological conflict-related processes; and macro-economic analysis of the impact of tourism on economies in transition and crisis (Northern Ireland, 1996; Slovenia, 1996; Czech Republic, 1996; papers written while completing a first degree in economics and government). “The Role of Forgiveness in Reconstructing Society After Conflict”, my MSc thesis at the LSE, and one of the bases upon which my current work has been built, was published in 1998 in *The Journal for Humanitarian Assistance*; University of Cambridge, UK.

The main purpose of this fieldwork was to interview individuals and/or groups who represented various ethnic and socio-economic areas of the country.

Informational interviews were also conducted with individuals within the country who were doing research and analysis in that environment. A base set of questions regarding the key concepts of this research; justice, identity, forgiveness, revenge, were developed in a political context (Sample Questionnaire: see Appendix).

The questions were refined under the guidance of my external supervisor, Professor Adrian Guelke, Director of the Centre for the Study of Ethnic Conflict, School of Politics, Queen's University, Belfast, who has written widely on related issues in Northern Ireland and South Africa. Additional assistance was given by researcher, practitioner, and now lecturer, Dr. Kathleen Cavanaugh, (who had researched political structures in Northern Ireland as a doctoral candidate at the London School of Economics under the supervision of Professor Brendan O’Leary). Advice was also sought from other researchers and practitioners in the field. The result sought from this approach was to identify and prioritise key issues as articulated by members of the societies of the three countries where fieldwork was conducted.

Interviews

Following initial interviews in Northern Ireland, I began to refine interviewing and data collection techniques. While the formal questionnaire was useful as a reference it quickly became clear that too many questions could be distracting for an interviewee, and I found I could gather a greater amount of relevant information if I asked about a few key areas while allowing the interviewee(s) to lead the discussion with discreet input from myself. It immediately became obvious that some wished to speak more about some subjects than others, and that better quality information was acquired if one followed their lead. It also resulted in my being approached for a number of spontaneous informal interviews given by individuals who decided they wanted to speak to me. A journalistic interviewing style underscored by academic rigour was developed, and proved to be invaluable in identifying issues important to individuals and groups in post-conflict environments.

In interpreting data, a key understanding that evolved during fieldwork was learning to pay attention to what people were *not* saying as much as to what they actually verbalised. Another was that these conversations were part of an evolutionary process that stood as only one measure of a point along the continuum of post-conflict adjustment during which time the same individual could have widely varying views. This was reinforced by observations of others in the field such as clinical psychologist and policy analyst Brandon Hamber, a South African involved in the early centre for the Study of Violence and Reconciliation in Johannesburg, South Africa, and who later held a Tip O'Neill Fellowship at INCORE, Northern Ireland.

Populations surveyed in each country included a cross section of professions, generations, and socio-economic backgrounds of groups previously in conflict. In each country I networked with internal academic, practitioner, and social contacts in

order to speak to as many community members, including ex-prisoners, as possible, and interviewed academic and public figures only when relevant. As opinions of well-known individuals were more accessible through published work and the media, my preference, whenever possible, was to speak to those who were less often heard in a public forum. Where language was an issue, such as in Serbia, many of those interviewed either spoke English, or reliable interpreters translated.

Due to limitations in time and funding, interviews were conducted in specific areas in each country, while acknowledging the differing experiences of the previous conflict and transition due to location and socio-economic background. Overall, observation and documentation of the evolutionary process of post-conflict transition was accomplished by cross referencing field interviews with relevant political, economic, and social surveys; current and past media; oral histories, and observational journals kept during each trip.

During interviews in Northern Ireland, Serbia, and South Africa, justice was expressed as a remedy of previous inequality of access to economic, political, social resources; equal opportunity to participate in future political arrangements; equal application of the rule of law; equal access to funding for economic development and to quality education, housing, jobs; and elimination of identity coding to prevent or limit access to resources.

Social concerns included acknowledgement of diverse geographical (urban, rural) and socio-economic (working class, middle class, wealthy) experiences of the population during conflict; internal corruption; reintegration of ex-combatants – paramilitary members, child soldiers – and refugees (where applicable); and reform of the security sector including military and police (a situation faced by Northern Ireland, Serbia/Kosovo, South Africa). The future role of ethnic minorities who

were not members of conflicting groups or collaborators (Northern Ireland has a sizeable Chinese community in Belfast; Serbia has over twenty ethnic minorities who were not directly involved in the conflict) was also of increasing concern.

Protection of interviewees was of paramount concern throughout this undertaking. The most dangerous places were and still are Northern Ireland and Serbia. In Northern Ireland most people either wanted taped interviews so that their words could not be misinterpreted, or ones that were entirely off the record. In Serbia, notebooks were acceptable to most, but again, many did not want to be identified. The situation in South Africa was more stable and flexible, but there was a great deal of caution among whites, especially Afrikaners. In all these countries I have avoided using individual names if I felt there might be any sort of threat associated with using them. Many deliberately did not give their names, but could be safely associated with the public location of the interview. The citations for fieldwork interviews reflect this consideration.

Chronology of interviews

Fieldwork was conducted in three countries; Northern Ireland, Serbia, and South Africa, during a three year period from 1999 to 2002. Anonymity of those interviewed was respected upon their request, however I also exercised caution in using names in the text if there was any concern on my part for the individuals and groups interviewed. Many who were formally interviewed in Northern Ireland wanted their answers tape-recorded, otherwise notes were taken there and in the other countries. Certain individuals interviewed, particularly professionals, are included in the bibliographic listing and clearly identified.

Northern Ireland Interviews:

Fieldwork in Northern Ireland was conducted in three principal blocks; in late March 1999; for the month of April 2000 (1-24); and November 2000 (16-30). It

was also visited several other times for the purpose of presenting at a conference (Belfast July 2001) and library research.

The key strategy in this interview series, repeated later in Serbia and South Africa, was to find a set of “gatekeepers”, leaders of organisations or informal networks, who could pass me on to others if they felt so inclined. I also used informal social situations to gather information without the intimidation of a formal interview, and recorded many of these conversations and observations in a journal.

The list of interviewees has been redacted from the online version of this thesis.

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Serbia Interviews:

Fieldwork in Serbia took place in three blocks of approximately 1-2 weeks each. The first visit was to Belgrade in late January 2001, just a few months after Milosevic had been deposed. A series of interviews were conducted in March/April 2001, in and around the Subotica, located on the Hungary/Serbia border northern province of Vjovidina, and Belgrade. The interviews in June 2002 were conducted in Novi Sad and Belgrade. The first two visits in 2001, (January, 18-30; April 1-9) required an official 'letter of invitation' from a Serbian resident, while the June 2002 (17-29) trip fell under a newly initiated open tourism visa during the summer months.

The list of interviewees has been redacted from the online version of this thesis.

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South Africa Interviews:

Fieldwork in South Africa was left for the final phase, (30 October – 15 December 2002) as both an observational and progress cross reference comparison with the two other countries. It was done in the Western Cape region including, Cape Town and Stellenbosch.

The list of interviewees has been redacted from the online version of this thesis.

Conclusion

The gap between idealised aspirations and reality of action that philosopher Immanuel Kant observed; “We do not live in an *enlightened* age but we do live in an *age of enlightenment*”, is as true now as it was in the late 18th century. (Kant

quoted in Halliday, 1999, 27) In an environment of increasing globalisation, inequality inside and between states is growing, and insurgency is increasing as the world struggles to find a new way to address old challenges. Clearly, new questions need to be asked and more attention paid to the complexity of motivations underlying the surface actions and reactions of all groups. The analytical framework proposed in this thesis is intended to help provide insights into the relationship between internal groups and external interveners that will aid in constructing an alternative way to frame these problems and in perpetuating a legacy of hope and peace for subsequent generations.

Both research and interviews have shown that internal and external acknowledgement of what has taken place as both a way to honour the dead and to construct a future free of violence is a key issue for all groups formerly in conflict. As this research demonstrates, the form this acknowledgement takes will change as a peace process evolves. More than ever, the international community needs to be aware of its implications for, and importance to, facilitating internal stability. The international community needs to ask itself if what it is doing is helping or hindering when asking post-conflict societies to take certain steps to facilitate political and economic reform and social reconciliation. Learning to listen to what all sides are saying, or in some cases, not saying, while allowing them time to seek their middle ground may be one of the best means of support that external interveners can give.

EARLY POST CONFLICT PERIOD

PERCEPTIONS OF JUSTICE AS FAIRNESS



FORMATION OF POST-CONFLICT IDENTITY

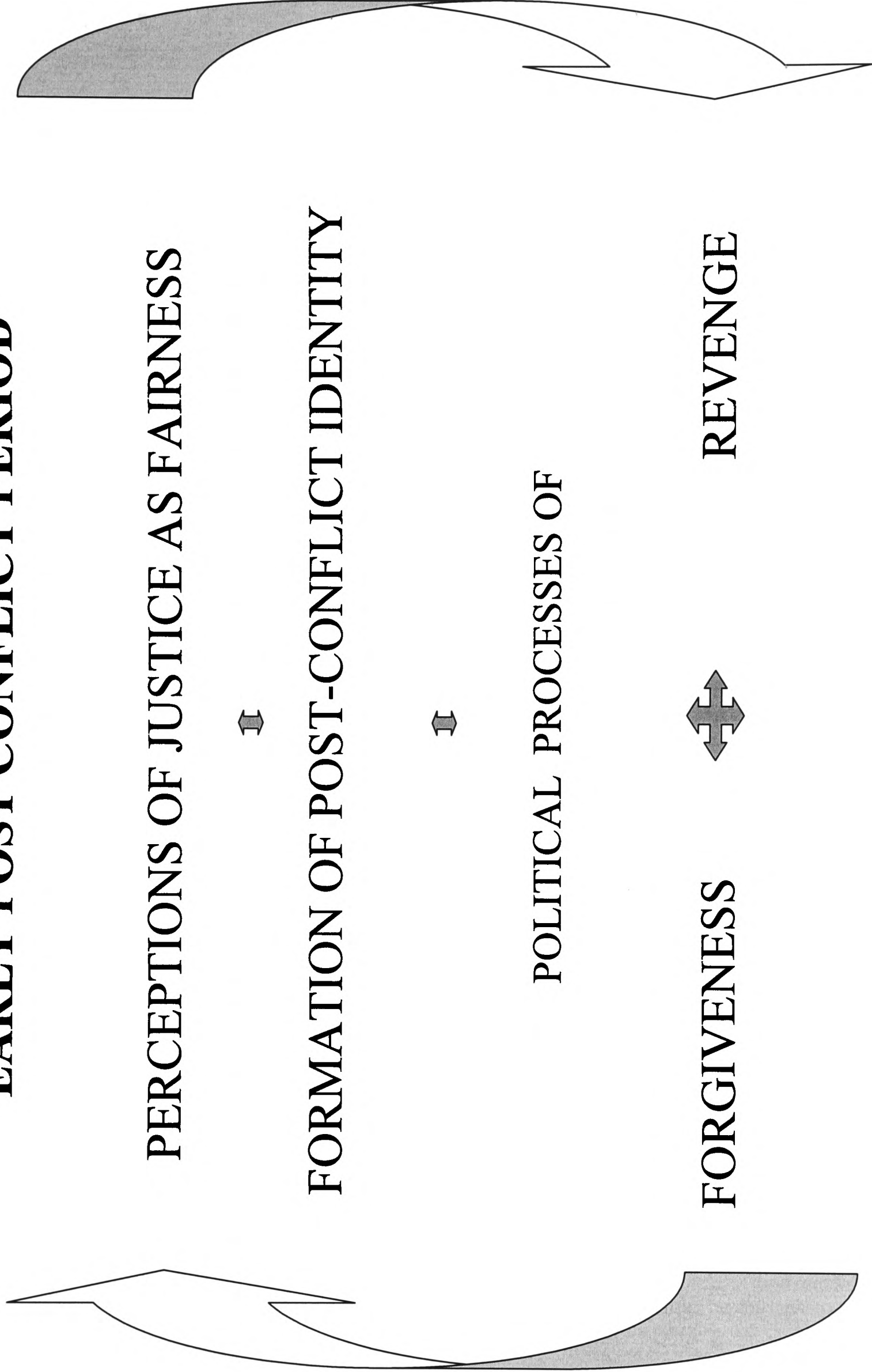


POLITICAL PROCESSES OF

FORGIVENESS



REVENGE



SECTION I: ISSUES AND CONCEPTS

Chapter One: Perceptions of Justice in Early Post-Conflict Transitions

In the earliest days of a peace process, a cry for justice is the rallying point for traumatised survivors. Rebuilding a country where peace is dimly remembered or unknown to a younger generation is a daunting task. While slow moving formal trials can serve a ritualistic purpose in much the same way as formal truth commissions, the limitations of a criminal trial where punishing perpetrators may not automatically benefit victims, must be confronted in a rapidly changing often violent post-conflict environment. Instead, building a long term social reconciliation that encompasses all members of society -- victims, perpetrators, their beneficiaries, and bystanders - may require other forms of justice in order to understand and develop their place in the new political, social, and economic order. (Mamdani, 1997,22)

Social psychologists have put forward two theories as to why people care about justice: The first is the social-exchange-based resource model arguing “that people want to maximize the resources they obtain from social interactions, a goal that they believe is facilitated by following rules of distributive and procedural justice”. The other is an identity-based relational model suggesting “that people attempt to maintain high status within groups and use the justice of their experiences to evaluate their group status”. (Tyler, 1994, 850) However, it has been consistently confirmed that “concerns about equity and other normative aspects of distribution are clearly most related to perceptions of justice” that place relational over instrumental concerns. (Wendorf and Alexander, 2001)

The earliest days of a peace process are often a time of great fear, escalating violence and increased concern for physical security (see Chapter Six). Many groups and individuals from all sides are under death threat both from punishment vendettas within their own community and from former enemies, fearing attacks while inside their homes or while travelling to work through former enemy neighbourhoods. There is also fear of abuse by security forces, both military and police, who are perceived to have been biased toward one community over another. Security forces are equally fearful of retaliation.

Adding to the uncertainty is heightened hypersensitivity in language (i.e. graffiti, public statements, personal conversations), symbols displayed (flags, colours worn), and action (meeting with or boycotting discussions, marching or gathering in areas of heavy significance to recent enemies) that can quickly inflame smouldering resentments. Each conflict has its coded language which can give serious resonance to the simplest word or action by both internal and/or external players, resulting in almost instantaneous appearance of murderous gangs, or conversely, a reassurance and sudden willingness among former enemies to negotiate contentious issues. (Northern Ireland Interviews, Belfast, April 2000: see Appendix)

This chapter proposes that expectations of fair treatment by all those affected by the previous conflict are a key issue in early hypersensitive post-conflict environments. These expectations are most often expressed as perceptions of justice as fairness. As Allan Lind noted in his inaugural lecture for the Leiden University Fund Chair in Social Conflict, the terms “justice” and “fairness” can have different implications in the English language. The term justice can evoke a more formal or

legal concept of “what is right or due”, while fairness evokes a more general or intuitive perception of the same. (Lind, 1995, 25)

There is ample evidence in both interviews and literature cited throughout this thesis that these perceptions are treated as reality and acted upon accordingly (see especially Chapter Seven, Six). These perceptions strongly impact the formation of post conflict identities, both on an individual and interactive group level and are especially influential in the formation of a sense of victimisation (Chapter Two). They are also an integral part of the phases of political processes of forgiveness and revenge in early post conflict environments (Chapter Seven). These internal perceptions of justice as fairness are especially important to external aid donors and military peacekeepers as they directly shape ways in which external actions are interpreted as fair or unfair by internal populations.

Justice as fairness

An important and relevant finding of social psychologists who have done much empirical work on the relationship between justice and fairness is the demonstration that people in groups and organizations “react to third-party allocations and dispute resolution decisions by evaluating their fairness, not simply their absolute or relative favorability.” (Tyler, 1994, 850) The ways in which justice is perceived to be fair are extremely important as “people’s views about what is just and fair are a social facilitator through which the interaction among people and groups is enabled.” (Tyler, 2000, 117-8)

All indications point to the fact that justice judgements are formed early with a tendency to be inflexible. There is much evidence to suggest that justice is a “socially created concept” that “has no physical reality” existing “only in the minds of the members of an ongoing interaction, a group, an organization, or a society.”

For justice to be effective, studies of procedural justice judgements have revealed that individuals and groups must feel that the process of decision making has been fair. (Tyler, 2000, 117-8)

The social significance of justice as fairness was extensively explored by political philosopher John Rawls, one of the twentieth century's outstanding contributors to the ongoing debate. This debate, for Rawls and others, centred on development of social justice with a primary focus on the ways in which major social institutions, especially ones that define fundamental human rights and duties determine the division of political, social, and economic advantages through social cooperation and a shared concept of what is "good" or best for the society as a whole. (Rawls, 1999, 6)

In his original (1971) and later revision (1999) of A Theory of Justice, Rawls presented his interpretation of justice as fairness as an important part of the theory of rational choice and as an example of what he called a "contract theory" which conveys the idea that principles of justice could be conceived as the choice of rational persons, whether applying to relationships between several persons or groups, and in this way could be both explained and justified. To Rawls the use of the word contract embraced a plurality and condition that "the appropriate division of advantages must be in accordance with principles acceptable to all parties". (Rawls, 1999, 14-5)

While Rawls accepted the notion of deep inequalities within a society, the context in which he examined ways in which to approach and implement his theories was within the limitations of a "well-ordered society" where "everyone is presumed to act justly and to do his part in upholding just institutions". He assumed that a deeper understanding could be gained in no other way and that the "nature

and aims of a perfectly just society is the fundamental part of the theory of justice”.
(Rawls, 1999, 8)

In his work Political Liberalism (1993) that followed his first edition of A Theory of Justice in 1971, Rawls expanded his concept beyond sole dependence on rational behaviour to include a notion of reasonableness. He portrayed individuals as partially motivated by a “sense of justice” depicted as a form of reasonableness that encompassed a “moral sensibility” lacking in “mere rationality”, further expanding this to include the idea of reciprocity which he linked to a concept of altruistic impartiality. (Rawls, John as quoted in Knight, 1998, 430)

Stating that “reasonable persons ...are not moved by the general good as such” but by a desire for a “social world in which they, as free and equal, can cooperate with others on terms all can accept”, will insist on cooperation with each other as “cooperation involves the idea of fair terms of cooperation” and “fair terms of cooperation specify an idea of reciprocity” as all those who cooperate and who follow the rules and procedures required will in turn “benefit in an appropriate way as assessed by a suitable benchmark of comparison”. (Rawls as quoted in Knight, 1998, 430) Tyler has stated that this sense of fair treatment is usually derived from four key factors: opportunities for participation or “voice” in stating their case and making suggestions, neutrality of the authorities and forum, the degree to which the motives of authorities are trusted, and the degree to which all parties are treated with dignity and respect. (Tyler, 2000, 117,121)

While there are inherent strengths to Rawls’ philosophy of justice as fairness, he clearly stated that his theories presumed “strict compliance” and an assumption of the presence of a well-ordered society and some form of working government, as distinct from “partial compliance theory” that comprised theories of punishment,

doctrines of just war, justification of ways to oppose unjust regimes, from civil disobedience to military resistance and revolution. (Rawls, 1999, 8) A problem in applying Rawls theory of justice as fairness to societies recovering from conflict is that neither of his conditions may be present. It has also been amply demonstrated that rather than waiting for justice to be formally enacted in a court of law, informal assessments of perceived fair or unfair treatment, dubbed as justice judgements, will be used by former enemies, both individuals and groups, when making decisions to cooperate in post-conflict environments. (Lind, 1995, 15-6)

According to Lind, it is clear “that the time to establish a favourable fairness impression is early in the resolution of a dispute”. (Lind, 1995, 11-13)

What this means is that once people arrive at the conclusion that they are being fairly treated, they cease to look for, or even attend to, additional information that might cause them to revise that impression. ...[However] if procedures and outcomes seem to be very unfair, the implication of rejection and exploitation can add an extra sting and make people ignore even their interest as they seek to harm those whom they believe have treated them unfairly.

(Lind, 1995, 11-13)

For former enemies the advantage of using justice judgements to evaluate fairness when addressing contentious issues is that it allows people to get around the logical problems associated with co-operation. This frees them to “construct their social identities and contribute to the common good” with diminished apprehension of being exploited or rejected. (Lind, 1995, 15-16)

Gone is the need to calculate all of the potential consequences of co-operative actions and to attempt to guess the probability of others’ favorable or unfavorable behaviors. It is enough to decide that the relationship is fair. (Lind, 1995, 15-16)

Transitional justice

A key concern in early post-conflict environments has been the possibility of using justice as a cover for revenge (see Chapter Three). In recent years various

transitional justice mechanisms have sought to address expectations linked to perceptions of justice during the early post-conflict phase by pursuing and developing alternative forms of institutionalised justice. These address perceptions of fairness, past abuses, the need for faster, more flexible forms of justice, and numerous related legal and political issues that have remained “up for grabs” either because they were too contentious and specifically omitted from earlier negotiations or because there was a “deliberate constructive ambiguity about their resolution”. (Campbell and Aolain, 2003, 870, vii) In this context transitional justice mechanisms can be seen as a way to transcend early post-conflict instability, until the conditions that support the more viable justice mechanisms and institutions that Rawls envisaged are in place.

The most popular forms of transitional justice mechanisms have been truth commissions, international tribunals, and restorative justice paradigms. The Truth and Reconciliation Commission (TRC) in South Africa, the International Tribunals for Former Yugoslavia and Rwanda, the Truth Commission and Special Court in Sierra Leone, and the Commission for Historical Clarification in Guatemala, have all been established as a way to address the past.

Truth commissions have been present since 1974 in Uganda, but became high profile with the Truth and Reconciliation Commission (TRC) of South Africa from 1995 to 2000. (Hayner, 2001, 291-7) In their original form, they were understood to be “investigative mechanisms with the primary aim of publishing an authoritative factual report on human rights violations committed in a country” while the “societal impact of gathering information was given little attention.” (Hamber, 2003, 1074) In South Africa, there was a dual focus of truth-telling along with a “religious-redemptive vision of reconciliation” that stressed a forbearance from

revenge, public confession by victims, and created meaning for suffering by providing a “narrative of sacrifice for liberation”. (Wilson, 2001, xix)

Much recent debate has focused on the role of retributive justice in high profile war criminal tribunals. Tribunals began after World War II in Nuremberg, Germany, and Tokyo, Japan, were a way to hold former Nazi and other leaders accountable, but many individuals put on trial were more often symbols of wrongdoing rather than the ones directly responsible for giving orders. In even “the best-intentioned attempts to deal with large-scale crimes fairly, pragmatic limitations of massive legal procedures mean that some of the less guilty are tried, and some of the more guilty go free.” (Hoffman in Owen ed, 2003, 281)

In many cases, there are two distinct views - external and internal - of justice being served. The external group is composed of outsiders –the international community, including hostile countries, who are mediators, aid givers, military forces, and peacekeepers. The internal sphere is composed of groups formerly in direct conflict and state-led security forces (military, police). The trial of Slobodan Milosevic at the International Criminal Tribunal for the Former Yugoslavia (ICTY) in The Hague, the first head of State to be tried for war crimes, and has been an example of the ambiguity of the justice being served.

Restorative justice, an experimental approach to satisfying a need for interactive, participatory justice systems, has evolved dramatically in recent years. Provoking a range of debates among both advocates and practitioners, its basic principles are to provide restitution to victims and communities, promote reintegration of offenders, and repair relationships between victims, offenders and communities in order to build a consensus of understanding and acceptance. (McEvoy et al, 2002, 469-70)

While applicable in peaceful societies, it has a particular relevance to post-conflict transitions as community-led initiatives have been designed to address problems of perceived “state illegitimacy” as well as inadequate and ineffective delivery of justice services. In post-conflict transitions restorative justice projects can become “a bellwether for the societal transition to peace and a key practical and ideological site of contest between the state and informal structures which have emerged over the period of conflict”. (McEvoy et al, 2002, 470-72) Such issues have been a main focus for Northern Ireland’s Republicans, particularly the IRA (Irish Republican Army), where restorative justice theory and practice have provided an alternative to paramilitary punishment violence and coercion, and for South Africa’s ANC (African National Congress), where the truth commission (TRC) provided a community based justice model that was used for subsequent legislation such as a Child Justice Bill introduced in 2002.

While tensions between institutional and restorative justice models regarding trust, various forms of popular and informal justice, and the “potential of the state to disable deliberative democracy” remain, there is also a range of possibilities for cooperation. John Braithwaite, who has a broad range of applied experience including experience in Northern Ireland, maintains that the value of restorative justice is that it gives “a type of empowerment to participants that ...is largely impervious to exercises of state power”. (McEvoy et al, 2002, 471-2) He argues that top-down and bottom-up accountability is necessary and compatible based both on consensual UN Human Rights agreements and citizen articulation of goals sought from restorative justice as “top-down lists motivated by UN instruments or the ruminations of intellectuals are only important for supplying a provisional, revisable agenda for bottom-up deliberation” in setting standards of restorative

justice that address “distinctively local anxieties about injustice”. (Braithwaite, 2002, 563)

Christine Bell has noted that attitudes and approaches to justice mechanisms change over time and become easier to establish once initial compromises give way to “dominant narratives of responsibility”. As the dynamics of peace processes move beyond the initial goal of “stopping the war, ...common understandings of the causes and costs of conflict may emerge”. Instead of the more limiting “piecemeal approach” to recovering the truth and establishing accountability, a renewed focus on “how much principle is needed *versus* what is pragmatically possible” allows a different set of questions to emerge. (Bell, 2003, 1146-7)

How should societies move towards common goals for transitions?
 What normative content should these goals have? How is the
 transition towards these goals managed over time? At what points
 might past-focused mechanisms be useful in this process? Which
 mechanisms are useful at which time? To what extent can and should
 future possibilities be left open by mechanisms established?
 (Bell, 2003, 1146-7)

Referring to the process of recovering from genocide in Rwanda, Mahmood Mamdani has asked, “Is a form of justice possible that is not at the same time victor’s justice? Is a form of reconciliation possible that is not at the same time an absence of justice, and thus an embrace of evil?” Seeking an alternative version he has proposed a “survivors’ justice” which includes not only surviving victims but “all those who continue to be blessed with life in the aftermath of a civil war”. (Mamdani, 2001, 272-3) Where beneficiaries of a dominant group’s action are many, as was the case with South Africa’s white population,

reconciliation has to be social to be durable, which is the same thing as saying there can be no durable reconciliation without some form of social justice...But where beneficiaries are few and perpetrators many, the key to reconciliation is political ... The prime requirement of political reconciliation is neither criminal justice nor social justice, but political justice. It requires not only shifting the primary focus of reform from individuals

to institutions, but also recognizing that the key to institutional reform is the reform of institutions of rule. (Mamdani, 2001, 272-3)

The art of “staging” or utilizing different transitional justice mechanisms at different phases of the peace and reconciliation process has potential for offering new insights for more specific and positive support of transitions from violent conflict as each country’s culture and individual history of conflict will influence and shape the process necessary for creating sustained peace. (Bell, 2003, 1146-7)

The choice of transitional justice mechanisms and procedures will differ with each conflict but all offer a bridge between the uncertainty and insecurity characteristic of an early peace process and a subsequent phase where institutions are in place and functioning to a degree necessary to support formation of a stable society.

Northern Ireland prisoner releases and restorative justice

One of the greatest post-conflict challenges to the concept of justice in Northern Ireland was the early release of paramilitary prisoners included in the 1998 Good Friday Agreement, seen as one of the most controversial but arguably most important incentives for peace. Both the IRA (Irish Republican Army) and Loyalist paramilitaries worked separately and together to help broker peace deals inside the Maze prison. From the beginning their cooperation was based on the understanding that conditional amnesty for all political prisoners would be made part of the Good Friday Agreement.

The Good Friday Agreement, unlike the previously similar but failed 1973 Sunningdale agreement, represented an “acceptance of the political motivation of paramilitaries, an implicit acknowledgement of the state as a protagonist in the conflict, and a preference for politics over ‘security’”. This acknowledgement of political motivation behind the campaigns of paramilitary violence did not indicate approval or appeasement by the international community or the Irish or British

governments, but rather a pragmatic recognition by the conflicting groups, especially Republicans, that no side had won a clear victory. Instead, political justice offered an alternate avenue for achieving goals previously sought through a campaign of violence. (McEvoy, 1999, 1574-1575)

While both Republican and Loyalist sides agreed to cease “military activities” against each other, internal “policing “ continued in both communities, resulting in a higher profile of the destabilising effect of internal punishment beatings to sustaining a long term peace. Restorative justice, perceived as a way of eliminating brutal score-settling, offered a way to link informal bottom-up paramilitary justice traditions to more formal state systems. Designed to allow paramilitaries in their terms, to “disengage responsibly” from these acts, community-based restorative justice projects handed dispute resolution back to the local communities where the problems originated. (McEvoy et al, 2002, 434-6)

This bottom-up approach to justice was particularly significant for Northern Ireland in addressing the Republican challenge to legitimacy of the “state” -Great Britain and its annexation and control of Northern Ireland since 1921- by acknowledging that their fight had been for a political, not criminal cause. The Royal Ulster Constabulary or RUC (now renamed Police Service of Northern Ireland or PSNI) lacked credibility and legitimacy in working class areas and their constant recruitment of local criminals as informers meant that local IRA paramilitary group took it upon themselves to carry out policing activities. (McEvoy et al, 2002, 536)

While in some circumstances, this form of rough justice administered by the IRA, as well as Loyalist paramilitaries, may have been viewed as a necessary alternative to the established police force, the culture of violence and intimidation

fostered by all paramilitaries has become increasingly problematic in the post-conflict transition (see Chapter Six).

A demonstrated willingness by both Sinn Fein (Republican, directly connected to the IRA) and Loyalist political parties was a precondition imposed in order to participate in all party peace negotiations leading to the signing of the 1998 Peace Agreement. An exploration of “crime prevention, restorative justice, human rights, and humanitarian law, mediation, and non-violence” was initiated by activists from Republican areas in 1996, resulting in publication of the “Blue Book” proposing a model based on principles of restorative justice. Four pilot projects, known as Community Restorative Justice Ireland were launched in Republican areas in coordination with the Northern Ireland Association for the Care and Rehabilitation of Offenders (NIACRO). The Loyalist community initiated a similar project, the Greater Shankill Alternatives, under the guidance of the Ulster Volunteer Force (UVF) who had stipulated that the justice model would only be applied to interventions on punishments not related to internal paramilitary discipline, inter-paramilitary group disputes, sexual offences or sales of drugs. (McEvoy et al, 2002, 536-7, 539)

The Blue Book encompassed a wide range of recommendations, but in application on the community level, project activities have focused on victims and offenders, mediation, family groups, and monitoring of agreements. The system is begun when a “case” is referred to the local community project office. Following assessment by staff as to whether the matter is within their jurisdiction or to be referred to other community or state agencies, the problem is assigned to two-person teams of well trained volunteers who then attempt to mediate informally in a type of

simplified “shuttle diplomacy”. Failing that, arrangements are made to conduct a formal mediation hearing in a neutral location. (McEvoy et al, 2002, 538)

If an agreement is reached, the local project seeks to monitor compliance and to intervene if an agreement needs to be renegotiated. In general,

Preliminary evaluations of these activities suggests that large group conferences are not exceptional, that many local disputes are long standing and are therefore ‘thick’ or relatively complex, that conflicts involving ‘anti-social’ behaviour have a very significant impact on participants’ sense of quality of local life, and most cases are resolved very quickly, many within a 48-hour timeframe. (McEvoy et al, 2002, 538)

While still evolving, it has been clear that that restorative justice schemes in all communities have proven to be sophisticated vehicles with wide ranging implications for peace and reconciliation processes. Key characteristics have been the high level of community expectation that these informal justice mechanisms include Republican and Loyalist “culture of consultation and partnership within working-class communities” and be responsive to the needs and resources of the area they serve. Their high visibility and the level of community interest and ownership in these projects at both the local and regional level has increased community pressure for these pilot projects to take a leadership role in introducing these models into additional areas. With potential for extending operations beyond the original parameters of providing non-violent alternatives to punishment violence to broader mediation activities and conflict resolution work, the demand for these mechanisms is so great that their capacity has been severely stretched. (McEvoy et al, 2002, 540)

Although requiring more than solely restorative justice mechanisms to stop all punishment violence, criminal activity and anti-social behaviour, Northern Ireland has demonstrated that,

Informalism is ...*possible*. It is possible when it is based upon a genuine commitment to the values and practices of restorative justice;

located in politically organized and dynamic communities; well managed and staffed by committed volunteers; and guided by locally developed standards of practice which are based upon accepted human rights principles. (McEvoy et al, 2002, 556)

As Gusty Spence, the Commanding Officer of the UVF (Ulster Volunteer Force-Loyalist/Protestant) understood and articulated when addressing his fellow paramilitaries in Northern Ireland's Long Kesh Prison (a.k.a. the Maze) while calling for a universal cease-fire a full twenty years (12 July 1977) before the 1998 Good Friday Agreement:

The political prisoners and the paramilitaries cannot be made the scapegoats for our society's ills because ours was a sick society long before the fighting men came on the scene. ...Before we can reconstruct we must have a peace with a modicum of trust in order to bind the wounds created by...three hundred years of strife, hatred, mistrust and oppression with no one side having a monopoly on good and evil. (Spence, 1977)

The positive potential of restorative justice projects lies in the fact that they are perceived to be fair, participatory processes by divided communities, state authorities, and the police, and they are providing a way to move forward in the peace and reconciliation process while continuing to engage politically with the United Kingdom and Republic of Ireland governments. Their bottom-up, top-down support, offer a framework for other post-conflict societies to adapt to their specific needs.

Serbia and the case of Milosevic

In the case of Serbia, an externally driven quest for justice has focused on the trial of Slobodan Milosevic for war crimes at the Hague in exchange for economic assistance, a condition that President George W. Bush made explicit to both Serbia and the international community as the price of US post-conflict economic assistance. This US- and European-shared attitude was a much-discussed

and controversial issue among a majority of Serbs, including many who had voted against Milosevic.

During my first and subsequent visits to Serbia, between 2001 and 2002, I was struck by the almost universal ambiguity regarding Serb cooperation and the conduct of the international community in the extradition and trial of Milosevic. Most felt that he should be tried in Serbia for war crimes. For the majority this was not an endorsement of Milosevic but rather a suspicion by many that the outside world was using him to demonise all Serbs. For participants in “October 5th” (2000), a code slogan for the “revolution”, the day when a large cross-section of Serbs stormed Parliament and defied the security forces (who in the end refused to act against them), the case of Milosevic was finished as he had been thrown out of office to form a new government and his arrest was cynically viewed as a diversion from the real domestic issue - recent passage of a hefty tax law. Many felt internal and international efforts would be more effective by helping Serbs to address ‘real’ problems, such as creating jobs that would offer a subsistence wage, thus avoiding alternatives of having to work either two or three legitimate jobs, or immersing oneself in the black market.

During this time there was recognition that the new democratic Serbia should apply justice in a way that would best overcome large internal political, economic, and social divisions. There were groups composed of pensioners, state employees, and others who were dependent on the previous regime for protection and financial benefits. A significant group of Serbs had actively resisted Milosevic at great personal risk by protesting the draft and enduring professional expulsion. The police and military were another group equally vulnerable to and representative of the former State regime. There were also dozens of ethnic minorities –

Montenegrins, Albanians, Hungarians, Yugoslavs, Muslims, Roma, Croats, Slovaks, Macedonians, Romanians, Bulgarians, Russians, Vlachs, Turks, Slovenes, and others who had lived together in relative peace inside Serbia (excluding Kosovo) throughout the war.

Ironically, in 2002, one of the major internal Serbian post conflict issues centred on the status of refugees. Blamed for starting the war in Croatia and Bosnia in the early 1990s, and in Kosovo in 1999, Serbia had an estimated 900,000 Serb refugees who had been expelled from their homes (700,000 from Croatia/Bosnia; 200,000 from Kosovo), in reverse ethnic cleansing, making it host to one of the largest refugee populations in Europe. By refusing Yugoslav citizenship to Serbs who were refugees from a war that had been instigated by Serb leadership, Milosevic effectively denied them jobs and property rights, forcing most to survive in the grey economy. Their kiosks selling CDs, clothing, etc. proliferated throughout central areas of Belgrade.

Justification for citizenship was generally perceived by resident Serbs as divided between skilled and non skilled refugees. In interviews conducted in Subotica, a Serb city on the Hungarian border, these refugees were seen as “a problem of social adaptation” – one where they “have to accept and adopt rules in this area”. They were seen as “confused”, and not knowing “how to behave ...not used to hearing different language and different kinds of customs”. A distinction was made between the rural and city refugees, with the urban ones cited as acclimating more easily, while the rural ones were still living in local refugee camps with no land to till and no other adaptable skills. (Serbia interviews, April 2001: see Appendix)

The issue of repatriation versus local integration has become increasingly more visible. The New Serbia Forum (a programme for the reconstruction of Yugoslavia, administered by the British Association for Central & Eastern Europe) held post-Milosevic in December 2000, stated that

If safe return is not possible for these groups in the foreseeable future, many experts agree that a new democratic government should promote their permanent settlement in Serbia. This would require additional resources to provide adequate accommodation, welfare assistance, and job creation schemes. A new government will clearly find it difficult to finance these measures implying the need for EU and international assistance to help promote durable solutions for refugees.
(The New Serbia Forum, 2000, 64-5)

Faced with their lack of democratic experience and a bleak short term economic future, the initial Serb reaction in 2001 was a mixture of cynical resentment tempered with resignation - if the world wanted Milosevic as the price for economic aid, then so be it. Increased political apathy “because people in Serbia are deeply disillusioned with politicians of every stripe” invalidated two subsequent Serbian presidential elections (September 29, October 13, 2002) where 50% voter turnout was required. (BBC news UK ed, 12 March 2003) The assassination of controversial pro-Democratic reformist Prime Minister Zoran Djindjic in March 2003, continued corruption and expansion of international mafia crime organisations, and continuation of the uncertain status of Kosovo have continued to test the country’s resolve to pursue a democratic peace.

South Africa and the Truth and Reconciliation Commission (TRC)

The underlying implication for the internally created 1995 South African TRC was that somehow making truth public would enable the country to acknowledge a criminal past without holding its perpetrators accountable, thus setting South Africa free to head for a new future without a backward glance. It was a courageous step

for a new government to take, especially as they too, would be questioned for past misdeeds, but its significance as a tool for reconciliation and healing was overestimated and misunderstood by both internal participants and external observers.

A major weaknesses of the TRC was its attempt to stifle rage and acknowledgement of the power of retributive justice. Amnesty given in exchange for testimony was challenged by the families of murdered Black Consciousness Movement leader Steve Biko, and defense lawyer Griffiths Mxenge, as denying their right to bring the men's killers to trial. The emotionally charged Human Rights Violations hearings also promoted an exclusively religious Christian view that "invoked notions of confession, forgiveness, sacrifice, redemption and liberation". They

became national rituals of 'reconciliation', forgiveness and truth-telling ...which generated collective moral values and sought to inculcate them in all who participated, including those watching hearings on television each night. Like all rituals, they were met with a complex mixture of compliance, acceptance, indignation and resistance. (Wilson, 2001, 6-7)

While articulating the truth may have had a cathartic effect on the teller, South Africans found that truth telling on its own did not guarantee social healing and reconciliation. "All truth is bitter" goes the Zulu saying and Derek Summerfield, psychiatrist for the Medical Foundation for the Care of Victims of Torture has asked,

Does the truth purify?... "How are we to measure the social impact of a truth commission in comparison with, say economic factors...[and] what happens when a sizeable section of the public is instinctively against the trawling of the past, as in East Germany, where an astonishing number of ordinary citizens were drawn into the security service's informer networks at some point during the communist era? What emerges...might be inflammatory and divisive rather than reconciling. (Summerfield, 1997, 1393)

The real value of post conflict public truth telling, both formal and informal, is that it may function as a kind of public forum for acknowledging the almost inexpressibly deep anguish of loss, giving a common platform of dignity and respect for the experience of all. As Eva Hoffman has pointed out,

perhaps the symbolic justice of recognition is the best we can achieve. For the victim, such recognition is needed for the restoration of basic moral coherence. For the society as a whole, the public disclosure and acknowledgement of what happened is a way of placing a metaphoric marker between the past and present.
(Hoffman in Owen ed, 2003, 286)

It is clear from subsequent events in South Africa – the failure to more equitably distribute economic resources, a shift from racism to classism with the rise of a wealthy black African elite, a significant rise in crime, an increasingly devastating AIDS epidemic, and the political difficulties of a post Mandela era -- that the TRC, though important as one way of addressing past injustice, has not been enough on its own to address perceptions of fair and unfair treatment for many South Africans. In late 2002, many South Africans of all backgrounds recalled the TRC as a good way to write history but with little direct relevance to the process of reconciliation (see Chapters Five, Seven).

Even more telling, the 2003 South African Reconciliation Barometer, showing results from the second of three comprehensive national surveys tracking socio-political trends, noted that almost one quarter of South Africans currently “disregard the rule of law under circumstances where it is legislated and executed by a political party not of their choice” while another third “disregard it on the grounds that it is ineffective”, making a strong case for developing a more widely accepted judicial system that is considered to be fair. (SA Reconciliation Barometer, 2004,10)

Conclusion

In the process of reforming institutions during the early post-conflict period the impact of perceptions of fair treatment and their influence on a peace process should not be underestimated as a driving force behind a will to create sustainable peace. Understanding the importance of ways in which justice is perceived during this time can assist all parties in discouraging formation of a cult of victimisation among formerly dominant groups, thus helping to limit and prevent future aggression. Serbs in the former Yugoslavia, Protestants in Northern Ireland, and Afrikaners in South Africa, have long held an image of themselves as misunderstood victims, forced to defend themselves against hundreds of years of constructed historic injustice and persecution. (Ramet and Adamovich, 1995, 101-122)

As philosopher Stuart Hampshire has observed, “All modern societies are, to a lesser or greater degree morally mixed, with rival conceptions of justice, conservative and radical, flaring into open conflict and needing arbitration” as there is no state where there is a perfectly fair representation of “conflicting moral outlooks within it.” (Hampshire, 1999, 38-9)

While in peaceful societies this simply means a compromise that is preferably smart rather than shabby, the stakes are much higher for post conflict environments where the buffering middle layer of civil society has often been destroyed or severely limited. For them this can mean the choice between achieving a compromise that settles conflict with emotional rhetoric within an institutional setting, or reverting to an all-out bloodbath on the ground.

Hoffman has observed that “public justice can only be partial and imperfect- a kind of metonymy for the ideal of justice”.

In thinking about ethical justice, we veer between the notions of Forgiveness and retribution. Neither seems viable on a large scale.

It seems to me that the limits of tolerance and forgiveness are also imposed by a kind of recognition – the recognition of the perpetrator's agency, and the awful but human reality of the deeds he committed. But large-scale retribution is untenable as well -if only because it leads to widespread bitterness and the next cycle of vengeance.

(Hoffman in Owen ed, 2003, 286)

It is institutions and their rituals that hold society together as long as “they are successful and well established in the resolution of moral and political conflicts according to particular local and national conventions”. Justice and fairness in procedures

whether in duels, sports, games, law courts, parliaments, in all kinds of arguments and in adversary processes in which one side wins and another side loses, either fairly or unfairlyis how politics and social life go forward, at best in controlled and recognised conflicts, sometimes enjoyably, sometimes painfully.

(Hampshire, 1999, 35)

In a war, all have suffered, but different groups and individuals have varying intensity of experiences. It is the way in which fairness is perceived to be utilised during the process of arriving at judgements that will most affect all groups' willingness to continue to persevere toward a greater level of tolerance and sustainable peace.

Chapter Two: Formation of Post-Conflict Identity

Individual and group identities constructed during the early post-conflict transition are a critical interactive link between perceptions of justice as fairness and political processes of forgiveness and revenge. Formation of identity is a fluid and evolutionary process, influenced by race, religion, ethnicity, nationalism, and territory, with the resulting social identities manipulated for the political, economic, and social gain of groups and their members. In post conflict environments, these identities are shaped by perceptions of fairness of treatment during the process of arriving at distributive and legal decisions. Formed in these environments identities are especially sensitive and reactive to perceptions of threat to personal and group security. The result is a judgment of perceived fairness of access to political power and privilege that can contribute to shaping both an individual and group identity of victimisation.

Once a conflict begins, the parameters of one's identity become frozen, rigidly drawn and defined by enemies. During conflict, defining who one is becomes brutally simple and critical to survival - you are simply *not* whoever or whatever your enemy *is*. In circumstances where racial difference is used as the defining criteria, such as in South Africa, enemies are easier to visually identify. However, as has been illustrated in Northern Ireland, the former Yugoslavia, and other similar conflicts such as Rwanda, regardless of similarities shared in physical appearance, language, food, and lifestyle, intricate social coding laden with symbolism is used to define the Other.

Religious differences have often been used to obscure relationships of unequal power between groups in conflict. Typical of this situation is Northern Ireland,

where the problem has appeared to be a conflict over religious identities. For insiders, the labels of Protestant and Catholic, have always been more descriptive of cultural inferences than about strict adherence to religious beliefs. As Protestant Archbishop of Armagh, Robin Eames noted,

I myself have lost count of the times I have been confronted by the question 'It's all about religion - isn't it?'... The truth is that Northern Ireland is a religious community....[but] the flags of convenience of religious affiliation at a census bear little resemblance to identifiable church involvement.

For many

everyday involvement in church life is subordinate ...to a desire to be identified by one or other of the main religious labels which are comforting, traditional and have a significance greater than religious faith alone. For many the religious definition they wish to adopt has as much to say of what they are **not** as it has to do with what they claim to be. (Robin Eames as quoted in Murray, 2000, Ch 4)

Identifying victims

One of the most contentious post-conflict issues among all groups, independent of dynamics in the previous conflict, is identifying who is a victim and who is a perpetrator. In early post conflict transitions, individuals and groups form political interpretations of 'winning and losing' by observing the group they perceive to be receiving the greatest amount of aid, especially economic, from external sources. Well aware of the resonating power to the international community, the external designation of victim and perpetrator identities are often used by internal groups to manipulate naïve international aid and peacekeeping groups in order to gain more aid, sympathy, support, and protection.

"It is not uncommon for groups in conflict (that is sharing the same history) both to claim victimhood and to accuse the other of victimizer". (Cairns and Roe eds, 2003,175) Despite the perhaps dubious palatability of a formerly dominant groups' claim to victimisation in the post-conflict environment, implicit or outright

designation of victims and perpetrators, and winners and losers, by the international community, can impede the process of peace and reconciliation.

In an early post-conflict environment, there are at least three different identities interacting with each other; victim, perpetrator, and observer. The victim can be defined as the individual/group acted against by the perpetrator who is the initiator and/or enactor of the grievance or crime. The role of the observer is far more ambiguous, usually not neutral, and involves some level of passive complicity with or support for vengeful, violent actions carried out on behalf of their group by others. There may also be an external collaborative link to the perpetrator, or an independent fourth perspective, from an individual, group, or country that stands to profit directly or indirectly by the retaliatory action. (Mikula and Wenzel, 2000, 128-9)

As these identities are not clearly defined and open to debate, it is important to understand their interaction and to identify the possibility of multiple roles in conflict situations. While it may appear to be a simple public act of horrible deeds done by one group to another, there is often less visible retaliation initiated directly by, or on behalf of, the victimised group. In many instances, the victim has become perpetrator and vice versa, with passive observers influencing both.

This process of forming an identity of victimisation reflects what anthropologist Richard Jenkins has described as two interdependent but separate social interactions, “internal definition” and “external definition” that operate separately but interactively on an individual, group, and institutional level. While linked notions of individuals and groups have long been prevalent in sociological literature on ethnicity and race, many analyses of ethnicity, especially within social anthropology have “emphasized internal definition and group identification at the

expense of external definition and social categorization”. In some circles this has led “to a mistaken belief that the process of identity is somehow an isolated internal process related to authority and unaffected by relationships of power”. (Jenkins, 1997, 72, 166) During early post-conflict transitions, being “categorized” as a victim is often perceived to be the most favourable position for external support in the unstable political climate of a peace process.

Groups who form a post conflict victimisation identity based on perceptions of being unacknowledged or neglected by the international community can become a danger to sustaining peaceful coexistence. This sense of collective victimisation directly motivates a negatively focused socio-historic construction that goes beyond simple commemoration to emphasise “judgements of blame and responsibility” that are being constantly reconstructed in response to fluctuating circumstances. (Cairns and Roe eds, 2003, 16) By perceiving slights against their group as justification for revenge, and by ignoring subsequent retaliation enacted in their name, these groups set the stage for constructing a one-sided version of history that helps to create future perpetrators.

This is of special concern as in a number of cases, an assumption of victimisation by a politically and/or economically dominant group that has its roots in earlier post-conflict transitions, has been a key factor in initiating and renewing conflict. Citing social-psychological reasons for intergroup conflict, Hewstone and Greenland have observed that

many apparently pointless conflicts become more understandable when viewed as, at least in part, attempts to establish, maintain, or defend cherished social identities. ...Groups in conflict often differ in status and that changing status relations and their perceived legitimacy are crucial determining characteristics of intergroup relations. (Hewstone and Greenland, 2000, 138-9)

Political leaders have fully understood and successfully manipulated this identity in mobilising groups to fight. The Serbs in the former Yugoslavia, the Protestants in Northern Ireland, and the Afrikaners in South Africa, all constructed a siege mentality and identity based on a view of themselves as victims of unfair treatment that justified aggressive action.

Milosevic, under whose leadership nationalist propaganda and actions led to the violent breakup of the former Yugoslavia, reinforced Serb victim imagery through reminders of Croat action against the Serbs in World War II, successfully triggering perceptions of threat that led to aggressive action. The same imagery of threat by Albanians to Serbs was used as justification for the invasion of Kosovo (see Chapter Four). In Northern Ireland, exclusion of Catholics by Protestants was portrayed as preserving a morally superior and upstanding English work ethic, under threat by the unmotivated Catholic minority within the province, and the larger Catholic population to the south in the Republic (see Chapter Three). In South Africa, a beleaguered Afrikaner victim/survivor identity, constructed after a humiliating defeat and internment by the English in the Anglo-Boer War of 1899-1902, was used as justification for apartheid in the twentieth century (see Chapter Five).

The assumption of universal victim-hood implying that blame and distribution of post-conflict resources should be equitable among all groups has been challenged. Marie Smyth, director of The Cost of the Troubles Study in Northern Ireland, has maintained that “we cannot say we are all victims, because to do so implies that we have all had equally difficult experiences.At a moral level, it is incorrect to lay claim to victim-hood on the basis of paltry experiences of the Troubles, in comparison to the immense suffering of others.” She protested this

approach in that it masks “the way in which damage and loss has been concentrated in certain geographical areas, communities, occupational groups, age groups, genders”. (Hamber, 1999, 34, 38, 49)

During a January 2001 Belgrade interview, shortly after Milosevic had been voted/forced out of power, a group of Serb students, of wide ranging backgrounds and ages, gave their opinions on changing what they alluded to as a victimised Serb self-image. “It’s time for changes here... reality makes Serbs think about themselves differently”. We are “strong and tough”, but “too prone to being self absorbed”. (Serbia Interviews, January 2001: see Appendix) Bratislav Grubacic, a journalist who started up his own English language news service, V.I.P. Daily News Service, after having been banned by Milosevic, maintained that an open process was needed. The “basic elements of Serb nationalism need to be examined and politics adjusted to the modern world”. (Serbia Interviews, January 2001: see Appendix)

Acknowledging the suffering and loss of all sides in a conflict may be more important to internal reconciliation than assigning blame (see Chapter One, Three, Eight) as it is clear that a victimisation identity contributes to feelings of bitterness and pessimism, both of which are detrimental to long term political and social reconciliation. As Mahmood Mamdani has observed, “The question of political justice goes beyond holding the perpetrators ...accountable. Ultimately, it is about the definition of political identities.” (Mamdani, 2001, 274)

Transitional identity of the formerly dominant group

As almost all formerly dominant groups have come to learn, defending the barricades requires vastly different mindsets and strategies than those needed to assault them. Preserving and defending a way of life requires increased rigidity and

inflexibility in an attempt to stave off change. In each case study, and in observation of other post conflict situations, the formerly dominant group has been the one most prone to fragmentation, lack of cohesion, and inter-group violence.

On the other hand, storming the political barricades requires focused creativity, flexibility, cunning, and an intimate knowledge of your opponent. As a result, when a peace agreement is reached the formerly subordinate group usually demonstrates a focused purpose and cohesion cemented through struggle, while it becomes equally apparent that the solidarity of the formerly dominant group was due less to common convictions than access to privilege. Perceived internationally as losers, nevertheless it is the formerly dominant group who is making one of the most difficult post-conflict transitions by being forced to relinquish and/or share political power. Whatever the actions of this group have been in the past, the newly dominant group, despite personal feelings, pragmatically understands that these concerns must be openly acknowledged as there can be no sustained peace without their cooperation.

Prior to the 1998 Good Friday Agreement in Northern Ireland, the Protestant identity was primarily linked to dominant cultural status and power. Development of a Protestant/Unionist siege mentality took place during “fifty years of ...the unionist ‘monolith’ ”, from 1921 until “the end of the Unionist government in 1972 had removed the main institutional focus of political unity for Ulster Protestants. This both consolidated and encouraged unionism’s organisational and political fragmentation”. A semi-mythical identity known as “ ‘the unionist family’ ” began to emerge which implied that, despite possible “party competition, differences of personal ambition and tactical disagreements between them”, unionists shared a

common goal that transcended these differences, resounding in a “call for unionist (family) unity” during a crisis. (Cox et al, 2000, 62)

This reaffirmed the existence of Northern Ireland, or Ulster, seen as the “historic homeland of Northern Protestants”, existing as a “separate and distinctive society because the Protestant community willed it so and was willing to make the ultimate sacrifice to achieve and defend it”. This view supported a Protestant identity that saw themselves as “hard workers, straight in their business dealings”, respectful of the law and state institutions which had caused them to be treated well by security forces, honest, loyal, “deserving of trust and esteem” which had given them the “right to take offence at symbols and aspirations different from their own.” (Ruane and Todd, 1998, 194, 200)

Prior to partition of Ireland and despite regional differences between North and South, Irish Catholics shared a cohesive community identity based on a form of Catholicism that integrated “cultural and political nationalism” and “virtually all Catholics into a single national community”. After separation of the two regions in 1922, the Catholics remaining in Northern Ireland were simply Catholic residents in a territory which Northern Protestants had staked out as their own. (Ruane and Todd, 1998, 51)

Disintegration of the Unionist side in Northern Ireland has dramatically increased since the 1998 Agreement with the emergence of “so-called fringe loyalist parties” such as the Progressive Unionist Party (close to the Ulster Volunteer Force) and the Ulster Democratic Party (close to the Ulster Defence Association) firmly establishing themselves. Other mainstream Unionist parties have constantly reformed themselves as “Robert McCartney’s United Kingdom Unionist Party (UKUP) emerged explicitly” (Cox et al, 2000, 63) to challenge

David Trimble's policy and then split in 1999. Four previous party members who had sat in the Assembly founded the Northern Ireland Unionist Party. In 1998, four explicitly anti-Trimble Unionists were elected to the Assembly and the Ulster Unionist Party (UUP) has continued to divide.

Just prior to the 1994 ceasefires, many Protestants had complained of being "alienated, not from the British connection, but from the British administration", the feeling being that the Westminster government had never bothered to understand feelings of Protestants, listening only to the Catholics who "seemed to have a ready audience". (Dunn and Morgan, 1995, 178)

One Protestant Unionist in Northern Ireland expressed the beleaguered feelings of many others when he stated that

History has shown us as Protestants, that on this island there is no place here for us, unless we acquiesce and lie down...and say nothing about our culture and don't express it in any visible way that shames anyone or offends anyone. Yet there is much in the other culture [Catholic/ republican] that offends Protestantism.
(Cochrane and Dunn, 1999, 22)

Protestant alienation has grown and in November 2003, elections that had been previously postponed three times resulted in the anti-Agreement right wing fundamentalist Ian Paisley's Democratic Unionist Party (DUP), squaring off with Sinn Fein, the political wing of the IRA, as the two leading parties. As of August 2004, both parties in a process reminiscent of negotiating the 1998 Agreement, were indirectly talking to each other through the Dublin based Irish Times in preparation for formal talks to be held in September at Stormont, then Leeds Castle at Kent. While this situation has slowed down the devolution process, it is dealing with the hard realities of political reconciliation, and in the long term may clarify many of the problems that have prevented permanent reinstatement of the Northern Ireland

Assembly. (BBC News, Saturday 21 August 2004) This is an unfolding story and a number of related events have taken place since this time (see Introduction). Since 1998, Northern Ireland has been vacillating between two types of stalled peace processes described by Halliday - one where unexpected delays and problems are encountered, and the other in an outright stalemate (see Introduction).

But as Mahmood Mamdani has maintained, negotiating cultural identity as “self-identification” such as is the case in Northern Ireland is distinct from legal/political identities classified by the state. While in many societies cultural identity is consensual, voluntary, and open to multiple variations, “all post-modernist talk of hybridity and multiple identities belongs to the domain of culture ...when law imposes a cultural difference, the difference becomes reified. Prevented from changing, it becomes frozen”. (Mamdani, 2001,274) Once an identity is legalized, there is no longer a choice of who and what you are, and “cultural identity is drawn into the domain of politics and becomes political”. (Pantich and Leys, 2002,140)

There are few places in the world where individual and group identity have been so starkly defined as in apartheid South Africa. Individuals were given identity cards which legally and arbitrarily defined their racial group - the white minority and those closest to them being the most privileged and who in turn, determined access to jobs, income, and standard of living for all other groups. In the 1950 Population Registration Act racial categories were defined as white, coloured, Native. Native was changed to Bantu in 1951 and again to Black in 1978. However, Indian was considered to be a racial category. They have now been officially included in what is referred to as population or ethnic groups - this last usually meaning African Xhosa or Zulu - and are referred to as the four main groups;

African, white, Coloured, and South Africans of Asian origin (Indian). (Gibson and Gouws, 2003, 36-7)

The African majority, known by Europeans as native, Bantu, or Black, are descended from the Iron Age farmers and were among the earliest immigrants to South Africa. The whites of South Africa, formerly called Europeans, are descendents of Dutch, German, French (Huguenots who fled France due to religious persecution), English, and other European and Jewish settlers. Colonisation by the British instilled English as the major spoken language. The Coloured category was a mixed race classification and referred to the children of mixed white, Khoi-Khoi (aka 'Hottentots'), the San (aka 'Bushmen'), slaves from Malagasy and Southeast Asia (Malaysia), and Africans.

The Asian/Indian population came to work as indentured labourers in the sugar plantations in Natal in the late nineteenth and early twentieth century, originating from different regions on the Indian subcontinent with differing religious beliefs and languages, and were generally known as Indians. (Gibson and Gouws, 2003, 36-7)

Like the Protestants of Northern Ireland, the formerly dominant white minority, primarily Afrikaners, Euro-Afrikaans speakers, English speaking settlers and their descendants, have experienced the greatest sense of loss, confusion and lack of consolidation. English and Afrikaners had bitterly opposed each other in the Boer War, fought in 1899-1902, which the English won, only to later cede political power to the Afrikaners. An Afrikaner victim/survivor identity constructed on the ashes of defeat by the English in the Anglo-Boer of 1899-1902, and reinforced by life in their concentration camps, was later used as a defensive weapon to justify the construction of apartheid. (Goodwin and Schiff, 1995, 187-89) While neither group

liked or got along with each other (one of the main sources of enmity was the deaths of 20,000 Boer women and children in British concentration camps) they both actively and passively cooperated in a policy of segregation that led to apartheid legislation.

On the morning of my arrival for fieldwork in late October 2002, Soweto, the Black African suburb of Johannesburg, was bombed by a previously unknown rightwing group calling themselves Warriors of the Boer Nation. It was an event that shocked the country and reawakened discussions about how far the country had actually distanced itself from the past. As one female Afrikaner observed “the right wing has not accommodated” to the new South Africa. They have the “lunatic idea they can rule the country again...but they have the power to cause racial polarization and are very good at it. ...My father’s generation just doesn’t get it. ...and younger white Afrikaner males are resentful about affirmative action... afraid they won’t find jobs”. (SA Interviews 2002, Gouws: see Appendix)

In post apartheid South Africa, many English speaking whites have tried to disassociate themselves from the privilege of the former regime. They have portrayed themselves as passive victim/beneficiaries of apartheid legislation, associating themselves with the ‘neutrality’ of England, rather than acknowledging their complicity in perpetuating apartheid. In a Cape Times editorial column (25 November 2002), “Learning To Let Go of Privilege, Whites still battling to find their place in Africa” white researcher, Melissa Steyn, described the anger, bitterness, and confusion of the formerly dominant white group.

The continuities in our racialised identities are still very strong, we still fit the world onto a template of “us” and “them”. For white South Africans, the ideological “other” (and this is of course a generalisation) is the African National Congress/ Congress of South African Trade Unions/South African Communist Party alliance, which represents a challenge to the ways in which the

old society was organised to privilege 'white' interests.

...A secondary 'not-us' consist[s] of members of the 'other' white group. I say this because there is still quite a strong tendency for English speakers to identify racism with Afrikaners, and for Afrikaners to see English whites as unsympathetic to their concerns.

For English-speaking South Africans the in group, 'us', has an ideological epicentre outside the country, wherever European whiteness is seen to be secure and politically and socially upheld. White Afrikaans-speaking South Africans seem to be in difficulty defining who exactly 'us' is – is it white Afrikaners, Afrikaans speakers (mainly white and coloured), or Afrikaans and English speakers who are anti-ANC? (Steyn, 2002)

Shortly after the Soweto bombing, the Group of 63, a lobbying organisation composed of Afrikaner intellectuals called on President Thabo Mbeki "to address the Afrikaner people and acknowledge their minority interest and protect the Afrikaans language". Claiming that Afrikaners were not satisfied with the present situation, and the ways in which the Afrikaans language was being eliminated from universities and the civil services, they warned that while until now Afrikaners had followed the path of least resistance by emigrating or "seeking the apparent protection afforded by their private world" they described the Soweto bombings as the "most serious manifestation of Afrikaner alienation yet". Declaring concerns "that increasing disaffection and alienation among Afrikaners may lead to further violence and instability" they stated that while the group didn't condone the bombings they could "understand why certain people will hit back". (Deane, 2002)

Suspended between the privilege of the whites and the subjugation of the black Africans, the classification of Coloured, which during apartheid included Asians, was the most ambiguous and subjective racial interpretation. Racial origin was determined by the father – and categorised as African, if the father was the same, but Coloured, if the father was white. However, this was also dependent on community acceptance of skin colour and physical features which often led to a

situation where “mixed race families were split up due to the hues of their skin, causing immense suffering”. (Gibson and Gouws, 2003, 37)

The Coloured identity has continued to be one of the most hotly debated political identity issues in the “new” South Africa. Many have been called “Brown Afrikaners”, because a significant number share language and cultural affinity with white Afrikaners. Following the bomb in Soweto, two Black Africans authored an editorial article published in Cape Town (November 2002), where the largest Coloured population in South Africa resides, titled “Caught Between Two Worlds, the twisted politics of colour”.

When will the so-called coloured community of the Western Cape transcend their sense of marginality in their relationships between Africans and the whites? ..[Their] existential and political experience is one of being caught and sandwiched between two worlds, and being closer to the white oppressors in terms of cultural identification.

...We argue that the coloured community would be much better served politically – and would help us to alleviate the problems of discrimination that we as African people experience in the Western Cape- by an identity which emphasizes the truth and fact of their blackness and Africanness in spite of minor cultural and social distances they may feel from us Africans. (Mgobozi and Mavata, 2002)

Their words incited a passionate response that went on for days. “Coloureds don’t need to be ‘liberated’ from their culture” ran the Opinion page headline.

The coloureds speak languages (English and Afrikaans) which are historically European, follow European or Eastern-based religions, and have a proud and long-standing culture which is fundamentally different in history and belief systems from the historically tribal-based culture of black Africans.

The mind of the coloured is a complex one. Some see themselves as black, others as coloured, while there are those who do not know and view themselves as ‘so-called coloured’....Coloureds, I think do not have a very strong group consciousness. This helps us to fit in anywhere. We are true internationalists. The coloureds currently feel left out of the new South Africa, like we did in the old. We are a critical people who are harsh on ourselves, and so we will be harsh on others. That is our nature.

(Cape Times, 2002, Opinion Letters)

One Coloured Cape Town resident told me, “White people were seduced by white privilege”, but the “Coloureds were seduced by coloured privilege”. They “spoke Afrikaans, Afrikaner identity freed them from the British imperialists, and Afrikaner identity gave them an African identity”. (SA Interviews, 2002, Kolbe: see Appendix)

He described the “officially created coloured suburb” of Grassy Park, where in the ‘new’ South Africa, the current inhabitants have found more in common with Afrikaners than with the new African National Congress (ANC). These were the same people who had planted flowers in the Kirstenbosch gardens, a famous botanical area in Rondebosch, a leafy upper middle class university suburb of Cape Town, and had been forcibly removed from the adjacent village of Protea. Despite their history, they were strongly anti-ANC and had “voted for the new nationalist party which now includes coloured people. ...They are Dutch Reformed ... ‘brown Afrikaner nationalism’ – [and] hate black people, hate the Britishand like their white Afrikaner brethren they feel the threat of blacks”. (SA Interviews, 2002, Kolbe: see Appendix)

In their work on identity and intolerance in South Africa, Gibson and Gouws found that “intolerance will be most commonplace among those more firmly attached to their own group” and that such intolerance “typically flows from perceptions that groups are threatening. (Gibson and Gouws, 2003, 87, 76) This perception of threat to human security -physical, political, economic, and social - by one group toward another, is an important link in understanding how victimisation identities are shaped, and the ways in which they influence the processes of forgiveness and revenge which in turn impact peace and reconciliation during early post-conflict transitions.

Conclusion

The process of post-conflict identity formation emerges in the earliest stages of a peace process and can be seen as an inevitable consequence of the post conflict survival experience. While in some cases, violent acts may have limited impact on certain segments of society, there is evidence that indirectly affected populations nurture the same strength of feelings as those who have been directly affected by the previous violence. This feeling extends to factual or perceived, direct or indirect political, economic, and cultural victimization of both individuals and groups. (see the section on country backgrounds on Northern Ireland, Serbia, South Africa: Chapters Three, Four, Five)

The heightened fear in early post conflict environments reinforces the importance of the link between perceptions of fair treatment, formation of identity, and actions shaped by political forgiveness and revenge. “How people reason about justice” and the links they forge between “identity salience and conceptions of fairness” relies on how they reason about fairness. “One needs to know whether they are taking the perspective of themselves as individuals or of morally inclusive entities” and “group-level concerns about fairness remain a very important area of inquiry”. (Skitka, 2003, 294) The process of forming a reasoned sense of justice, informed by perceptions of fairness, does not appear to differ among leaders, mobilizers, or followers. The difference between these subgroups appears to relate more to the varying levels of acquiring political power and access to resources, rather than differing in the process of forming perceptions of justice or post-conflict identities. In other words, while as individuals and groups elites on differing sides of a conflict will identify more with each other in matters of class and power, they will not differ from the non-elite of their own group in the way that they process

perceptions of justice and formation of post-conflict identities (for a discussion on the ways this can affect post-conflict violence, see Chapter Six).

In the past too little consideration has been given by the international community to the potentially negative effect that formation of a victim-centred post-conflict identity will have on political issues during a peace and reconciliation process. This is especially true when distribution of aid money and allocation of security operations are at stake. In all case studies where fieldwork was conducted, there were consistent references made by both internal populations and aid workers regarding perceptions of biased and judgmental treatment by international interveners toward designated ‘victims’.

In Northern Ireland it was the preponderance of aid money disbursed through formation of community NGOs given to former Republicans, while equally impoverished Protestants who were serious about pursuing a peace process were ignored. In Serbia, subcategories of “good” Serbs – those perceived by the international community to have been fighting Milosevic, either by leaving the country or from inside, were seen to be given good jobs and nice cars to drive. There was also strong resentment toward the international community’s politics and finances of the Kosovo situation as many Serbs, as well as Albanians, had been forcibly removed. In South Africa, poor Afrikaners and Coloureds bore great enmity toward black Africans for the amount of assistance given by the international community. (This was observed during all time spent in Belfast, N.I., 2000 onward; in Belgrade, Serbia in 2001, 2002; and South Africa, end of 2002.)

This is not to imply that there are not genuine victims, but the international community needs to understand that the level and type of their suffering is not assigned to one ethnic group only but varies according to geographic location and

socio-economic class and is strongly influenced by these multiple experiences. In higher income, middle, and upper class areas relatively unaffected by the fighting, and among individuals who have not lived in the poorest battle-worn areas, there is relief often tinged by guilt at having been relatively unaffected by the conflict.

These individuals and groups often want to put the past quickly behind and move on to the future. (This was observed during 2000 interviews in Belfast, N.I., and during interviews in Belgrade, Serbia in 2001 and 2002: See Appendix)

By beginning to distribute aid and protection more equitably through use of more sophisticated strategies (see Chapter Eight) rather than assigning roles of victim and perpetrator, post-conflict populations will perceive that all sides who share similar problems are being treated fairly and in turn will be more likely to cooperate with former enemies. It is through these perceptions of fair treatment that former predators can begin to construct an identity that accommodates and promotes peace and cooperation, allowing them to envisage themselves as equal participants in new institutions, rather than as victims. As Richard Jenkins has noted external interveners need to acquire a better understanding about the way individuals and groups interact to develop identity.

Unless we can construct an understanding of ethnicity which addresses all of ethnicity's facets and manifestations – from the celebratory communality of belonging to the final awful moment of genocide- we will have failed not only ourselves, but also the people about whom we write. ...The collective cannot be 'real' without the individual. ...Any social identity – and ethnicity and its allotropes are not exceptions- must mean something to individuals before it can be said to 'exist' in the social world.

(Jenkins, 1997, 73, 166)

Those who have lost the most and fought the hardest can often be slow to embrace change but when this group commits to peace they can be more determinedly resolute than other less conflict-affected groups in seeking a solution.

(These views were expressed in 2000 by interface community groups living on both sides of the peace lines in West Belfast, N.I.)

The process of re-negotiating identity from one of violent conflict into one of peaceful coexistence demands an acceptance of profound changes in individual and group relationships in the newly created nation. Transformation into a post conflict identity must supersede and make its peace with the previously established and conflictual political, economic, legal identities. In an early post conflict environment this construction of identity, and the ways in which it is influenced by the international community, can be a vital link to the difference between internal support for a sustained peace or renewed war.

SECTION II: COUNTRY BACKGROUNDS

Chapter Three: Northern Ireland

If there has been one thing the 1990s has shown us, it is that Northern Ireland's internal conflict, euphemistically known as "The Troubles", was not a unique event but instead the harbinger of the future as a wide range of countries disintegrated into civil war. Long been assumed to be an intractable situation, it inspired political writer, John Whyte to sardonically call it the "no-hope analysis". (Whyte, 1990, 234) Whyte also cited the pessimism of political analysts such as Richard Rose who in 1971 stated "no solution is immediately practicable" and again in 1976, "many talk about a solution to Ulster's political problem but few are prepared to say what the problem is...the problem is there is not a solution". (Rose cited in Whyte, 1990, 234) From the late 1960s until the early 1990s, the situation in Northern Ireland was generally seen as "a place apart, its conflict the result of some unique pathology". (McGarry, 2001, 1)

This attitude began to be challenged in late 1980s and early 1990s. Whyte maintained that "to say that there is no solution is the most pessimistic of conclusions, not to be adopted till every other way forward has been conclusively blocked off". (Whyte, 1990, 235) In 1990, John McGarry and Brendan O'Leary took a stronger stance stating, "we want to counter one facile, thought-stopping, and pessimistic article of faith which has come to dominate academic, administrative and intelligent journalistic commentary on Northern Ireland ... the notion that there is *no* solution to the conflict". (McGarry and O'Leary, 1995, 354)

In the early 21st century, after over thirty years of civil war, Northern Ireland, arguably one of the most difficult and certainly among the most bitter peace processes in the world, has managed to hang onto its determination to work its way

permanently out of war. A geographically small province of the United Kingdom it is hard for all sides to avoid past and present enemies, but if there is one lesson to be learned from the agonizing, often violent Northern Ireland peace process, it is that achieving the type of cooperation that is necessary for permanent reconciliation depends fully on the courage and determination of all participants.

Background

Northern Ireland was created by the British government in the Ireland Act of 1920. It partitioned the island into the two regions, one in the south as the newly independent Irish Free State (becoming the Republic of Ireland in 1949) with a Catholic majority consisting of 26 counties, and the other, a northern United Kingdom province (Northern Ireland) that was made up of six counties in north-east Ireland with a Protestant majority. As with many contemporary “intractable” conflicts, history and its interpretation played a major role during the conflict and post-conflict narrative. According to historian A.T.Q. Stewart, the “Ulster Question” is widely believed to have begun in 1609 with the creation of the Plantation of Ulster. This happened shortly after the death of Queen Elizabeth I, when Hugh O’Neill surrendered to Mountjoy, her deputy, on 30 March 1603, thus allowing “Ulster, the heart of O’Neill’s territory” to “at last lay open to English supremacy”. (Stewart, 1997, 21-2)

In 1605 Lord Deputy Sir Arthur Chichester had proposed a plantation scheme by assigning English and Scots to settle in specific areas to strengthen royal influence, but it was to be done in a way “in which the new settlers were to obtain land without dispossessing the Irish” and they were instructed to allow the Irish to take as much land as they could develop before the influx of English and Scots. A small, unexpected, and quickly crushed rebellion led by Sir Cahir O’Doherty of

Inishowen that resulted in the capture and sacking of Derry in 1608 ended official support for Chichester's proposal for fair treatment of Irish landowners. By 1609 only small areas of each county were set aside for "deserving" natives, with the remainder, excepting the land granted to the Church, to be settled by the English and Scottish. (Stewart, 1997, 22-3)

This resulted in a three tiered system of land re-grants of whom the most important were the category of "undertakers" who were given large areas to be held for the Crown. They agreed to allow settlement of the Protestant English and "inland Scottish farmers, husband-men, artificers and cottagers" and were to establish villages, build fortified farmhouses, and keep arms to defend the settlements. The second group of "servitors" had less favourable terms for landownership but, unlike the first group, were allowed to have Irish tenants. The Irish proprietors, who formed the least favoured group, were also allowed Irish tenants, but paid high rents on their estates while still bound to the same defence obligations as the undertakers. It was during this time that the town of Derry was renamed Londonderry, a point of contention throughout the 20th century, becoming known as Londonderry/Derry with the Catholic and republican population of Northern Ireland and the Republic generally refusing to call it other than its first name. (Stewart, 1997, 23)

Northern Ireland's modern political and economic problems can be traced to these sixteenth and seventeenth centuries when an "internally conflictual system of relationships" linking Britain and Ireland emerged (Ruane and Todd, 1998, 16) during which "the relationship between Ireland and England over the centuries, fortunately or otherwise, failed to culminate in the successful integration of the Irish into the British political and social system." (de Breadun, 2001, 1) It was during

this time that “Ireland’s mode of integration into the English/British state...produced a system of relationships which ensured British control over Ireland, privileged Protestants, and subordinated and marginalised Catholics.” (Ruane and Todd, 1998, 48)

By 1641 Protestants owned 41 % of the land and held a majority of the seats in both houses of Irish parliament. Anglicanism had become the established religion of the dominant group of newcomers, English the official language, the Catholicism of the Old-English and Gaelic-Irish population was in demise and, “the political and economic base of a self-confident Gaelic culture had been destroyed”. The new order, established by coercion, “rested on a narrow and insecure base – on the control of a settler minority whose economic and political power depended on the legal and social exclusion of the majority and continued British support”. (Ruane and Todd, 1998, 20-23)

Subsequently, two Anglo-Irish religious minorities developed with widely different experiences. After 1690, the minority Anglican Protestant population was a privileged elite who enjoyed a monopoly of political power and who thought of themselves as an Irish Protestant nation. But this version of “Protestant Ascendancy” was challenged by nationalist Protestants in eastern Ulster who “in spite of being a colonial population ...considered themselves distinctly Irish”, and who “within the space of a century ...enunciated and pressed on the home government a completely articulated Irish nationalism” which was taken over by the Catholic nationalism of the nineteenth and twentieth centuries. (Stewart, 1997, 162)

Persistent demands for independence, originally initiated in 1791 by the Society of United Irishmen, the forerunner of the modern republican movement led

by its Protestant radical founder, Theobald Wolfe Tone, continued with “regular outbreaks of armed revolt” for the next two hundred years. (de Breadun, 2001, 1)

Protestant Unionism in its contemporary form did not take shape until the first half of the twentieth century when it became clear that Protestants were becoming a political minority.

In Ulster ...this basic pattern was complicatedby a number of cross-currents. If the Presbyterians ceased to be nationalists, they did not cease to be liberals, and they instinctively chose the opposite side politically from the Tories of the Established Church. Although conservative Presbyterians and Anglicans grew closer together, especially after Catholic emancipation, Liberalism (with a capital L) was still very strong in Ulster until 1886. (de Breadun, 2001, 163)

Gladstone’s introduction of the first Home Rule Bill for Ireland to Parliament in 1886 set the stage for the modern Ulster question. The Ulster Catholic population embraced it while the Ulster Protestants unanimously resisted. From 1886 until 1920 the Ulster Protestants considered themselves under threat and, as one historian asserted, it was “the simple determination of Protestants in north-east Ireland not to become a minority in a Catholic Ireland” that seemed to make partition an inevitability. (Stewart, 1997, 162)

Following “wider structural transformations”, Catholic demands for change were resisted by the intimidated Protestants. This “balance of coercive power between the British state and Irish Protestants on one hand and Irish Catholics on the other” (Ruane et al, 1996, 48) led to “regular outbreaks of armed revolt” that contributed to the eventual partition of Ireland in 1921. (de Breadun, 2001,1)

The Easter Rising of April 1916, an insurrection of Irish rebels against the British in Dublin, lasted one week and was crushed by the British. “The execution of the leaders of the Rising and an ill-judged proposal to introduce conscription” served to sharply increase nationalist militancy between 1917 and 1918 resulting in

the reorganisation of the Volunteer movement, now known as the Irish Republican Army, and of Sinn Fein which became the mouthpiece of radical nationalist views. “In an effort to stem the activities of the IRA the government introduced a number of specially-recruited and ruthlessly aggressive units into Ireland, most notoriously the so-called ‘Black and Tans’”, but the actions of these units seemed to have had a catalytic effect on the opposition, eventually leading to a truce and partition in 1921. (Duffy, 2000, 114)

This set up an independent Irish Free State with twenty six counties of the original thirty two, and created the United Kingdom province of Northern Ireland with the remaining six counties; Antrim, Armagh, Derry, Down, Fermanagh, and Tyrone. This action mutually reinforced and interlocked in the North “a set of socio-cultural and ideological differences; a structure of dominance, dependence and inequality; and a tendency towards communal polarisation”. (Ruane and Todd, 1998, 48)

The Troubles

By the late 1960s there was little doubt that trouble between the Protestant majority and the Catholic minority that had long been seething beneath the province’s post-partition surface was ready to explode into violence. Sparked by a 1968 civil rights demonstration by Catholics in Derry/Londonderry, events passed the point of no return when on 12 August 1969 the Apprentice Boys of Derry “one of the Protestant “loyal orders” commemorating the “no surrender” action of thirteen Protestant apprentice boys who had slammed the gates of Derry on the Catholic army of King James II thus beginning a siege of the city from December 1688, until August 1689, conducted an ill advised march in Derry. (Elliott and Flackes, 1999, 168) Having ignored the request by the government to cancel their

march in such a tense atmosphere, the Apprentice Boys and the Orange Order (the largest Protestant organisation in N.I., formed in 1795 in County Armagh to celebrate the victory of Protestant King William of Orange over the Catholic forces of King James at the Battle of the Boyne in 1690), paraded their bands and marchers through the city centre igniting the predicted Catholic riots.

At the same time Loyalists attacks on the Catholic working-class areas in West Belfast “quickly assumed the proportions of a pogrom”. (de Breadun, 2001, 2) “Residents left in anticipation of impending violence or were directly forced out after threats or actual violence. Overcrowding and housing shortages in one area due to incoming populations also precipitated the reactive expulsion of ethnic others.” (Feldman, 1991, 23) Westminster had “not allowed for the eventuality, indeed inevitability, of ordinary Catholics being shot at and burnt out of their homes on a large scale. It was perhaps the first example of ‘ethnic cleansing’ in Western Europe since the Second World War.” (de Breadun, 2001, 3)

The British government, responding to reaction from both Northern Ireland and the international community, and realising that events were spiraling beyond the control and capability of the Royal Ulster Constabulary (RUC), the province’s police force, ordered in British troops. They were in the streets of Derry/Londonderry by 14 August 1969, and had completed construction of a Peace Line in West Belfast by 10 September.

At first hailed as saviours by the Catholic communities, this situation changed dramatically with the Falls Road curfew in July 1970. After soldiers discovered an IRA arms cache during a house search in the lower Falls Road, an angry crowd formed, and when soldiers called for reinforcements, a full riot developed. There was shooting between the army and IRA gunmen and locals who

“threw petrol bombs, nail bombs, and grenades”. The army imposed a two day curfew while they conducted door-to-door searches and recovered more weapons. “While this may have been regarded as a success from a purely military perspective, politically it represented a turning point in the relationship between the army and the nationalists, convincing many in the Catholic population that the army had adopted an adversarial attitude towards them.” (McKittrick et al, 1999, 53) By the time Bloody Sunday occurred, when thirteen unarmed Catholic civilian civil rights marchers were shot dead by British paratroopers on 30 January 1972, the conflict had begun in earnest. Bombs began exploding with numbers of deaths mounting among both the civilian population and security forces.

The devolved Northern Ireland parliament, established in 1921, came under intense scrutiny and pressure. As events escalated, the Protestant dominated parliament, seen as contributing to the problem by consistently demonstrating its inability and lack of desire to accommodate or integrate Catholics into an equitable system, was suspended by the British Government in March 1972. For the first time in its existence, Northern Ireland was under direct rule from London. With the exception of a brief power sharing interlude in the Northern Ireland Assembly under the terms of The Sunningdale Agreement (December 1973) between January to May 1974, direct rule was reinstated by the Northern Ireland Act of 1974, “which made temporary provision for the government of N.I. by the Secretary of State and his ministerial team, subject to annual renewal”. (Elliott and Flackes, 1999, 607-9) It was not until 1999, that the Northern Ireland Assembly became independent once again, following the power-sharing agreement outlined in the Belfast Agreement, better known as the Good Friday Agreement of 10 April 1998.

Sources of conflict

To the uninitiated, Northern Ireland's source of conflict has appeared to focus on religious differences, but the complexity of experience precludes so simple an explanation. Some of the origins of the recent Troubles can be traced to the deteriorating economy and decline of traditional industries in the 1960s. Attempts at political reform encouraged Catholic demands for equal treatment in Northern Ireland that resulted in the formation of the civil rights movement. A Protestant backlash that "blamed reform for the ending of Catholic acquiescence in their subordination" included "hard-line Loyalists" whose fears were "aroused by the social and economic trends of the period, particularly the erosion of residential segregation between communities" and who "regarded the civil rights movement as a plot to bring about a united Ireland". (Guelke, 1995, 107)

McGarry and O'Leary have maintained that Northern Ireland has been the site of an "ethno-national conflict", a

systematic quarrel between political organizations of two communities who want their state ...or who want what they perceive as their state to protect their nation. ...Explosive national conflicts arise between politically mobilized ethnic communities. Territory, sovereignty and national esteem are their media. Land, power, and recognition are their bloody issues.
(McGarry and O'Leary, 1995, 354-5)

John Whyte found that religion in N.I. mattered most as a "basis for segregating the population into two communities, largely ignorant of each other and susceptible ...to prejudice and stereotyping". For most Catholics, religion mattered in more peripheral ways, as political and economic issues took precedence over differences in religious attitudes. Among the "Ulster British", a self-defined tolerant identity formed by "the cherishing of British ideals", the issues were political, and to "a much wider spectrum of Protestants", religion denoted a "badge of identity".

Only for the “extreme evangelical Protestants” was the conflict seriously religious as they saw “the struggle as one between Christ and Antichrist”. (Whyte, 1990, 51, 110)

Whyte also found that there were significant differences in the “sharpness of the divide” and in “the mix of religious, economic, political, and psychological factors” from one place to another that “make the community divide much more complex than one might imagine from drawing on region-wide generalisations”.

A point that emerged repeatedly in Whyte’s research has been emphasis on the great local differences – in the influence of the Churches, in the degree of residential segregation, in economic conditions, in the impact of violence, in political attitudes... Northern Ireland has only one and a half million people, but it is astonishing how much variety it contains within it.
(Whyte, 1990, 111)

This point regarding multiplicity of experience of the conflict was reinforced in conversations with Northern Ireland psychologist and author Ed Cairns. (Cairns, 1999)

Perceptions of unfair access to political and economic resources, opportunity, and power, have long been cited as an important reason for the conflict by both sides. Whyte found that economic issues, especially those concerning the income gap between Catholics and Protestants, were identified by both groups as the strongest “source of perceptions differentiating the two communities”. (Whyte, 1990, 65)

It is a thing of which Catholics are sharply aware, and with which they are much concerned. This is shown by the publicity given in nationalist news media to every report from the Fair Employment Agency which shows up some new instance of inequality of opportunity, and by the frequency with which the Irish side in the Anglo-Irish Conference established under the Hillsborough agreement of 1985 brings up issues of fair employment.

On the other side, many Protestants have difficulty in facing the possibility that they may be treating Catholics unfairly. ...In a study of Protestant attitudes to discrimination, the self-image of many Protestants made it peculiarly difficult for them to

acknowledge that they might have behaved unfairly: they believed themselves to be a just people, who did not do things like that. (Whyte, 1990, 65-6)

Whyte observed that while Protestants as a whole tended to be better off than Catholics, there were, in reality, enough upper income Catholics and lower wage earning Protestants to equalise the socio-economic status of both groups. (Whyte, 1990, 65) This however, did not change the perceptions of an unlevel playing field for Catholic job opportunities overall, as held by upper income Catholics who were earning significantly more than the others.

McGarry and O'Leary agreed that while the acknowledgement of "the existence of significant inequality between Catholics and Protestants" was widely accepted, Catholic opposition to this inequality was "not exclusively materialist but ... rooted in norms about justice and fair play". (McGarry and O'Leary, 1995, 283) This was why many Catholics securely employed in upper income brackets objected as strongly to job discrimination as those who were victims of discrimination.

At the opposite end of the socio-economic scale, certain working class Protestants felt victimised by the assumption that they were economically better-off than Catholics. "They felt that they were just as impoverished, just as often discriminated against, and they resented the favour which world opinion seemed to bestow on the Catholics." (Whyte, 1990, 92) Economic motivation appears to have been a strong incentive for the formation of paramilitaries by the dominant loyalist group who were from "objectively deprived backgrounds" but until recently had seen themselves as better off than the Catholics. (McGarry and O'Leary, 1995, 291) A cult of victimisation built on political and economic grievance has also been used as a way to justify the socio-economic position of the dominant Protestant group. (Whyte, 1990, 101-2; Guelke, 1995, 107)

From 1972, marking the end of the Protestant-led Stormont administration and the beginning of direct rule,

having previously regarded themselves as socially and culturally (if not economically), superior to their Catholic neighbours, the Protestant working class has had to deal with a pervasive sense of failure. They suddenly had to come to terms with the outside world telling them, not that they had built Northern Ireland out of the sweat from their own brow, or as a result of their characteristic determination and fortitude, but rather had done so on the back of discrimination and domination of the Catholic community. (Cochrane and Dunn, 1999, 34)

The role of the British

Throughout the Troubles, the British, specifically the population living in Great Britain, had an ambivalent relationship with their troubled province. A significant problem with the British government's (Parliament at Westminster London) involvement with the Northern Ireland conflict had been its position of perceived neutrality and detachment, with disregard for the impact earlier British actions had on shaping Irish history and course of the recent conflict. For some, Great Britain offered "a progressive modern political arena" within which the conflict could be resolved, but for others, its' long term goal in Northern Ireland had always been unclear and viewed as a contributing factor to its longevity. (Ruane and Todd, 1998, 204) In 1983, academic Padraic O'Malley pointed out that, "None of the parties to the conflict trusts Britain, and with good cause. Because she will not declare herself, no one knows where she stands". (O'Malley as quoted in Whyte, 1990, 143)

The constitutional relationship between Great Britain and Northern Ireland embodied in "years of abortive legislative initiatives which had attempted to forge a new relationship between Ireland and Britain" was defined in the Government of Ireland Act 1920 as establishment of "bicameral parliamentary institutions for

Northern and Southern Ireland with provision for their eventual unification”. Under the Anglo-Irish Treaty of 1921, the Irish Free State was established as a dominion within the British Empire with authority over all of Ireland. The Protestant-led Northern Ireland government was given the right to remain part of the United Kingdom and quickly chose to do so. (Cunningham, 2001, 1)

This political arrangement was further cemented in the Ireland Act 1949 which clarified the British relationship with the new Republic of Ireland and the status of Northern Ireland by declaring that “it is hereby affirmed that in no event will Northern Ireland or any part thereof cease to be part of His Majesty’s dominions and of the UK without the consent of the Parliament of Northern Ireland”. Labour party back benchers were concerned that the government had adopted a partisan pro-Unionist position because if a nationalist majority were to develop in a particular county, “it would not have the option of joining the Irish Republic because of the ‘any part thereof’ formula” which reinforced the six county constituency of Northern Ireland. Another concern was that “consent was invested in the parliament of Northern Ireland rather than in the people” so if a majority favoured a united Ireland, “this would not be reflected in the composition of Stormont because of gerrymandered constituency boundaries”. (Cunningham, 2001, 3-4)

Ruane and Todd put the Northern Ireland issue within the context of domestic state versus international British politics. They pointed out that the state structure developed as an “uneven assemblage of structures, institutions and ritual practices” without a formally written constitution. Instead “statute law, made by and revocable by parliament” and “established practice” have defined constitutional parameters without clear territorial definition. Practically speaking, two spheres of constitutional practice developed, one for the domestic arena and the other for the

empire that asserted imperial or colonial rule. It was a situation where the distinction was clearly understood, if not legally structured, but which left only one territory, Ireland, in a position that was “ambiguous between the two spheres” of domestic and colonial rule that became especially obvious during the Troubles. (Ruane and Todd, 1998, 204-5)

The Army was sent in while Stormont was still in power during the earliest days of the conflict, and while initially it was seen to be protecting Catholics, the tide soon turned and its policy was seen as controversial by all sides. In 1985, lawyers Kevin Boyle and Tom Hadden had argued that “British policies have ‘contributed to a deepening sense of alienation among many Catholics both from Britain and the majority community’ ”, by allowing “abuses in the security field”, by failing “to secure an effective voice for Catholics in the government of Northern Ireland”, and by allowing “the continuing difference in levels of unemployment and deprivation in the two communities”. (Whyte, 1990, 142, 83) Whyte pointed out that “the violence of the paramilitaries, and the counter-violence of the State”, were likely to have marked different people in different ways, depending on where they perceived the main source of threat. (Whyte, 1990, 142, 83) Keeping in mind that Northern Ireland was legally a province of the United Kingdom, the violence of the republican paramilitaries, and to a lesser extent that of similar loyalist groups, provoked national countermeasures that were highly questionable in a democratic society. These included

internment without trial (1971 to 1975), trials without jury, a vast expansion of the police force (Royal Ulster Constabulary, or RUC), the raising of a local regiment of the British Army (the Ulster Defence Regiment, or UDR), house searches, road-blocks, police interrogations, the use of supergrasses, the employment of plastic bullets. (Whyte, 1990, 83)

Of these, internment without trial was perhaps the most controversial. Initiated by the Northern Ireland Protestant controlled government, with approval of the British Home Secretary on 9 August 1971, it was seen as a way to stop the escalating violence. On the first day of enforcement 342 people thought to be members of the IRA were arrested and held (104 were released within forty-eight hours) in an effort to eradicate the IRA. This resulted in rioting, 23 deaths in Belfast in the following two days, and the launch of a massive civil disobedience campaign by the Catholic community. (Elliott and Flackes, 1999, 662-3)

The internees were held in Long Kesh Prison, later known as the Maze Prison, the Magilligan army camp in County Derry, and the Maidstone ship in Belfast harbour. The methods of interrogation used – “hooding, exposure to continuous noise, standing against a wall leaning on fingertips, and deprivation of food and sleep”- were extremely controversial. They were first investigated by the Compton Inquiry whose neutrality was questioned in both Britain and Northern Ireland. In the subsequent Compton Report, November 1971, there were admissions that “physical ill-treatment of detainees” had occurred but not torture or brutality. Most of the detainees refused to give evidence and many of the cases eventually went to the European Court of Human Rights, brought there by the Republic of Ireland in 1978, where it was decided that the prisoners had been subjected to “inhuman and degrading treatment” and that these techniques were contrary to the Convention. (Elliott and Flackes, 1999, 211, 246)

In 1971, a three-man advisory committee was set up to recommend release of individual internees, who upon release were required to take the following oath, “I swear that for the remainder of my life, I will not join or assist any illegal organisation or engage in any violence or counsel or encourage others to do so”. In

the meantime the Republic of Ireland set up five refugee camps for dependents of internees. In November 1972 a new system of internment was introduced by the British government, called the Detention of Terrorists Order. The prisoners were now called “detainees” and there was a limit to initial custody of twenty-eight days at which time the prisoner was to either be released or referred to a commissioner for a decision on continued incarceration. (Elliott and Flackes, 1999, 663-4)

In January 1975, the Gardiner Report, released after an investigation into Northern Ireland’s terrorism focusing on the issue of civil and human rights, issued a statement that while “detention without trial was a short-term necessity”, a “special category (or political) status for convicted prisoners should be ended...non-jury trials for terrorist offences should be continued for the present and that there should be a new offence of terrorism”. (Elliott and Flackes, 1999, 264-5) They concluded that “detention without trial could only be tolerated in a democratic society in the most extreme circumstances”. Adding that they would like to recommend the abolition of detention, “the present level of violence, the risks of increased violence, and the difficulty of predicting events even a few months ahead, make it impossible for us to put forward a precise recommendation on timing. We think that this grave decision can only be made by the Government”. (Elliott and Flackes, 1999, 664) Detention without trial was ended on August 1975 when the Secretary of State, under the Emergency provisions Amendment Act, rescinded the power to make detention orders, thus ending the commission and releasing the remaining seventy five detainees in December. (Elliott and Flackes, 1999, 664)

An ongoing problem over the past thirty years has been the perception by many British that the problems in Northern Ireland are not relevant to Great Britain.

There is some evidence that the British accept the view that Northern Ireland is a colony, despite occasional protestations by British

prime ministers...otherwise it would be difficult to explain British public opinion, the peculiar constitutional status of Northern Ireland, [and] the exclusion clauses in the Prevention of Terrorism Act.

(McGarry and O'Leary, 1995, 312)

There appears to be a general unwillingness or lackadaisical attitude of the Labour, Liberal Democratic, and Conservative parties to organise there. (McGarry and O'Leary, 1995, 312)

This disassociation from their province was still being expressed in the early 1990s by British leaders such as Douglas Hurd who advised the European Union foreign ministers that they should avoid military intervention in Bosnia or they would end up “having a protracted commitment like Northern Ireland on their hands” - the implication being that “external intervention in Bosnia was comparable with Britain’s allegedly internal intervention in Northern Ireland”. (McGarry and O'Leary, 1995, 313) Overall, despite efforts made through a slow process of acknowledgement on all sides, mostly via public inquiries, there has continued to be a lack of public accountability by both British government and public for the non-neutral role of the British government and for the impact their words and deeds have had on shaping the conflict.

The road to peace

Throughout the Troubles attempts had been made to resolve the conflict, with peace-orientated groups forming in Northern Ireland soon after the violence had begun. Women Together for Peace came into existence in 1970 to “encourage dialogue, communication, and mutual respect”. In 1978 the Ulster People’s College, a collaboration of academics, trade unionists and community organisations, formed to address “the low educational attainment and subsequent socio-economic difficulties of urban working class communities in the Greater Belfast area”. They

sought “to contribute to the process of peace and reconciliation through the twin educational programs of community development and democracy and citizenship”.

(Cochrane and Dunn, 1999, 17-19)

The Committee on the Administration of Justice (CAJ), founded in 1981, addressed “issues of justice and fairness” that “were inextricably linked to the conflict” and which required resolution in order for the conflict to end. The Quaker House, begun in 1982 by British and Irish Quakers, was concerned with promoting “confidential dialogue” and discreet meeting places for groups and individuals who might not be able to meet publicly. They and others struggled on with their work through the worst of the violence. (Cochrane and Dunn, 1999, 18)

In a sense, you could say that the continual demonstration, either in a very demonstrative way, like the Peace People’s rallies, or other similar events throughout the three decades of violence, signalled that there was a considerable section of the community totally opposed to violence, and there was always a rein on terrorism and on those who went for the violent option.
(Cochrane and Dunn, 1999, 167)

Although appearing to be “relatively insignificant at the individualistic level” the peace groups had a major impact on Northern Ireland’s civil society.

The unspectacular ‘drip-in-the-bucket’ work conducted by the sector, provided avenues of contact for political actors who were not able to interact at the public level. While this dialogue and debate had little tangible impact on the level of violence at the time, it assisted the process of political education and re-evaluation which ultimately contributed to the republican and loyalist cease-fires in the autumn of 1994.
(Cochrane and Dunn, 1999, 197)

The early 1990s also saw the formation of two peace groups directed at the paramilitaries. One, the Families Against Intimidation and Terror (FAIT) focused on “highlighting and trying to stop paramilitary ‘punishment’ attacks and intimidation against the civilian population in Northern Ireland”. The Springfield Inter-Community Development Project (SICDP) focused on equality of socio-

economic development in the nationalist and working class communities of North and West Belfast, bringing together former loyalist and republican paramilitary members as organisational leaders. Billy Hutchinson, one of the early staff leaders, was “a leading member of the loyalist Progressive Unionist Party (PUP) and a former Ulster Volunteer Force (UVF) prisoner”. (Cochrane and Dunn, 1999, 16, 20)

As McGarry and O’Leary observed “More than mere exhaustion is necessary to end a war and create a lasting and just peace. ...To create a constructive peace ...requires intelligent and informed statecraft from all parties in Northern Ireland, the Republic, and Great Britain.” (McGarry and O’Leary, 1995, 4)

On 15 December 1993 a foundation for the 1995 Frameworks Documents and the 1998 Belfast Agreement was laid with “The Joint Declaration for Peace”, made at Downing Street, London.

It acknowledged the efforts by the people of Ireland, North and South, and the British and Irish Governments together, to remove the causes of conflict, to overcome the legacy of history and to heal the divisions which have resulted, recognising that the absence of a lasting and satisfactory settlement of relationships between peoples of both islands has contributed to continued tragedy and suffering...and that the development of an agreed framework for peace...provides the starting point of a peace process to culminate in a political settlement. (McGarry and O’Leary, 1999, 408)

A brief IRA Christmas cease-fire declaration in 1993 was later made permanent on midnight 31 August 1994 as a unilateral implementation of a “complete cessation of its military operations”. This was reciprocated in October 1994 by the Combined Loyalist Military Command in a cease-fire statement that included an unexpected apology. “In all sincerity, we offer to the loved ones of all innocent victims over the past 25 years, abject and true remorse. No words of ours will compensate for the intolerable suffering they have undergone during this conflict.” (Bew, 1996, 63-65, 72)

The Frameworks Documents (“Frameworks for the Future”) appeared in February 1995 to dissatisfaction on all sides. Part I suggested “A Framework for Accountable Government in Northern Ireland” and proposed a single chamber assembly of around 90 elected members for a fixed four or five year term. All-party assembly committees would oversee Northern Ireland’s department and an elected panel of three would do the same for the assembly. (Bew, 1996, 83-4)

Part II, “A New Framework for Agreement”, laid out the description of future North-South Irish relations. North-South institutions were to be created to “cater adequately for present and future political, social and economic inter-connections on the island of Ireland, enabling representatives of the main traditions, North and South, to enter agreed dynamic, new, co-operative and constructive relationships”. Departments would be composed of department heads from the assemblies of both north and south and “areas where harmonisation would take place” were designated as energy, trade, health, social welfare, education, economic policy, industrial development, consumer affairs, industrial development, agriculture and fisheries, and transport. (Bew, 1996, 83-4)

These areas of harmonisation in a North-South context were very sensitive for both middle and working class unionists. “The core belief of Ulster unionism was clear: it is better to be separated from the rest of Ireland than from Great Britain.” The Mitchell Report issued in January 1996, concluded that “paramilitary organisations will not decommission any arms before all-party talks” and recommended that “the parties should consider an approach under which some decommissioning would take place during the process of all-party negotiations, rather than before or after as the parties now urge”. (Bew, 1996, 151)

During this time political actions were accompanied by economic initiatives designed to increase investment and to create more jobs. Tourism began to be marketed in earnest in 1994, and by January 1996 a 68% increase had been recorded over the previous year. (Bew, 1996, 148) President Clinton had hosted a U.S. conference on trade and investment in Ireland in November 1994, pledging a US\$10 million increase by the U.S. to the existing International Fund for Ireland, and raising the amount to a total of US\$30 million over the next two years. This came fast behind a proposal by the European Parliament a month earlier to increase the European Union's contribution from £28 million to total £40 million. (Bew, 1996, 75)

In May 1995 the US International Relations Committee ruled that the MacBride principles on fair employment must be applied when deciding how the International Fund for Ireland's money would be used. (Bew, 1996, 101) In December of that year Sir Patrick Mayhew, Secretary of State for Northern Ireland, announced that if the cease-fires continued that another £100,000 would be added to the £180,000 already cut from the security budget and would be redirected to the other areas of Northern Ireland's budget over the next three years. In February 1996, Mitchell McLaughlin of Sinn Fein and David Trimble of the Ulster Unionist Party shared a debating platform at the World Economic Forum in Davos, Switzerland. (Bew, 1996, 140, 157)

A group of extremely turbulent years began in 1996 when it appeared that all chances of peace had irretrievably broken down and that resumption of all-out conflict was imminent. The IRA had broken their cease-fire on 9 February by detonating a bomb at 7 PM in an office car park in London's Canary Wharf, killing two men and injuring 100 others. Gerry Adams who had been distancing Sinn Fein

from the IRA, had stated earlier in the day during a BBC Radio Ulster interview, that “political progress can be made through all-party talks....with his Protestants brothers and sisters”. That same day “Mitchell McLaughlin had taken part in a ground-breaking television debate with Ken Maginnis, the Ulster Unionist MP who had carried the coffins of so many of his constituents killed by the IRA”. The lack of retaliation by the loyalist paramilitaries to the Canary Wharf bombing signalled that this time the quest for peace was serious. In a distinct break from previous British response, Conservative MP Peter Temple-Morris stated that Gerry Adams should not be forced to condemn the bombing as it would “basically negate the whole peace process, and in neutering Adams and co. you invite something far more extreme to take their places”. (Bew, 1996, 158, 160, 163-6)

The Good Friday Agreement (aka Belfast Agreement) of 10 April 1998 was the result of what eyewitness Irish Times journalist Deaglan de Breadun described as the

Ten Days That Shook Northern Ireland. Not since the Treaty negotiations of 1921 had such a determined effort been made to resolve the Anglo-Irish conundrum. These were days when participants scaled the heights of optimism only to be plunged into the depths of despair –and then lifted up again just as quickly.

Whatever might have been said about it being a turning point “it was certainly a point of no return.” (de Breadun, 2001, 111, 141)

The Agreement was “erected on the foundations of earlier, ill-fated, attempts to restore devolved government to Northern Ireland following the imposition of direct rule in 1972” and like the failed 1973-74 arrangements, represented “an exercise in consociational democracy” designed to “accommodate the interests, needs and, more negatively, mutual suspicion harboured by political rivals”. (Wilson, 2001, 59-60)

In this power-sharing arrangement newly devolved democratic institutions were set, with a proposed North-South Ministerial Council to be established under a new British-Irish agreement, and a British-Irish Council that included the new assemblies for Northern Ireland, Scotland, Wales, Isle of Man, Channel Islands and the Irish and British parliaments. It included provisions for the protection of human rights and arrangements for weapons decommissioning, reduced security, a commission to review policing, and for a rapid release of prisoners. The release of prisoners from all sides of the conflict was widely credited for helping to bring the agreement about. (McEvoy, 1998, 40-1))

Testing the 1998 Good Friday Agreement, violence continued to peak during the Loyalist summer marching season of 1998, when three Ballymoney Catholic brothers aged 8, 9, 10 burned to death in a house fire started by a loyalist petrol bomb. This was followed three days later by one of the most costly bombings of the war. Claimed by the dissident republican group, the Real IRA, the bomb exploded in Omagh's City Centre on 15 August 1998, killing a total of twenty nine people "in what has come to be regarded as possible the worst single incident of the troubles". In both cases the outrage was universal both inside and out of Northern Ireland, and on every front it seemed to harden the determination for peace. (McKittrick et al, 1999, 1437)

Physical security, and its fair and equitable enforcement was and has continued to be a key issue and in the earliest post-conflict phase workers and employers especially feared for their safety. In 1997, the Standing Advisory Commission on Human Rights (SACHR) identified these fears by employers and employees in Northern Ireland as the "chill factor", and one of the most important employment issues facing the region. This was defined as a situation where workers

from one community were reluctant to take jobs located in or forcing them to travel through communities dominated by the other group. Employers expressed equal reluctance to “take on workers from areas known to be associated with paramilitary activity.” (Whyte, 1990, 63-4) These fears have been reinforced by the highly conflictual perceptions between Catholics and Protestants of the attitude demonstrated by the Royal Ulster Constabulary (RUC), which as of 2001 was renamed the Police Service of Northern Ireland (PSNI), in protecting each community.

The Northern Irish nationalist political parties, Sinn Fein and the Social Democratic and Labour party (SDLP), have long maintained that the RUC was “a unionist as well as a sectarian police force, an instrument of unionist domination [and] a participant in the conflict rather than a neutral law enforcement agency”. Sinn Fein claimed that the “RUC’s members have been linked to the repression, torture, and killing of nationalists” as well as collusion with loyalist paramilitaries. (McGarry and O’Leary, 1999, 7)

On the other hand, “partisan unionists” have long regarded the RUC as “their police, protectors of the Union”, while more moderate “unionists of goodwill – committed to treating Catholics as equal citizens of the Union” have regarded the police as a force that equally protects everyone. “In their eyes the police are already professional; effective and efficient; fair and impartial; free from partisan political control; tough but fair; tough on terrorists, be they republicans or loyalists; and tough on criminals.” (McGarry and O’Leary, 1999, 6) The Patten Commission, issuing its report on the RUC on 9 September 1999, made one hundred seventy-five recommendations for reform, including a new name, reorganisation, and new uniforms. (Patten, 1999)

Conclusion

Northern Ireland is still a sporadically violent place but the nature of these outbreaks seem to be more about grabbing political turf, settling paramilitary scores, and criminal activities rather than a threat to plunge the region back into civil war. Despite difficulties in multiple suspensions and reinstatements of the Northern Ireland Assembly, and traumatic elections, there is a real commitment to peace by all parties. The world has moved on and the European Union has provided the protection and arbitration that comes with membership. There are now institutional structures and mechanisms in place that may help to permanently transform Northern Ireland from a symbol of insoluble strife to one of a rarely preceded peaceful success.

In *The Far Side of Revenge* de Breadun feels that “looking ahead it is possible to discern a resolution in some form to the age-old national conflict. The United Kingdom is becoming a *de facto* federation” and Scottish independence is a possibility.

The European Union is ...breaking down economic, social and legal barriers. The unionist elite is discovering the discreet charms of the Irish national bourgeoisie. Sinn Fein ministers are winning at least benign neutrality from sections of the North's majority community. I expect to live to see a united Ireland eventually but not perhaps the one the poets dreamed about, and with a very close relationship to a modernised, post-imperial Britain.

(de Breadun, 2001, 364)

Perhaps the words of Gusty Spence, the once feared but prophetic Loyalist leader of the Ulster Volunteer Force (UVF), delivered in 1977 as his 11 November Remembrance Day Speech from the Long Kesh (Maze) prison will at last be realized.

Let the rattle of oratory and the volley of words be heard instead of bombs and bullets – we need the strategy of political policies in place of battle plans and let us face one another across the negotiating

table as opposed to no man's land. Let us reconcile and permit the grass and flowers to grow over the battlefields just as they have at the Somme and Passchendaele.

And lastly let us forget past dissensions and resolve to pass on to our children the fruitful lessons which cost us so high a price in life and human misery, so that they may never know the hell and barbarity through which we had to pass.

(Spence quoted in Garland, 2001, 220)

Chapter Four: Serbia

The violent disintegration of the former republic of Yugoslavia which, until 1991, consisted of Serbia (including the provinces of Vojvodina and Kosovo), Slovenia, Croatia, Bosnia & Hercegovina, Macedonia, and Montenegro, was integrally linked to the dissolution of the former Soviet bloc in the late 1980s. A unified state of Yugoslavia had been attempted twice previously in the 20th century – once by royal proclamation in 1918, and again by Tito in 1944.

While there may have been some expectation of a successful Yugoslav transition to democracy following the collapse of the communist system in the late 1980s and early 1990s, it was equally apparent to others who had a greater knowledge of the region and politics that dissolution was inevitable. In retrospect, organisation and development of a post communist democratic Yugoslavia was always going to be difficult as the country had never been organised with a dominant overarching concept or identity of statehood upon which to build legitimacy for its' political institutions.

Yugoslavia (born 1918, died 1991) is significant because no one single ethnic group was in a position to act as the *Staatsvolk* ...a single dominant ethnic group. ...It also experienced no durable and convincing construction of a state based on ethnic consensus, through authentic federation or consociation, admittedly a difficult undertaking. The principal national communities never sought genuinely to understand the other's perspectives, interests or aspirations. (McGarry and O'Leary, 1993, 172)

Reversing the more commonly familiar secessionist strategy of peripheral states attempting to withdraw from the centre, Serbia, as the main political, economic, and cultural centre of the former Yugoslavia, positioned its regime publicly as “adamantly Unitarian, anti-secessionist, even anti-nationalist”, emphasising the preservation of territorial integrity at all costs, while

simultaneously pursuing an agenda of ethnically separating Serbs from non-Serbs. (Conversi, 2000, 333) The unravelling of the former Yugoslavia from 1991 to 1999 was not only a story of competing nationalisms and ethnic identities, but of groups of people, most especially Serbs, who simultaneously undervalued the benefits of staying together and underestimated the costs of breaking apart.

Background

The first Yugoslavia, created from the crumbling Austrian-Hungarian empire at the end of World War I by Prince Aleksandar Karadordevic, ruler of the Kingdom of Serbia, was a nation made up of members belonging to Eastern Orthodox, Roman Catholic, and Islamic faiths, who called themselves Serbs, Croats and Slovenes. The Delegation of the National Council of Slovenes, Croats and Serbs from Zagreb described an “idea” of national unity rather than a single nation. Prince Karadordevic envisaged a concept of Yugoslavia that sought to “dissolve all national differences into one unified nation” in order to create a “unitary state”, while the Delegation was thinking in terms of preserving national differences among Southern Slavs within the structure of a federal state. (Pavkovic, 1997, 4)

Many in the Serbian elite had never understood the need for accommodating other groups as the “nineteenth-century Serbian tradition of conquest and expansion” had become the dominant tradition of the new state. (McGarry and O’Leary, 1993, 173)

The suspension of the fragile semi-democratic institutions established in 1918, the creation of a royal dictatorship in 1929, and the slide into full hegemonic control proved an easy step for much of the Serbian elite. This outcome, however, was to have fatal long-run consequences, because it ethnicised the state in the eyes of non-Serbs and eroded whatever loyalty they had to Yugoslavia. The monarchy, far from legitimizing the state, came to be perceived as alien and oppressive by non-Serbs, separate ethnic discourses came to the centre of politics and talked past each other in the forums of South Slavs. (McGarry and O’Leary, 1993, 173)

While unitarism had been a key Serb experience, Croatia, as a separate co-existing region within a “partially decentralised empire”, had experienced exactly the opposite as their previous political experience had included volatile negotiations between Vienna and Budapest. (McGarry and O’Leary, 1993, 176) With cooperation based on short term pragmatic political interests, the Croats were “primarily motivated by the need to defend Croatia from foreign domination”. Once the decision had been made that Croatia could be defended “outside the union with Serbia and without Serbian cooperation, they were ready to abandon or renegotiate the union and the terms of cooperation.” (Pavkovic, 1997, 13)

The country’s name was changed to Yugoslavia in 1921, and by then a new ruling elite dominated by Serbs and “Yugoslav-inclined Croats” (including Slovenes) decided Serbs and Croats were one nation who spoke Serbo-Croat. Serbs had decided that Croats were in essence Serbs and rationalised occasional non Serb-like behaviour as deviant from the norm. This attitude was reinforced by the Serb attitude that the new state must be “strong, unitary, centred on Belgrade and run by Serbs” and there was no “suggestion of ethnic proportionality, power-sharing or any redefinition of the state ideology in a way that would satisfy the Croats”. (Pavkovic, 1997, 176-7)

When Nazi Germany invaded the country on 6 April 1941, the government collapsed, and Croatians created their own state (Independent State of Croatia). The four years that followed were “extraordinarily cruel” for both Serbs and Croats who each experienced genocide in 1941 and 1945 respectively. (McGarry and O’Leary, 1993, 178) The Germans regarded Serbs as their primary enemies and proceeded to dismantle Serbian territory. Most of Macedonia and parts of southern Serbia was controlled by Bulgaria, Kosovo was annexed to Albania, and sections of Vojvodina

were administered by Hungary, along with areas of northern Serbia known as the Banat, overseen by German inhabitants. The remainder of Serbia was under direct control of the German military. (Thomas, 1999, 20)

The Germans were resisted by paramilitary groups who fought each other as well as a common enemy. Major groups were the Cetniks, also known as the Yugoslav Home Army, and the Communist Partisans led by Josip Broz, a half Slovene, half Croat, who was better known as Tito. The Cetniks, led by Draza Mihailovic, were described as pro-Allied, anti-Communist “local defence units” composed of “marauding bands of Serb villagers, anti-partisan auxiliaries, forcibly mobilised peasants, and armed refugees which a small group of uncaptured Yugoslav officers were attempting, without success, to mold into an organised fighting force.” (Thomas, 1999, 21) The Communists drew most of their recruits from the impoverished Bosnian and Croatian highland peasants who under Tito were known for their ability to “deploy a degree of battlefield mobility” as well as being motivated by a “disciplined and ruthless ideology”. (Thomas, 21) In this war environment, Tito counted Germans, Italians, and Croat Ustase as enemies.

Tito and his men took political control after marching into Belgrade in October 1944. After expelling the Germans in 1945, they formed the second Yugoslavia, and quickly suppressed all opposition (the Cetnik leader, Mihailovic was captured, tried and executed in 1946). Although Tito split with Moscow in 1948, he remained Communist while maintaining a balance between the east and west, using the country’s “unique position” during the Cold War years “to secure financial backing , and a prosperity that was beyond its means”. (Silber, 1995, xxvi)

Ruling with an iron hand, and named President for life, Tito controlled Yugoslavia for the next forty-five years, seeking to reframe the WW II history as a

“struggle of the whole people unified under the Partisan banner against the alien occupier”. Public partisan monuments were erected and public holidays celebrated Partisan anniversaries, while anti-communists were branded reactionaries and collaborators. (Thomas, 1999, 22)

By the 1960s the communist rulers under Tito were victims of their own success. Having successfully industrialised the northern republics of Croatia and Slovenia, stabilised the country, and created a system that was perceived to be legitimate and internationally recognised, it became clear that “a threshold had been reached in politics, economics and in society”. This would require a redistribution of power, but “how much, in what way, and by what criteria then became a matter for debate”. (McGarry and O’Leary, 1993, 183-4)

However, the World War II legacy of total distrust remained strongly ingrained in the national psyche of both Croats and Serbs. The fact that the 1941 massacre of Serbs had been committed by a Nazi regime long defeated and the 1945 killings of Croats had been the work of the Partisans remained irrelevant in the face of the perception that all Croats were “tainted in the eyes of the Serbs as legatees of the Ustasa state” and all Serbs seen by Croats as favoured beneficiaries of Titoism. (McGarry and O’Leary, 1993, 178-9)

Throughout the Tito years, a type of “Serbianism” ran beneath the political and social fabric “more a river than a rivulet”, nourishing the search for an “ethnically homogeneous” Greater Serbia that had been spearheaded by Serbian elites since the mid nineteenth century. (Conversi, 2000, 339) During this time Slovene and Croat ethno-nationalist secessionist movements also grew and cannot be underestimated in shaping subsequent Serb behaviour.

When Tito died at the age of eighty-eight, in 1980, there was genuine and universal grief, but the Yugoslav state he had managed to keep together was poised to unravel.

The Yugoslav state was perceived as only semi-legitimate at best by the different ethno-national groups. For the Serbs, Yugoslavia was meant to be a compensation for the loss of the Greater Serbian dream, but many Serbs regarded Yugoslavia as a dubious construct, superimposed on the Serbian nation, while for non-Serbs, the Yugoslav state was increasingly an ethnicised entity serving Serbian interest: the symbolic ‘proof’ being the federal capital in Belgrade. Once the Serbs recommenced defining their identity in territorial terms, there was virtually nowhere else for them to go but to define their aims as Greater Serbian. (McGarry and O’Leary, 1993, 195)

Communism had collapsed too suddenly, at varying rates of speed in each republic, for pro-federal Yugoslav elites to find common ground. The democratic traditions in each varied widely with “the western aspirations of the Slovenes being in stark contrast to the volatility and political inexperience of the Serbs”. It was also bad luck and bad timing for political leaders with Milosevic in Serbia and Tudjman in Croatia, neither of who had the interest or capability to keep a complex state together during a time of deep tension and contradiction. (McGarry and O’Leary, 1993, 203)

Still, many Serbs did not envisage the rapid break-up of Yugoslavia or the war. In June 2002, a Croat English teacher, raised with and married to a Serb in Novi Sad, wanted to talk about what had occurred.

After ten or twelve years, it’s still very present in our minds. ...We were utterly unprepared for what happened. ...No one expected what happened would happen...on TV we saw the enmity getting greater and it became very serious ...but we thought it might finish in some quarrel. When Tito died, our relatives in Vienna asked what would happen but we thought ‘nothing’. (Serbia Interviews, June 2002: see Appendix)

As Mahmut Bakalli, an “ethnic Albanian communist”, recalled, “We all cried, but we did not know we were burying Yugoslavia.” (Silber, 1995, xxvii)

The War

The “federative Serbian republic” which did not have a majority at the Yugoslav level, did have its own strong political and cultural institutions that supported the “inward turn from Yugoslavism toward Serbianism” in the late 1980s and early 1990s. (Conversi, 2000, 340) The stage had been set when on 23 September 1987, Slobodan Milosevic took control of the Serbian Communist Party during its ‘Eighth Session’, forcing resignation of Belgrade party chief, Dragisa Pavlovic. By October 1988, leaders in the province of Vojvodina and in Montenegro’s party resigned after mass demonstrations and protests were led by pro-Milosevic activists. (Thomas, 1999, ix) By March 1989 Serbia had ended autonomy of the provinces of Kosovo and Vojvodina, and increased power at the expense of other Yugoslav republics.

During the 1990s there were two major phases of the war launched by the Serbs. From 1991 to 1995 the initial war with Slovenia, then Croatia, then Bosnia-Herzegovina took place after which The Dayton Agreement of 1995 was struck. The second phase, fought in Kosovo from 1998 to 1999, prompted NATO intervention, and bombing of Belgrade. (The Economist, 1998, 5)

Pre Dayton Phase

The first phase, following a 1990 plebiscite showing 86% Slovenes voting in favour of a sovereign and independent Slovenia, began with a 1991 challenge to the Yugoslav federal army by Slovenia. On 25 June 1991, Slovenia’s Parliament declared itself independent of the Yugoslav federation, while the Croatian Diet simultaneously declared the same for Croatia. By that time, both had massed military forces to withstand a challenge by the Yugoslav federal army. (Pavkovic, 1997, 124-7)

Slovenia portrayed itself to the foreign media, especially in Austria and Germany, as a small “westward-leaning democracy”. Using international spokesmen fluent in English and German it projected a defiant sophistication perceived to be absent in the advancing Yugoslav army tanks. Ten days of fighting between Slovenian military forces and approximately 3000 Yugoslav army personnel (10% of the Yugoslav fighting force) resulted in a final ceasefire on 7 July 1991 mediated by “the EC Troika” (European Commission) and a European Union mission consisting of foreign ministers from Italy, Luxembourg, and the Netherlands. On 18 July, the Yugoslav state presidency decided to withdraw all troops from Slovenia within three months, signalling a deceptively easy victory for Slovenian independence. (Pavkovic, 1997, 135-7)

In November 1991, Macedonia seceded, calling itself the Republic of Macedonia and immediately sought recognition from the European Union. This move, virtually unchallenged by Serbia, elicited protest from Greece for whom the newly created republic directly challenged a popular concept of Greek identity that saw itself as part of a homogeneous, indigenous Macedonian group, with a northern Greek province bearing the same name. (Danforth, 1995, 28-42)

Bosnian Serbs in Croatia’s Krajina region declared independence from Croatia in March 1991. In June and July 1991, Slovenia and Croatia declared independence from Yugoslavia, and in August Croatia declared war on Yugoslavia “in response to ethnic cleansing in Serb-held Croatia”. (Pavkovic, 1997, 124-7)

October 1991 saw the Bosnian war begin. In assuming that the EU might intervene and allow them to achieve independence with minor bloodshed, the “Croatian and Bosnian Muslim political leaders not only overestimated the ability of the European Community and, later, the United Nations, to halt the Yugoslav federal army’s

advance but also ignored the possibility that, in the process, the army itself would change its personnel and its objectives”. (Pavkovic, 1997, 137)

The war with Croatia resulted in victory for that country, for “unlike Mr Milosevic, Mr Tudjman”, then leader of Croatia, “won his war, driving out the Serbs and giving Croatia the first real independence it has known since the 12th century.” (The Economist, 1998, 12) Secret talks had been held between Milosevic and Tudjman in Serbia, as early as March 1991, but by early May of the same year there had been clashes between Serb militia and Croatian police in an area of western Slavonia where the Serbs were the majority. (Judah, 1997, 177) The war continued in Croatia until the 2 January 1992 ceasefire was signed in Sarajevo. “It was a dirty warusing their overwhelming firepower, the Serbs managed to carve out between a quarter and one-third of Croatia’s landmass and hold it until, abandoned by Serbia, it was reconquered by Croats in 1995.” (Judah, 1997, 181)

Bosnia-Herzegovina, the most ethnically mixed Yugoslav republic, where “every minority was big enough to start a war” was next on the Croat and Serb agenda. (The Economist, 1998, 9) In December 1991, Bosnian Serbs held an unofficial referendum opposing separation from Yugoslavia, proclaiming a new, independent, Serb republic. By March, 1992, Bosnia’s Muslims and Croats had voted for independence in a referendum boycotted by Serbs. The following month, the EU recognised Bosnian independence but war broke out between the Bosnian government and local Serbs who had laid siege to Sarajevo. By January 1993, efforts to strike a peace agreement failed and war broke out between former allies, Muslims and Croats. (CNN World, 2000)

During late 1994, fighting in Bosnia-Hercegovina ended in a negotiated truce. “The year had ended well for the Bosnian Serbs with their forces, fighting in

alliance with Muslim forces loyal to the regional power-broker Fikret Abdic.”

(Thomas, 1999, 236) But Bosnian government forces launched a March offensive against Serb positions in Mount Vlasic and the Majevisa hills, and by the beginning of May, the Croatian army had moved against the western border of the Bosnian Serb enclave, the Republika Srpska (RSK). The Serb army was ordered to withdraw by Milosevic, but within Bosnia itself, a stalemate continued as Serb forces continued to surround Sarajevo, repelling the efforts of the Bosnian army to break through their lines. (Thomas, 1999, 237)

At the end of July and into August, Croatia launched offensives into western Bosnia, taking towns and ending Serb control of Krajina. As the Serb army retreated under orders of Milosevic, they were followed by about 165,000 Serb refugees who had been expelled by the Croat army and civilian vigilantes. The refugees fled to Serbia, but they found themselves sent to areas outside Belgrade, as their presence in the city was an unwelcome reminder of Milosevic’s military failure. (Thomas, 1999, 240) In August a Serb mortar shell exploded in a Sarajevo marketplace, killing 37 and wounding 85. In retaliation NATO launched airstrikes against Bosnia Serb military targets. Rapid advancement by Muslim-Croat federation forces along with the Croat army, retook more Serb held towns in western Bosnia. (Thomas, 1999, 241)

War raged in Bosnia until the turning point of July 1995, when Serbs turned against Muslims in the Bosnian mining town of Srebrenica. American Serb war journalist and political analyst, Chuck Sudetic, who had Muslim family members trapped in Srebrenica, described how in spring 1993 the Bosnian Serb army “goaded tens of thousands of displaced Muslims into Srebrenica, battered them with artillery, demanded their surrender, and threatened to massacre the town’s menfolk once the

place fell". Sudetic, and a relative who had recently emigrated to Canada, understood how events would unfold. "We predicted what would happen; anyone who knew page one about Bosnia could have predicted what would happen. We waited to see who would make it out alive." (Sudetic, 1998, xxxv, xxv) The mass execution of approximately 7,000 Muslim men, women, and children in what had been declared by the UN Security Council to be a 'safe area' protected by NATO jets, became known as a catastrophic symbol for the failure of the United Nations, European Union, and United States to protect civilians.

August 1995 saw Croatia retake Krajina in 'Operation Storm', and NATO begin a large-scale bombing of Serb targets in Bosnia. (The Economist, 1998, 5) Pushed by the international community, and the US in particular, Milosevic, along with the presidents of Bosnia and Croatia travelled to Dayton, Ohio, to sign the Dayton Peace Agreement in 1995. The agreement hammered out was "uncompromising on only one point: that Bosnia remain a single country" an insistence that required all parties to adopt a somewhat schizophrenic view of recent history. As The Economist observed: "Think of Dayton as having two buttons: fast-forward to speed Bosnia's two entities towards the norms of democracy, and rewind to restore Bosnia to something like its pre-war ethnic mix. The first task is daunting, the second next to impossible." (The Economist, 1998, 6)

Kosovo

While war raged elsewhere, Kosovo adopted a strategy of quiet passive resistance well away from centres of attention. As long as Kosovo could be ignored, Serbs were not forced into facing a key contradiction in Serbian policy.

This was that the carving out of Serbian enclaves, in Croatia and Bosnia, was justified on the basis of an ethnic principle, which also declared that the republican boundaries of Yugoslavia had no international status because they were simply 'administrative

boundaries' within a state. ...Kosovars [ethnic Albanians] were not entitled to this same...self-determination because Kosovo was Serbian thanks to 'historical right'" which superseded the first. (Judah, 2002, 59-60)

As it turned out Kosovo was only temporarily peaceful. For some time there had been unverified rumours of a Milosevic plan to implement 'Operation Horseshoe' designed to push out the Albanian population from the province. In truth, the reality may have been closer to Belgrade journalist Braca (Bratislav) Grubacic's assessment.

I doubt that there was a real Horseshoe plan. I think that when the bombing started they just did it. The worst were paramilitaries and locals. Before the bombing it was common knowledge that they would expel Albanians. ...There were differences between the police and the army. The police were in favour of expulsions because they could steal money from people. The intelligence guys were against it though because they said it was bad for us. (Judah, 2002, 241-2)

Despite its lack of overt conflict, Kosovo had increasingly become a threat due to the growing presence of the KLA (Kosovo Liberation Army), an ethnic Albanian paramilitary group who suddenly burst into the limelight in 1998. When many Kosovars began abandoning non-violence following the Dayton Agreement's failure to address the question of independent status, Serbs became increasingly concerned with this new threat in their southern province.

The KLA's roots were in the 1978 movement for the national Liberation of Kosovo (MNLK) when the goal of Kosovo independence was a concept thought to be gradually achievable for their grandchildren. As one early member recalled, "back then, no one really believed that anything more than republican status could be achieved". (Judah, 2002, 105)

Prior to 1989, there had been limited international sympathy for their cause as the "idea of an armed uprising, however notional, against a strong, confident and world respected Yugoslavia seemed patently ridiculous" and Yugoslavia had

appeared to be indestructible. (Judah, 2002, 105,108) In 1989, The Democratic League of Kosovo (LDK) was founded and strongly influenced political life until 1998, when the KLA, for whom they had raised funds in the late 1990s, became the dominant organisation. An unexpected 1997 collapse of the government in neighbouring Albania due to fraudulent financial pyramid schemes resulted in the government losing control. The subsequent dissolution of the army and police made suddenly available an abundant supply of guns and ammunition for very little money. As these weapons began finding their way into Kosovo, many were reluctant to use them, repeating the common refrain “Look what happened in Bosnia” in reference to Srebrenica and the failure of the international community to support the Muslim population when they had tried to fight for themselves. (Judah, 2002, 129)

The KLA began making political inroads in Kosovo when members of the political opposition in Serbia marched against Milosevic, protesting the 1996 elections that they had won but had been subsequently rigged in Milosevic’s favour. Opposition parties in Montenegro had also won, and had begun making threats to secede. The timing appeared to have arrived for declaring Kosovo independence. KLA activities began going public in 1997 and incidents with Serb police in Kosovo escalated the following year.

On a visit to Pristina, 23 February 1998, Richard Gebhard, the US special envoy, expressed increasing concern in diplomatic circles by warning that “the violence we have seen growing is incredibly dangerous.” He criticised the actions of the police and condemned “very strongly terrorist actions in Kosovo. The UCK [KLA] is, without any questions, a terrorist group.” To Serbs, this was the equivalent of waving a red flag in front of a bull. “If the KLA were a terrorist group

and the representative of the most powerful nation on earth said so, then there could be no objection to the Serbian police moving in to finish it off.” (Judah, 2002, 138)

In late July 1998, the Serb police and army began sweeping through Drenica and other KLA areas, burning and looting houses, crops, livestock, and forcibly removing thousands of citizens. By early August an estimated 200,000 Kosovo Albanians had been expelled. Warnings were given by NATO to Serbian security forces to withdraw from Kosovo by October, or face air strikes. By mid March 1999, it became clear that Milosevic was not going to accept a peace deal despite the willingness of Kosovo Albanians meeting in France to sign the Rambouillet Agreement.

The ‘intervention’ as it became known in Serbia, began on the night of 24 March 1999, when NATO bombed Belgrade, and other Serb targets such as Novi Sad. By June 10th, Serb forces began withdrawing from Kosovo, and NATO air strikes stopped. The dream of a “Greater Serbia” had begun and ended in Kosovo, leaving the country’s economy devastated, Kosovo as a UN protectorate, and Montenegro threatening secession.

Role of Serb Paramilitaries

Throughout the series of 1990s wars, ethnic Serbian paramilitaries had been organised and used in place of, or in conjunction with, the Yugoslav army. Individuals had been recruited by the secret police and members of the Socialist party of Serbia (SPS) for Serb militia groups and paramilitaries by the end of 1990. The criterion for membership was willingness to “unofficially ...support the state and Milosevic’s agenda, through the use of extra-political methods and physical force” and to act as an informal auxiliary force to the regular military. (Thomas, 1999, 93) Responsible for some of the worst war atrocities in both Croatia and

Bosnia from 1991 to 1995, these groups, usually organised around a known leader or political party, were a critical part of Milosevic's military strategy, and were supplied arms, supervision, and organisational support by a group within the Serb secret police. (Sell, 2002, 325-7) In the early months of the 1992 Bosnian civil war, these irregular fighting groups played a crucial role in displacing Bosnian Muslims and Croats from their homes by using "classic death squad methods such as killing, torture, theft, and rape". (Campbell et al, 2000, 287)

Contrary to the Western media image suggesting that excessively brutal paramilitaries are inherent in "Balkan or Serbian culture", James Ron has maintained that the dominant use of paramilitaries were caused by limitations imposed by "local and international norms prohibiting Serbian military action beyond Serbia's official borders". These in turn motivated Serb officials to "enter into a subcontracting relationship with semiprivate groups in both Bosnia and Serbia ...which were able to use violence without directly incriminating the Belgrade regime". (Campbell et al, 2000, 287)

Several scenarios of the ways in which the Belgrade-Bosnia paramilitary connection functioned have been proposed. In one view, Milosevic has been depicted as micromanager of the entire Bosnian ethnic cleansing process through a "smoothly functioning death machine spreading its tentacles from Belgrade down to the most remote Bosnian detention camps and massacre sites". A second view insists that Serbia was completely uninvolved in Bosnian events. A third interpretation, seen by Ron to be the most likely, suggests that while Milosevic "facilitated, encouraged, and supported the Bosnian war effort", he only provided guidance and weapons. (Campbell et al, 2000, 301)

In the “Military Line” hypothesis, described as a “parallel chain of command that allowed Milosevic to privately control Serbia-based paramilitaries and Bosnian Serb forces” key government officials from security services were used to train and arm irregular troops as well as travelling with them to Croatia and Bosnia, where “this network of state security agents...coordinated the process of ethnic cleansing”.

(Julian Borger as quoted in Campbell et al, 2000, 302)

Using the Interior Ministry’s uniformed and plainclothes police, officials close to the top ranks of the Serbian state had generated a series of covert relationships with individuals and groups in an effort to quietly transfer influence, weapons, and guidance from Serbia to ethnic Serb fighters in the diaspora. Secrecy was important because of restrictions on official Serbian cross-border military action. The state-paramilitary connection thus provided the Serbian leadership with plausible deniability, facilitating an ethnic cleansing policy for which the Serbian government hoped to avoid responsibility.

(Campbell et al, 2000, 307)

Two of the best known and most notorious “paramilitary warlords” were Vojislav Seselj, “a onetime dissident turned nationalist demagogue” who led the White Eagles, and Zeljko Raznatovic, or “Arkan” whose group was known as the Tigers . (Sell, 2002, 325) Seselj, better known in political circles, was often in and out of favour with Milosevic depending on the internal or domestic image portrayed at a given moment, while, Arkan, the son of a high ranking officer in the Yugoslav air force, remained a favourite. (Sell, 325-6) Having become a well known bank robber in western Europe during the 1970s and 80s, Arkan returned to Belgrade in 1986, when he took up a new career as a patisserie owner. After 1990 he established himself as a fan and patron of the Red Star Belgrade football association and its fan club, the Delije (Warriors), the same group who had violently clashed with their Croatian counterparts at a 1990 game in Zagreb. His role was to channel the group’s nationalism in ways more easily controlled by the government,

and when later that same year he founded his Serbian Volunteer Guard (SDG), known as the Tiger, its core fighters came from Delije. (Thomas, 1999, 94)

By the time of NATO bombing and during the 1999 Kosovo war, paramilitaries were being recruited from Serbian jails, where they were given amnesty in exchange for fighting. In a pattern familiar since the early 1990s, the police or army would go into an area, intimidate or secure it, and leave for the paramilitaries to follow. (Judah, 2002, 245-6) Members of the paramilitaries separated themselves into professionals who considered themselves “Serbian patriots”, fighting for the “Serbian cause” and former criminals who “for freedom...would do just about anything”. (Judah, 2002, 246-7) The “patriots”, made up of former members of Croatian state security, Bosnian war veterans and other experienced combatants, were sent into Kosovo to “fight the KLA and to cleanse away their support” but “money was the main thing”. (Judah, 2002, 246)

One Bosnian Serb, recruited by the Serbian Radical Party members recalled that

We heard that members of the Serbian secret police were transporting Albanian civilians in the trunk of their cars for \$2,700. There were some members of my unit who would take the money and just kill the guy. I didn't do such things. I took them to the border. When the NATO bombing intensified, I started doing the same thing – taking the money and killing them. (Judah, 2002, 246)

A former criminal recruited by Arkan's organisation just before the final phase in Kosovo, maintained, “We didn't arrest just anyone... we arrested important people, political types, functionaries. We didn't arrest people we weren't supposed to, but you know you have crazy people everywhere. People who would rape everyone from Serbia to Albania.” (Judah, 2002, 247)

Sources of conflict

The Serbian sense of victimisation in post-communist Yugoslavia had been reinforced by changes introduced in the 1974 Constitution under Tito. Responding to pressure, the two Serb provinces, Vojvodina, which bordered Hungary to the north, and Kosovo, in the south, were granted semi-autonomous status and powers separate from Serbia. In an official publication of the “Blue Book” in 1977, the 1974 Constitution was blamed for having, in essence, “curtailed the sovereignty of Serbia by ending it at the borders of the two provinces”, concluding that the “regionalisation of Serbia” was leading to an emerging “problem of the status of the Serbian ‘nation’ within Yugoslavia”. It was the first step taken toward expression of the basic tenets underlying the “new Serbianism” which was to resurface in a stronger form two decades later. (Conversi, 2000, 341)

In 1986, a group of “loyal nationalists” who were allowed to publicly articulate their positions on social issues “in the form of scholarly or aesthetic elaboration of the Serbian national question” under the auspices of the Serbian Academy of Arts and Science (SANU) and the Serbian Writers Association, published a Memorandum stating that the “‘Serb people’ throughout Yugoslavia” were “a kind of primary entity, possessing a unitary set of claims and rights which transcended any mere political or geographical division”. (Conversi, 2000, 342)

The Memorandum can be defined as the quintessential document of the Yugoslav intellectual *nomenklatura* made up of pseudo-dissidents who ... benefited enormously from the regime’s covert support. By referring simultaneously to Yugoslavia and Serbia, to socialism and liberalism, to dissidence and conformism, to nationalism and anti-nationalism, to unity and separation, these intellectuals were masters in double-speak.

...However, the baseline in the document was a stress on Serbian *victimhood* ...the Serbs were portrayed as victims of ‘genocidal terror’ by the Albanians, of ‘economic exploitation’ by the Slovenes, of cultural assimilation by the Croats, of religion conversion by the Muslims, of systematic historical impairment by the Titoist regime.
(Conversi, 2000, 342)

For the international audience, the inward refocus of Serbia was projected as a crusade to defend the values of the “liberal West” against “nationalism, communism, and religious intolerance”. (Conversi, 2000, 342) However, as Ted Gurr noted in his 1993 work on minorities at risk, “the very concepts *ethnic* and *minority* take on special meaning” in an Eastern European context. (Gurr, 1993, 173)

Every ethnic identity group is potentially a minority in some relational sense. Even a dominant majority can become a minority in the face of a concerted opposition (a coalition of disaffected minorities), thereby putting the majority state itself at risk.
(Gurr, 1993, 173)

While this set the stage, the actual dissolution and subsequent war of the Yugoslav state could not have taken place without the catalytic effect of a charismatic leader with powerful state and party “machinery” at his disposal.

In 1987, at about the same time Milosevic took control of the media, a kind of “ethno-kitsch” became popular. This apparent grass roots movement was expressed in “spontaneous yet officially orchestrated mass rallies”, in the new “turbo-folk” rock music, football slogans chanted by the fan club Crvena Zvezda, and statements made by many creative artists, members of the military, writers, journalists, and academics. Driven by imagery of Serbs as a wronged party, a victim of other ethnic groups in the former Yugoslavia who had never appreciated earlier efforts and sacrifices made on their behalf, an attitude of patriotic victimization began to spread throughout the media with statements such as “We do not hate them – they hate us!” and that Serbs were being treated as “Jews of the Balkans” through “no fault of their own”. (Udovicki et al, 1997, 1)

From 28 March 1989 onwards, when adoption of the new Serbian Constitution made Serbia in effect a unitary state, Milosevic facilitated what Daniele Conversi describes as the road of “secessionism by the centre” by “re-taking” Vojvodina and

Kosovo through abolishment of provincial autonomy, and forcing the subsequent exit of Slovenia. (Conversi, 2000, 343)

By the beginning of 1992, both Yugoslavia and the Soviet Union ceased to exist. Three of the nine countries of Eastern Europe that had existed prior to this time had been classified as multinational states or “states that govern more than one culturally, linguistically, territorially, and politically distinct ethnic identity group or nation”. All but three out of thirty minority groups considered to be at risk in Eastern Europe prior to 1990 were located within the boundaries of the former USSR, Czechoslovakia, and Yugoslavia. (Gurr, 1993, 177)

In transition from an authoritarian Stalinist type of state system utilising sweeping reform programs restructuring government institutions, and redefining intergroup relations, “formal and informal rules” and “norms of social group interaction” in the process, personal and group insecurities increased. (Gurr, 1993, 174-5, 177) Exacerbated by previous official sanction of “unique linguistic, religious, and cultural forms” that directly and indirectly “promoted social or political stratification or both on the basis of ethnic identity” it was assumed that everyone would feel “increased personal risk in an increasingly unfamiliar social landscape”. Social and political cleavages were more likely to be highlighted as individuals and groups “jockey for position and influence. In the confusion, it is possible that the proverbial “baby” of civil society may be thrown out with the “bath” of the coercive state, making every social group in the region individually and communally at risk. (Gurr, 1993, 174-5, 177)

Prior to the outbreak of war, Kosovo had experienced a long history of reoccurring cycles of political and ethnic violence with power changing several times between Albanians, Serbs and Montenegrins. In the early 1960s, Kosovo had

experienced the highest annual population increase in Europe, with 29% recorded solely by the Albanian population who had doubled in size between 1948 to 1981. After 1967, Serbs and Montenegrins emigrated in increasing numbers, leaving a 77% Albanian majority in the province by 1981. In the same year, Kosovo Albanians began agitating for independence with the rallying cry “Kosovo-republic!” (Pavkovic, 1997, 80-1) The Yugoslav federal government responded by sending in the military and police to suppress uprisings, but Kosovo political leadership, dominated by Albanians, did little to slow the exodus of Serbs and Montenegrins. In 1985 Kosovo Serbs protested their treatment by Albanians and by the late 1980s had attracted a powerful ally in Slobodan Milosevic, the Serbian Party’s president.

In April 1987, Milosevic visited a town near the capital Pristina, to meet with the Kosovo Party leadership. Upon his arrival, Serb and Montenegrin crowds gathered in a demonstration organised by Milosevic and Kosovo Serb activists. When clashes between demonstrators and Albanian Kosovo police began, Milosevic appeared to be “taken aback by the violence of the protest and the anger of the demonstrators.” (Thomas, 1999, 44) The crowd is said to have begun shouting to Milosevic who appeared in their midst, “They are beating us”, to which Milosevic responded with words that became a rallying point for Serbs throughout Yugoslavia... “No one should dare to beat you.” (Pavkovic, 1997, 84: Thomas, 1999, 44)

Milosevic’s assurance implied he was protector of Serbs in Kosovo, a role that superseded provincial authority. Warning bells were heard in other parts of Yugoslavia, for if Milosevic took that position in Kosovo, there was little to stop him from doing the same in Croatia, or Bosnia-Herzegovina. Testifying during the

May 2003 trial in the Hague, Milan Kucan, former President of Slovenia and leader of the Slovenian delegation's exit from the Communist Party congress in the 1990s, recalled, "Mr Milosevic's intentions were clear from his speeches as early as 1989. ...the message was that should Yugoslavia fall apart... Serbia would never agree to a situation where parts of the Serb people living outside the borders of Serbia would be left beyond the Serb republic." (BBC News, 2003)

As one Novi Sad, Vojvodina, resident recalled

I admit the great majority of people adored him... especially [after] the 8th session of the Communist Party when he took power. Then hostility and enmity began at that time.Milosevic and his people created the police and hatred toward other nationalists was not hidden. The result was that when we talked with friends, we had to be careful about what we were sayingyou couldn't tell them what you think.
(Serbia Interviews, June 2002: see Appendix)

An irony of Serbs choosing Bosnians, like Croats before them, as enemies, were in the number of similarities they shared. They were both multiethnic, multicultural Slavs who spoke Serbo-Croat with religious differences deriving from political reactions to history rather than from a separate development of theology. "The Bosniacs became Muslim because they collaborated with their Ottoman occupiers; the Serbs rejected Ottoman rule and remained Orthodox; the Croats' Roman Catholic faith, and their sense of belonging to Central Europe rather than to the Balkans, was preserved by Hapsburg rule." (The Economist, 1998, 9)

Recognized by Tito to be historically unique, Bosnia was constitutionally determined to be "a separate and multinational republic" consisting of Muslims, Serbs, Croats, Hungarians, Jews, who had lived together for generations in relative harmony. (Ali, 1994, 367) The intermarriage rate among Bosnians was estimated to be as high as 30%, with paternity defining ethnic identity. (The Economist, 1998, 9)

Sarajevo, Bosnia's capital, had been one of the most sophisticated cities in Eastern Europe, part of an "ancient land, the new republic of a modern state" which had been the "centre of a distinctly cosmopolitan way of life. ...The intermingling of peoples and cultures had continued apace in the twentieth century....Ethnicity had ceased to be the defining criterion of identity for Bosnia's new generation of 'Yugoslavs'." (Ali, 1994, 367) But by 1991, only 6% still identified themselves as Yugoslavs in a federal census, identifying instead as a member of an ethnic group, and in the final stages of war "fighting was fiercest where the inter-marriage rate was highest". (The Economist, 1998, 9)

Despite collaboration with both sides during the Bosnian war, the tragedy for Muslims was that their presence provided a means to an end for both Serbs and Croats. Useful to the Croats when they needed help in fighting the Serbs and vice versa, it became clear that visions of a 'Greater Serbia' and 'Greater Croatia' did not include accommodation for a separate Muslim territory or tolerance for 'mixed' marriages. "The objective was to 'cleanse' Bosnia not only of Muslims but also of the unique and dangerous cosmopolitanism of its cities which clearly had no place in the new 'pure' nation-states emerging from the ruins of Yugoslavia". (Ali, 1994, 368)

One characteristic of Milosevic-style ethno-nationalism was its selectivity, and outside of Bosnia, Muslims were not automatically targeted. Contrary to general international understanding, throughout the 1990s and later, Serbia continued to be composed of at least twenty different ethnic groups. A large group of Muslims living in the Sanjac region of Serbia, along the Montenegro border, although subject to tensions resulting from the Bosnian war, lived peacefully without encountering Serb ethnic cleansing. In 1992, the results of a federal census

for Serbia and Montenegro, published the self-described “national [ethnic] composition of population”. After Serbs, the largest group in Serbia were Albanians. There were also over 100,000 Hungarians, Muslims, Croats, Gypsies, followed by Slovaks, Macedonians, Romanians, Bulgarians, Russians, Montenegrins, Vlachs, Turks, and Slovenes. At that point there were just over 300,000 people who called themselves “Yugoslavs”; 44,000 “Others”; 16,000 “Undecided”; and 60,000 “Unknown”. (Janjic, 1994, 117-176)

Many of these minorities continued to live in Serbia throughout the 1990s, and while wars were being fought with Croatia and Bosnia, there were Croats and ethnic Hungarians living in the northern province of Vojvodina. For Milosevic, the wars were not about applying “ethnic purity in a racial sense” ...but about preserving the political predominance of the Serbs”. The majority of ethnic minorities within Serbia did not constitute this type of threat, with the exception of the Kosovar Albanians, “especially once they fought back”. (The Guardian Weekend, 1999, 13)

Interviews in Vojvodina and Belgrade during April 2001 and June 2002, reinforced this ethnic conditionality. Vojvodina was repeatedly described as a “very special” province with a “different culture and tradition”, where “for centuries mixtures of cultures and nationalities” made it special (Serbia Interviews, April 2001, Demek: see Appendix). Subotica, its’ northernmost city on the Hungarian border was described as having a “huge number of mixed marriages” (Serbia Interviews, April 2001, Subotica: see Appendix) Though tensions had been especially high among the Serb Muslim population during the Bosnian war, it was clear both in interviews and observation during fieldwork in Serbia, that Muslims

were considered to be a different group from Kosovo Albanians and that it was specifically Albanians with whom Serbs did not get along.

In the 1990s, with the exception of Serbia – and for a brief time Slovakia, when anti-Hungarian feelings were exploited- most Eastern Bloc politicians had envisaged association with or entry into the European Union as a goal. This thinking was mirrored in the similarities and differences between Serbia and Croatia. In the early 1990s both had been led by leaders, Slobodan Milosevic and Franjo Tudjman, who had much in common. Although both had acquired and reinforced their power through systematic corruption thinly disguised by a veneer of democracy, their attitude towards the West varied greatly.

In 1998 it was noted that while differences appeared to be superficial, Serbia was in truth looking back toward the past while Croatia was preparing for what lay ahead. In Zagreb, capital of Croatia, there were ordinances against hanging laundry to dry in public, and western music was commonly played in cafes and restaurants. At the same time, in the Serb capital of Belgrade, the ambient music was “Serbian city folk” and a chaotic proliferation of gray and black market kiosks dotted the streets. “Croatia desperately wants to belong to the West, and can...be pushed towards greater openness and pluralism. Serbia is ambivalent at best. The West can bully and cajole Serbia, as it is doing, but it cannot seduce it. Change, when it comes, may be sudden and violent.” (The Economist, 1998, 12)

Despite its peaceful reputation, violence erupted between Serbs and Hungarians, who make up approximately 15% of the population, in the northern province of Vojvodina during late summer 2004. Serbian government representatives agreed that these events need not “overshadow the traditionally solid inter-ethnic relationships” and that there was no need to involve the international

community. (B92, 8 September 2004, Kostunica) When the European Union's Council of Ministers arrived for a visit to the province on 13 September 2004 they declined to discuss the matter and the Hungarian Foreign Minister Laszlo Kovacs stated that "the incidents were a law and order issue which the Serbian government should resolve in order to meet the standards required for EU membership". (B92, 13 September 2004, EU ministers)

The Federal Foreign Minister Vuj Draskovic stated that those who had "committed individual excesses" in particular those responsible for writing graffiti "urging Hungarians to leave Serbia" must be identified. "I'm afraid of the self-proclaimed patriots getting carried away with words, because over the past fourteen years their battle cries have only pushed Serbia into disaster." (B92, 8 September 2004, Kostunica)

The road to peace

In the post-Kosovo era, it became clear that there had been three Serbias. One had been in full support of Milosevic, the other, clearly resisting, and the third, and perhaps the largest, an uncertain group, not totally convinced, but ending up going along with a trend they felt helpless to prevent. It has been claimed that "for the war to become thinkable, trust that had steadily grown since World War II despite some tensions between the ethnic groups had to be rooted out first, and confusion, doubt, and fear implanted in its stead". (Udovicki et al, 1997, x, 109)

A male Croat raised with Serbs in Novi Sad, the Vjvodina river city north of Belgrade whose bridges were bombed by NATO, recalled those years:

I changed...I was very realistic from the beginning. I rejected Milosevic from the beginning but when I saw he [was in power].. I became insincere towards myself. I needed to convince myself that he was good. ...I ask all the time about those people in the media for their responsibility. ..The media are responsible for the things...They accepted regime ideas and mercilessly spread them through the media....Milosevic expelled people from the media and

took the media into his hands. He knew how to rule.
(Serbia Interviews, June 2002: see Appendix)

Throughout the late 1980s and 90s, there had been internal opposition to the draft and to Milosevic and his policies inside Serbia. When the Croatian war began, there had been an exodus of Croats and Hungarians from the Vojvodina province to Budapest, Hungary. Others stayed behind in Serbia, becoming draft resisters on the run. Also, a number of academics and journalists were expelled from their positions. (The issue of draft evasion, and expulsion were mentioned repeatedly in interviews conducted in Serbia during both the January 2001 and April 2001 visits.) In 1999, when the final phase of the Yugoslav war began, a final wave of draft resisters (encouraged to resist by NATO and the international community) again fled to Hungary, or hid inside the former Yugoslavia. At the time of the Kosovo War, Amnesty International estimated that up to 23,000 draft evaders faced military trial and imprisonment in Serbia. (Amnesty International FRY, 1999)

The end of Milosevic was unanticipated by most of the international media, but clearly understood by Serb voters who had begun to reflect a growing majority of 'undecided' voters in political surveys just prior to the 2000 election. (Serbia Interview, April 2001, Open University Subotica: see Appendix) Political opposition to Milosevic and his SPS Party (Socialist Party of Serbia) had surfaced earlier during the November 1996 protests when hundreds of thousands of Serb opposition supporters, unified under the Zajedno coalition, accused the government of cancelling local elections results where the opposition had won office. A series of street protests continued until February 1997, when after interference by the OSCE, Milosevic issued a letter urging Prime Minister, Mirko Marjanovic, to propose a law to parliament (Lex Specialis) recognising the legitimacy of the Zajedno victories. Enacted on 11 February, this step, though technically

unnecessary, was seen as a way for Milosevic to reinforce his power to control events. (Thomas, 1999, 277-316)

Political opposition continued after conflict erupted in Kosovo. Milosevic was widely held personally accountable for letting NATO bomb Belgrade, and following the subsequent loss of Kosovo, he was doomed in domestic politics. On election day 24 September 2000, the DOS (Democratic Opposition of Serbia) announced that it was winning at all levels, with Milosevic losing to their candidate Vojislav Kostunica. Milosevic and his supporters resisted ceding the election, until 5 October, when huge crowds from around the country gathered in Belgrade, clashed with police and set the parliament building on fire. The police withdrew and the army did not intervene. The next day Milosevic stepped down from office. By the end of March 2001, he was arrested in Belgrade for war crimes, and at the end of June was sent to the International War Crimes Tribunal in the Hague. (SMMRI Media Monitoring, Elections 2000)

Ironically, it may have been Milosevic's relative tolerance for internal political opposition that laid the groundwork for his downfall.

Though Slobodan Milosevic pursued thuggish policies outside Serbia's borders, within the narrower confines of Serbian domestic politics he was not an out-and-out dictator. He was a semi-authoritarian leader who permitted some real political space for opposition parties, independent NGOs, and media. He pressured, harassed, and disadvantaged those groups to varying degrees, but they operated openly and actively. As a result, credible local partners existed for Western groups to support.

Related to this, elections were already well established as a genuine mechanism of political competition in Yugoslavia well before the 1999-2000 campaign. Milosevic had certainly cheated and bullied his way through past elections, but some of them, such as the 1992 contest between Milan Panic and Milosevic as well as the 1996 local elections, were serious affairs in which opposition groups competed hard and, in the latter case, successfully fought to uphold its victories. Thus....a critical part of the important groundwork on elections was already in place. (Carothers, 2001, 6-7)

The arrest of Milosevic and subsequent trial in the Hague was difficult for Serbs of all political persuasions. “For Serbs, Milosevic was over when he was thrown out in October 2000”, and the necessity for a public trial was suspected to be a way for the international community to humiliate all Serbs (see Chapter One). (Serbia Interviews, April 2001 Open University Subotica: see Appendix)

Conclusion

The heady days of 5 October 2000 have since been counterbalanced by the difficult and painful process of recovering from partially self-inflicted economic and political problems. One unanticipated effect of the break up of the former Yugoslavia was the number of Serb refugees who fled to a country unprepared for ethnic cleansing in reverse. “On the eve of war the Serbian rallying cry was ‘All Serbs in One State!’” In trying to create an imagined reunified Serb state, with the exception of the 200,000 or so Serbs in the newly formed Republika Srpska, the Serb half of Bosnia created during the war, Milosevic’s actions accelerated reverse ethnic cleansing of Serbs, creating “800,000 Serb refugees from Croatia, Bosnia and Kosovo”. (Judah, 2002, 60) Ill equipped to deal with this mass influx, Serbs have been learning to cope with the various economic, social, and political issues common to all countries under pressure from large numbers of post-conflict refugees.

This difficult transition is still in its early stages. Accountability for acts committed in the name of all Serbs by the government and satellites is still difficult for many to accept. “Serbs need to know what was done in their name.” concluded Belgrade journalist Bratislav Grubacic when speaking of the massacre at Srebrenica. (Serbia Interview, 2001, Grubacic: see Appendix) “Responsibility? Individual versus collective responsibility? It’s useful- can’t say they’re all responsible but in

fact I believe we are all in some measure responsible.” (Serbia Interviews, June 2002) “Serb nationalism needs to be examined and politics adjusted to the modern world”. (Serbia Interviews, January 2001: see Appendix)

In January 2003 Serbia and Montenegro split in a “divorce”, when the parliament of Montenegro voted to dissolve the Yugoslav federation, to be replaced with a loose association sharing a common foreign and defence policy. Supported by the Serb parliament, there were provisions for a three-year waiting period before a referendum for independence could be held by either country. So far, Serbia has been willing to give Kosovo autonomy but not independence. (“Montenegro is a divorce...but Kosovo... will go on for ten years...it will last a long time.” (Serbia Interviews, January 2001, Belgrade students: see Appendix)

A few months later, in March 2003, Prime Minister of Serbia, Zoran Djindjic, “a reformer who courted controversy in his own country with his pro-western stance” was assassinated, throwing the country into turmoil. (BBC News, Djindjic, 2003, Obituary) Corruption, a direct legacy of the Milosevic years, dogs the country with organised crime still a prevalent and in some areas, growing problem. Kosovo remains a very troubled place with an uncertain future as attacks and killings against Serbs living there have continued.

A symbol for dramatic political reform, it has been clear that Djindjic’s death has functioned as a catalyst for Serbs to begin realistically facing their political and economic future. The challenge for the Serb population is to construct a viable democracy that supports legitimate economic growth and pragmatically deals with the proposed sovereignty of Kosovo. The re-emergence of nationalism, accompanied by lack of experience with the democratic process, and the eruption of

violence in Kosovo, spilling over into Southern Serbia, has tested the Serb and Albanian commitment to peace.

When the independent Belgrade-based news agency, B92, interviewed Kosovo Albanian artist Enver Petrovci about the violence in late March 2004, he envisaged a wider view beyond the problems between Serbs and Albanians. “When I think about my life I certainly don’t think solely about myself and Kosovo. I think about the whole Balkans.” For him, “victors have ruled without understanding of the vanquished” as acquisition of power in the Balkans has never “been ruled by reason” and “people do not come to power here ... to make things better for the people, or the city or their state” but “to spite one another. ...somebody is constantly taking his revenge”. (B92, 25 March 2004, Independent Intellectuals)

However, both Serbs and Albanians have shown that when they are determined to do so, they are capable of making great and positive changes. This was evident when Serbs deposed Milosevic, and when Serbs and Albanians worked together to settle earlier violence in the border region of Southern Serbia. As Kosovo Albanian, Jetmir Balaj observed,

This is a wakeup call for all of us, for honest people, for all the good people who will fight for themselves and a better future, who are sick of Serbs and Albanians. People who want better things for themselves, for their children, who want a better future, who would never have thought of this.

But there are dark forces, too. And we have to get rid of those forces for ourselves. It can’t be done by anyone from the outside, it can’t be done by UNMIK or KFOR. We have to do it ourselves. It has to be our message, five years after the bombing began.

(B92, 25 March 2004, Independent Intellectuals)

The possibility of taking the first steps toward EU membership has been the carrot for both Serbia and Montenegro to continue their democratic path. At the beginning of 2004, Croatian President Stjepan Mesic declared that “Europe’s future

lies in association, in open borders. This is the Europe in which Serbia should take its place”. (B92, 26 January 2004, Croatian President Stjepan Mesic,)

In January 2001 a student declared that for the “first time in Serbian history we changed our authorities peacefully.” (Serbia Interviews, January 2001, Belgrade Students: see Appendix) Serbia has been facing the double jeopardy of post-conflict recovery and complete political and economic transition from one system to another. After years of heading in a doggedly different direction, Serbia knows it is sailing into uncharted territory, with many lessons to be learned by both Serbs and the international community.

Chapter Five: South Africa

The peaceful transition of power in South Africa, from apartheid to an ANC-led government, was not widely expected prior to the 1994 election. “In the 1980s few people either inside or outside South Africa anticipated the irreversible liberalisation of the South African polity”, or the sudden “passage from white minority ...to African majority rule”, that began with President de Klerk’s reversal of the ban on the ANC, 2 February 1990, and culminated in the Presidential inauguration of ex-prisoner and ANC member Nelson Mandela, on 10 May 1994. (Guelke, 1999, 1-2)

Instead, many, like Afrikaner journalist/author Rian Malan, feared an impending apocalypse.

All across the country, the white right is on the rise. Shadowy vigilante groups are cruising the streets of small towns, shooting blacks at random from the back of pick-up trucks. In the cities, they’re blowing up black taxi-ranks, stirring up mayhem in the townships, plotting to assassinate the traitor De Klerk. The whites-only [areas are]... under siege by muggers and burglars, slowly turning into an armed camp. I wish I could say this will end well, but I find it hard to have faith. (Malan, 1990, 421)

South Africa’s political struggle, well known as one of the starkest examples of legalised racial oppression in the world, is also a story of how two ethnically distinct groups of white colonizers, the Afrikaners and the British, “superimposed” their competition on the “white-black conflict”. The society that took shape in South Africa by the mid 1850s was somewhat unique when compared to that in other countries colonised by Europeans. Neither self-sufficient nor dominantly white as in Australia, nor bearing any similarity to India where Europeans had more limited roles as traders, missionaries, and rulers, South Africa remained somewhere in between. Where whites did settle in large numbers, they assumed a position of a

superior group but were highly dependent upon the labour of black Africans. It was one of the “very few European colonial settlements where the dominant racial minority was ethnically divided” but also where they equally supported a policy of racial segregation that led to apartheid. (Giliomee, 2003, 285, 283)

Some of the answers to the ways in which South Africa prevented a civil war lie in the country’s historic enmity between these two white colonising groups, development of legislated apartheid from a jointly advocated policy of segregation, the way in which civil unrest transpired, the white government and white citizens’ response, interaction with the international community, and the willingness of the black African community to move on to the future.

Background

European colonisation of South Africa can be traced back to Cape Town when the first Dutch settlement by the Vereenigde Oost-Indische Compagnie (VOC), better known as the Dutch East India Company was established in 1652. The first recorded encounter between Europeans and the natives had taken place in 1488, when Portuguese sailors, led by Bartolomeu Dias, set anchor in Mossel Bay and continued 300 miles up the coast. Noting huge herds of cattle belonging to the Khoikhoi natives (latter called Hottentots by Europeans), they established the existence of an alternate route to the Indies, giving the Cape of Good Hope its’ first of several names, “Cabos de Todos los Tormentos”, the Cape of all Storms. (Welsh, 2000, 1-2)

While Western and Eastern coastal regions farther north such as in Ghana, were developing wealthy empires by trading gold and slaves with Europe and Asia, South Africa remained isolated. With exception of the area in proximity to the Cape of Good Hope, there were few safe harbours, rivers had limited navigation, and

access by land was discouraged by a desert stretching from the Atlantic to the Vaal, and swamps in Mozambique. The result was slower exposure to modernisation, than in other areas of the continent. (Welsh, 2000, xxiv-xxv)

This isolation ended when Simon van der Stel, “one of the founding fathers of Afrikanerdom, the first famous ‘Afrikaner’” (a word that came into use during his lifetime) arrived with his six children, minus his estranged wife, to become the Dutch East India Company’s Governor in 1679. Eventually severing all ties with Holland he began a “South African dynasty”, becoming an Afrikaner icon despite the fact he was not native Dutch, had been born in Mauritius of Dutch and Indian descent, and under apartheid would have been classified as “Coloured”. During this time, South Africa became an established colony expanding by hundreds of miles, increasing agricultural production, and firmly establishing Dutch language and manners. French Protestants, who fled persecution in France after 1688 were also rapidly assimilated into the prevalent Dutch culture. (Welsh, 2000, 50-52)

By 1780, the Cape Colony began to feel the effects of revolutionary changes taking place in Europe and America. In Holland, pro-French and anti-English groups, inspired by the success of the American Revolution, attempted to join in a coalition of “seafaring powers” banded against Britain. First French, then American ships began appearing in the Cape. Finally the British, supporters of the House of Orange, under William V, who was the enemy of the Patriots’ Free Corps in the Netherlands, helped along by Prussian intervention, brought the war to a close in 1787. On 11 June 1795 the British, arriving with a letter from the Prince of Orange, took over government of the colony. This first British occupation was short-lived and ceded to the newly formed Dutch Batavian Republic (allies to the French) in the Treaty of Amiens 1802, as settlement for the end of the Napoleonic war. Following

the first abdication of Napoleon and reinstallation of the Prince of Orange in the Netherlands, the British returned to the Cape Colony, now more highly valued as a strategic outpost against the French, for good in 1806. (Welsh, 2000, 84, 88-9, 97)

They inherited a region of over 80,000 people which consisted of a mix of “colonists, Khoikhoi, slaves, and the increasingly numerous ‘Bastaards’ of mixed descent”, as well as Xhosa and Bushmen, who had survived disease and persecution while living on the periphery of settlements. In the Cape itself were 30,000 slaves and about 25,000 prosperous burghers of Dutch, French and German descent who spoke Dutch or the related “taal” that came to be known as the Afrikaans language. English speaking farmers and Hollanders, exposed to recent world events in Europe, and newly arrived inside the relatively isolated Dutch farming communities, tended to divide the rural farmers from the newcomers. English law, using a system of magistrates, began to initiate a political transition by replacing the previous Dutch code and curbing the Governor’s powers. (Welsh, 2000, 105, 127, 132-3)

In 1834, the English-led emancipation of Cape slaves most of whom had been born there “of mixed descent... speaking a patois that became Afrikaans”, essentially acknowledged that a “Coloured community” had already been formed. This act not only ended all statutory discrimination and slavery but also abolished institutions that had been familiar to Afrikaners. This, coupled with mismanagement of Dutch farmers’ land claims by an English land tenure administration influenced by a strong anti-Boer prejudice, sparked an Afrikaner exodus to the frontier out of British control. This mass movement of around 15,000 people between 1835-55, became known as The Great Trek, one of the most enduring of Afrikaner symbols. (Welsh, 2000, 148-9, 146, 150, 152)

The Trek was represented as a “bold defiance of the British Empire, a courageous endeavour to find freedom from persecution in the great spaces of Africa”. It was later symbolized by a voortrekker monument in Pretoria, celebrated by national holidays, and firmly implanted at the “centre of Afrikaner national consciousness”. (Welsh, 2000, 146-7) The Trek resulted in scattering Afrikaners across what is now modern South Africa, except for the southeast seacoast, and to destroy any chance for establishing a solely Afrikaner republic where they were “self-sufficient in their labour needs”. (Giliomee, 2003, xv)

The new Boer Republic of Natalia, on the East side of the Cape, was taken over by the British in 1843. The Orange Free State and the Transvaal became Boer republics. (Welsh, 2000, 146-7) While these republics were established by fighting natives for their land, it was not the trekkers or their descendants but rather the British army who defeated indigenous African resistance in the eastern half of South Africa in the 1870s and 80s. (Giliomee, 2003, xv)

Historian Hermann Giliomee maintains that the Afrikaners “were both a colonized people and colonizers themselves, both victims and proponents of European imperialism”. When under the control of the Dutch East India Company they had been treated as a form of indentured servant with possible punishment for misbehaving resulting in the Company taking them back into service as sailors or soldiers, with the effect of breaking up their families. While this situation was precarious, they were also slave-owners and a part of colonial domination. When the British conquered the Cape for the final time in 1806, the Afrikaners, a name that had come into common use, while enjoying privileges accorded British subjects, were now under a foreign ruler who “displayed the contempt British imperialists so often showed for what they regarded as lesser cultures and breeds of men”, and

Afrikaners were often portrayed as rough, backward people who were “lacking in industry and cruel and unjust in their dealings with indigenous people”. (Giliomee, 2003, xiv)

Growing hostilities between the Afrikaners and the British, exacerbated by the discovery of diamonds in 1867, resulting in the Diamond Trade Act of 1882 which supported the De Beers diamond mines, and the 1886 discovery of what would become one of world’s most extensive gold deposits in the Transvaal, erupted into civil war. The Boer War of 1899-1902, came at the end of a century of “conquest, expansion and compromise” that resulted in two opposing white interpretations of South African history. A British historian saw their victory as “the colonial British ideal of progress towards a multiracial democracy, slowing but still powerful”, facing off the “Dutch republicans unflinching assertion of white dominance and denial of political rights to all others”. (Welsh, 2000, 301, xxvi) Unsurprisingly, an Afrikaner’s historic interpretation was that in fighting the “twentieth century’s first anti-colonial war” the Afrikaners were among the first groups “to experience the horror of total war and concentration camps for civilians” between which one-tenth of the Boers died and almost all farms were destroyed. (Giliomee, 2003, xv)

The war between whites utilising artillery on both sides made South Africa

qualitatively different from all other African colonial states. ...Nothing less than the huge cost in both sides’ blood and treasure in the second African war, together with a joint determination to quash any hopes that blacks may have harboured from thinking that the war had also been their own, could have made politically possible the centralization of four white polities into a Union. (Greenstein, 1998, 291)

English speakers tended to represent Afrikaners as villains and fanatics who created or “at least perfected institutionalized racial discrimination”, while Afrikaners unwittingly contributed by emphasising their status as the only whites who were “truly indigenous” and who would “fight to the end for white

supremacy”. Giliomee maintains that the “Afrikaner-British rivalry should be understood as a typical fight over relative group status and symbols similar to other such struggles around the world”. (Giliomee, 2003, vi)

Political economist Sampie Terreblanche has described the Anglo-Boer War as “undoubtedly the greatest tragedy in South Africa’s history”. While it was fought to protect British interests in southern Africa, “its high cost and the way in which it was conducted” accelerated British “economic and moral decline as an industrial and imperial superpower”. From an Afrikaner and black African view it was an economic disaster and “impoverished many people in both groups”. (Terreblanche, 2002, 244-5)

From about 1890 to 1924, there was an “economic and political ‘revolution’” where

...various political units- controlled by the British, Afrikaners, and independent African tribes- were united into the Union of South Africa under the effective political control of whites. During the same period a mining and agricultural revolution took place in the northern provinces that not only extended in the Cape to the North, but also institutionalised a fully fledged system of racial capitalism in all sectors of the South African economy.
(Terreblanche, 2002, 239)

As Terreblanche has emphasised,

this period was not only one of state-building, during which white political domination was consolidated, but also one in which the state- on behalf of foreign-owned mining corporations-built the institutional and physical infrastructure of white supremacy. At the same time, it created a racially based socio-economic and labour structure aimed at supplying foreign corporations and white farmers with a cheap and docile labour force. Consequently, a symbiotic relationship developed between white political domination and racial capitalism that endured until the 1990s.
(Terreblanche, 2002, 239)

The Union of South Africa was officially established in 1910, combining the two British colonies of Natal and the Cape Colony, with the two Afrikaner

Republics, the Transvaal and the Orange Free State. In the years prior to the Afrikaner Nationalist party coming into power, a series of key legislation jointly supported by English and Afrikaners set the stage for apartheid. Disagreement between English and Afrikaners over colour policies did not lie in the policy of racial segregation itself, but in the way it was implemented under apartheid.

Alfred Hoernle, an English-speaking liberal intellectual in the 1930s and early 1940s, “would have found it astonishing that people in the final decades of the [twentieth] century could think that race relations were relatively benign before the 1948 election”. He and others opposed interracial activities “not on biological but on social and political grounds” and observed that there existed two kinds of segregationists; the “single-minded type” who looked upon all black Africans as a threat to all whites, and the “double-minded segregationist” who “aimed at the parallel development of white and black interests under white control”. (Giliomee, 2003, 448)

Segregation to apartheid

Between the 1870s and 1913, a perception, despite the obvious minority status of whites (340,000 whites to 2.2 million non-whites in the late 1870s, and 1.25 million whites to 6.4 million non-whites in 1915) took hold among both British and Afrikaners that South Africa, with the exception of areas with heavy African settlement, was a “white man’s land”. The issue not only focused on white supremacy, but more importantly on “which whites would dominate”. Although bitter enemies in many respects, the “Dutch and English ‘races’”, as they were referred to in the mid 1800s were prepared to set aside their political differences only “at the point where it jeopardized white supremacy itself”. This was

particularly the case in the Cape Colony where Afrikaners had a three to one majority over the English. (Giliomee, 2003, 283, 487)

The legal foundation for the formal system of apartheid enacted in 1949 can be found in the Natives Land Act of 1913, the Industrial Conciliation Act of 1924, and the Immorality Act of 1927. It has been pointed out that the strongest ideological influences on apartheid were not “Nazi racial dogmas” but widespread white community support of segregated schools, theological teachings of the Dutch Reformed Church; “a people’s church or *volkskerk* with a mission strategy of working towards self-governing indigenous churches”, the policy of racial discrimination and segregation in the southern United States, “imperialist ideas about indirect rule and trusteeship”, and “emerging theories of social conflict in plural societies”. (Giliomee, 2003, xvii-iii)

“Development and dissemination” of apartheid as a formal operating ideology produced by Afrikaner nationalism was “a project that originated in the church in the Orange Free State and in the political and academic circles of the Western Cape rather than in the Transvaal-based Afrikaner Broederbond [brotherhood]”. While there have been references to a link between German and Afrikaner nationalism in the 1940s, there has been little evidence to suggest that it was ever more than “tenuous at best”. Introduction of apartheid legislation was clearly stated by the Nationalist Party to have been inspired by the legal segregation then existing in the American southern states. (Giliomee, 2003, The Making of , 376-7) Citing an 1890 American post-Civil War book by Henry Grady called The New South, advocating “separate but equal” policies as “a form of segregation with genuinely equal opportunities for both whites and blacks” South African politician Jacob Wilhelm Sauer introduced the 1913 Natives Land Act designating areas “outside of which

blacks could neither purchase nor rent land, and within which no one but blacks could buy or lease land". (Giliomee, 2003, 303-4, 309)

Immediately following the Anglo-Boer War, poverty among Afrikaners had increased dramatically. It was a time when "gold mines were unwilling to employ landless Afrikaners despite the fact that the mines were...suffering from an acute shortage of unskilled labour" due to discrimination against them by mining companies and British mine workers. During and after a miners' strike in 1907, Afrikaners were employed for the first time in skilled and semi-skilled jobs previously held by British mineworkers.

Coming into power in 1910, the Botha/Smuts government sought to accommodate demand for lower labour costs by the mining and agricultural industries while keeping the job supply steady for white labour, especially mineworkers and poor Afrikaners. This was accomplished in 1911 via passage of two segregationist laws designed to control black African labour. The first was the Native Labour Regulation Act, which was a "*repressive* measure aimed at making African labour cheaper and more docile" and the Mines and Works Act which was a "*discriminatory* measure aimed at protecting white miners against competition from Africans". (Terreblanche, 2002, 268-9)

These laid the groundwork for protection of whites at the expense of black workers in the Industrial Conciliation Act of 1924.

This act was supported by a broad spectrum of political interests, the white bureaucracy, and a united front of mining, industrial, and agricultural employers and white trade unions. Its most important stipulation was that 'pass-carrying' black men could not become members of trade unions, and were thus excluded from the official labour relations system. This was a *repressive* measure with far-reaching implications for the bargaining power of Africans, and also a *discriminatory* measure, because Africans could no longer participate in wage negotiations alongside white workers. (Terreblanche, 2002, 271)

South Africa remained a poor country until the mid 1930s with Afrikaner poverty continuing as a dominant problem. Generally perceived as an urban issue, the lack of income meant that impoverished whites and other races tended to live together in the same mixed low income areas. Fear of racial miscegenation and dilution of the white race became a concern for elite whites. (Giliomee, 2003, 340, 344) The Immorality Act of 1927 (originally passed 30 September 1926) was enacted to ban “extra-marital intercourse” between whites and blacks. (South African History, 2004)

When the Afrikaner National Party won power by a slim margin in May 1948, it was treated as a great victory by Afrikaners. At this point in time Afrikaners constituted 57% of the white population had a 29% share of total personal income, English speakers had a 46% share, and black Africans who totalled 68% of the population had a 20% share. About one third of the Afrikaners worked on farms, a figure that would drop to half that number by the early 1960s. Over a million Afrikaners lived in urban areas and were primarily considered to be in working class occupations, with 27% in upper income jobs. There were “now very few Afrikaners considered to be poor whites or ...unskilled” and “it was this profile of the Afrikaners that the NP [Nationalist Party] had in mind when it introduced the apartheid system”. (Giliomee, 2003, 489)

Apartheid, “a system of minority domination of statutorily defined colour groups on a territorial, residential, political, social and economic basis” that lasted for almost fifty years (Boraine, 1999, 6) formally began in 1949 with enactment of the Mixed Marriage Act banning marriages between whites and non-Europeans. This was followed by the 1950 Immorality Act which amended the 1927 law to extend prohibition of any form of sexual relations between whites and all “others”,

to include Coloureds and Indians and the 1950 Population Registration Act, considered to be “the basic weapon of apartheid, under which every person had to be classified as ‘White’, ‘Asian, and Indian’ or ‘Coloured’” and made to carry an identification card listing their racial category. (Welsh, 2000, 430)

Forced removals of blacks from urban areas to townships was set up through the Group Areas Act (1950) which allowed designation of an area to be used solely by one race; the Illegal Squatters Act (1951) which provided the framework for removing “surplus natives” from cities and towns; and the Abolition of Passes Act (1951) which mandated that black men carry passes at all times. This caused strong resentment in the black population. (Welsh, 2000, 430) As Mahmood Mamdani has noted “Without underlining these institutional modifications it is not possible to understand the incredibly enhanced capacity of the apartheid state to effect the expanded program of influx controls and expulsion procedures – a program summed up in two fearful words, *forced removals*.” (Mamdani, 1996, 102)

Despite legislated enforcement, in reality, apartheid had never worked as well as had been projected. It sustained itself by perpetuating fear of the native black majority among the white minority, and creating a false economic dependency based on underpaid labour and exclusion of the country’s majority workforce. Enforcement had also never been comfortable with the categories of Asians and Coloureds, whose mixed race numbers had increased throughout apartheid. Each year, as the international community increased its scorn, eventually imposing economic sanctions, and the native African population felt there was less to lose through open protest, the fragile networks that had held the apartheid system together began to unravel, and inter-racial violence began to increase.

The conflict

South Africa came close to an all-out civil war in the late 1980s, with a great deal of torture, bloodshed, and collusion on all sides, but similarly to the 'Troubles' in Northern Ireland, it was never a publicly declared conflict. Almost all accounts agree that the crisis and subsequent settlement were the collective outcome of an ANC-led revolt, internal social movements, external international pressure in the form of sanctions and that the eventual peace was a result of a policy shift from one of confrontation to negotiation by the liberation movement under Nelson Mandela and the National Party (NP) under F.W. De Klerk. (Hysop, 1999, 2)

The groundwork for the eventual demise of apartheid and political transformation of South Africa was laid in the late 1950s when a number of groups such as the ANC (African National Congress), the PAC (Pan-Africanist Congress, the SAIC (South African Indian Congress), Black Sash (women's organisation), and others (many African women in the townships took leadership in leading protests) began to band in an united front under the Congress of Democrats. Attempting to launch a non-violent Defiance Campaign in 1952, they held massive demonstrations, burned pass cards, and held boycotts. The government's response, at first hesitant, became uncompromising and led to the Sharpeville Massacre of 1960. (Alden, 1996, 17-8) The catalyst for the changes in the early 1990s that culminated in Nelson Mandela's election, has often been traced to Sharpeville as a key event and can be broken into three phases; the years 1960 to 1984; 1984 to 1986; and 1986-1990.

The beginning 1960-1984

The Sharpeville Massacre of March 1960 took place in a township located outside Vereeniging, where the Pan-Africanist Congress (PAC) orchestrated an anti-

pass demonstration. Several weeks earlier nine policemen had been killed in a similar demonstration in Cato Manor, and the poorly trained police force panicked and began firing on the crowd, killing 69, most of whom were shot in the back. While similar incidents had previously taken place and would happen again, Sharpeville turned into a domestic and international watershed for the apartheid government.

By April 1960, the government banned the ANC and PAC, “detention without trial was introduced” and “torture of prisoners became standard practice”. Stiff sentences and a number of death verdicts were given to organisers of the opposition. (Davies et al, 1985, 142) Decreeing that the African majority of South Africa were citizens of ten “ethnic homelands” and part of the Bantustan programme, the government began forcibly removing them to these areas. This action sparked immediate international protest and official condemnation of South African policies by the UN General Assembly. (van Kessel, 2000, 2) In September 1966, Prime Minister Dr. H.F. Verwoerd was assassinated by a white parliamentary messenger and Balthazar Johannes Vorster took power. (Welsh, 2000, 464)

The Soweto Uprising of 1976, touched off by schoolchildren protesting an attempt to introduce Afrikaans instead of English as the main language for school instruction, included Indian, Coloured, and black African youths and spread to townships in the Rand, Pretoria, Natal, and the Cape. An unofficial death toll from the rioting was estimated to be 500 (the official figure was 360), and although the government became more repressive, they also became increasingly aware of the consequences of their actions. The proposal to use Afrikaans as the dominant educational language was dropped, electricity was installed in the townships, and

large numbers of young people emigrated to countries just north of the South African border to join the ANC. (Arnold, 1999, 257-8)

After P.W. Botha came to power in 1978, he countered re-emergence of resistance in the 1980s with a “total strategy”, a policy of keeping the black African community under complete subjugation so that “every facet of their life- residence, employment, education, public amenities, and politics-was regulated to keep them in a strictly subordinate role”. (Meredith, 1999, 16) The years 1983 to August 1984, saw formation of the United Democratic Front (UDF) which reacted to government actions, by launching high-profile campaigns against the 1984 constitution which had formed a tricameral parliament that opened political power to Indians and Coloureds, but totally excluded black Africans. Many “colored and Indian organizations within the UDF were in the forefront of activity.” (van Kessel, 2000, 2)

The 1984 to 1986 revolt

Called “the most turbulent period in South African history since the Anglo-Boer War”, the period of 1984 to 1986, can be seen in hindsight as a turning point of change for South Africa’s government. September 1984 to July 1985 saw grass roots uprisings in the African townships of the Vaal Triangle, “where initially localized protests around schools and rents gradually evolved into a challenge of the authority of the local and central state”. (van Kessel, 2000, 2, xvii)

By the mid 1980s, groups of black youths, known as “comrades”, were fighting heavily armed police and soldiers inside the townships with “stones, catapults, and petrol bombs”. (van Kessel, 2000, 5) The exiled ANC, supported them from afar and in person by infiltrating townships where “many comrades saw

themselves as the shock troops of revolution and believed [victory] was within their reach". (Meredith, 1999, 15)

The grassroots action in the black townships was supported by whites and others, recalled Vincent Kolbe, one of the 1980s founders of Cape Town's countercultural Bush radio 89.5.

We fought for the airwaves and were raided and summoned until the government issued the license...[we] were the only radio station with a gay hour...Noam Chomsky, Angela Davis...The 80s are when whites joined en masse...The United Democratic Front was potent in the 1980s...because white students took to the streets.

(SA interviews, 2002, Kolbe: see Appendix)

Botha's government, claiming that this was a communist-inspired insurgency, reacted with mass arrests, while imposing a series of states of emergency which gave the security forces "unlimited powers" to deal with the black African population. They arrested and interned without trial community leaders, student activists, church workers, and union officials, while lending support to "right-wing vigilante groups". To slow down ANC infiltrations, they "launched cross-border raids into neighboring countries and trained and supplied rebel groups to disrupt governments there". (Meredith, 1999, 15-6) The heavy handed violence of the state security forces escalated reaction in the townships, which the government perceived to be from UDF agitation, but which was in most cases "spontaneous rather than orchestrated". (van Kessel, 2000, xvii)

During July 1985 to June 1986, the government proclaimed a partial State of Emergency, using increasingly repressive tactics that prompted new forms of opposition such as consumer boycotts and street committees. This "period of 'people's power'" was marked by a "peak in violence and messianic expectations of impending liberation." (van Kessel, 2000, xvii)

1986 to 1990

June 1986 to 1988 provoked a second State of Emergency which sparked greater rebellion and repression, resulting in townships under “virtual military rule”. (van Kessel, 2000, xvii) The movement seemed to lose some of its momentum when the expectation of liberation didn’t materialise and “by early 1987, black resistance appeared to be at an end, with the UDF in danger of losing authority over their constituencies, most notably in the case of youth.” (van Kessel, 2000, xvii-xviii)

The beginning of 1989 saw a revival of resistance with political detainees staging a hunger strike, which built momentum as more detainees were released. The UDF built a new umbrella alliance of trades unions with COSATU (Congress of South Africa Trade Unions), and the Mass Democratic Movement (MDM) which revived popular protest. When the African National Congress was unbanned, and the ANC leadership were released from prison, the UDF, a key actor during the crucial years of reform and rebellion in the 1980s, and “an umbrella for a great variety of organizations that shared a total rejection of apartheid and a willingness to take to the streets in a public demonstration” withdrew from the political scene, disbanding in 1991. (van Kessel, 2000, xviii)

The UDF had cobbled together a haphazard alliance to fight the government’s constitutional reforms of 1982 but “with the wisdom of hindsight, the UDF can be depicted as a transitional front” that prepared the ground for “leaders of the “authentic” liberation movement to come home from exile and from prison to take over power.” (van Kessel, 2000, 2) Preparing the way for the ANC had not been on the agenda for many of organisers and participants. As one of the central activists, Azhar Cachialia, recalled; “Look, when we founded the UDF, we had never in our wildest dreams expected that events would take off in the way they did.

What happened was beyond everybody's expectations." (van Kessel, 2000, 2) On 2 February 1990, F.W. de Klerk, President of South Africa, unbanned the ANC and all other liberation movements, and on 11 February, freed Nelson Mandela after twenty-seven years in prison.

Sources of conflict

In sub-Saharan Africa, South Africa had always been considered to be a "blessed" country, with a highly developed infrastructure producing half the electricity generated in Africa, modern agriculture, advanced manufacturing, and a world-class stock exchange. But it couldn't counteract the difficulties that arose from attempts to maintain an unsustainable policy of apartheid. (Welsh, 2000, xx) It failed "because the plan was imposed, because whites lacked the numbers to make it work and because the world had changed". Well known English speaking Afrikaner intellectual, N.P. van Wyk Louw, had foreseen the system's vulnerability in 1952 when he urged Afrikaners "not to choose 'mere survival' over 'survival in justice'." (Giliomee, 2003, xviii) In trying to sustain long term minority rule over an overwhelming majority, white South Africa developed a support system so extreme, that it eventually produced the opposite effect.

Apartheid in effect left no room to compromise on basic human needs such as a positive self and group identity. There was no provision made to satisfy the black African "need to belong", to counteract fear for their personal safety, or to "participate and share in decisions and processes that directly affect their lives....Apartheid not only denied black people in South Africa their freedom, it also humiliated them and frustrated their basic need for respect and recognition" setting up the type of social and political structures that "are the deepest roots of conflict". (Amoo et al, 2002, 13-14)

As Mahmood Mamdani has observed, “neither institutional segregation nor apartheid was a South African invention” but the South African version required “a degree of force and brutality” that seemed to place it in a class of its own. “The context in which apartheid came to be implemented made for its particularly harsh features” for to separate the races and create native institutions in an urbanised and semi-industrial South Africa, meant “the forced removal of those marked unproductive” in order to push them out of the white areas and back into native homelands, while at the same time forcing the ones “deemed productive” to embark on an “ongoing cycle of annual migrations” between the workplace and homeland. (Mamdani, 1996, 6-7)

Under apartheid South Africa was a country that was “artificially deurbanised”. Beginning in the Western Cape area during the late 1950s and spreading nationwide, it is estimated that between 1960 to 1985, forced removals to the townships “uprooted more than 3.5 million people”, and accounted for “more than 10 percent of the South African population-labour tenants, farm squatters, and city residents”. Given these facts, “there could be no mistaking apartheid in the urban areas as anything but a frontal assault on the residual rights of the African population”. (Mamdani, 1996, 102)

Race was used as the sole criteria for access to jobs, income, and standard of living. The official racial categories were originally defined as “‘white, coloured, Native’ ” in the 1950 Population Registration Act, then changed from “Native to Bantu” in 1951, and again to “Black” in 1978. In the post-apartheid era, racial categories have been referred to as population or ethnic groups (this last usually meaning African Xhosa or Zulu) and referred to as four main groups; “African,

white, Coloured, and South Africans of Asian origin (Indian)”. (Gibson and Gouws, 2003, 36-7: also Chapter Two)

It can be argued that perhaps more than other Europeans composing South Africa’s white groups, Afrikaners have always seen themselves as having a bigger stake in Africa, rather than Europe. Constantly fearing annihilation by the vast majority of natives and non-whites, and not trusting the British and other members of their own racial group, Afrikaners became increasingly hard-line about apartheid as a way to defend the barricades. As one Cape Town academic observed,

Afrikaners have always known we are a minority and when the chips are really down we don’t count for much. ...My view is that Afrikaners as a group have historically been a decided minority....Until the end of the 19th century, even in the republic where they were politically sovereign, everyone knew they were the backwater of the English empire. (SA Interviews, 2002, du Toit: see Appendix)

Prior to the 1994 election, it has been observed that there were three major irreconcilable political positions on the conflict. The first was an extreme right wing position of seceding and creating a white-only homeland; the second an “Africanist/socialist position of no negotiation until the regime is defeated and ready to transfer power”, and the third, an emerging National Party-ANC alliance that was increasingly finding common ground in a “social-democratic economic compromise”. (McGarry and O’Leary, 1993, 229)

During the 1980s, “few people either inside or outside South Africa anticipated the irreversible liberalisation” of the South African political scene. Acknowledging that the situation was at an “impasse”, and that a “fundamental breakdown of the existing system had taken place” with the admission of the “existence of a South African conflict” (Guelke, 1999, 2-3) white South Africans “poured endlessly into the shops and malls in an apparent frenzy of consumption... as barricades burned in the townships, and armoured vehicles rolled through their

streets”. (Hyslop, 1999, 1) In 2002 interviews it was recalled that white people have “never not been fearful”. (SA Interviews, 2002, Kolbe: see Appendix) Many had difficulty identifying with an African continent whose image was seen as “mostly negative – famine, disease, lack of infrastructure...to think of yourself as part of that ...white people [couldn’t] fathom that”. (SA Interviews, 2002, Gouws: see Appendix)

For those involved in the late 1980s resistance, there was a growing feeling that this time things would finally change. By the end of 1984 the Confederation of South Africa Trade Unions (COSATU) had become a mouthpiece for reform demanding “the release of Nelson Mandela, the abolition of the pass laws, and an end to foreign investment”. In 1985, the 25th anniversary of the Sharpeville Massacre, rent strikes, boycotts, and demonstrations pushed things still farther and federal troops began to back up the police in townships.

Alongside the overarching conflict, much internal intimidation took the form of black-on-black crime where township victims accused of collusion or informing the government, were murdered by “necklacing” or “putting an old tire filled with kerosene around the neck ...and setting it on fire”. (Arnold, 1999, 258-9) The rise of black African vigilantes who fought anti-apartheid groups on behalf of local governing bodies supported by the government, began to emerge in the mid 1980s. In urban townships they were seen as “right-wing, community council-backed vigilantes whose primary targets [were] groups that threaten[ed] the status and function of the community councils”. The rural, homeland vigilantes appeared to be “little more than paramilitary auxiliaries whose sole function [was] to prevent the appearance of...organized resistance to...homeland authorities” who saw their authority under threat in a post apartheid era. (Haysom, 1986, 7, 9)

Despite the danger, in 1987 “650,000 households took part in rent boycotts” and for two days in May (5-6), “a general strike brought three million workers and students out”. Young whites began to protest the draft on the grounds of conscientious objections. (Arnold, 1999, 258-9) By the late 1980s, South Africa was out of step with the rest of the world, “by then Martin Luther King was assassinated, the Beatles, long hair ...the rest of the world was thinking of apartheid as an anachronism. ...When the US passed anti apartheid investment laws, de Klerk said we need to do something.” (SA interviews, 2002, Kolbe: see Appendix)

When F.W. de Klerk, the final apartheid-era President, took office after Botha resigned, the country had been under increased international pressure in the form of economic sanctions; trade sanctions, an arms boycott; and in cultural, sport, and political isolation. World events such as the end of the Cold War in the late 1980s and the subsequent disintegration of the Soviet Union which had been a “major benefactor and source of military and financial support” for the ANC “allowed Western nations, previously lukewarm to the ANC” to view them more favourably. (Haysom, 2002, 11) The stage was set for change and by February 1990, de Klerk saw the necessity for South Africa to redefine its system of governance. He ended a thirty year exclusion of the ANC (African National Congress) and PAC (Pan-Africanist Congress) and freed Nelson Mandela.

Once again, black on black violence escalated as a power struggle began first in KwaZulu, Natal, and eventually parts of Witwatersrand, between Mandela’s ANC party and the Zulu nationalist Inkatha Party headed by Chief Buthelezi (see chapter seven). Security forces “still wedded to the ideal of a ‘total strategy’” colluded with the Inkatha to keep the ANC from power (Meredith, 1999,17), and to “boost Buthelezi’s chances for personal political advancement” (Arnold, 1999, 259)

Massacres by both sides took place with death squads “known to be at work”.

(Meredith, 1999, 17) By March 1990, after Mandela was released, approximately 3000 Africans had been killed in these clashes while the white police either refused to intervene or arrived late on the scene. (Arnold, 259) The black Azanian People’s Liberation Army, opposed to negotiation, singled out white civilian targets, while white right-wing paramilitaries equalled the score. The ensuing turmoil threatened to wreck the negotiation process. (Meredith, year, 17)

According to one Robben Island ANC ex-prisoner interviewed just prior to the 1994 elections, the violence had not been unexpected.

You know when ANC was unbanned I think some of us were very cautious. We knew ...the government was unbanning us...not because of change of heart...They are unbanning us so as to clobber us. We knew that... thing[s] are not going to be that easy and of course already there was violence in Natal.....the ANC will never be allowed to work openly you know but it’s going to be through our efforts that we force this government to stop this violence. ...We are going to win the elections [1994]There’s still going to be violence, even after elections.

...I’m not saying that violence is what I believe in and so on. I wish I can stop but I’m a trained person, I’ve studied situations outside, in other countries...I know that the right wing will not leave the ANC to run this country, to govern undisturbed. They’ll want to destroy it. Destabilise [the] ANC government.

...Former SADF forces or generals are ...setting up private armies under the guise of security companies...Some of them are not just resigning to go and do fishing or farming you know. I think we need to prepare people for that but I think also work for peace you know. ...I’m an optimist. I think the situation will improve and of course the ANC must be creative. ANC must always be with the people you know and learn from the experiences of other countries.

(Mayibuye Centre, 1993, Binda, Cassette 3, side A)

The years between the liberalisation of the political system in 1990 and its democratisation in 1994 were seen by most as a key period in determining the uncertain outcome of elections in 1994. The fall of Communism in Eastern Europe has generally been assumed to have been a major catalyst for President de Klerk’s apparently abrupt changes, but whatever realistic options may have been available

in the early 1990s, it can be said that the prevailing perception was that negotiating and forging political alliances among genuine representatives of the population was critically important to future economic growth and to achieving a fully inclusive democratic government. This “high road” approach was seen as the necessary option for an inclusive political system that ensured peace as opposed to a “low road” pursuit of authoritarian government with carefully chosen political representatives and stagnant or low economic growth that would “ultimately turn the country into a waste land.” (Guelke, 1999, 2, 12-13)

As Guelke has pointed out,

The issues of what options were available in the late 1980s is an important one....the common assumption was that a variety of options was available through negotiations with genuine representatives of public opinion. This perception was important in sustaining a political climate favourable to calls for negotiations. [between the Nationalist Party and the ANC] In this context, a distinction was often drawn between substantive negotiations on a new dispensation and the efforts being made by the government to co-opt leaders from the subordinate communities. (Guelke, 1999, 12-3)

Guelke emphasises that it was the perception of the consequences of either choice that influenced public opinion, especially among the white community, and made them receptive to the changes de Klerk made in February 1990. (Guelke, 1999, 12-3)

When the barricades finally crashed in 1992, due to a “surprising 68.7 per cent of South Africa’s 15 per cent whites” voting to support a “negotiated abolition of their minority rule” in a 17 March 1992 referendum, it “passed almost as a non-event” due to the fact that “many apartheid laws had already been largely ignored and remained unenforced”. (McGarry and O’Leary, 1993, 226-7)

The road to peace

South Africa’s choice to create a Truth and Reconciliation Commission (TRC) transformed it into a global role model for constructing positive strategies

promoting post-conflict reconciliation. The idea for the TRC was proposed as early as 1992, but not seriously discussed until after Nelson Mandela was elected President in 1994. Controversy during negotiations to shape the legislation in late 1993, focused on the issue of amnesty in exchange for testimony, a point insisted upon by both the government and military. In the end, everyone agreed to a “‘postamble’ to the constitution stating that ‘amnesty shall be granted in respect of acts, omissions and offenses associated with political objectives and committed in the course of the conflicts of the past’, and only later linked directly to the “truth-seeking process”. (Hayner, 2001, 41)

After seeking citizen input and holding two international conferences exploring post-conflict transitional justice procedures implemented in other countries, Parliament passed the Promotion of National Unity and Reconciliation Act in 1995. Following open public nominations and selection, Archbishop Desmond Tutu was appointed as chair along with seventeen commissioners. The TRC was composed of three interconnected committees; the Human Rights Violations Committee (HRV), responsible for collecting statements from victims and witnesses and charting the extent of the “gross human rights violations” between 1960 and 1994; the Amnesty Committee (AC) which rendered decisions on individual applications; and the Reparations and Rehabilitation Committee (R&R), which designed and recommended a reparations program. (Hayner, 2001, 41-2)

The Human Rights Committee identified and referred victims to the Reparation and Rehabilitation Committee which was empowered to “provide victim support” envisaging the overall function of the recommendations as ensuring “non repetition, healing and healthy co-existence”. A President’s Fund, composed of funds designated by Parliament and private contributors was established to “pay

urgent interim reparation to victims in terms of the regulations prescribed by the President". The Amnesty Committee to whom anyone could apply for amnesty from "any act, omission, offence associated with a political objective committed between 1 March 1960 to 6 December 1993" was later extended to 11 May 1999. (TRC website, 2003, The Committees)

Beginning work on April 1996, they released a five-volume report in October 1998. (Hayner, 2001, 44-5) The Amnesty Committee, which finished taking applications in September 1997, did not finish making decisions until 2001. (TRC website, 2003, The Committee) The last two and most contentious reports, one by the amnesty committee and the other a comprehensive victims list, were handed over in March 2003, officially ending the commission and initiating the state's legal obligation to pay reparations (Mail & Guardian Online, 2003, Controversy, Saint)

While there is little doubt the TRC played an important cathartic role in publicly acknowledging victims' suffering, and a positive step in creating a 'new' South Africa, it was equally clear that for many it had limitations. One problem was a strong Christian view described as a "religious-redemptive vision" that "stressed public confession by victims and ...created meaning for suffering through a narrative of sacrifice for liberation". (Wilson, 2001, xix)

In an emotive, evangelical style, Archbishop Tutu epitomised this position by pushing victims to 'forgive' their perpetrators, while describing the act of forgiveness as "realpolitik" beyond the realm of religion or the spiritual, and as "beyond justice". For him it expressed "a faith of grace", and an African communalism called Ubuntu, which said that "I am human only because you are human. If I undermine your humanity, I dehumanise myself. You must do what you

can to maintain this great harmony, which is perpetually undermined by resentment, anger, desire for vengeance.” (Mail & Guardian, 2003, Ultimate)

While it has been noted that religion and local belief systems were an important source of “inspiration and legitimation” for the 1980 protests and that “many – probably most” of the protesters “were not acting within a purely secular framework” ...but “also fighting a spiritual battle against the forces of darkness, cleansing society of evil in the search for harmonious moral order”(van Kessel, 2000, 11), combining religion with the formal legal components of a truth commission became problematic. (Mail & Guardian, 2003, Ultimate)

In a 1996 newspaper article, an ‘anonymous’ TRC commission member commented that while Tutu’s faith was his greatest asset it was “also his greatest blind spot”. Allowing him to be a “visionary leader, a symbol of reconciliation, beloved to all”...it also imbued him with a “theological fatalism” that made him feel that things were out of his control and “that, at the end of the day, a force higher than us will make things happen”. As leader of a spiritual body, the Anglican Church, Tutu was used to a beneficent role in which he stated policy and expected others to unquestioningly follow, but as leader of the TRC, he headed up a group of seventeen members who were politicians and lawyers and “tough as nails”. Many of them, while feeling a deep affection for him, viewed his “clerical paternalism as offensively patronising” and told him so. “It would take ages to reach decisions because he wasn’t able to move them forward and he didn’t want to let go of something if he disagreed with it.” (Mail & Guardian, 2003, Ultimate)

According to some, the biggest problem with the TRC was that it sought an overarching legitimacy in a legal context, by elevating “truth out of the realm of political struggle and negotiation” (Wilson, 2001, 225) while simultaneously

ignoring the fact that the process of forgiveness, whether political or religious, often has an element of revenge in its earliest stages, and must be given voluntarily by victims (see Chapter Seven). In the end, the religious emphasis “restricted both the narrative form and the content” especially excluding revenge “in a process of legal colonization ... of personal experience. The real question was ‘how to strike the right balance between legal-forensic investigations and historical approaches to truth’”. (Wilson, 2001, 225)

The positive effect of a human rights commission was that ideals and talk focusing on human rights could help to “create a space which did not exist before” and “where narratives of suffering could...become incorporated into the official version on the past.” The benefit of the TRC was that it helped different groups within a highly segregated society to understand their common ground and to irrevocably invalidate any “claim that apartheid was a well-intended policy of good neighborliness that somehow went wrong.” Because of the TRC the “range of permissible lies is now much narrower.” (Wilson, 2001, 224-5)

In post-2000 assessments and later observations made in Cape Town 2002, it became clear that the TRC, while well-intended with its discourse on human rights and efforts to promote reconciliation, had excluded those for whom the truth did not set free, such as Steve Biko’s family and others who wanted other means of seeking closure to their past.

Conclusion

In many ways the South African story is a familiar one of native populations conquered by outsiders who then claimed the land as their own, and proceeded to exclude the original inhabitants from mainstream participation. Apartheid was an extreme and brutal version of this pattern. However, for the rest of the world, it is

the way in which all South Africans handled the sudden change in political power that is of greatest interest. Nevertheless, as post-Mandela and TRC South Africa is discovering, there are no quick fixes or easy answers as the country addresses the difficult gap between expectations of change and reality of implementation.

There are still extremist groups and many, from all backgrounds, ranging from conservative Afrikaners, former '80s activists, township residents, have had difficulty accepting the ways in which these changes have occurred. The ANC has discovered that holding political power is complex and that there are no quick fixes to the enormous economic, social, political problems it inherited. There are still enormous disparities in income split along racial lines, widening disparities of income with the emergence of a wealthy black African upper-middle class, a huge HIV/AIDS problem, and a constant search for ways to get poor disaffected youth better educations and jobs. Problems related to the inward flow of war refugees from other African war-torn areas have also emerged.

Still, there is hope. As one twenty-five year old Gugulethu township resident expressed "My age group were of the first allowed to integrate the schools. I went to Sea Point High which used to be all white" and "with that came a freer interaction with white, and Jewish kids". Then "I went to UCT", the University of Cape Town, "after that."

What do I think of South Africa? ...One can only go up –I don't see us going into such a deep trench we can't get out of it. South Africa is the one country that can get the continent right by showing the rest. ..[by]...eradicating corruption, alleviating poverty , creating a model. We should advise not dictate ... lead by example.

(SA Interviews, 2002, Melane: see Appendix)

The Truth and Reconciliation Commission was a bold and courageous effort to address the problems of the past, however, as in many post-conflict areas, there are still huge problems and strong and potentially violent feelings beneath the surface.

However, no one knows better than South Africans themselves that their hard work of reconciliation has just begun.

SECTION III: CONCLUSION

Chapter Six: Violence in Peace

Continuation and escalation of violence during peace processes has become increasingly problematic for civilians in countries recovering from violent conflict. Most, along with the international community, expect a negotiated peace to bring violence to an abrupt halt, however, as has been clearly shown in Northern Ireland, Serbia, and South Africa, this is seldom the case. Instead, the continuation, and often escalation, of violence in the early days of peace is a major stumbling block for internal populations trying to rebuild and create social institutions after civil war, and a dangerous source of misunderstanding and frustration for the international aid and peacekeeping community who are trying to help them.

The expectation that violence developed over the duration of a conflict, will “become irrelevant and swiftly disappear” once a peace agreement has been reached has proven to be unrealistic. (Hays and McAllister, 2001, 901-2) A “‘transition from war to peace’ is unlikely to see a clean break from violence to consent, from theft to production, from repression to democracy, or from impunity to accountability”. Instead it is more “likely to institutionalize violence in some form” as “peace may not be possible without institutionalizing violence in some way.” (Keen, 2001, 10)

Transition to Peace

Early post conflict violence is strongly influenced and motivated by the way in which a peace agreement has been brokered. The biggest threat during this period is from “spoilers...leaders and parties who believe that peace emerging from negotiations threatens their power, worldview, and interests, and use violence to undermine attempts to achieve it.” (Stedman, 1997, 5) Peace agreements are often

divisive and representation in the process may be skewed so that “after a negotiated ending to a civil war, most countries lie in the intermediate terrain” between domestic forces who backed peace accord implementation, and “hardliners on one or more sides who would prefer a return to armed conflict over implementation of the accords”. (Boyce, 2002, 32)

As has been illustrated in post-agreement paramilitary punishment beatings and intimidation in Northern Ireland; transitional violence between African political parties in South Africa; political assassinations and organised crime in post war Serbia; violence may shift rapidly from inter to intra group targets. This may result in an increased number of assassinations, punishment beatings, vigilantism, coercion, forced exile, and other forms of intimidation used to settle scores and jockey for political power among one’s own group.

Stephen Stedman has made the assertion that “peace processes create spoilers.” During a conflict “there are combatants, who can be identified in myriad ways-for example, rebels, bandits, pariahs, rogues, or terrorists” but “spoilers exist only when there is a peace process to undermine”. Peace creates spoilers “because it is rare in civil wars for all leaders and factions to see peace as beneficial. Even if all parties come to value peace, they rarely do so simultaneously, and they often strongly disagree over the terms of an acceptable peace.” (Stedman, 1997, 7)

As Keen has noted “the art of facilitating a transition from war to peace may lie, to a considerable extent, in ensuring that some of those benefiting from war are in a position to benefit to a greater extent from peace.” (Keen, 2001, 12, 18-9) For international interveners this means correctly identifying the types of spoilers who are slowing down an agreement or peace process and taking the most effective

strategy to thwart them. Stedman has classified three types of spoilers; total, limited, and greedy.

Total spoilers can be most difficult long term, as they often have fixed, inflexible goals and ideologies, and are led by individuals “who see the world in all-or-nothing terms” and/or who exhibit “pathological tendencies that prevent the pragmatism necessary for compromise settlements of conflict”. Limited spoilers usually have several inflexible, specified goals such as “recognition and redress of grievance” or “a share of power or the exercise of power constrained by a constitution and opposition” as well as demands for meeting the “basic security” needs of their followers. Greedy spoilers are somewhere between the first two, only with more flexibility. “The greedy spoiler holds goals that expand or contract based on calculations of cost and risk”, at one point having “limited goals that expand when faced with low costs and risks” and alternatively having “total goals that contract when faced with high costs and risks.” (Stedman, 1997, 10-11)

Since the beginning of the 1990s when the international community began acting as “custodians of peace processes” three major strategies to address spoiler-caused problems have been pursued: inducement, socialization, and coercion. Inducement takes a positive approach to addressing spoiler grievances that include fear, security, fairness, demand for greater benefits, justice, and legitimisation or acknowledgement of their position. Socialization relies on establishing a combination of material and intellectual norms while “carefully calibrating the supply of carrots and sticks to reward and punish the spoiler”. Normative standards can include

commitment to the rules of democratic competition and adherence to the protection of human rights. The intellectual component can be aimed at both elites (the attempt to inculcate appropriate

values) and at citizens (the attempt to educate the mass of citizens into norms of good governance, democratic competition, and accountability, as a means of pressuring elites).

(Stedman, 1997, 12-13)

Coercion has ranged from the use or threat of punishment, coercive diplomacy incorporating threats and demands, the use of force, and the two most common strategies – the “departing train” and/or “withdrawal” strategies. The departing train strategy combines the premise that the “spoiler’s demands and behaviour are illegitimate with the assertion that the *peace process will go irrevocably forward*, regardless of whether the spoiler joins in or not.” Withdrawal assumes “the spoiler wants an international presence during the peace process” and “aims to punish the spoiler by threatening to withdraw the international support and peacekeepers from the peace process.” The problem with this strategy is that it operates like a “blunt instrument” in that it “promises to hurt parties who have fulfilled their obligations and rewards any spoiler who opposes international engagement.” (Stedman, 1997, 13-14)

The most effective use of strategies is considered to be the application of either force or the “departing train” scenario on total spoilers who “cannot be accommodated in a peace settlement; they must be defeated or so marginalized that they can do little damage”; or implementation of some form of inducement that can include in some cases, a policy of socialization and/or coercion on limited spoilers who “can be accommodated by meeting ...nonnegotiable demands.” (Stedman, 1997, 14-15)

Greedy spoilers require a long-term socialization strategy but in the short term can be a serious problem. “As inducements alone will serve only to whet the appetite of the greedy spoiler, the legitimacy and illegitimacy of its demands must be clearly distinguished” and depending on the “cost insensitivity and risk-taking of

the spoiler, the use of coercive sticks may be necessary to impose costs and create a strong sense of limits to the spoiler's demands." (Stedman, 1997, 15)

A controversial but somewhat common strategy has been to grant amnesty for prisoners, incurring an almost universally negative reaction among groups of all sides in countries where it has been implemented, such as Northern Ireland and South Africa. However, it has been equally clear that without prisoner cooperation in supporting peace agreements, using amnesty as a condition of their release, peace would not have occurred (see Chapter One).

Less controversial has been the ease with which the upper echelon of paramilitary and rebel groups have appeared to gain political legitimacy while the bottom half or dissident members of the organisations have failed to find dramatic improvements in their living conditions during peace. One outstanding example of transition from outlaw to legitimate politician has been the success of Gerry Adams of the Sinn Fein Party, long linked to the highest levels of the IRA in Northern Ireland.

For six years, beginning in 1988 (ending in 1994), a ban by the British government prohibited the broadcast of Northern Ireland's IRA and loyalist paramilitary spokesmen's voices. Gerry Adams could be seen but not heard on British television, a situation which was circumvented by the BBC and British media using an actor's voice-over. The turning point came in 1994 when Adams, having been previously considered an "international pariah" and prohibited from entering the United States, was granted a special visa by President Clinton. The Republic of Ireland subsequently lifted its ban on radio and television interviews by Adams and Sinn Fein, and along with political prisoners from all sides of the

conflict, Adams became extremely useful in advancing the peace process. (O'Toole, 2003, 14)

It was “the very ambiguity of his position” that became one of the great assets of the peace process. “If Adams were not accepted as a democratic politician, he could not be brought into negotiations. If, on the other hand, he did have at least a significant degree of control over the terrorists, he could deliver what the governments and most of the Irish people wanted: an end to the IRA’s sordid campaign.” In the mid 1990s, Adams was viewed as the key person to help persuade the IRA to exchange political violence for political strategy. By bringing him so prominently into the peace process, the international interveners helped to advance negotiations by combining inducements such as a high profile role and a visit to the United States, with an opportunity to be elected as a legitimate politician in the new government. His perceived success was such that by 2003, Gerry Adams, “the godfather of terrorism”, had been reborn as a “tree-loving, wine-drinking celebrity politician.” (O'Toole, 2003, 14)

Another well known ex-IRA man and key Sinn Fein politician, Martin McGuinness, became the Minister of Education for Northern Ireland in 1999. In May 2001, after stating that he had been second in command for the IRA in Derry (Londonderry) on Bloody Sunday, January 30, 1972, he subsequently survived a motion for a vote of ‘no confidence’ proposed by Ian Paisley’s right wing DUP (Democratic Unionist Party) in the Assembly. Despite having left formal education at age fifteen, in a Belfast Telegraph poll of ministers taken 24 May 2001, “he came in third with a 44% approval rating” and “won the Mid-Ulster seat in the General Election in 2001 with a significantly increased personal majority of almost 10,000 votes over Ian McCrea ...of the DUP.” (McGuinness, 2003)

Loyalist paramilitary leaders who had supported the Unionist cause made a similar transition. David Ervine and Billy Hutchinson, both prominent politicians in the Progressive Unionist Party (PUP), in the Northern Ireland Assembly, had been equally visible members of the Ulster Volunteer Force (UVF), and had continued, like Sinn Fein to act as spokespersons for paramilitary members. (PUP, 2003)

In South Africa, as of 2003, much of the government, including the president, and most members of the African National Congress (ANC), had previously been outlawed and/or imprisoned as part of a rebel group dedicated to the overthrow of apartheid government. (ANC, 2003) Nelson Mandela, elected president of South Africa in 1994, hailed by all sides as a hero in preventing open warfare, had been a prisoner, ANC member, and former publicly declared enemy of the state.

These well-publicised leaps from status of condemned outlaw to powerful politician, have reinforced the use of violence as a political tool in that

groups that have been able to use violence to secure control of production, trade and emergency aid in wartime may be able to carve out for themselves a degree of control over production, trade and development or reconstruction aid after a peace settlement. (Indeed part of the point of wartime violence may be precisely to secure a commanding and lucrative position within the peacetime economy). (Keen, 2001, 12)

It has become equally clear that legitimate political power and its benefits gained through a peace agreement are usually most advantageous to the elite, or roughly top half of the organisation of rebel groups, irregular troops, and paramilitaries, as the prospect of peace has offered few advantages to lower ranks. For this less influential and visible group, there is often a shift from predominately political to solely criminal violence. For them, the prospect of peace can mean trading power gained by intimidation and comfortable outlaw lifestyles, supported by racketeering, illegal arms trading, drug dealing, and human trafficking, for one of

low income jobs, bad housing, and substandard quality of life with little prospect for change. This perception by the rank and file, of little advantage in pursuing a legitimate nonviolent lifestyle during peace, has continued to motivate violence in Northern Ireland, Serbia, and South Africa.

Punishment in Northern Ireland

Throughout the thirty years of conflict, Northern Ireland always had an imperfect safety net in the form of Great Britain. As John Newsinger observed in his work on British counterinsurgency,

The war in Northern Ireland was, of course, complicated by its being formally part of the United Kingdom. Indeed... the initial attempt to employ the same counterinsurgency methods that were perceived to have been successful in Malaya, Aden and elsewhere were to prove a disaster in Northern Ireland, enabling the Provisional IRA to establish and consolidate a strong base of support for itself within the Catholic working class. (Newsinger, 2002, 2)

Characteristic of conflicts of this type, in Northern Ireland, most paramilitary violence with the exception of bombings, took the more common “form of intermittent street assaults, rioting, vandalism, and assassinations”, with much of this activity coming under the category of ‘punishment’, a form of internal community policing carried out by paramilitaries on both sides. (McGinty, 2001, 640)

In 1994 when the Loyalist and Republican ceasefires were called, and again in 1997 in the case of the IRA, both sides were adamant that only “military activities” would cease and that “policing activities” would continue “albeit fluctuating in the light of political events and events in local communities”. (McEvoy et al, 2002, 536-7)

One of the preconditions for signing up to take part in all party peace negotiations leading to the final 1998 agreement was “the willingness of Sinn Fein

and the Loyalist parties connected to the Loyalist paramilitaries to ‘urge that punishment killings and beatings stop and to take effective steps to prevent such actions’.” Despite notable exceptions, such as the 1998 Omagh bombing (which was by most accounts a bungled Real IRA bomb threat) and assassination of lawyer Rosemary Nelson by Loyalist paramilitaries, “the absence of major bombings and ‘military’ attacks in the wake of the ceasefires considerably raised the political significance of punishment violence.” (McEvoy et al, 2002, 536-7)

According to police statistics, (reported) paramilitary-style assaults in 1995, the year of the first ceasefire that led to the 1998 peace agreement, had more than doubled among Loyalists and nearly tripled among Republicans over the previous year. In 1997/98, the year the peace agreement was signed, there had been a dramatic dip in beatings, going from 125 to 70 among Loyalists, and from 166 to 55 among Republicans. However, the following year, this rose to almost double among Loyalists, while rising only slightly among Republicans. As of 2002/03, with the exception of a Republican decrease in 1999/00 and 2001/02, beatings have continued among both groups, and since 1999/00 have steadily increased among Loyalists. (Chief Constable’s Annual Report 1988-2003; 98/99:128, 99/00:150, 02/03:21)

Young males under thirty have consistently been the main targets in recent years. “In 1995, the first full year of paramilitary ceasefires, there were no shootings of young people at all. Since then the trend has been clearly upwards, with an acceleration in ‘punishment’ shootings.” According to statistics on assaults of children and juveniles, the greatest perpetrators have been Loyalist paramilitaries and a significant number of victims have been 17 or younger. While women were less often the direct victims of paramilitary assaults, they were nonetheless often

unwilling witnesses to the attacks and left to care for permanent injuries caused by the beatings. (Kennedy, 2001, 4, 6-7)

A simple view of paramilitary punishment violence is that it has been and still is a strategy “designed to maintain a position of hegemony within local communities.” (McEvoy et al, 2002, 536) On the Republican side, however, it is the legacy of the RUC’s (Royal Ulster Constabulary now renamed the Police Service of Northern Ireland or PSNI) “lack of acceptability or legitimacy in working-class communities and their usage of local criminals as informers” thus leaving a couple of generations with little experience of a credible, local or national state police force. (McEvoy et al, 2002, 536) This attitude was compounded by allegations of collusion between the police and Loyalist paramilitaries in order to assassinate IRA members or anyone accused of sympathy toward them. (Newsinger, 2002, 2)

This paramilitary style

produced a brutal system of informal justice wherein both Republican and Loyalist paramilitaries assumed responsibility for the ‘policing’ of their areas through punishment beatings, shootings and banishments. Thousands of individuals were shot in the knees, thighs, elbows or ankles, beaten with iron bars, baseball bats or hurling sticks, or forcibly excluded from their communities. (McEvoy et al, 2002, 536)

In Republican communities, most of the activity was carried out by the IRA, through an organisational unit called “the civil administration” which heard complaints of criminal activities or anti-social behaviour from the communities they served. They carried out investigations and administered “designated punishment”. The Loyalist side, less organised and more narrowly focused, dealt primarily with internal disciplinary actions against fellow paramilitary members, or members of rival splinter groups, rather than members of their own communities, but with equally harsh punishment. (McEvoy et al, 2002, 536)

Despite the possibility of being targets themselves, for a variety of reasons still related to both communities' lack of confidence in police protection, some degree of local support for paramilitary policing has remained. Increasingly, however, the paramilitaries are looking less like community police forces and more like ordinary organised crime syndicates consolidating a "patchwork of Mafia-style mini-states, of orange or green complexion, operating vendetta-style justice and sustained economically by extortion and other forms of racketeering". (Kennedy, 2001, 7)

In spite of, or in a more cynical view because of, the transition from political to criminal violence, overall peace is holding.

Despite strains in republican and loyalist ceasefires, and even despite the British government's judgement in October 2001 that the Ulster Defence Association's (UDA's) is no longer intact, the main point is that only a small minority still think the problems in the North can be sorted out through armed struggle. (Porter, 2003, 2)

What we are witnessing at the moment in Northern Ireland are

the protracted negotiations necessary to put in place an alternative to both the Orange state and direct rule. Whether the outcome is power-sharing or shared sovereignty remains to be seen, but, despite the efforts of the Real IRA and of the Protestant Supremacists, it does seem as if the conflict in Northern Ireland is over.

(Newsinger, 2002, 2)

Or perhaps, as the evolving political landscape has shown, it may end up being the negotiated efforts of the most extreme political parties which ensure lasting political institutions and an enduring peace.

Post apartheid violence in South Africa

The period of transition between the end of apartheid and creating inclusive democratic government proved to be "bloodiest in South Africa's existence as a political entity". (Guelke, 2000, 240-1) The negotiation process "aimed at drafting a constitution safeguarding individual rights while providing for institutions to regulate an integrated society" evolved against this "backdrop of serious and ever-

escalating violence.” (Gibson and Gouws, 2003, 18) This dramatic rise began in the early 1990s, with the result that from 1990 to 1994, the death rate ranged between 2476 and 3794 per year. (Guelke, 2000, 240-1)

Between 1993 and 1994, The South African Institute of Race Relations (SAIRR) Yearbook recorded that 3,706 people were killed; “2,434 between 1994 and 1995; and 1,004 between 1995 and 1996.” (Gibson and Gouws, 2003, 18) Only one other year, 1976-77, which followed the Soweto uprising of June 1976, when 575 people died, was comparable. During the transition most of the deaths were concentrated in two areas – Natal, renamed KwaZulu-Natal, and Pretoria-Witwatersrand-Vereeniging (PWV), renamed Gauteng, and, with few exceptions, the overwhelming numbers of perpetrators and victims were black Africans. (Guelke, 2000, 240-1)

Tracking the death toll has turned out to be easier than defining and agreeing on causes. It was unclear if the conflict had been “between contending racial groups, between different ethnic groups focusing on certain primordial ethnic sentiments, or between warring political ideologies”. (Gibson and Gouws, 2003, 18) The sheer volume of violence raised a multitude of questions. Who was principally responsible for the escalation, or were all parties responsible? Were the ones blamed really responsible? Who benefited from the violence and did it have any role in the strategy of the major political parties? (Guelke, 2000, 242)

It has been argued that ethnic membership and ideology have often overlapped in South Africa, and a “large percentage of the violence” could “be attributed to political rivalry between the ANC” and, before its unbanning, the United Democratic Front (UDF) “and the Inkatha Freedom Party (IFP)” rather than ethnicity being a major cause. (Gibson and Gouws, 2003, 18) Collusion, later

verified by evidence given to the Truth and Reconciliation Commission, between the KwaZulu government, Inkatha Freedom Party, and the South African Police Security Branch and the South African Defence Force Military Intelligence, to work against the ANC and the UDF, was seen as the primary reason for the clash. (Guelke, 2000, 242)

The increase in violence as peace negotiations were taking place reinforced the premise that “elite-concluded accords do not work unless elites are able to demobilise their own constituencies.” Despite all three leaders having made public statements which supported promotion of peace and peaceful initiatives, this “inability of Mandela, de Klerk and Buthelezi to demobilise their constituencies” directly contributed to the failure of the National Peace Accord of September of 1991, which indicated that “the underlying forces behind the violence were mostly beyond their control.” (Sisk quoted in Guelke, 2000, 242-3, 244).

Three overarching theories have been put forward as explanations for the high levels of violence during this time. One has been the “third force” concept that acted from within the apartheid government to destabilise and weaken the ANC before elections. (Guelke, 2000, 244) This explains violence between the two factions as “the involvement of state-sponsored clandestine forces such as units of the Security Force agitating in communities on a local level” in order to “derail the negotiation process and to destabilize the country”. (Gibson and Gouws, 2003, 18-20) While, there is some basis for suspecting the existence of a “third force” as viewed by the TRC, and “it is credible that such a strategy existed at the start of the transition, by mid-1992 at the latest it was evident on all sides that continuing political violence was damaging, not helping, the cause of the National Party government.” (Guelke, 2000, 252)

A second theory is that the transitional violence was the “product of the strength of racial and ethnic antagonisms within the country”, while a third depicted the violence as “a legacy of the structures of inequality set in place by the policy of apartheid.” Two other theories proposed as alternatives to the first three views were that violence “was primarily generated by local factors....unrelated to the dynamics of the negotiations”, and that it was “a product of political competition among the parties contending for power in a post-apartheid South Africa.” (Guelke, 2000, 244)

Guelke has maintained that while “sometimes these conditions may be a source of violence that is independent of the rivalry between the parties” it has been the political rivalry aspect that has provided the most convincing explanation for the acceleration of violence. Agreeing that while “it can reasonably be argued that a battle for scarce resources played a part in some arenas of political violence”, the regional patterns of violent activities gave credence to “the role of political competition as the dominant factor”, as deprivation was nationwide and

not a feature that set the areas affected by political violence apart.
 ...The advantage of the interpretation of the violence of the transition as an aspect of political competition among those contending for power over other explanations is that it is much better able to explain both where violence occurred and when it occurred. (Guelke, 2000, 249-50)

As the main focus during negotiations had been on the ANC leaders and followers, there is a case to be made for analysing this transition from the perspective of spoilers. In many ways the IFP took on the role of an “outside spoiler”, defined as “parties who are excluded from a peace process or who exclude themselves, and use violence to attack the peace process” as they utilised tactics that included “assassination of moderates who stand for a negotiated peace, massacres that coincide with any progress in reaching a negotiated settlement, and the creation of alliances with conservative members in the armed forces and police to sabotage any agreement.” (Stedman, 1997, 8-9)

If one sees the violence in the light of attempts to acquire political power by both the ANC and IFP, the “decline in violence in KwaZulu-Natal after the 1996 local elections which established a balance of power between the IFP and the ANC” fits this interpretation. (Guelke, 2000, 244)

There has been post-apartheid resistance to this explanation as it implies that “violence played a part in the strategy of the very parties that negotiated a constitutional settlement that enabled South Africa to become a democracy without the racial bloodbath that had been widely feared and predicted.” (Guelke, 2000, 251) Guelke suggests that one way to view this is to recognise that “the parties had very different conceptions of what constituted legitimate political activity in the country during the transition and thus tended to see the actions of the security forces and/or their supporters in an aggressive or defensive light, based on their interpretation of the other side’s intentions.” It has since become clear that while the causes have continued to be contentious, “the impact of the conflict generated by ANC-IFP rivalry became a potent factor in forcing the government to make concessions to the ANC.” (Guelke, 2000, 251)

The escalation of violence also threatened post-apartheid acceptance by the international community, feeding perceptions that the country was ungovernable and “creating the sphere of social breakdown and political fragmentation.” In the end “all of these factors helped to make agreement with the ANC a palatable alternative for the government.” The dire implications if the apartheid government did not strike a deal with the ANC were sufficient “to generate during the course of the transition a massive shift in white attitudes towards the prospect of an ANC-led government. Ironically, by challenging the ANC so forcefully, Buthelezi and the IFP actually contributed to its triumph.” (Guelke, 2000, 251-2)

The violence during this period has appeared to settle the national power struggle between the ANC and IFP, and “since the 1996 local elections in KwaZulu-Natal, the ANC has largely succeeded in co-opting the IFP as a junior partner”. The reduction of antagonism between the two parties has found them both focused on an urge to move on, “with the consequence that the ANC has little interest in pressing the IFP’s culpability for the violence of the transition.” (Guelke, 2000, 253)

As the level of predominantly black-on-black political violence began to decrease, criminal violence moved in take its place. Domestic crime and criminal violence were cited by many as a huge ‘new’ negative factor in the post-conflict environment, more pervasive, and “more difficult to root out because of its social and economic origins” unless successful long term strategies in “economic growth, job creation, and skills training” were initiated by the new government.

Its randomness and the anxiety it generates among all South Africans, especially those living in urban areas, is the most significant source of pessimism about the country’s future. An unemployment rate of about 46 percent, an influx of automatic weapons into many black townships with the winding down of the war in Mozambique, and grass-roots hostility in the townships toward the government police have combined to create a local culture of arbitrary street justice that sustains the lethal activities of criminal gangs, local warlords, and self-defense units. (Kitchen et al, 1994, 176-7)

In the early 1990s South African political youth organisations which had been the mobilising force behind political change, witnessed a severe decline. Asking the question, have “yesterday’s comrades...become today’s bandits?”, Young Warriors (2001), described the transformation of a politically significant youth movement which had taken root during the 1980s in the black South African townships of Diepkloof. From origins of “democratic centralism and collective leadership” where they had to “work hard to produce true leadership” while risking assassination, the author charted a shift to a link between membership and

“careerism and individual fame” accompanied by a disproportionate “preoccupation with resources.” (Marks, 2001, 133, xi, 136)

Many who joined during this time “were inexperienced, unaccountable, and were not schooled in the discipline and ideology of the youth organisations of the ’80s” with the result that “the collective activities (both violent and peaceful) ...became less directed and exemplary.” (Marks, 2001, 133, xi, 136) The failure of government to distribute material benefits in the face of “unrealistic expectations of delivery...led many youth in the direction of the underworld as a means of acquiring wealth.” Gangs became the “alternate providers of social cohesion” and contributors to a rising crime rate. (Marks, 2001, 133)

This shift from politically active 1980s youth organisations to criminal gangs affected the countryside in equally disturbing ways. Investigating the escalation of events that had culminated in the murder of the son of a white farmer who had purchased a farm in KwaZulu-Natal, Jonny Steinberg soon realised that the previous owner, Lourie Steyn, had in fact been run out by his tenants, which eventually set the stage for the murder. In unravelling the story he began to understand that he “had stepped in on the 30-year relationship between Steyn and his tenants at its most interesting time. Both sides were behaving in ways that their forebears would have found unnerving and peculiar. Talking in shorthand, they were acting oddly because of South Africa’s transition to democracy.” (Steinberg, 2002, 39-40)

In the early 1990s, farmer Lourie Steyn, an “old paternalist who understood his tenants as natural and eternal serfs, greeted the prospect of universal suffrage with horror.” His flirtation with Eugene Terre’Blanche’s neo-fascist movement was “an index of the turmoil he was suffering”, and “a desperate and panic-stricken way for a farmer in the Natal hinterland to spend his Sundays.” The tenants, the Cubes

and Mashabana families were also “acting in ways that would have sent cold shivers down their fathers’ spines.” While their predecessors would have “done their fair share of tugging and prodding in their relationships with the white men who controlled the countryside”, their strategies would have been “passive and subtle” and their goal always “to carve out just a little more room to breathe.” (Steinberg, 2002, 39-40)

But as Steinberg notes,

the young men who came of age in the 1980s were a different breed altogether. The Cube and Mashabana men of this generation had all found themselves behind makeshift barricades in South Africa’s urban insurrections. And they had witnessed something of the new interface between politics and crime, where young men chose whether to join a youth organisation or a car theft racket. They took these experiences back with them to the countryside, to their relationship with their white landlords. (Steinberg, 2002, 39-40)

The tenant families, Cubes and Mashabanas played each family off against the other, by telling stories to the gullible white farmer. There was “something funny and insouciant about using the white man’s fists to make grief for a black neighbour.” It was as if

white supremacy had become something light, something one played with and manipulated to one’s own ends. It spoke of a confidence and an arrogance that was new to the peasants of the KwaZulu-Natal countryside . . . The truth is that by the time I met Steyn, his family had been routed by their black neighbours. The arson, the burning fields, the unprecedented cattle theft, the gunshots in the night, these were vicious and brutal tactics, and Steyn, for all his right-wing posturing, never stood a chance. (Steinberg, 2002, 39-40)

As South Africa continues to settle into what promises to be a success story, it is clear that the violence which was always present beneath the placid exterior of apartheid government, but segregated and targeted away from white areas, has surfaced in a very democratic way. The white reaction to crime levels has in part been a reaction to this change in status. The question that remains for all South African citizens is how much violence they can tolerate and still move forward, and

for the ANC government, how to best construct an accountable police force that will effectively protect all members of their nation.

Assassination in Serbia

With the exception of the border region of Southern Serbia and Kosovo, the violence in post-Milosevic Serbia has primarily taken the form of political assassination. By the end of the Kosovo war in 1999, Serbia had inherited a legacy of paramilitary death squads who had colluded with organised crime and established strong links to Milosevic's government through the Special Operations Units (JSO) of the Serbian State Security Service (see Chapter Five). Clandestine and "often paramilitary in nature" they made murder "their primary and even sole activity" and used to "carry out extra judicial executions and other violent acts (torture, rape, arson, bombing, etc.) against clearly defined individuals and groups." (Campbell et al, 2000, 1-2)

Serbia's death squads, used early on during the Yugoslav war, encompassed elements common to many ethnic conflicts where "the individual may hold a quasi-civilian and quasi-military position." The "combatants or semicombatants operating in largely civilian rather than military environments" were more likely to "find it easier to conceptualize violence against them as personal rather than impersonal." (McGinty, 2001, 641-2)

They emerged out of a "peculiar symbiosis between the state and nonstate interests" where the "need to maintain plausible deniability of state involvement often forces the creators of death squads to seek aid from private groups and individuals." One way to do this was "to establish deniability" by having "the killing organized and done by people who are not formally or officially associated with the state" but who operate "with the overt support, complicity, or acquiescence

of government, or at least some parts of it” and aided by government security forces who often participated in the killing. (Campbell et al, 2000, 1-2,6)

Slobodan Milosevic and “his cabal” successfully operated a system of mutually beneficial corruption, and avoided democracy by inciting a series of conflicts that reinforced “a Serb ‘siege mentality’” which deepened “politically – and economically- profitable sanctions.” He legitimised undemocratic rule and stigmatised political opposition as “Western collaborators”, thus allowing “various kinds of asset transfer from ordinary people to this cabal (not least from ordinary Serbs through a variety of pyramid schemes, taxation, and monopolistic pricing).” (Keen, 2001, 17)

From 1999 to 2000, the year prior to Milosevic being ousted, the secret police and organised criminal gangs, along with suspected army involvement, had been accused of joining forces to execute members of the political opposition. Journalist Slavko Curuvija, who had opposed Milosevic, was assassinated in April 1999 during the NATO bombing in a “classic mafia-style ‘hit’ despite being under security service surveillance at the time.” (Oxford Analytica Daily Brief, 12 March 2003) In October of the same year, a “staged road crash on the Ibar highway south of Belgrade” killed four members of the opposition Serbian Renewal Movement (SPO), for which Milosevic’s secret police chief, Radomir Markovic, and two agents were convicted in January 2003. And just before the 2000 elections, the “estranged former mentor” of and potential threat to Milosevic, Ivan Stambolic, was abducted and disappeared. By the time Milosevic had been voted/forced out of office in September and October 2000, it has been said that “this connection was so strong that it was difficult to separate the two” and that many dangerous criminals

had become members of his elite and special forces. (Oxford Analytica Daily Brief, 12 March 2003)

The Milosevic alliance “between organised crime, the security services, the legal system and politicians” set up an intricate web of spoilers, including both insiders, those who signed the peace agreement, signaling compliance but failing to fulfill key obligations, and outsiders, all those, but especially leaders of mafia-like organisations, who had been formally excluded from negotiations. (Oxford Analytica Daily Brief, 25 March 2003) This partnership set up a system of sabotage that has continually challenged the will of Serbs to move forward toward permanent peace. The situation has been further exacerbated by the collapse of the Serbian economy, widespread dependence on black markets and other illegal activities, the deepening collapse of the former Soviet Union, and the unsettled question of Kosovo, accompanied by a difficult transition from centre-led style socialism to democracy.

The election success of the Democratic Opposition of Serbia (DOS), a coalition of many smaller parties including the DSS (Democratic Party of Serbia), in October 2000, and the political transition to a democratic government in January 2001 proved to be a shaky and turbulent coalition between Yugoslav President Vojislav Kostunica (DSS) and Serbian Prime Minister Zoran Djindjic (DOS). Kostunica, the official commander-in-chief of the army, a former academic seen as ‘clean’ of corruption and association with the former regime, was a nationalist who opposed the 2001 deportation of Milosevic to the Hague as unconstitutional. Djindjic, who oversaw the police, was an outspoken and controversial proponent of democratic reform and perceived to be more open to the international community’s demands that Milosevic be handed over for trial. He also launched a campaign

against organised crime, threatening to arrest and transfer war crimes suspects such as Milorad “Legija” Lukovic, leader of the Zemun gang, and former commander of the Special Operations Units to the Hague for war crimes. Ironically, it had been “Legija” who had sided with Djindjic against Milosevic in 2000, before resigning his post the next year. (Oxford Analytica Daily Brief, 25 March 2003: 14 March 2003)

A subsequent political feud between Kostunica and Djundjic resulted in key Milosevic wartime army and secret police staying on in government far longer than might have been prudent. “Distracted by their in-fighting, the DOS’s leaders failed not only to carry out necessary change in security structures, but also to wage a serious war on organised crime, especially the big gangs.” (Oxford Analytica Daily Brief, 12 March 2003) The situation reached a crisis point on 12 March 2003 when Serbian Prime Minister Zoran Djindjic was shot dead outside a government building in Belgrade.

In the immediately-declared state of emergency, a round-up of suspects began with the primary goal of finding “Legija” Lukovic, who was reported to have faced imminent deportation by Djindjic to the Hague. Within a few days of the assassination, a serious dismantling of the old Milosevic alliance was underway. The former Deputy Public Prosecutor Milan Sarajlic admitted taking bribes from organised crime and thirty-five judges were forced to retire. The Supreme Court President Leposava Karamarkovic resigned, the Public Prosecutor Sinisa Simic was suspended, and the questioning of 3,682 people resulted in 1,075 being detained. (Oxford Analytica Daily Brief, 25 March 2003)

The most significant development was the forced resignation of the head of Military Counter-intelligence (KOS), Major-General Aleksandar Tomic, a key

figure in the old Milosevic linkage. (Oxford Analytica Daily Brief, 25 March 2003)

Until he was dismissed, Tomic had acted with impunity much as in the old Milosevic era as “even within the army, which in former Yugoslavia resembled a state within a state outside civilian control”, the KOS had “acted independently”, and it was likely that “both Legija’s gang and the KOS” had “played an important part in the protection of such war crimes suspects as Ratko Mladic and Veselin Sljivancanin” who had been among the most wanted war criminals by the Tribunal at the Hague. (Oxford Analytica Daily Brief, 25 March 2003)

By mid-April 2004, thirteen suspects had been charged with direct involvement in Djindjic’s assassination, including “Legija” Lukovic. Five, excluding Lukovic, were in custody. (Legija turned himself into Belgrade authorities in late April.) Immediately following Djindjic’s death, both Zemun Clan leader Dusan Spasojevic and Mile Lukovic were “shot dead in what police say was an exchange of fire during an operation launched following Djindjic’s murder on March 12.” Ex-police chief and former deputy interior minister, Nenad Milic had confirmed a statement made by the previous interior minister Dusan Mihajlovic, that an eyewitness had come forward to identify the killers of opposition journalist Slavko Curuvija. (B92, 13 April 2004, Underworld bosses/Djindjic trial)

Following Djindjic’s death, Serbs demonstrated prolonged apathy at the polls by failing to muster 50% of the electorate to validate elections late in 2003. The Serbian parliament approved the government led by the new Prime Minister Vojislav Kostunica in early March 2004 “after two months of coalition negotiations following inconclusive elections”, leaving Kostunica relying heavily on the support of the newly revived Socialist Party of Slobodan Milosevic. (BBC News, 2004, Country profile)

In March 2004, the most serious violence since 1999 erupted in Kosovo leaving a total of nineteen people, both Albanians and Serbs, dead, 900 Serbs injured, and 700 Serb homes and 30 Orthodox churches burned to the ground after two days of Albanian riots. An estimated 3600 Serbs and other non-Albanians fled their homes after the attacks. (B92, 13/16 April 2004, Security Council, EU says too early) Much of the Albanian violence was blamed on extremists who tapped into the frustration among Albanian Kosovars for a political settlement to Kosovo and a solution to the 70% unemployment rate. (B92, 29 March 2004, Independent Intellectuals from Kosovo)

In August 2004, Vojvodina, the Serb province that had resolutely remained a model of ethnic harmony throughout the wars of the 1990s saw a rise in violence by Serbs against the 300,000 Hungarians living there. Prime Minister Kostunica, as well as Serb government officials, sought to downplay these incidents by maintaining that they did not “overshadow the traditionally solid inter-ethnic relationships” and that the problem had no need to be “internationalised”. Kostunica insisted that the word “atrocities” was being “tossed around too lightly. Whoever is using that word is not being truthful. And with this untruthfulness, they are increasing the tension between different ethnic groups and spreading nationalistic hate and intolerance.” (B92, 8 September 2004, “Kostunica”)

Subsequent Hungarian and European Union reaction has mirrored Kostunica’s reaction but emergence of this type of violence in Vojvodina, where everyone I interviewed in 2001 reaffirmed the province’s good inter-ethnic relationships and common defiant attitude toward Milosevic in the early days of the Yugoslav war, is worrying.

Culture of violence

One way to view violence in a post-conflict environment is to judge its long-term continuation as inevitable and self-perpetuating. This line of argument supports the premise that the longer a violent conflict has continued, the greater the chance for installing an irreversible culture of using violence as a medium for expressing and achieving political goals. An alternate view challenges this perception of intractability with the implication that a conflict is fundamentally insolvable. A third view sees violence as useful for its time and place in the early stages of a peace process as a way for individuals and groups who would not otherwise have legitimate access to acquire power, but not necessarily a guarantee that its use will continue in the long term.

There is evidence to suggest that prolonged public exposure to violence can help “mould popular attitudes toward the use of violence as a political tool” that encourage its’ continuation in a perpetual cycle, and that a significant minority of the population is “prepared both to condone political violence and to participate in it” through “apparent widespread support for- or at the very least, ambiguity towards – paramilitary organisations.” (Hays and McAllister, 2001, 901-2)

Lengthy, violent conflicts also help to create a framework that supports a culture of violence. While “individuals perform violent acts, the violence is initiated and carried out within a social system” that “provides the rationales and justifications for the violence.” The “systems organisations train the individuals to carry out violent acts, and social mechanisms and institutions glorify the violent confrontations.” (Cairns and Roe, 2003, 79)

The weakness in the self-perpetuating approach is that it does not take into account the number of long term conflicts once written off as intractable or

insolvable - certainly all three case studies here have been classified as such - but which in the right combination of circumstances have proven to be capable of maintaining peace. The use of lethal violence within a conflict does not in itself guarantee lifelong use of violence as a means to an end as the reasons and motivations for violent action may change over time. “When a party is outside of a peace process and uses violence to attack the parties within” interveners must judge the intent motivating the violence. “Is it an attempt by the spoiler to force its way into negotiations – to alter a process so that its demands are included in a settlement? Or is it an attempt to weaken the commitment of the internal parties as a means to destroy a negotiated settlement?” (Stedman, 1997, 18)

A party that has signed an agreement, and then refuses to abide by the tenets set, might see the agreement as desirable but may be fearful of “putting its security into the hands of its adversary.” Likewise, a party may cheat after signing “because it is greedy and desires a better deal” and “to increase its chances of maximizing its return in the settlement.” It may also be a way of seeking an upper hand during critical elections that could determine key “division of spoils and power of the settlement” or be a way to strengthen its bargaining position if it loses. A party may subsequently cheat after signing because of pragmatic or tactical reasons. If it looks as though the agreement will bring the party into power, then there is motivation to comply, but if that changes “it will cheat to overturn the agreement. In such a case, the spoiler is motivated by total goals and defines the stakes as all or nothing.” (Stedman, 1997, 17)

Not everyone who has participated in political violence will be subsequently attracted to criminal violence. “The fact that the comrade youth may have collectively killed a gangster, an informer, or an attacking Inkatha supporter”,

(Inkatha Party against an ANC member in South Africa) “does not mean that they will easily hijack a random vehicle and murder the driver.” If the “collective political violence carried out by the comrade youth of the past was driven by a set of clear moral justifications with stated political objectives” then this is a very different “from the use of violence in self-interested and by most accounts, indefensible acts of crime.” (Marks, 2001, 134)

As has been noted earlier in this chapter, motivations for violence can change dramatically for individuals and groups and elites and non-elites in the post-conflict transition.

Conclusion

In assessing the impact of violence on any post-conflict society, a key question to ask is the following: how much violence can a peaceful society tolerate and in what form? In other words, what is the point at which a society fragments into civil war, and why is it this point not universal? Though expectations are greatest that violence will cease at the beginning of a peace process, all country studies have repeatedly demonstrated that this is not the case. Conversely, it is also likely to be a time when populations will have been most accustomed to it and if there is serious civilian intent, will not allow random acts of violence to dissuade a peace process.

As a country maintains peace and stabilizes over a longer period of time, the population will tend to become less tolerant of certain types of violence. Much of this evolutionary process is influenced by cultural norms and the type of violence that dominated the recent conflict. It is worth noting that many of the world’s wealthy, highly developed and politically stable countries have evolved from situations as violent, if not more so, than many contemporary societies emerging

from civil war, and a number of them, the United States in particular, are known for tolerating high levels of violence.

Interpreting the intent behind violent behaviour requires skill and experience. Deciphering spoilers' goals, motivation behind "acts of noncooperation or aggression", depth of commitment, assessing the "degree of leadership command and control of followers", internal group unity, and "likely effects of ... action on the spoiler's willingness to continue aggression, on the other parties to the peace process, and on interested external actors" is a vital element to keeping post-conflict violence to a minimum. (Stedman, 1997, 17)

One way to better understand the threat of violence to a peace process is to compare it to levels of criminal and domestic violence present in society before it escalated into full scale conflict. As Keen has observed,

Much of the violence in peacetime consists of crime. Peace may be riddled with violent crime; it may not feel particularly peaceful. Much of this crime may be organised crime, and since war can also take the form of organized crime, the distinction between peace and war is further eroded. (Keen, 2001, 9)

Preventing the lower echelons of the former rebel/paramilitary groups who have been marginalized by peace from shifting into organised crime requires a different kind of assurance and assistance than the paramilitary elite. Their perception of equal access to economic, political, and social opportunities are especially relevant to their willingness to cooperate in the early post-conflict phase. This bottom half and those who have fallen out of favour with rebel or paramilitary leaders, or belong to the many urban and rural poor who have survived in areas of constant battles, face the low-paying employment available to those with their lack of qualifications -skills, training, education- guaranteeing a future of grinding

poverty. For them, disruptions to peace and alliances with organised crime networks are a guarantee of substantial income and social status.

International interveners who become active in negotiating peace agreements “must anticipate violent challenges to peace processes.” They “must constantly probe the intentions of warring parties” looking for evidence of sincere commitment to peace and “must seek and make good use of intelligence about the warring parties’ goals, strategies, and tactics.” They must “judge what is right or wrong, just or unjust, and fair or unfair in peace processes.” Instead of thinking generally about the possible threats to peace, they must ask, “*Who* are the threats to peace?” (Stedman, 1997, 52-3)

Stephen Stedman’s research reinforces the importance of coordinating international aid and peacekeeping as there are strong implications that “international consensus about norms, coordination behind a strategy of aggressive management of spoilers, and unambiguous signals to peace supporters and spoilers provide the difference between successful and failed implementation of peace agreements.” (Stedman, 1997, 52-3)

It also has become increasingly clear that for many post-conflict societies, peace processes and reconciliation are separate issues (see Chapter Eight). Northern Ireland, despite having been given aid and resources for the purpose, is, as Norman Porter has pointed out, “not a model of reconciliation. Part of the answer...lies in understanding ...that it is peace and not reconciliation that many of us in the North are keen on.” (Porter, 2003, 6)

Given this distinction, many types of violence can be viewed as parallel expressions of the phases of revenge described in Chapter Seven. Throughout the interwoven evolutionary phases of forgiveness and revenge, the enactment of justice

as revenge can be seen as a potentially intimidating and eventually violently destructive act. Equally clear is that the presence of violence, like revenge, does not necessarily eliminate the potential for forgiveness.

It is clear that if peace is to mature into some form of reconciliation, learning to accept that some degree of violence, like revenge, will be present is part of the process. Over time, society will adjust to the level of violence that can be tolerated while developing institutional structures. It is the individual and collective will of all groups in post-conflict societies, determined to move on from open warfare, who will decide how much violence is allowable to ensure permanent peace.

Chapter Seven: Political Processes of Forgiveness and Revenge

In recent years there has been increased discussion regarding the role of forgiveness in post-conflict reconciliation. The most common debate has focused on whether there can be “reconciliation without forgiveness and/or forgiveness without reconciliation”. (Cairns and Roe eds, 2003, 132) Revenge, if mentioned within this discussion, has often been treated as a separate issue and as the antithesis of forgiveness and reconciliation. Though work on deconstructing the relationship between forgiveness and revenge in post-conflict transitions is still in the earliest stages, it has become increasingly clear from fieldwork interviews, observations, and relevant research included in previous chapters, that they share similar phases or stages within an evolutionary process that results in vastly different goals.

This chapter incorporates earlier material on perceptions of justice and formation of post-conflict identity discussed in Section I, as well as a review of the conflict in each country included in Section II. In this analysis, reconciliation is viewed as both a short and long term process. In the short term, it is seen as a pragmatic cooperation between former enemies in rebuilding political, economic, and social institutions; in the long term, it is a process which encompasses multiple generations. During both, but most dramatically during the earliest phases, political actions and reactions are strongly influenced by an interaction between perceptions of fair or unfair treatment; formation of a victim/perpetrator identity; and personal and political processes of forgiveness and revenge. It suggests that while unconditional forgiveness may not be necessary, or possible, in order for enemies to cooperate in the short term, the processes of both forgiveness and revenge have increasingly important implications for long term sustainability of peace.

Forgiveness and revenge in post-conflict transitions

Forgiveness and revenge are treated in this thesis as evolutionary parallel processes that are very useful in assessing the intent of populations to pursue long term peace or return to war. Understanding how these processes evolve and how they are influenced can help to reveal underlying motives behind public rhetoric. The question of their relevance to post-conflict transitions was answered in the earliest phases of fieldwork. Venturing into Northern Ireland during a tense April 2000, I found that while somewhat reticent to discuss revenge, few had reservations in expressing their views on forgiveness. This experience was consistently repeated in Serbia and South Africa.

Furthermore, research and fieldwork has made clear that both forgiveness and revenge are perceived by internal populations to be inherently political. Viewed in this context, use and abuse of political power is the strongest catalytic issue for all groups and directly affects actions taken on the ground. On the individual level there are additional influences such as differences in personal experience of the conflict, extent of personal loss related to the conflict, religious interpretations of forgiveness and revenge, and influence of family and/or community.

This analysis, incorporating perceptions of justice and formation of post-conflict identity, offers a clearer understanding of how these processes work in a political context. Most importantly this work stresses that there is a great deal of ambiguity in the early formations of forgiveness and revenge. The quality of local, national, and international leadership, prevailing cultural norms, and the type of conflict that has just taken place, influence the ways in which these processes are expressed in the political and social sphere.

Forgiveness, interwoven with the social and political processes of justice, apology, truth, and reconciliation, has often been depicted as a solely religious act, promoted on one hand by religious leaders as a necessary prelude for reconciliation, while scorned on the other as capitulation by those who seek retaliation for wrongs. Political forgiveness, however, is a multidimensional and subjective process that transcends the past by embracing moral truth, history and the human benefits reaped by conquering enmity. Its enactment belongs entirely to the offended and is a powerful expression of unconditional acceptance.

Revenge, on the other hand, has often been seen as a strongly intimidating and uncontrollable political force – the antithesis of forgiveness, and a remedy by men of action to settle scores with vigilante-style justice. Revenge, in the context of ethnic conflict, can be seen as group activities involving rioting, looting, forced removals; and as individual acts involving harassment, vandalizing, and physical intimidation. Punishment beatings and targeted murders by paramilitaries in the post-conflict transition are also part of a process of revenge. (see Chapter Six) As discussed previously (see Chapter One) and later in this chapter, revenge is closely related to and influences perceptions of justice while forming an underlying motivation for the formation of judicial institutions.

One of the major differences between political versus individual acts of forgiveness and revenge is the necessity for public declaration in the political arena. While personal forgiveness may positively impact public acceptance of a political process it has the option of remaining private. Acts of political forgiveness in a post-conflict environment can be a public declaration of forgiveness for an offence by one individual toward another, or toward a group. It can also be one group officially forgiving another for its actions. Political acts of revenge can be seen as

group activities involving rioting, looting, forced removals; and individual acts involving harassment, vandalizing, and physical intimidation. Punishment beatings and targeted murders by paramilitaries in the early phases of a post-conflict period can be included.

A key point to remember is that while forgiveness and revenge acted out in the political arena are often presented in terms of rational and dispassionate discourse, in reality they are rarely disconnected from their emotional source. Forbearance from acting out revenge, while simultaneously moving forward to take steps to cooperate with former enemies, appears to be one of the keys to successfully rebuilding a country in the short term. Acknowledgement of the complexity of these interactions on both an individual and group level, their connection to an emotional source, and influence on the political situation, was present in all three countries where interviews took place.

Models of forgiveness and revenge

While it is clear that assessment of the impact of the political processes of forgiveness and revenge on post-conflict transitions is still in its earliest stages, it is possible to accurately describe the way in which these processes work by utilising a variety of academic disciplines, such as comparative political literature and theory, social psychology, socio-legal studies, anthropology, philosophy, as well as in-country observations, surveys, and interviews.

In this analysis the processes of forgiveness and revenge share the same root emotion, rage. Rage has been identified as a shared source of both by Arendt, Enright, and others in post-conflict societies (see following discussions on Passive Resentment). Philosopher Hannah Arendt, a Jew who had witnessed the systematic extermination of Jews and others in World War II, sought to better understand how

society could reconcile in the aftermath of these acts. She concluded that the root emotion of both forgiveness and revenge was rage, but with very different results. “Forgiveness is the exact opposite of vengeance, which acts in the form of re-acting against an original trespassing, whereby far from putting an end to the consequences of the first misdeed, everybody remains bound to the process...” (Arendt, 1958, 240-1)

Robert D. Enright, a pioneer who led early empirical research into the effects of forgiveness also identified the reciprocal relationship between rage, forgiveness and revenge, and between the “sufferer and the agent of suffering”. Enright et al, 1992, 101)

This reciprocity lies at the heart of the evolution of revenge...
Remembrance is unquestionably a form of revenge, but, in
one of the great paradoxes of civilized life, it is equally
indispensable to the attainment of true forgiveness.
(Enright et al, 1992, 107)

Enright, a psychologist, developed one of the most detailed and relevant descriptions of the parallel processes of forgiveness and revenge. Based on empirical work with individuals, he created a forgiveness model that depicted the same interaction between forgiveness, revenge, perceptions of justice, and victim/perpetrator identity, that was observed in fieldwork nearly twenty years later. It describes a step-by-step process for varying degrees of conditional forgiveness which include elements of revenge and justice, until achieving the final goal of genuine forgiveness which is the final, unconditional release of all animosity by the victim. Titled “Stages of justice and styles of forgiveness development”, the first five stages use a form of justice that corresponds with the equivalent “styles” or phases of “pseudo” forgiveness. (Enright et al, 1992, 104-6)

Stage 1 is justice as “*Heteronomous Morality*. I believe that justice should be decided by the authority, by the one who can punish.” This leaves the outcome in the hands of others, and absolves the person of responsibility for the decision. Style 1 for forgiveness is “*Revengeful Forgiveness*. I can forgive someone who wrongs me only if I can punish him to a similar degree to my own pain.” (Enright et al, 1992, 104-6) This type of forgiveness is completely dependent upon making an individual and/or group who has been perceived to have committed the original offence, suffer in equal measure as the victim by taking retribution either institutionally through the legal, legislative, or political system, or otherwise.

Justice Stage 2 is “*Individualism*. I have a sense of reciprocity that defines justice for me. If you help me, I must help you.” Forgiveness Style 2 is “*Conditional or Restitutional Forgiveness*. If I get back what was taken away from me, then I can forgive. Or, if I feel guilty about withholding forgiveness, then I can forgive to relieve my guilt.” In this case, both depend on the positive action of another party. The individualistic approach is an openness to helping another but only if the victim is the first recipient of a positive overture by the offender. Conditional forgiveness is similar in that an apology is usually demanded from the offender. This is the phase where restitution, usually monetary or in-kind is demanded for suffering caused. Elements of revenge are very much still present in this phase.

Justice Stage 3 is “*Mutual Interpersonal Expectations*. Here, I reason that the group consensus should decide what is right and wrong. I go along so that others close to me will like me.” Forgiveness Style 3 is “*Expectational Forgiveness*. I can forgive if others put pressure on me to forgive. I forgive because other people expect it.” Justice Stage 4 is “*Social System and Conscience*. Societal laws are my

guides to justice. I uphold laws, except in extreme cases, to have an orderly society.” Forgiveness Style 4 is “*Lawful Expectational Forgiveness*. I forgive because my religion demands it. Notice that this is not Stage 2 in which I forgive to relieve my own guilt about withholding forgiveness.”

In both three and four, phases of justice and forgiveness are dependent on external pressure in order for forgiveness to be granted. This is a statement of forgiveness driven by social and/or religious pressure and not internally driven by a genuine readiness to extend a form of justice as fairness or to forgive. While it is not dependent on an apology or direct reciprocal action, it is often a softer and less overtly coercive approach to a similar situation.

Aid conditionality set by the international community, such as external demands for formation of a truth and reconciliation commission, can exert pressure to make forgiveness statements. Religious pressures can be equally coercive, especially if one is a member of a religion that tells individuals or groups that they must forgive if they want to be members in good standing, without taking into account the differing capacities to forgive.

Justice Stage 5 is a “*Social Contract*. I am aware that people hold a variety of opinions. One usually should uphold the values and rules of one’s group. Some non-relative values (life, liberty) must be upheld regardless of majority opinion.” Forgiveness Style 5 is “*Forgiveness as Social Harmony*. I forgive because it restores harmony or good relations in society. Forgiveness decreases friction and outright conflict in society. Note that forgiveness is a way to control society; it is a way of maintaining peaceful relations.” (Enright et al, 1992, 104-6)

While this phase is not coercive, it is still nevertheless tied to a notion of obligation to the good of others rather than an internally driven will to forgive. The

exhortations to forgive that were tied to the interpretation of reconciliation during the TRC in South Africa, exemplify Forgiveness Style 5, and were not necessarily indicative of a genuine and unconditional forgiveness.

In Enright's model, only the sixth step is recognised as genuine forgiveness, as it is an unconditional act of mercy and complete abandonment of revenge. While "forswearing of personal justice", Justice Stage 6 "*Universal Ethical Principles*", states that "My sense of justice is based on maintaining the individual rights of all persons. People are ends in themselves and should be treated as such." Forgiveness Style 6 is "*Forgiveness as Love*. I forgive because it promotes a true sense of love. Because I must truly care for each person, a hurtful act on her part does not alter that sense of love."

Most importantly, this stage of forgiveness is an act of self love and positive group identification where the burden of the offence is released by the victim(s). Forgiveness is no longer dependent on a social context, the presence of an offender, or a process of equivalent negotiated action. "The forgiver does not control the other by forgiving; he releases her." This version of forgiveness acknowledges the presence of an injustice while releasing the hurt of the act. While the offended realise they have been treated unfairly, and have no duty to show compassion, they decide to go beyond seeking a "fair solution", tied to a conditional justice of retribution or reparation, to reach for a compassionate one. (Enright et al, 1992, 104-6) This last stage is seen as a final resolution and answer to the offence and it will not be revisited again by either the individual or group involved.

Enright's description of the process of forgiveness allows individuals the freedom to forgive each other without necessarily forgiving their representative group, and vice versa. It also best shows ways in which it may be possible to

overcome the contentious problem of identifying victims and perpetrators. While Enright's model can be described as a type of "unilateral forgiveness" focused on the individual, and not dependent or conditional on the action or even existence of an offender, more recent descriptions of varying types of forgiveness fit well within his descriptive framework. A type of "negotiated" and "positional" forgiveness have been identified by Molly Andrews, and peace/political psychologist Cristina Montiel, has defined a form of "socio-political forgiveness" specific to post conflict environments. (Andrews, 2000, 75-6)

Andrews described a "negotiated forgiveness" that is primarily conditional, and dependent on proportional, reciprocal actions. This process is conducted as a dialogue between the offender and wronged, encompassing at least three major steps; confession, ownership, and repentance. "First the wrongdoer must admit that he or she has committed the offending action. Secondly s/he must take responsibility for the action....thirdly, the offending party must express remorse for what they have done". This action is dependent on the offender acknowledging the transgression and repenting. The offended makes the final decision on whether conditions have been satisfied in order to offer forgiveness. (Andrews, 2000, 75-6)

A type of "positional forgiveness" also observed by Andrews, describes an integrated type of a forgiveness process that is helpful in understanding interaction between individuals and groups during the process of forgiveness in post-conflict environments.

Here, one who has been harmed engages with the position of the offender, while avoiding any direct contact with them. As individuals embody social position and values, an opponent's motivations may be discernible through an investigation of their belief system, which may or may not entail conversation with them. For instance, one who engages in 'armed struggle' does so not only as an individual but as a member of a group, and this position can be confronted, understood and potentially forgiven. (Andrews, 2000, 85)

Peace/political psychologist, Cristina Montiel, has defined a form of “socio-political forgiveness” that occurs when a “whole group of offended people cease their collective resentment and condemnation of another group ...perceived to have caused the social offense”. According to Montiel, when forgiveness is acted out collectively, as opposed to individually, new considerations appear. These include the quality of leadership across boundaries (“Are there leaders among the victimized groups who can simultaneously relate to the perpetrators in a politically effective yet forgiving manner?”); a support of public statements by individuals affected (“Are public declarations of forgiveness sensitive to the pained conditions of other members of the offended social group?”); and restoration of intergroup social fairness. (Montiel, 2000, 95)

For Montiel, it is the combination of the individual victim’s “readiness to forgive” combined with the “offender’s remorseful apology, initiatives toward reconciliation and the attainment of justice” that determine the constructive or destructive effects of forgiveness on individuals and society. She cites “receiving fair treatment” as the type of justice most effective in order to create a post conflict environment that reflects “positive social transformations” arising as “beneficial effects of the terminated political turmoil”. (Montiel, 2000, 96)

Comments on forgiveness models

The most significant finding from my work was discovering the phase of passive resentment in the current post-conflict generation and the need for seeking unconditional forgiveness in subsequent generations and diasporas (see discussion below). Both Enright and Montiel’s models of forgiveness are highly relevant to this. Both are derived from empirical work; Enright’s from work with individuals in the United States, and Montiel’s from work in post-conflict environments. Both

proved to most closely reflect material gathered in fieldwork interviews and to most directly address realities observed within all three countries. While Anderson aptly describes a process that is certainly reflected in the Enright model, she appears to be overly dependent on interaction between the offended and offender(s). For this reason, I found this model to be least relevant to my experience in the field. For most, the greatest offender was the state or a paramilitary or rebel group where individuals responsible for carrying out acts were hard to identify or were dead. It was the same situation for perpetrators who might wish to demonstrate remorse for their actions.

Especially relevant was Enright's depiction of the evolutionary, phased and intertwined relationship between justice, forgiveness, and revenge. In each country, Northern Ireland, Serbia, and South Africa, the early stages of Enright's model most accurately described the individual, group, and political scenario that I had witnessed on the ground. Both negotiated and positional forgiveness can be seen as mid-phases in the Enright model, and Monteil's socio-political model is a good description of the political relevance of a process of forgiveness in a post-conflict environment. As evidenced by comments recorded throughout this thesis, citizens of these societies readily recognised the link between justice, forgiveness, and revenge. The weakness of Enright's model was that it had been originally been developed solely with individuals.

On the other hand, Monteil has developed a model that more accurately describes group interaction in a post-conflict environment. Her assessment of the role of political leadership across boundaries in enacting forgiveness on a group level is particularly appropriate to the political situation in Northern Ireland where Gerry Adams's Sinn Féin Party has had direct links to and influence on (perhaps

more in the earliest post-conflict years than now) the I.R.A., and the opposite side of the spectrum where the fundamentalist Ian Paisley's DUP (Democratic Unionist Party) has held sway (see Introduction, Chapter Three, Chapter Six).

A description of a forgiveness process that mirrors the definition of passive resentment, defined as a middle ground between forgiveness and revenge and addressed later in this chapter, as well as the first five steps of the Enright framework, has been suggested by Michelle Nelson. In her model she describes a type of "detached", "limited", and "complete" forgiveness. Detached forgiveness is "reduction in negative affect toward the offender, but no restoration of the relationship" while limited forgiveness is a "reduction in negative affect toward the offender and partial restoration of and decreased emotional investment in the relationship". In her interpretation, full or complete forgiveness is closest to Enright's final stage of genuine forgiveness, which includes "total cessation of negative affect towards the offender and full restoration and growth of the relationship". (Enright et al, 1998, 101)

Monteil has maintained that a form of sociopolitical forgiveness could be especially effective when "a pragmatic combination of forgiveness and justice in post-conflict societies" could help to create "the necessary transformational social power needed to heal both the subjective-psychological and objective-systemic damages of a war", helping to prevent the "escalation of future intergroup antagonisms". (Montiel, 2000, 100)

This phase allows individuals and groups to acknowledge feelings of revenge, while allowing cooperation with former enemies. It also embodies a willingness to consider forgiveness. While the decision to forbear from a vengeful act is not the

same as extending unconditional forgiveness, it is a good beginning. A sincerely stated intent to forgive, or at least to try, is a definite step in that direction.

Models of revenge

While less empirical work has been done with the process of revenge, it is still clear that there is an interaction between perceptions of justice, forgiveness and revenge throughout its evolution. In almost all literature on forgiveness and revenge cited in this chapter, there is an awareness that the natural core expression of rage is revenge not forgiveness. It is equally clear from fieldwork observation, interviews, and subsequent description of passive resentment, that a key heroic act for many post-conflict survivors is forbearance from revenge. For them, a process of forgiveness is valued as a way to support this resolve.

A three phase model called “norms of revenge”, derived from research in Montenegro, where revenge is enacted as part of a social code of honor, was constructed in the late 1980s by Jon Elster. The first phase, based on a rational behavior model, cites the risk of social exclusion if there is no form of retaliation, such as intimidation, and/or perceived unwillingness of the offended to take revenge for an offence, by punishing the offenders. The second phase is revenge enacted in the passion of the moment, where rage and impulse guide the act. The third stage is revenge motivated by shame, anger, embarrassment, and contempt, and dictated by socially shared and enforced rules controlling its enactment. (Elster, 1990, 862-3, 872-3)

In a wide ranging study, anthropologist Alison Renteln found a connection between vengeance and forgiveness in the settling of feuds, where the “process of taking [retaliatory blood] revenge ...leads to mutual forgiveness as the “point is not to punish but to restore harmony”. While she cites the standard interpretation of

forgiveness as forgiving an act without retaliation, she states that “forgiveness in other social contexts requires action”. (Renteln, 1990, 12-30)

Laying the groundwork for Richard Wilson’s later model, political theorist Robert Nozick listed five ways to distinguish retribution, a limited retaliatory response to a wrong, from revenge, a disproportionate and invariably destructive response to the same situation.

The first is that retribution directly addresses a concrete offence, as compared to revenge, which may be carried out for a real or perceived slight or imagined offence. (This could apply to bombs set off to indiscriminately kill innocent civilians.) The second is that “retribution sets an upper limit on punishment” or proportionality in accordance to the wrongful act while “revenge sets no such limits”. Third, “revenge is personal”, while “agents of retribution need have no personal tie to the victim...for whom they exact retribution”. Fourth, revenge “involves a specific emotional tone-pleasure in the suffering of the punished” while retribution “either involves no such emotional tone” or derives pleasure from a different source such as “justice being done”. Finally, revenge is specifically targeted back toward the individuals or members of groups who perpetrated the original transgression, while retribution is “committed to general principles mandating similar punishment in similar circumstances”. (Nozick, Robert, as cited in Wilson, 2001, 161-2)

Utilising both township interviews in the Johannesburg area during and after the South African TRC, and Nozick’s definitions, Richard Wilson developed a three-stage model depicting vengeance, retribution, and revenge. The beginning point, vengeance, is interpreted as being linked “to a language and an emotion of reciprocal punishment and suffering of the offender as compensation for

wrongdoing or perceived harm". Retribution, "although motivated by a desire for revenge" is seen as a punitive type of justice "dispensed by more institutionalised types of mediation and adjudication", such as in South African townships and magistrates' courts. Revenge is unconditional with "unchecked violent acts of individuals and armed gangs motivated by the desire for vengeance with no element of proportionality". (Wilson, 2001, 162)

Like Elster, Wilson's model shows the process of revenge not as a free-floating and independent discourse, but as a simultaneously emotional and rational reaction to a situation where "more institutionalized forms of retribution (be they state or informal) are lacking". His definition of vengeance and retribution parallels with the early to mid- stages of Enright's forgiveness model, while the final stage of revenge is the antithesis of genuine forgiveness. (Wilson, 2001, 160)

Wilson acknowledges that a "permeable boundary" and inherent ambiguity exist between "institutions of retribution" which "feed off the unrefined emotion of vengeance, channeling it into conventional procedures, but never quite breaking with the expectation of due punishment for wrongs and suffering for the offender". The "raw power of vengeance" supports the legitimacy and power of judges handing down sentences. "Every informal and state court in South Africa albeit in different ways, not only relies upon the construction of these categories but at the same time blurs their limits." (Wilson, 2001, 164) South African Justice Albie Sachs described the court system as a form of "soft vengeance" as opposed to the "hard vengeance" of fighting in the streets. (Sachs, 2003)

Desire for and justification of revenge were rarely articulated in my fieldwork interviews. One notable exception was a woman in Northern Ireland who worked openly with Republicans in a Belfast community group, while

simultaneously staying on good terms with her local Loyalist paramilitaries, who she spoke of appreciatively as doing the ‘real’ policing such as disciplining joy riders and petty criminals. Her brother’s death was something she couldn’t forget and she declared unequivocally that she wanted to take revenge on her brother’s killers who had been his fellow Loyalist paramilitary members. (Northern Ireland Interview, 2000, West Belfast: see Appendix)

A key problem with acting out revenge is, as Martha Minow observed in Bosnia and Rwanda, is that it can lead to “horrible excesses” while still failing to restore what was lost. This can result in “devastating, escalating intergroup violence” where “mass killings are the fruit of revenge for perceived past harms”. (Minow, 1998, 11) Another problem is that while revenge can be euphorically addictive, its ‘high’ is of short duration. (Judah, 2002, 246-7) Arendt saw acts of revenge as self-perpetuating, unending, and predictable responses which stimulated new cycles of revenge, while unconditional forgiveness was depicted as a stronger force that could stop revenge forever.

Forgiving, in other words, is the only reaction which does not merely re-act but acts anew and unexpectedly, unconditioned by the act which provoked it. ... Without being forgiven, released from the consequences of what we have done, our capacity to act would, as it were, be confined to one single deed from which we could never recover; we would remain the victims of its consequences forever...
(Arendt, 1958, 240-1)

Passive resentment

In many early post-conflict environments, it has been observed that a point is arrived at when all sides begin to consciously practice forbearance from acting out feelings of revenge, while simultaneously acknowledging their presence. This phase has been identified as a type of “passive resentment”, first coined during conversations with researcher, Frances McLernon, University of Ulster, Northern

Ireland. During interviews and in public we had both observed clear indication of a middle ground that combined distinct elements of both forgiveness and revenge. In her work with forgiveness groups in Northern Ireland, McLernon observed evidence of a negative, volatile, but neutral non-action oriented middle ground characterised by anger, frustration, and confusion. (McLernon, 2000) This ‘passive resentment’, a forbearance from revenge accompanied by a reluctance to forgive, has emerged as an emotionally ambivalent but politically pragmatic stance.

A declaration of an “intention to forgive” on both an individual and group level was felt by one Republican woman to be a constructive first step in beginning dialogue with a community with whom one had been formerly engaged in violent conflict. (Northern Ireland Interviews, 2000, Ballymurphy Women’s Group, Belfast: see Appendix)

In north Belfast, Brendan Bradley told me that an “intention toward forgiveness is OK”, it “means you forgive things that prevent ... change. ...People tell me they don’t intentionally forgive but don’t blame anyone either. No one has a monopoly on crimes against humanity.” (Northern Ireland Interview, 2000, Bradley: see Appendix)

A similar attitude was expressed among six focus groups led by McLernon and others. Two ‘victims’ groups were composed of “Nationalists” (Catholics), one of Unionists (“Protestants”), one of members of church based community relations organisations, another of lay conflict resolution organisations, and one of members of a victim support organisation. One Unionist felt that not holding “all members of the group responsible for the deeds of a few” didn’t mean that “you have forgiven each and every nationalist in the country” but that this prevented one “resenting

people just because they are labeled as part of that group”. (McLernon and Cairns, 1999, 34)

Subsequent interviews in Serbia and South Africa reinforced this pragmatic attitude, and also showed that it could be selective. In Serbian interviews and conversations in January and April 2001, a short time after Milosevic lost the October election, it was clear that what independent Belgrade journalist, Bratislav Grubacic called “passive resentment” existed between Croats and Serbs, and Muslims and Serbs, but that outright hostility and distrust characterised most of the relationships between Albanians and Serbs. (Serbia Interviews, January 2001, Grubacic: see Appendix) In South Africa, one former activist made the point that “I can easily live with people who are trying to address issues rather than those not willing to look at them.” (SA Interviews, 2002, Hartzenburg: see Appendix)

As one north Belfast Republican community activist asserted, “people need to meet people.” They “may never see eye to eye politically, but see each other as people” and cause “a break down there” (in hostility). He believed that “leaders of factions” needed “to ask for forgiveness and to extend forgiveness” and that political leaders needed to “ask each other for forgiveness for attacking” the other’s “political base”. There needed to be a “mass movement of people who forgive themselves and forgive each other”. (Northern Ireland Interview, 2000, Bradley: see Appendix)

Forgiveness in Northern Ireland

“There is no forgiveness in Northern Ireland”, was the sardonic reply when I described my research project to a Belfast librarian and veteran civil rights marcher in April 2000. While this proved to be untrue it did point out several cultural aspects regarding its discussion. In Northern Ireland, a distinction between

politicians and/or political groups, and individuals was often made. While working with forgiveness discussion groups in Northern Ireland, it was observed that “based on the link between forgiveness and trust” most found it easier “to forgive an individual than to forgive a group, because it is easier to place trust in an individual”. It was also thought to be “harder to forgive leaders of a group than its members”. (Cairns and Roe, 2003, 138-9)

As Cairns noted, “few politicians in Northern Ireland appear to be prepared to risk alienating their electorate by speaking openly about the need to forgive” as early prisoner releases have continued to remain a serious point of controversy. Fear of intrusion on personal grief, and the fact that “some groups may feel that acts of violence have been a justifiable means to an end and that forgiveness is, therefore, not necessary”, have also contributed to the silence. (Cairns and Roe, 2003, 134) Norman Porter has also noted that open discussion of forgiveness is “either thought to muddy the waters of reconciliation or not to be relevant to political discourse”. (Porter, 2003, 23)

The bulk of my Northern Ireland interviews took place during the extremely tense environment following the February 2000 suspension of the Northern Ireland Assembly. Although this turned out to be first in a series of suspensions, it was perhaps one of the most uncertain, as tensions were running high and this action had removed the only formal political institutional setting in which all could debate and solve grievances. Many individuals I spoke to, from all sides, were under death threat, a common situation, and well aware that it was only their and others’ determination to have peace that prevented the conflict from exploding again.

During Belfast interviews, politicians were often referred to when discussing forgiveness. A Republican woman insisted that “...Politicians are playing a game

with us all. I think Unionist politicians don't want peace. Ordinary Protestant people want peace but politicians are the problem." (Northern Ireland Interviews, April 2000, Survivors of Trauma: see Appendix).

Another man felt that a key acknowledgement needed to be made by all parties in N.I. and in Great Britain that "there had been a war on" and that the best possible action by leaders of political parties would be to apologize and ask for forgiveness on behalf of the members of their party as a symbolic way to advance political reconciliation. This, he felt, would send a signal from the top down to individual group members, creating space for individuals and groups in opposing communities to work together. (Northern Ireland Interviews, 2000, Bradley: see Appendix) When asked about how he thought IRA prisoners/ Republicans/ Catholics would react to a police apology (then called the Royal Ulster Constabulary or RUC, renamed the Police Service of Northern Ireland or PSNI), one Republican ex-prisoner, initially looked stunned, then thoughtful, saying that an RUC officer had once told him that there had been "some bad apples in the bunch". (Northern Ireland Interviews, April 2000, ex-prisoner: see Appendix)

Following a conversation with a member of the police force several months later, I asked if the RUC had ever considered making a public apology. He said yes they had talked about it but discussion had focused on who should apologise to whom and for what. Many in the force felt that the police had been following orders of others who were accountable as well. When I described the reaction of the ex-prisoner to the concept of an RUC apology, he stopped, deep in thought for a moment, and replied that sooner or later the police and the paramilitaries were going to have to sit down face to face and talk to each other. (Northern Ireland Interviews, November 2000, Police Headquarters Belfast: see Appendix)

One reason is that while on the surface the Good Friday Agreement holds, and groups have ceased fighting each other in open conflict, “Northern Ireland remains a deeply divided society. The legacy of a generation of violence has left scars of bitterness and fear among citizens of all religious and political persuasions”, and a “climate of mistrusts exists between large numbers of unionists and nationalists”. (Porter, 2003, 25)

In his book, The Elusive Quest, Reconciliation in Northern Ireland (2003), Norman Porter has noted that the concept of reconciliation is still a debated issue in Northern Ireland. While he feels that a majority of people have declared themselves to be in favour of reconciliation, “what they understand by it is often too vague or too weakly held to withstand the assaults of its detractors”. (Porter, 25) Long standing cultural differences between unionists and nationalists remain and continue to create tense situations, particularly during the summer marching season, and “housing and educational segregation between Protestants and Catholics in working-class areas of Belfast...is virtually complete and shows little sign of changing.” (Porter, 2003, 3) Despite official and pervasive pessimism about the situation, there have consistently been signs that people in Northern Ireland are thinking about forgiveness.

“If people do not forgive to live in peace”, they “won’t fulfill that element of life – no forgiveness turns into hatred”, you “have to let it grow”. “Genuine forgiveness is a process” like, “planting a furrow”. (Northern Ireland Interviews, 2000, Bradley: see Appendix)

A Republican woman whose husband was killed, readily spoke about forgiveness at a community centre in North Belfast.

Forgiveness is personal, it makes you happy. ...I don’t think of the people who murdered my husband. I’m happier

and the children see another way ...the person is remembered as a person not as a something. ...I had to forgive my husband for staying here and knowing the threat. I had to forgive myself for knowing. I had to forgive God for letting it happen. ...The politicians are the hardest ones to forgive. They are the ranting and raving of very sick men.

(Northern Ireland Interviews, 2000, Survivors of Trauma: see Appendix)

Revenge in South Africa

Since the mid 1990s, South Africa has been assumed by many in the international community to be one of the least likely countries to provide material for a contemporary model of revenge (as, for instance, developed by anthropologist Richard Wilson). The Truth and Reconciliation Commission (TRC) launched the country's worldwide image as a symbol for forgiveness and reconciliation in a post-conflict environment, and following the 1994 democratic elections, a concept of "reconciliation, restorative justice and 'African jurisprudence' known as ubuntu", was championed by the head of the TRC, Archbishop Desmond Tutu. This concept represented an idealised rural African community that embraced "reciprocity, respect for human dignity, community cohesion and solidarity", and soon after "ubuntu became a key political and legal notion in the immediate post-apartheid order". (Wilson, 2001, 9)

In the short term, the significant advantage of what Richard Wilson describes as this "thick" or "religious-redemptive version of reconciliation" consisting of "confession, forgiveness, sacrifice and redemption", was that it was the "only version of reconciliation with any pretensions to reshaping popular legal and political consciousness". In the long term, it became problematic in its attempt to construct an encompassing "post-apartheid dominant theology" as it strongly polarized both supporters and opponents. (Wilson, 2001, 122-3)

Upon my arrival in Cape Town on 30 October 2002, the country was reeling from news about an early morning bombing in Soweto, a large township outside

Johannesburg, and immediately attributed it to an extreme right-wing Afrikaner secessionist paramilitary group (see Chapter Two). Over the next six weeks, against the backdrop of the investigation, government reaction, and public warnings that this indicated deeper, more pervasive unrest, I conducted interviews in the Cape Town region. Long considered by many South Africans to be one of the most ‘mixed’ and least racially tense areas in the country, I found that while tensions were not as close to the surface as in other areas, hardly anyone viewed the area as having racial harmony or the TRC as having been more than a “good way to write accurate history”. (SA Interviews, 2002, Mattes: see Appendix)

The TRC certainly was not seen as having a long term impact toward advancing reconciliation or in solving any of the most pressing political, social, or economic problems, and there appeared to be much anger and disappointment that things hadn’t changed fast enough. This attitude was reflected both in Cape Town interviews and in stories and articles which appeared in local and national media.

During a meeting near the end of my stay and in subsequent communication with Karin Lombard, who was beginning to coordinate nationwide cross-group responses to a survey called “The SA Reconciliation Barometer”, organized by the Institute for Justice and Reconciliation, we both questioned the underlying meaning behind the use of the word “forgiveness” by the black population in reference to their feelings about the years of apartheid. In conversations and interviews with black Africans and Coloured populations, the possibility had occurred to us that the word was being used as an expression of tolerance of whites by populations of colour, as many comments had been heard stating that ‘they’, meaning ‘whites’, were never going to change. (SA Interviews, 2002, Lombard: see Appendix)

The fear of black violence has been conveyed as a legacy of apartheid when fear of the African majority was often used as rationale for its continuation. It was perpetuated as necessary to protect the 'haves' from the 'have nots'. During apartheid, the white population was seen as one group by most outsiders, but there had always been tensions between those of English and Afrikaner descent. Despite this split, there was a strong feeling among other groups of colour that the two groups had united to preserve their privileges under apartheid. Resentment of this stance was especially strong in the English dominated Cape Town area.

The "English sons went into military, and they were always anti-Black, always anti-Afrikans, because they weren't subtle. The Afrikaner had heavy politics." The English are "having a hard time today...being English isn't what it used to be", they "don't speak with marbles in their mouth...don't have an old school tie anymore... during apartheid Afrikaners and English were together ... white English speaking went with what was secure, the protection of property" and persons. "White people were seduced by white privilege." (SA interviews 2002, Kolbe: see Appendix)

Another, a well known artist and 1980s activist, of Coloured background, spoke about how his experiences during apartheid had been very different from his English Cape Town contemporaries. The "English, referred to as Anglo Saxons, held sway in the City of Cape Town. The University was a bastion of English language types – the educated and professional class". They were "extremely arrogant" and "fear" made them "employ whatever means they could to preserve themselves".

In the "heart of the 1980s" things were very difficult on the Cape Flats (Coloured area adjacent to Cape Town) "in terms of struggle and political actions".

We “heard about a writers conference at the University of Cape Town...all interested could come up and deliver a paper”. We attended and “listened to what was happening and thought we were on another planet”. They were “out of sync with the raw experience we were having in the Flats”. (SA Interviews, 2002, Hartzenburg: see Appendix)

As an activist who had fought for the end of apartheid he has found that his vision of the new world is very different from those of young people in post 1994 South Africa. “For myself, something I find partly lacking are structures that people can relate to and work within in a meaningful way to bring people together to see a forward movement. ...What I find distasteful is that the strata that was privileged ...wants to hang on to their supreme position”, it’s “something they haven’t shaken off yet” and “makes for a problematic scenario ...a power positioning” which they haven’t relinquished. “I expected white people to change but it hasn’t been forthcoming [and we] haven’t created the necessary structures so it can happen.” (SA Interviews, 2002, Hartzenburg: see Appendix)

Instead of the more equitable distribution of wealth as he had envisaged, other groups have assumed superior economic and social positions. He was especially critical of a new wealthy, privileged Indian class centred in Natal. Although hopeful, he expressed disillusionment with the way things have turned out so far as exclusiveness “doesn’t embody a sense of a country in which we can share the future”. (SA Interviews, 2002, Hartzenburg: see Appendix)

Conducting a series of interviews with African township inhabitants in the Vaal region south of Johannesburg, during and after the TRC, anthropologist Richard Wilson found that the Commission’s vision of reconciliation which had emphasized public testimonials as a way to encourage the population to defuse and

abandon revenge, did not always have a positive effect. On the local level he observed that reaction was split into three categories: “adductive affinities”, where local values and expression of human rights shared the same expression and values; “pragmatic proceduralism”, where victims/survivors participate in human rights procedures in order to achieve personal goals rather than being motivated through sincere belief in their value; and “relational discontinuities” where victims/survivors resisted the restorative justice model to seek a more retributive and vengeful style of justice. (Wilson, 2001, xix)

In his work in townships, Wilson found the existence of a “dual consciousness” regarding formal justice as shaped by state institutions and informal understandings of local justice, where humanitarian and Christian values of forgiveness, as religious-redemption reconciliation, coexisted with “vengeful notions of punishment.” (Wilson, 2001, 156, 190)

Following the 1940s’ urbanization of African workers and the subsequent growth of gang culture, two different systems of South African justice had begun to develop. In the townships, where the government did not provide an official police force, perceptions of justice tended to run to a vigilante style of ‘wild’ or ‘rough justice’, where score settling and “popular policing” were handled by gang members. This informal type of policing and justice was tolerated by the South African government. (Wilson, 2001, 156, 190)

Wilson noted that this situation was exacerbated by the way in which the TRC operated. Despite good intentions, the TRC hearings lacked “concrete mechanisms to pursue conflict resolution” and tended to interact with local communities “primarily through progressive mainstream church networks”, without connecting to “punitive structures at the local level-warring party political branches,

township courts or Special Defense Units”. While acknowledging that this style of physical punishment was distasteful for many TRC commissioners, Wilson maintained that human rights organisations ignored “popular conceptualisations of justice at their own peril”. (Wilson, 2001, 227)

Wilson pointed out that “despite her public vilification”, Winnie Madikizela-Mandela, the former wife of Nelson Mandela who “never quite made the transition from “Mother-of-the-Nation-yet-to-Become to the Mother-of-the-Nation-that-has-now-Come-to-be”, continues to represent “one of the main symbols of black anger and vengeance”. Despite her links to the murderously violent ‘Mandela United Football Club’ and her 1991 conviction for the kidnapping of Stompie Seipei (who was later murdered by the Club), she is still best able to articulate what Wilson describes as the “widespread emotions of anger at the continued racialization of privilege in the ‘new’ South Africa” as well as “the lack of economic betterment for the majority of black South Africans”. She has been an embarrassment to the ANC government, who has tried to break with the “excesses of the 1980s struggle” to create a “new national historicity” by elevating Desmond Tutu as a “symbol of reconciliation” and “continuity between humanitarian motives in the past and present”. (Wilson, 2001, 165)

This disparity between the official government politically correct position and personal attitudes was also observed in equal measure in the way a ‘new’ outdoor café eating trend was being practiced in suburban Johannesburg among affluent young whites, whose personal preferences and spending habits were seen as an indicator of how South Africa was succeeding in racial integration.

Notably, many of the restaurants in Johannesburg and their customers are white. Some of the younger customers are black-they tend to be students or scholars, children of those black people who have migrated from the townships. The

groups behave non-racially, mainly because the majority are white.

This says two things and they're not comfortable. Official rhetoric in South Africa oscillates between 'rainbow nation', although this is heard less today and a certain retributive criticism of whites for not putting their weight behind the new democracy. The notion of South Africa as one, unified and blending, runs through both official rhetoric and South Africans' attitudes.

...The eat-out revolution suggests something different, more intricate. First, it suggests a growing gulf between official and unofficial South Africa. Second, it suggests the gulf is between notions of national unity. One notion is of the soup, where flavours blend; the public notion is of the stew where flavours are juxtaposed. Governments use the undifferentiated 'we', citizens 'I' and 'us'. Governments evoke a future which they confuse with the present, deliberately or wishfully.

(Greig, 2002, *The Sunday Independent*)

In 2003, the summarizing report of an extensive and ongoing national survey "The SA Reconciliation Barometer", a project of the Institute for Justice and Reconciliation based in Cape Town, found that "30% of South Africans were unable or unwilling to offer any meaning of reconciliation", that "Black South Africans appear to favour notions of forgiveness above notions of racial integration, which are favoured by Whites", "only one in five South Africans believe they need to take considerable personal responsibility for the national reconciliation process", and that "fully 13% of South Africans think it is justified to resort to violent means" like taking hostages or damaging property" if the government does not protect their human rights". (Lombard, 2003, 16: Newsletter, Vol. 1, Issue 3)

It appeared that one of the greatest disparities in racial opinion was over a response to the statement that "Whites profited from Apartheid and continue to do so today". While only 22% of the white population agreed, a solid 74% of the black population thought it to be true. Another deep racial divide was reflected in responses to the question, "Do you agree, are uncertain, or disagree with the following statement: I feel that white people should be ready to apologise for what

happened to the people under Apartheid”. Three quarters of blacks, 68 % of coloureds, and 57% of Indian respondents agreed, while only 29% of the white population thought an apology was necessary. (Lombard, 2003, 16)

The report notes that

whatever the reasoning, Blacks and Whites differ greatly on this issue. The massive disparity between the majority of Blacks (and Whites) feeling those who suffered should now forgive and the majority of Whites who feel they do not continue to benefit and need not apologise may have long-term repercussions for the nation-building process.

(Lombard, 2003, 16: Newsletter, Vol. 1, Issue 3)

One black South African in his mid twenties, a member of the first ‘cross-over’ generation, having received an integrated primary and university education, and still living with his family in a township, saw “forgiveness from all points of view”. Mentioning that he still experienced a subconscious type of racism exuded by well meaning whites, he defined two types of forgiveness. One was where blacks wanted apologies from whites “who caused pain” the “white people who passed legislation...white people who dragged them from the back of their bakkies [pickup trucks]”. The other was blacks forgiving each other. “We’re very forgiving...we’re brought up that way...to forgive and be forgiven....Black people need to do it, they caused a lot of harm to each other.” (SA interviews, 2002, Melane: see Appendix)

This last point of forgiveness between blacks is important as many colluded with the apartheid regime, directly and indirectly, in ways that resulted in betrayal and abuse and of fellow blacks.

One strong point of agreement for the majority of all races in the Reconciliation Barometer focused on a “perceived readiness to gain closure on the past”. As Lombard noted,

In light of the widespread White refusal to acknowledge or apologise for their benefication, this comes as quite a relief. Whilst White recognition and acknowledgement of the past does not appear to be a

mandatory pre-condition for forgiveness and moving on, the patience of people who since 1994 have not seen any concerted efforts by Whites to change the apartheid era socio-economic *status quo* should not be overestimated. (Lombard, 2003, 16: Newsletter, Vol. 1, Issue 3)

As Vincent Kolbe noted “Mandela was useful” and the “80s brought all of South Africa together”, but warned that there’s still a “lot of work to be done...still a lot of violence, unhappiness.” (SA interviews 2002, Kolbe: see Appendix)

The survey also made clear that reconciliation and development were perceived as two different issues. Reconciliation was referred to as the “rebuilding of relationships between people”, while development was interpreted as “dealing with unemployment, crime, a lack of housing”, and an array of “so-called socio-economic rights”. (Lombard, 2003, 16: Newsletter, Vol. 1, Issue 3)

Regardless of background, there seems to be a general consensus among South Africans that the hard work of reconciliation has only just begun. As President Thabo Mbeki noted,

it’s a very delicate thing to handle the relationship between these two elements...it’s not a mathematical thing; it’s an art...if you handle transformation in a way that doesn’t change a good part of the status quo, those who are disadvantaged will rebel, and then goodbye reconciliation. (Lombard, 2003, 16: Newsletter, Vol. 1, Issue 3)

Serbia

My fieldwork in Serbia provided an opportunity to observe these processes in their earliest development. My first visit to Belgrade was in late January 2001. This visit, just after Milosevic had been deposed the previous October, and again in April, required an official ‘letter of invitation’. The final trip in June 2002 fell under a new tourism visa in effect during the summer months.

In January 2001, when asked about forgiveness, one student referred to the NATO bombing, about which there were angry feelings in Belgrade, saying it was something she felt “very bitter about”. However, she said she could forgive the

United States for the ‘intervention’ because they were a superpower and “that’s how superpowers act”, but what did Britain think it was doing, it was part of Europe? No one spoke directly of the Albanians. (Serbia Interviews, January 2001, Belgrade IT students: see Appendix)

A year and a half later, when anti-NATO feelings had cooled somewhat in Belgrade, they were still running high in Novi Sad, a city located on the Danube River about eighty miles north of Belgrade. Stories of the nightly NATO bombings were vividly recalled and a large bridge that had been destroyed was still being angrily pointed out by locals. An American NGO worker based in Belgrade, who had worked in the Balkans for some time, told me he suspected that the prolonged NATO bombing in Novi Sad had been carried out to teach Serbs a lesson, as there had been no other strategic reason for targeting the city. (Serbia Interviews, June 2002, Novi Sad, Belgrade: see Appendix)

Acknowledgement of actions against other groups done in the name of Serbs by the government and its satellite paramilitary organisations has been an extremely difficult issue. “Serbs need to know what was done in their name”, maintained Belgrade journalist Bratislav Grubacic when speaking of the massacre at Srebrenica. In order not to repeat another war, Grubacic felt that Milosevic needed to “go to the Hague”; that Serbia needed an “open process where basic elements of Serb nationalism need to be examined and politics adjusted to the modern world”, and that a truth commission needed to be established to “open the eyes of the Serb population. ...Responsibility? Individual versus collective responsibility? It’s useful- can’t say they’re all responsible but in fact I believe we are all in some measure responsible.” (Serbia Interviews, January 2001, June 2002, Grubacic: see Appendix)

From the first visit there appeared to be a resigned acceptance for the final parting of ways with Croatia, Bosnia, and even Montenegro. A student interviewed in January 2001 talked about the anticipated split of Serbia and Montenegro as a “divorce”. I was asked at the same time by a group of students about what the outside press was saying about the necessity for sending Milosevic to the Hague in order for Serbia to receive economic aid. The feeling was strong among this group that the outside world was using Milosevic to teach Serbs a lesson. Most in the room had voted him out of office but felt that they would rather try him in Serbian courts than have the world humiliate him, which they perceived as public condemnation of all Serbs. (Serbia Interviews, January 2001: see Appendix)

In 2003 (10 September) a negotiated political forgiveness began to emerge between Croatia and Serbia when the Serb President Svetozar Marovic, made an unexpected apology to the Croatian President Stjepan Mesic during his first visit to Belgrade since the war, “for all the evils any citizen of Serbia and Montenegro has committed against any citizen of Croatia”. President Mesic spontaneously responded by apologising “to all those who have suffered pain or damage at any time from citizens of Croatia who misused or acted against the law”. While it is uncertain whether these apologies were official or closer to personal, symbolic statements, it has become clear that both countries need to “improve regional co-ordination” if they are to become members of the European Union and other international institutions. (BBC News, 10 September 2003)

The initial apology may have also been motivated by Serbia’s pressing Croatian Serb refugee problem. Of the nearly one million refugees and internally displaced Serbs expelled from Croatia, Bosnia, and Kosovo since 1991, around 22,000 Croatian Serbs have remained in Serbia’s ‘temporary’ refugee centres,

consuming “more than 80% of Serbia’s refugee budget”. Serbia has been anxious to defuse the tensions their presence has caused among local Serbs by returning them to their original homes in Croatia. (BBC News, 20 June 2003)

While the relationship with the other countries in the former Yugoslavia show signs of settling, for many Serbs, Kosovo is still a volatile political issue. One Serb viewed the situation as one that “will go on for ten years...it will last a long time.” (Serbia Interviews, January 2001, Belgrade IT students: see Appendix)

In commenting on the dangers of the rebirth of the Nationalist Party in the Serb elections of 28 December 2003, David Owen maintained that Milosevic had used his trial at the Hague “very cleverly ...speaking directly to supporters in Serbia”. The “referendum on international criminal court at the Hague” is “feeding nationalist forces”. All of us “need to settle this issue of Kosovo”. There “needs to be a commitment from the EU on Serbia” and we “need closure on the issue of Milosevic. ...If Serbia continues to go down into the pit...the Balkans would find it very difficult to come out of it. .. Kostunica is a genuine Serbian nationalist.” He felt that we, in the West, “need to engage him and need to be more generous toward Serbia.” (Owen, 2003, BBC Radio Four)

In April 2003, an “exploratory brainstorming” workshop on the Balkans, “Reconciling for the future”, sponsored by the CDRSEE (Center for Democracy and Reconciliation in Southeast Europe) was held in Thessaloniki, Greece. One of the first speakers, Elisabeth Rehn, began by acknowledging that “..I think we all agree that today we are still far away from a truly reconciled region.” A divided society exists in the former Yugoslavia along “religious, ethnic, social, cultural and political lines”, with the deepest separation between the Serbs and Albanians.

“...Reconciliation does not only mean the mere absence of physical violence, but,

in a positive and more ambitious approach, a process in which the persisting pattern of hostility and conflicts is transformed into cooperation and respect of common values". (Rehn, 2003, Speech 3)

Another contributor, Erhard Busek, Special Co-ordinator, Stability Pact for South Eastern Europe, emphasized that discussing reconciliation means that we will have to meet the emotions of many individuals.

We will have to meet people whose emotions were (and still are) mobilised by the media, by the ideological apparatuses of the states, by the ethnic nations. Beyond those emotions – and this might be hard to hear for many of my colleagues present here- we will find that dealing with the hatred, which is a very important emotion in this context, is not going to be the real problem. The real and unpleasant problem ...to face in the future is going to be nothing else but love.

Many among the unfortunate actors of these bloody wars have been ready to kill, and they have actually killed, just for ...patriotism and the like and, therefore, they do not have a feeling of having a bad conscience. They simply do not feel guilty. Love, therefore, is the problem that is going to be present in our efforts to change the social fabric (at least in socio-psychological terms),... not only love in terms of ethno-nationalistic interpretation of patriotism, but also love in terms of internal family relations.

In these terms, the process of reconciliation, as we might understand it, would have to start with an attempt to use some rational concepts, to discuss some concrete elements, not just broad social or moral concepts. (Busek, 2003, Speech 4)

Marie Therese Mauro, a UN Political Officer based in the Liaison Office in Belgrade, since the early 1990s, felt hopeful about Serbia's future because people had changed the government themselves, as a bottom-up transformation of power is one of the strongest forms of political change. (Mauro, April 2001, Belgrade) That feeling was also present among students in Belgrade who said that voting out Milosevic had been the "first time in Serbian history that we changed our authorities peacefully". (Serbia Interviews, January 2001: see Appendix)

In Subotica, Vojvodina, the northern Serb province and city bordering Hungary, a Croatian woman who had a long standing marriage with a Serb, voiced her hatred for Milosevic and what he had done to the former Yugoslavia. “I don’t have political forgiveness...I hate him, not as a man because I don’t know him” but because if “you’re from Serbia you have a problem wherever you go”. She hated his wife because of her mother’s experience who “didn’t have a chance as a business woman to work like Milosevic’s wife and children. ...in my heart I hate him but don’t want revenge”. I “want change but not revenge”. (Serbia Interviews, April 2001, Zvecic: see Appendix)

Conclusion

Throughout this thesis, the process of political forgiveness and revenge is depicted as a series of steps taken by an individual and/or collectively by a group toward a final goal of unconditional forgiveness or revenge. (Unconditional revenge is defined here as retaliation that may be targeted toward innocent victims and is disproportional to the offence committed.) In an evolution that closely mirrors the Enright model, while incorporating elements from those of Andrews and much of Monteil, the achievement of genuine forgiveness is defined as total and unconditional cessation and release of all desire for revenge. Each phase is depicted as a constantly evolving dynamic interaction of bottom-up, individuals influencing group behaviour and identity; and top-down, groups, represented by acknowledged leaders who influence individual beliefs.

In much of the discussion surrounding forgiveness, one of the most pervasive questions is if its enactment is necessary in order to stop fighting, and if so, who is it necessary for? It is clear from the evidence that while genuine forgiveness does

release all feelings of revenge, it must be internally driven and unconditional, making it an extremely difficult state for many to achieve.

At the present time, there tends to be a myopic intensity focused on former combatants forgiving each other before they can move on, but as has been indicated earlier in this chapter, evidence is beginning to suggest that a solidly developed state of “passive resentment”, pointed in the direction of forgiveness, may be sufficient to allow individuals and groups to work together in shaping new institutions. (The continued presence of violence is not necessarily indicative of failure and is discussed in a Chapter Six.) While not every person or group is capable of unconditionally forgiving the other, former enemies are the ones who know best the costs of acting out revenge.

Ways to contain revenge within a system of justice that will be held as fair by all have been discussed for centuries. (Rawls, 1999: Sarat, 1997) While often called retribution within a formal institutionalised justice system, and revenge when enacted as informal or rough justice on the streets, they are essentially the same in their source. (While most literature cited in this chapter uses the word vengeance interchangeably with revenge, Wilson defines vengeance as a lesser degree of retribution.) It is the difference in their expression of response to the proportion of an offence that tips the scales. While in some cases, a measured act of revenge embodied in a formal judicial institution and limited by law may settle a dispute, more often revenge is enacted in the form of rough or informal justice, leaving the cycle of retaliation open-ended.

Another point overlooked in many depictions of forgiveness and revenge is that identification of victims and perpetrators is often extremely contentious, making the question of who should forgive whom, equally problematic (see Chapter

Two). While some situations are public and well understood such as well-documented genocide and targeted killings, others are less publicly acknowledged in an 'eye for an eye' retaliation by the offended group which results in an equally vicious settling of the score. This pattern, familiar to those who have engaged in conflict, is usually not well understood by outsiders such as external interveners, aid givers, international governments, peacekeeping forces, diasporas, and others with physical and/or generational distance from the conflict.

Another problem has been the assumed presence or availability of an offender who is capable of apologising to and asking forgiveness from the victim. This is often an unrealistic scenario as the perpetrator may be dead, unavailable, or unrepentant. This situation emphasizes the need for a more independent interpretation of forgiveness that allows political cooperation, while at the same time allowing space for the offended to individually internalize a process that acknowledges and releases the past.

Significantly, as made clear by the Enright model, the presence of vengeful feelings is not in itself a deterrent to the process of forgiveness, nor a guarantee of acting out revenge. More importantly, acknowledging the presence of revenge may help the offended to eventually forgive. The link between the two appears to be perceptions of and reactions to justice as fair or unfair treatment, reaction to perceived victimization, and the way in which they play a prominent and parallel role in the early stages of revenge. It is also clear that what is often heard as a call for 'justice' – certain types of trials, punitive actions, conditionalities, etc., is driven by a motivation for revenge rather than a quest for fair treatment.

In Wild Justice (1985), Susan Jacoby noted that a fine line between retribution and revenge is often present in formalised legal systems where the role of

retribution in society is determined as much by the type of punishment given as by the procedure used to arrive at the decision.

The fact that a judge rather than a mob designates drawing-and-quartering as a proper mode of execution is, in strict legal terms, an advance in the social control of revenge, but it also means that the values of those who control the social order are scarcely more advanced than those of the mob. (Jacoby, 1985, 5)

This is echoed in the sentiments of Aladjem who claims that “vengeance always cloaks itself in the most current styles of ‘justice’. The demand for victims’ rights and the insistence that we hear the voices of the victims are just the latest ‘style’ in which vengeance has disguised itself.” (as quoted in Sarat, 1999, 171) This link between victims’ rights and enactment of justice as revenge highlights implications of the tendency for all groups to assume an identity of victimisation identity during post-conflict transitions. (Chapter Two)

In his analysis of the relationship between vengeance, victims, and formal law, legal scholar, Austin Sarat, has noted that the recent use of the language of victims’ rights is a euphemistic signal for revenge and a reminder that “modern legal orders are built on the edge of fear and anger and that they must walk a fine line in their efforts to ally that fear and calm that anger”. For him it is an indication of growing doubt, especially in Western societies, that “public processes can be built on anything *but* rage and grief”. (Sarat, 1997, 180)

Ironically, it may be the groups who are most distant from the conflict and who have been most disassociated from its costs— the third, in some cases second generations, and diasporas, both contemporary and historic, who may have the greatest need to understand and enact forgiveness. Subsequent generations tend to receive verbal and nonverbal transmissions of anger for wrongs done to their predecessors, while diasporas carry with them an image of a country that no longer

exists, creating a new image in a new environment which may exacerbate old grudges and disagreements. Renewal of conflicts often involves direct participation by both of these groups. For them, genuine forgiveness, which releases all desire for revenge, could be of the greatest help in moving on.

By better defining the processes of forgiveness and revenge, as well as their relationship to perceptions of justice as fairness and formation of post conflict identities, a more accurate set of concrete indicators which reflect dynamics underlying motivations in post-conflict transitions can be developed and utilised to assist in clarifying intentions of individuals and groups. Understanding these processes and how they evolve is directly relevant to security issues on the ground. This awareness will help outsiders to understand the varying nuances and interaction between coded talk and violent action, and assist in identifying potential flash points where lethal violence might quickly erupt in early post-conflict environments.

Mahmood Mamdani has observed that “There is no Chinese Wall between good and evil; the two are interred in the same bones. The dilemma is how to live with evil: Love Thy Enemy.” He has suggested an alternative paradigm of reconciliation where the “old order” could be redefined “not through a relationship between winners and losers, between its beneficiaries and victims as the majority” but by viewing the number of perpetrators and victims as a minority. In other words, treating perpetrators as “agents of the state”, and victims as “political activists victimized personally and individually”, will circumvent focus on “systemic group disadvantage”, and shift instead to specific individual violations. “Responsibility for the old order is pinned on individual perpetrators, agents, not

even on the old political elite. Guilt, evil, is defined in strictly individual terms.”

(Mamdani, 1997, 23-24)

This prevents a “quest for justice” that is “unbounded and self-righteous”, which instead “can be framed as historically as was the injustice to which it is a response. The challenge is to bound that quest within a larger objective, the quest for a re-defined political community in which the identities victim and perpetrator, victim and beneficiary, can be transcended as those of survivors of an era gone by.”

(Mamdani, 1997, 25)

Jacoby has maintained that “boundless vindictive rage” is not the only choice other than “unmerited forgiveness” as

once the possibility of a balance between compassionate and retributive impulses is acknowledged, individuals and societies turn their attention to the question of which forms of retribution, and which forms of forgiveness, afford the opportunity of an existence that encompasses both justice and love. (Jacoby, 1985, 352)

In the preceding descriptions, revenge is depicted as a process strongly influenced by perceptions of justice as fairness. Enright and fellow researchers have observed that “forgiveness is possible only when a person first has a sense of justice. One cannot feel a deep sense of moral injury without a sense of fairness.”

(Enright et al, 1992, 101, 107)

An acknowledgement of the suffering of all, the extension of dignity and respect for different experiences, and consideration in the way memories of the conflict are transmitted to future generations and diasporas, may be key issues in stopping a cycle of revenge. Above all, it is important to remember that along with ‘war’, ‘peace’ is a community living in our imagination.

Reconciliation must reach into the shared inheritance of the democracy of death to teach the drastic nullity of all struggles that end in killing, the unending futility of all attempts to avenge those who are no more. For it is an elementary certainty that

killing will not bring the dead back to life. This is an inheritance that can be shared, and when it is shared there can be that deep knowing that sometimes comes when one wakes from a dream.
(Ignatieff, 1998, 190)

In the end it needs to be remembered by everyone, that it is not just a choice between forgiveness and revenge that drives survivors to reach toward an equitable solution, but the opportunity to live the joys of a peaceful life.

Chapter Eight: Conclusions and Reflections on Peace Processes

As the international community has come to learn, a peace agreement can signal the beginning rather than the end of a conflict story. How events unfold, and the way in which they are perceived both internally and externally, are keys to the success or failure of peace in the long term. During this time, one of the most challenging phases occurs when individual and group expectations of benefits to be gained from a declared peace meet the reality of slow change on the ground. This does not mean that a peace process has been unsuccessful, rather just different to what had been imagined.

This especially applies to continuation of violence following a formal declaration of peace. As has been previously described, instead of the instantaneously non-violent society envisaged, certain types of criminal acts, domestic violence, and ‘score settling’ such as harassment, vandalizing, physical intimidation, punishment beatings and targeted murders, enacted by individuals and/or gangs or paramilitaries may continue at the same level or increase. Much of this violence will be focused intra-group or toward security forces rather than directed at traditional enemies (see Chapter Six). Northern Ireland, which has had one of the longest running conflicts, while now arguably pursuing one of the more difficult peace processes, reflects many of these problems. This situation has been equally observed in Serbia and South Africa, and has posed difficulties for all sides.

The goal of this thesis has been to identify important internal views and underlying issues in the process of political cooperation necessary to rebuild institutional infrastructure and accompanying processes during post-conflict transitions. These are often different from views and assumptions held by those on

the outside. In doing so it has sought to identify and re-prioritise the importance of these issues from an internal point of view. This view, constructed from observation, surveys, and interviews in the relevant countries, has been utilised to model an analytical framework that most accurately describes these underlying forces that shape a process of political cooperation. These factors have been identified as the relationship between evolutionary processes of forgiveness and revenge, perceptions of justice as fairness, and formation of identity in post-conflict transitions.

The relevance of understanding processes of forgiveness and revenge in relation to post-conflict transitions has been attracting serious international attention since the mid 1990s, when survivors of civil wars and members of the global aid community accelerated their search for more effective ways to facilitate post-conflict reconciliation. In particular the political use of forgiveness in a post-conflict transitional justice format, while previously utilised in Latin America, had attracted international attention in the late 1990s as a Truth and Reconciliation Commission (TRC) was conducted in South Africa.

Overall there has been remarkably little clarity about what a peace process and reconciliation actually mean in the international community. A constant theme running throughout this thesis has been that many problems during both the conflict and post-conflict transition have resulted from mistaken assumptions and misguided interpretations made by outsiders. Rather than making an effort to engage with these populations in a slightly more complex way, or to gather what in most cases is readily available information from regional and local sources, many in the international community still prefer to deal with the highest tiers of government and to pursue whatever is seen as the 'quick fix' of the moment.

Key findings

Prior to fieldwork conducted for this thesis, it was apparent from a wide range of sources that a set of dynamics underlying post-conflict transitions, strongly motivated individual and group cooperation in the political sphere. These dynamics were best described as overarching phases of forgiveness and revenge that worked simultaneously on both an individual and group level. Perceptions of justice – whether or not individuals as members of groups felt they were being fairly treated in the process of decision making - was intertwined throughout and strongly influenced positive or negative outcomes as demonstrated in formal cooperation and political decisions.

Formation of post-conflict identities was influenced by all these factors, and as explained in Chapter Two, the most common development was a sense of victimisation by all groups. In Chapter Seven evidence that political processes of forgiveness and revenge in the early post-conflict environment do not require more than forbearance from revenge to enable former enemies to cooperate in the short term, was demonstrated through interviews. However, as peace processes evolve over time priorities change, a different set of concerns arise, and implications of these issues loom large.

An important understanding that appears to have been consistently missed by external observers is that a peace agreement is only a benchmark. It indicates that for variety of reasons a conflict has slowed and that former combatants are ready to discuss the *possibility* of peace and cessation of open warfare. If the peace process holds, the original set of grievances are not “dead” they simply transfer to the political forum. While it is clear that one cannot be forced to forgive unconditionally, it is equally clear that unless former combatants and subsequent

generations find some way to address and release the animosities of the past, they will simply lie in wait for the next opportunity to emerge.

A key finding of this thesis has been the possibility that an act of forgiveness is more important to post-conflict generations and diasporas than to current post-conflict populations. Forbearance from revenge, embodied in a type of ‘passive resentment’, and an intention to forgive may be the most that can realistically be expected between former combatants in the short term (see Chapter Seven). While interpersonal reconciliation is often described in terms of forgiveness, political reconciliation on a national scale appears to work perfectly well in the “passive resentment” phase described as a forbearance from revenge (see Chapter Seven). Political reconciliation “can forego the psychological and moral challenges that many aggrieved individuals face, but often choose never to deal with in a thoroughgoing manner” while at the same time providing a way to negotiate a type of democratic process that sustains peace. This type of negotiation and tolerance has been said to be “the heart of democratic politics.” (Lombard, May 2004, 8-9)

If political processes of forgiveness and revenge assume their greatest importance in future generations and diasporas, then the ways in which stories are passed on in the form of social and cultural memory in the name of ‘history’ utilised by political power, may be where the final pursuit of reconciliation lies. Much of the way in which a post-conflict society constructs its future lies in the way it interprets and commemorates its past. As has been evident in the case studies in this thesis, memory, like truth, is highly subjective and can be carried as a vengeful torch from one generation to the next. The central issue is not *if* but *how* events are remembered. For survivors and successive generations, “understanding the past *as* the past- is always an achievement.” (Hoffman, 2003, 294)

The mythology of war experience projects a “world divided into two opposing forces: the force of evil and of idealized victimhood, of persecutor and persecuted.” The greatest danger of rekindling conflicts lurks where successive generations do not remember to examine their past “thoughtfully and critically” as violence can be perpetuated and repeated in the form of aggressive regimes that “can last a long time and reproduce themselves very successfully.” (Hoffman, 2003, 294-7) In one way memory operates remarkably similarly to religion as it is a shared practice, focuses on identity, and “leads to the kind of moral certainty whose dark side is moral absolutism” (Muller, 2002, 32), and as was proven in the case of Serbia, cannot always be repressed by attempting to impose an overarching Yugoslav identity (see Chapter Four).

As Richard Wilson found, a body meant to discover one “truth” for the purpose of universal reconciliation such as the TRC in South Africa, may result in two very different approaches to history split between human rights advocates who look “forward to a future of rehabilitation, redemption and reconciliation”, and “retributionists” who “look back at the past and still feel the burden of a crime that has not been cancelled by punishment.” (Wilson, 2001, 209)

Wilson found that advocates of punishment were more likely to adhere to construction of a “new historicity of a reconciling political elite” with urban courts and human rights organizations commemorating “the place of suffering in their construction of justice.” In contrast *lex talionis* ruled in township courts where justice was conceived as repaying one wrong with the same in kind and where physical suffering could only “be repaid with commensurate physical suffering”, or by monetary compensation that adequately represented it. There are also fundamental differences in each group’s approach to equality, where “equality of

rights and moral worth is a key tenet of Christianity and human rights doctrines” but fundamentally rejected in “*imbizo* procedures where certain men assume the right denied to others (women, young unmarried men) to apprehend, try, sentence and punish.” (Wilson, 2001, 209)

Similarly, diasporas, often created by refugees who have survived from both sides of a conflict, carry their memories to foreign lands. Unlike those who have stayed they tend to envisage a place that no longer exists. This isolation of memory is akin to “wrestling with shadows” that can be more disorientating than facing reality, and can lead to misinformed and skewed images being passed on to successive generations. Like the post-generation, the second generation “that comes after disaster” inherits the experience of violence as a “still living memory”. (Hoffman, 2003, 291, 294) This inheritance is molded and converted into a body of collective memory or historical knowledge.

Jan Werner Muller has made clear distinctions between memory, power, and history. He maintains that one way to understand the relationship between memory and power is to envisage memory as a kind of “symbolic power” that influences policymaking where policymakers rely on various versions of collective, national, and personal memory, and “on historical analogies in particular” to create an instant legitimacy for political strategies and actions that bypass reflective examination. History, he maintains, is highly interconnected to memory, but in its most successful manifestation, stands apart as both a product and critic of collective memory. Both history and collective memory influence formation of identity in the positive and negative ways that have been described in this thesis, which can be reconfigured into a “narrative of victimisation, which then becomes an incentive for aggression.” (Muller, 2002, 25-7, 22-3, 21)

For Eva Hoffman, member of a family of Polish Jews who survived the Holocaust of World War II, “the haunting is not ended” if a clean break is not made between the past and present. “It is in this crucial interval that the past can be frozen into fixed mythology, or comprehended in its historical complexity; and in which the cycles of revenge can be perpetrated or interrupted. The moment of transmission is worth dwelling on, because it is a moment of real danger; but also of genuine possibility and hope.” (Hoffman, 2003, 294)

Inheriting these catastrophic histories is unfair to children from all sides of a conflict. There is a necessity for post-generations on both sides “to move away from the logic of identification with an ancestral past, to the logic of broader understanding- and the kind of dialogue that can lead to a recognition rather than mis-recognition of the other.” (Hoffman, 2003, 296-7)

Sharing the possibility of dialogue or mutual sympathy, where “no such sympathy can really be expected in the immediate aftermath of atrocity” facilitates and implies the type of understanding needed and questions that need to be asked by later generations. Generational changes and the possibility of transformative relationships can be used to reinforce the understanding that no group is either “intrinsically aggressive or intrinsically innocent” and that no conflict is predestined or predetermined. (Hoffman, 2003, 300)

Summary

In all three case studies it has become evident that perceptions of justice as fairness are utilised by all sides to judge how they feel they will be treated in the long term. As has been previously observed the early post-conflict transition is a hypersensitive, fearful time for all. This perception of justice through the lens of victimisation is especially relevant for the way formerly dominant or strongly aggressive groups form their process of political cooperation (see Chapters One,

Two). The lower socio-economic individuals and groups who are usually most affected by the conflict will be the ones who have the strongest reaction to unfolding events (see Chapters One, Two, Seven). The way that aid is allocated by the international community, whether to groups labeled by the outside as victims or by overall need regardless of group affiliation, is a critical factor in forming perceptions of justice by all groups.

In the poverty stricken working class areas of Belfast, Northern Ireland, there was much awareness of which groups were given external aid money and for what purpose. There was strong feeling in low income Protestant/Loyalist areas, that while equally lacking in resources, they were the ones branded as perpetrators, resulting in all substantive international financial support going to the Catholic/Republican community, while their needs were ignored. This is the perception that has driven Protestant/ Loyalist street rioting in Belfast during September 2005.

Interviews and observations in all three countries included in this thesis indicate that the post-conflict reality for most has been an interactive mixture of cynicism and enthusiasm that strongly influences their perceptions of justice, identity, and inclinations toward forgiveness or revenge. Cynicism was usually expressed in their assessment and implied tolerance of the other group(s) and resignation that many members were never going to change their attitudes. This sentiment was specifically articulated in South Africa (see Chapter Five), but alluded to in all three case studies. Enthusiasm, often expressed first in expectations, then hope for a better future, was also included. For most individuals and groups interviewed, a mixture of both balanced in a kind of 'cynical optimism' appeared to help keep a deep bitterness at bay and formed the core of the attitude of

passive resentment. For some, forbearance from revenge may be the limit of their capability while others may be fully able to extend genuine forgiveness. (Porter, 2003, 42)

Many post-conflict environments have seen the emergence of political indifference, a disassociation from political change, and a refusal to participate or vote in elections. This attitude “may be a reflection of political apathy shared by a cross-section of citizens or a product of disillusionment.” (Porter, 2003, 39)

Although not restricted to any particular group or class, Porter sees many of the politically apathetic as members of the “contented classes, ...namely those who have enjoyed the economic benefits of direct rule, without having had to incur any of the political costs and those who have opted out of participation in politics on any level. (Porter, 2003, 39-40)

This attitude of those whose lives have been virtually unaffected, or in some cases enhanced by a conflict is worth noting and perhaps deserving of more attention than previously assumed. While rebel and paramilitary motives are usually high profile and grab much attention, there may well be another law-abiding middle range socio-economic group whose commitment to a peace process should not be taken for granted.

The initial hypothesis that perceptions of justice as fairness, known as “justice judgments”, while not replacing formal legal justice, were formed early by all groups and influenced the beginning of a pragmatic form of reconciliation was found to hold in all three cases. As discussed in the previous chapter, the formation of passive resentment or forbearance from revenge in order to initiate a process of political cooperation and stop conflict on the ground, was strongly evident in Northern Ireland, as well as Serbia and South Africa. The second hypothesis that

post-conflict individual and group identities are re-negotiated through these perceptions of fair treatment and relied upon in shaping political processes of forgiveness or revenge was specifically discussed in Chapter Two and previous chapters.

The third hypothesis that political forgiveness and revenge are parallel complex evolutionary processes present in all national and international political systems, directly related to perceptions of justice has been borne out by observations and interviews in this thesis. This finding is the basis for the following points that have been identified as ones which need to be urgently addressed by the international community if there is to be better understanding of early post-conflict transitions and external interaction with and impact on them.

Practical application of key findings

While much aid and peacekeeping has been well intentioned, it has become increasingly obvious that in order to understand accurately the effects of domestic and military interventions there is a need for policy makers to develop better understanding and recognition of the fluid and evolutionary nature of peace and reconciliation processes. With more attention directed toward areas that have previously been assumed to be irrelevant, they provide a way to graph benchmarks of intent or will of populations to pursue sustainable peace, or a return to a new version of an old conflict. In this context, some of the most important observations derived from this thesis are the following:

- **Importance of monitoring perceptions of recipient populations**

Allusions to perceptions of threats to personal, political, economic, and social security and their relationship to the post-conflict environment have dominated fieldwork interviews, observations, and related literature. The relationship between

these threats and perceptions of justice as fairness has been outlined in this thesis (see Chapters Two, Three, Seven). Theoretical writing about cultural and internal influences on formation of social perception presupposes agency in perceivers as internally encapsulating “intent, belief, desire”, while simultaneously interacting with external institutions, public discourses, and with the more prominent public symbols and representations of society that are easily accessible in a perceiver’s mind. This framework of perceptions of both individuals and groups provides answers for interpretation of an eruption of violent conflict that might otherwise be variously “attributed to wiles of a leader, the will of a nation, or the wrath of God, depending on the specific conception of agency guiding the perceiver.” (Morris et al, 2001, 169-70)

The hypersensitivity inherent in early post-conflict environments makes understanding the basis for formulation of social perceptions a particularly important indicator for gauging the possibility of violent reaction on the ground. In correspondence with their perceptions, demands by different groups for implementation of different types of institutions and reconciliation mechanisms will evolve and change over time in accordance with perception of personal and group security, making openings for effective positive interventions small and short-lived.

Surveying perceptions

One way to undertake a survey of perceptions would be to use a form of “conflict impact assessment” to assess effectiveness of specific aid projects on “cleavages of class, ethnicity and region that form the fault lines of violent conflict” to give direct insight into how aid programmes and peacekeeping interventions are perceived. This could include all groups and individuals by identifying and requesting well-known and marginalised organisations and emissaries to gather

more information through informal networking channels. A similar all-inclusive national survey strategy has been implemented in South Africa by the Institute of Justice and Reconciliation in tracking socio-political trends for their SA Reconciliation Barometer. (Institute for Justice and Reconciliation, 2004)

An extensive three-year project was undertaken by the US based Collaborative for Development Action (CDA) in order to more clearly understand the effectiveness of aid tied to 'peacebuilding' conditionality. Following a 2003 survey of over two hundred international, national, and local peace agencies the following points were identified. A positive effect was said to be achieved when the action taken motivated participants and communities to develop their own initiatives for peace; to create or reform political institutions to handle grievances that had fuelled the conflict; when they increasingly resisted "violence and provocations to violence", and when everyone's sense of security, both real and perceived, increased. (Anderson and Olson, 2003, 17-8)

A negative effect was declared when a programme inadvertently worsened divisions between groups in conflict, increased danger for participants involved in peace activities, reinforced "structural or overt violence", diverted "human and material resources from productive peace activities", increased cynicism, and disempowered local people. (Anderson and Olson, 2003, 21-6) Reducing perceptions of threat to personal and group security was considered to be a key achievement. "If perceptions of threat are reasonable, then the impact will be seen in concrete efforts to protect vulnerable groups and reduce the threat of violence." If these perceptions are exaggerated, then efforts to promote contact, supply accurate information, and efforts to "reduce 'hate talk' in public discourse" will alleviate this problem. (Anderson and Olson, 16-19)

As Boyce noted, “like the environmental impact assessments introduced to most aid agencies in the past two decades, these assessments must proceed through a learning curve” as these groups will differ according to circumstance and evolutionary timeline of the peace and reconciliation process. (Boyce, 2002, 35) Despite imperfections, even minimal assessment is likely to provide basic understanding of support or nonsupport of a peace process within communities.

- **Need for better identification of groups at risk**

More sophisticated identification of marginal socio-economic groups is vital as they react strongest toward and are most vulnerable to interventions of all kinds. Groups who feel they have little to gain from different phases of a peace process and who perceive that their needs are being ignored are among the best barometers of perceptions. They tend to share perceptions of vulnerability toward or rejection of interventions, policies and changes being implemented at that moment and their reactions give insights into potential success or failure of a peace and reconciliation process. These groups are the most likely to express physical and verbal reaction through violence, public statements, or conspicuous silences.

In my observation, the groups who have potential to be highly valuable indicators of how a peace process is or is not progressing are:

- *Groups that have undergone a traumatic loss of power*, usually the formerly dominant or aggressive populations who feel they have the least to gain from a peace process. They are usually the ones most affected by loss of previous privilege and can belong to any socio-economic class.
- *Marginal socio-economic groups of all sides*, especially the most poverty stricken, as they are highly reactive to change. They have often borne the brunt of the conflict and have much more in common with mirror groups on the

opposite side of a conflict, than with members of middle and upper socio-economic classes within their own groups.

- *Volatile young males in formerly dominant or aggressive populations.* They are usually ex-combatants or members of a lower socio-economic class who do not perceive any personal gains from peace and can often instigate and lead serious violence.
- *Pensioners who have least to gain in future earnings and benefits from the peace* and who have lost savings and pensions during the conflict without potential for recovery, as they can become very bitter and delay or reverse political transitions to democracy by voting to bring fundamentalist or nationalist parties to power. This was a particularly disillusioned group in Serbia as middle class members of this age group had experienced peak career and quality of life benefits from socialism, but subsequently had seen their life savings stolen from the country's state-run banks, and were left in marginal poverty at the end of the Yugoslav war.
- *Non-elite members of paramilitary and rebel groups from all sides* of the conflict who do not have access to political power, education, good jobs, or legitimate ways of achieving greater financial success. For them a 'normal life' in peace has no advantage over continuing to engage in and expand their range of criminal activities. Their peacetime criminal activities have often expanded into lucrative non-war revenue areas and have established links with international criminal syndicates.
- **Need for better understanding of language used in the public sphere**

The coded use of language has been often underestimated and misunderstood by external interveners as an indicator to signal peaceful or violent intent. During

conflict, social coding of language assumes hugely significant importance.

Apparently neutral words and harmless questions such as “Where do you live?

Where did/do you go to school? Who do you work for?” can signal inclusion or exclusion, or in more serious situations, life threatening danger.

While adversarial groups may technically speak the same language, they often use common words to indicate different meanings. Decoding this language is extremely important for understanding perceptions of aid and military intervention on the ground. Northern Ireland has been an outstanding example of the ways in which same words can have vastly different meanings.

A 1999 trip during the first suspension to the Belfast Stormont Assembly, revealed the word “terrorist” inscribed on a public statue to memorialise Unionist dead, placed in the lobby of the former Unionist stronghold. This inscription was carved into the stone and had been placed there by the government officials. To former republican prisoners and ex-paramilitary members, who were leading opposition parties in the newly formed Parliament, public display of that word in an environment that was heavily symbolic of their former enemies, was essentially a coded way to de-legitimise political causes for the conflict and to lessen validity of their personal sacrifice. To Unionists this expressed an equally personal sacrifice made for the preservation of the union and what they saw as their vital contribution to its welfare.

The different views among the Northern Ireland communities on the release of prisoners has been rooted in their different understandings of the conflict. “For many Unionists, ‘terrorism’ was an aberration on the body politic, a problem perpetuated by a few irredentist ‘men of violence’” (McEvoy, 1999, 1575-6) while the Republican community saw the struggle as one of group survival. It has been

suggested that part of the difficulty in promoting reconciliation in Northern Ireland “is that unionists and republicans...invoke different moral and political vocabularies and so succeed mostly in speaking past one another.” Occasionally the difference can be so great as to evoke a necessity for both sides to learn “a second first language” or a “common idiom that will allow them to articulate shared values and overlapping aspirations without having to submit them to the litmus test of mutually exclusive political legitimacies- if they are ever to explore common ground.” (Porter, 2003, 112-3)

During the thirty year Northern Ireland conflict, political language was primarily used in two ways. The earliest, circa 1970s, was the “language of violence”, traditionally known in Ireland as “physical force republicanism” or the idea that the use of “bombs and bullets” served as an effective political language and was the only political language that the British government would understand. (Porter, 2003, 114-5)

This evolved into a “language of reconciliation”, which while often evoking unionist cynicism, is, as Norman Porter has noted, a strong indicator for peaceful intent. In moving “from one language to another, republicans’ interpretation of political reality and of their goal are subtly transformed”. This language has signaled a transition from disregard for and marginalisation of unionist identity to one of inclusiveness and tolerance for building a future “cultural plurality that would accommodate unionists’ Britishness.” (Porter, 2003, 115-6)

Public statements by paramilitaries and rebel groups are akin to raising flags of intent. Using a style of language that, while confrontational, simultaneously implies forbearance from revenge or openness to exploring a peace process can be huge steps forward. “Reduced use of inflammatory language and content by the

media” and other indications of a shift toward moderation in overall public opinion signal a reduced level of fear and tension. (Anderson and Olson, 2003, 70) This situation was observed by General John de Chastelain, head of Northern Ireland Decommissioning body, who when interviewed acknowledged that he and other members of his group understood that paramilitaries of all sides were using the process of decommissioning as a neutral public forum through which they could negotiate with officials and other paramilitaries rather than to solely decommission weapons (See Northern Ireland Interviews in Appendix).

Conversely, public escalation of accusatory language completely absent of attempts at moderation can signal a rise in physical violence and intent to renew conflict. Monitoring and decoding verbal reaction, directly or indirectly (by tracking perceptions), to interventions, or deciphering casual comments made publicly by all sides will give external interveners excellent insight into intentions of different groups and how their efforts are being perceived.

- **Need for better communication between internal populations and donors**

A mistake often made by aid givers and peacekeepers is to assume their intentions are clear to recipient groups. Transparency and honesty about what an international humanitarian organization, and/or peacekeeping mission has to offer, both advantages and limitations, are highly respected in post-war environments where warfare has been dependent on deception, manipulation, propaganda, and misinformation. Clearly stating “why you have come, what you have to offer, and what you can and cannot do”, will avoid tragic misunderstandings. (Anderson and Olson, 2003, 28)

There is a vital need to develop effective links with local organizations below government level and to speak with diverse representatives of local

populations that include “qualified local actors” while engaged in the process of policy making and implementation. (Oxfam/Peace, 2004, 1) The scope of sources can easily be widened beyond the usual ‘official’ range by ringing or emailing a list of secondary sources – a range of CSOs not ordinarily consulted by large international donors, for example, and requesting a list of contacts.

- **Necessity for improved communication between donors**

Failure to widen the scope of information and dialogue has resulted in spectacular failures that could have been avoided if interveners had been more open to formal and informal sources from a broader range of individuals and groups. Bosnia-Herzegovina has consistently been cited as an example of problems generated by limited and/or lack of communication, both between aid givers and their recipients, but especially among the international community. (Oxfam/Peace, 2004, 1)

Donor failure to communicate in 1994 regarding an electric power project in Mostar, western Bosnia, resulted in “giving Mostar the dubious distinction of being the only city in the world with de facto apartheid in its electricity grid.” (Boyce, 2002, 17) During the Yugoslav war, Bosnian Muslims (Bosniacs) had been driven across the Neretva River into east Mostar while on the west side of the river, Bosnian Croats took control. When the European Union (EU) arrived they took responsibility for Mostar’s reconstruction, and after the creation of the Muslim-Croat Federation, they insisted that the two sides must agree to share electricity as a precondition for refurbishing the city’s two hydroelectric plants. However, during the same period, the World Bank struck a deal solely with Bosniacs to repair one of the plants, completely sabotaging cooperation by the Croats, thus creating the

expensive and completely avoidable result of rebuilding two hydroelectric plants in the same city to supply former enemies with separate sources of electricity.

This lack of communication or preferred solo operation of many NGOs has resulted in an overabundance in one type of aid designated to one area. In Belfast there was a noticeable proliferation of small well funded organisations with the name “justice” in their title located in dominantly Catholic/Republican areas.

- **Need for better analysis of transitional violence**

Interpreting the significance of physical violence in early post-conflict environments has been a challenge to both aid workers and military peacekeepers as it tends to escalate at a time when expectations are greatest it will cease. A review of historic patterns of violence in the area and within the recent conflict, such as the extent and pattern of police and/or military abuse, nature of violence targeted toward civilians, and extent of vigilantism, will help give external interveners perspective to answers for interpreting violence as it occurs (see Chapter Six).

A major shift from inter-group to intra-group targets is usually an indicator of a serious peace process. Punishment beatings and score settling such as kneecapping, non-life threatening injuries, occasional murder, is one way former combatants can express internal group grievances sublimated during combat. An immediate escalation of this sort of transitional violence has been seen in South Africa, Northern Ireland, and other post-conflict environments.

A second phase which supersedes or follows closely behind the first, is a shift of focus from political to predominantly criminal violence. The rise in criminal violence, in this case referring to organised activities, punishment, coercion, assault, and robbery, may be a perverse sign peace is taking hold. This is not to say earlier political violence was not in tandem with criminal activities, but

that there is no longer any attempt to cover or link criminal actions with political motives. This has been the case in Serbia.

Finally, another sign of peaceful transition may be a shift from ethnic war to hate crime. Hate crime or “crimes of bias” is a type of personal and group violence present in most developed societies throughout the world. It has been defined as a “mechanism of power and oppression involving acts of violence and intimidation against already stigmatised and marginalised groups”, used to “re-affirm the precarious hierarchies that characterise the given social order.” (Burke and Pollock, 2004, 2)

Perpetrators of these crimes are generally “unaccepting of the heterogeneous nature of the contemporary societies in which they live” and “primarily characterise social groups according to their visible ethnic, racial or sexual identity rather than their personal attributes.” This type of targeting is based on “‘what’ someone is, rather than ‘who’ they actually are.” (Burke and Pollock, 2004, 2) Hate crime has begun to emerge as a significant problem in Northern Ireland against groups such as the Chinese and others who were present throughout much of the Troubles.

In assessing risks of violence toward internal populations and external interveners key questions to be asked are: Is it being caused by “spoilers” to the peace process? Is it politically motivated? Is it being used to settle internal scores? What does the timing and location reveal – is it occurring early during the transition or later in one ‘trouble’ spot? Has racial or hate crime increased? If increases in crime rates are becoming problematic, then where is this occurring? Which regions? Is there a distinct difference in types and rates of crime in urban versus rural locations?

While endemic to the peace and reconciliation process, it is the choice of targets during this time that is key to understanding intent. Through more realistic preparation, cooperation, and communication, peacekeepers and aid workers can more accurately assess risk to themselves and populations they serve for what appears to be an almost inevitable rise in violence during a post-conflict transitional period. Better understanding of the ways in which violence of this type occurs will aid peacekeepers and security forces in developing and implementing more effective protection strategies for civilians and themselves.

Dilemmas for transitional justice

In societies recovering from violent conflict, the function of the law is to help move society between radically different political environments. The way in which legal and other relevant institutions were shaped in the political environment prior to the conflict has often contributed to, or underscored the original reasons for ongoing violence. Transformation of institutions, often seen to have been biased by at least one group formerly in conflict, are part of political processes of cooperation with their basic tenets in negotiated peace agreements. The way in which their transformation evolves is rooted in “markedly different views on the role and legitimacy of the actions of legal institutions and actors during the conflict.” (Bell et al, 2004, 313)

The relationship between conflict and law is vital to understanding the post-conflict transition. In many respects the success of the transition in a law-based state turns on a reversal of the kind of legal de-legitimation that occurred during the conflict: There is an attempt to rebuild the legitimacy of domestic law and of legal institutions. If rule of law deficits can be linked to conflict escalation, then rule of law cures play a vital part in any attempt to negotiate and end to conflict. (Bell et al, 2004, 312)

As has been described in earlier analysis of perceptions of justice, the way in which law and legal procedures are conducted and enforced have a key impact on

formation of identity, processes of forgiveness and revenge, and political cooperation (see Chapter One, Seven). How issues of justice are approached in the post-conflict transition can be seen as part of the problem and part of the solution in supporting a process of political cooperation. The general interpretation of transitional justice, encompassing legal, moral and political dilemmas that arise regarding human rights violators held accountable for their actions at the end of a conflict, is broadening and evolving as the international political landscape changes. (Bell et al, 2004, 305-6)

As demands for justice dominate post-conflict environments, transformation of judicial, legal processes and related institutions assume compelling importance. However, in this quest for justice the relationship between forms of revenge and enactment of law, described in Chapter Seven, have a direct impact on formation of post-conflict legal institutions. In post-conflict societies the “crisis of legitimacy suggests that in transitional societies, law must be both the subject and object of change: It must simultaneously both produce change and be changed itself.” (Bell et al, 2004, 309)

In seeking to reframe and support further discussion of the transitional justice debate, Christine Bell, Colm Campbell, and Fionnuala Ni Aolain have sought to integrate contemporary global and political views with the law and legal processes. Internationally, there are four important areas of consideration.

The first is the advent of negotiated settlements or peace agreements as the way to deal with international conflicts. This has given “rise to on-going dilemmas” that have focused on the law’s role in negotiating a successful peace as issues related to peace conditionality often play a role in this phase. Second, there is an increasingly elevated status of human rights law acknowledged on a global level

that has broadened in recent years to include social economic and cultural rights, as well as people's or solidarity rights beyond the original concepts of civil and political rights. This trend points to a "clear role for law in assisting a move away from violence to political accommodation." (Bell et al, 2004, 306-7)

A third area is the increasing interaction between human rights and humanitarian law as a way of dealing with both state and non-state actors, thus emphasising more accountability. This can be problematic as in cases like Serbia (see Chapter One, Four) where the high profile trial of Milosevic was seen less as a fitting punishment of one individual and more as a public humiliation of all Serbs, thus highlighting an ongoing problem of matching legal standards to pragmatic peace-making. (Prisoner amnesties in Northern Ireland and South Africa were also perceived to be problematic for their implied impunity of violent actions). A fourth area has centred on the unclear implications of post-September 11 unilateral military action taken by the United States, the world's leading economic and military power, for international law. U.S. action may produce a dramatic shift in international law or a new international legal consensus may emerge. In any case, it will have an effect on the implementation of transitional law within post-conflict societies. (Bell et al, 2004, 306-7)

All four external issues impact three key legal areas focusing on the internal role of transitional law that include challenges of institutional transformation, mechanisms and measures aimed at dealing with the past, and measures directed toward political compromise and accommodation. (Bell et al, 2004, 307)

Discussion of mechanisms and measures for dealing with the past, particularly in the form of truth commissions, has dominated much of this thesis (see Chapters One, Five, Seven). Attempting to structure a way to depict "one great truth" about a

conflict may ignore the multiplicity of realities of its participants but there appears to be a fundamental need and desire to construct some sort of overarching interpretation that can “keep past-focused initiatives operating in tandem with the political accommodation”, the primary goal of “peace-building”. (Bell et al, 2004, 316)

In a June 2002 report by a Northern Ireland project called Healing Through Remembering, the overwhelming conclusion was that, more than a truth commission, all sides of the conflict wanted some form of acknowledgement and recognition of suffering caused by the political violence over the duration of the Troubles. One form of public acknowledgement recommended was delivery of honest and public declarations by all organizations and institutions that had been engaged in the conflict. This included the British and Irish States, all the political parties, and Loyalist and Republican paramilitaries, for their responsibility in acting out or perpetuating past political violence “due to their acts of omission and commission” during the conflict. (Healing Through Remembering, 2002, 50)

The advantage of utilising forms of acknowledgement as a factor in motivating all parties to pursue a long-term reconciliation is that it is relatively easy to accomplish. A real difficulty with a process of this type may lie less with the former enemies, than with members of former and present governments, security forces, and others, as the acknowledgement sought could be from the very peace negotiators, donors, and interveners who have preferred to see themselves as neutral.

Incorporation of political accommodation within transitional law has also become a concern within the international legal community. The inclusion of self-determination as an international human right, and increased prominence of

minority rights, has blurred the distinction between political and legal mechanisms. External self-determination, which has clear legal basis, changes the status of states, reforming borders or transformation from colonial to independent status. Internal self-determination focuses on the relationship between a group who challenge the legitimacy of the state, and their government and their legal rights are less clear. (Bell et al, 2004, 317)

The difficulties inherent in the association between political accommodation and law have been apparent in Northern Ireland. A consociational form of government was incorporated in the Good Friday Agreement of 1998 that recognized “competing nationalisms” by conferring equal acknowledgement to all groups. However, this is in itself contentious as some attack it as “politically unnecessary” while still others, often from a unionist perspective, push for the type of “majority devolution” that has been implemented in Scotland or Wales. Those who pursue a more legalistic viewpoint dislike the arrangement as it tends to “ossify and entrench competing nationalisms, while excluding those who do not wish to be defined within these groups.” (Bell et al, 2004, 320)

Played out against a backdrop of successive suspensions of the Northern Ireland Assembly, these debates affect the reform and future structure of legal institutions. These ongoing discussions can be considered as negotiation of a dilemma permanently present in any consociational formula proposed as a remedy for “entrenched violent communal conflict”. The challenge for transitional justice mechanisms is “how to keep energy and innovation in the political system; how to create democratic stability without ossification and stagnation”, and how not to exclude groups such as women who were instrumental throughout the conflict and peace phases but whose political voice have been silenced in post-conflict political

deal making. (Bell et al, 2004, 320) The way these challenges are negotiated will directly impact the way in which justice is perceived to be fair, the formation of identity, and forgiveness and revenge as enacted in the process of political cooperation.

Conclusion

In the past peace and reconciliation were assumed to be identical and *static* rather than *evolutionary* processes. More recently there has been increased understanding and acknowledgement that a peace process is the direct result of a pragmatic negotiated agreement that benefits from an ongoing process of political cooperation. This process is analogous to drawing up an architectural blueprint for a 'dream' house envisaged by future inhabitants. As construction begins, the blueprints are put to the test and either followed precisely or changed to accommodate problems encountered on the ground. Reconciliation can be seen as the end result of building a house that will withstand all types of severe weather. The 'real' work of reconciliation begins at the point when individual and group expectations of what 'peace' will bring collide with the unanticipated difficult reality of reforming and creating new institutions with former enemies. This phase, the most susceptible to disillusionment, apathy, and bitterness, will rigorously test both the political will of the population and the original premise of the peace agreement.

It is clear from all literature and empirical evidence regarding processes of forgiveness and revenge, that unconditional forgiveness cannot be enforced. While the process of forgiveness can be supported and encouraged there is no empirical evidence that anything beyond an openness to the possibility of forgiveness by all sides, and a conscious decision taken to not seek revenge, embedded in a benign

‘passive resentment’, is necessary in order to drive a post-conflict transition forward. For both the fully and marginally bitter, it may be the perceived “requirement of forgiveness” publicly promoted as a precondition for many types of reconciliation that is most problematic. (Porter, 2003, 42-3)

For this group forgiveness is “too exacting a request and too naïve a remedy. Too exacting as it demands more than the emotional and moral resources many victims are capable of mustering ...and too naïve because forgiveness, even if forthcoming, would not be the panacea some imagine” and would not “constitute an adequate assault on the cultural-political conditions that cast some in the role of oppressors and others in the role of victims.” (Porter, 2003, 42-3)

Correspondingly, it has become increasingly clear that the type of forgiveness promoted in many of the donor-driven reconciliation projects might be more effectively directed at second and third post-war generations and diasporas. Among survivors “the realities troubling memory are sometimes too weighty to be put completely in the past; one lifetime may not be enough to forgive and forget” but for the second generation “separation is its task, even its obligation.” (Hoffman, 2003, 294)

Violence is another matter. As has been explained in Chapter Six, some form of violence almost always remains in the post-conflict environment. However, for most civilians a political battle no matter how heated or bitter, is preferable to contained violence on the streets, which is in turn, preferable to wide ranging conflict on the ground. Political cooperation then becomes the key process of negotiation.

Political cooperation is depicted in this thesis as being driven primarily by followers rather than leaders. This is the case even when paramilitary or rebel

groups restart conflict. While leaders can be very disruptive in instigating problems during the post-conflict phase, as explained in Chapter Six, there is often a split between the elite and non-elite members of the same group during the post-conflict phase. The motivation for peace to take hold must come from the bottom up rather than top down. As evidenced in all three case studies, whether leading political parties or rebel groups through coercion and/or cooperation, leaders will sooner or later need some critical element of follower support. If civilians are ready to stop they will find a way to defuse support for these groups by refusing their direct or indirect support or by appealing to outside help in ridding themselves of the problem. For that reason, the focus of research and interviews conducted for this thesis was primarily on followers.

In the end the most difficult challenge for all those who live or have lived in the shadow of earlier conflicts, either through memories of previous generations, commemoration of old tragedies, or recreated stories, is learning how to fight the seduction of revenge. To the naïve and uninitiated revenge is the ultimate imagined justice for all wrongs – the balm for the festering, unhealed wounds of others - but almost all evidence from those closest to conflict points to the opposite result of short term satisfaction and unrequited rage.

Although an act of unconditional forgiveness is not essential for survivors emerging from conflict in order to cooperate, a continued pursuit of the process of forgiveness may offer ways for subsequent generations to develop a negotiated memory that allows them to construct more equitable systems of justice, reconciliation, and democratic institutions. If a multitude of internal voices are acknowledged, and diversity of memories respected, it may be possible to create a positive legacy of peace that allows everyone to move on to a hopeful future.

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Appendix: Fieldwork Interviews

Fieldwork was conducted in three countries; Northern Ireland, Serbia, and South Africa, during a three year period from 1999 to 2002. Anonymity of those interviewed was respected upon their request, however I have also exercised caution in using names in the text if there was any concern on my part for the individuals and groups interviewed. Certain individuals interviewed, particularly professionals, are included in the bibliographic listing and clearly identified.

Northern Ireland Interviews:

Fieldwork was conducted in Northern Ireland in March 1999, for the month of April 2000, and from mid to late November 2000.). It was also visited several other times for the purpose of presenting at a conference (Belfast July 2001) and for research trips to The Linen Hall Library, Politics Collection (one of the most comprehensive collection of primary materials in the world on the NI conflict), Belfast.

Belfast, Coleraine, and Londonderry/Derry (March 1999):

This was primarily a reconnaissance visit to Belfast, with an overnight visit to Londonderry/Derry (aka “Stroke City”), a day visit to Coleraine, with the aim of talking to as many researchers and observers as possible for an extended visit in the spring, 2000. While there I spoke to:

The list of interviewees has been redacted from the online version of this thesis.

The list of interviewees has been redacted from the online version of this thesis.

Coleraine (March 1999)

The list of interviewees has been redacted from the online version of this thesis.

Londonderry/Derry (March 1999)

The list of interviewees has been redacted from the online version of this thesis.

Belfast and Colraine (April 2000)

The list of interviewees has been redacted from the online version of this thesis.

The list of interviewees has been redacted from the online version of this thesis.

Belfast (November 2000)

The list of interviewees has been redacted from the online version of this thesis.

Serbia Interviews:

Fieldwork in Serbia took place in three blocks of approximately 1-2 weeks each. The first visit was to Belgrade in late January 2001, just a few months after Milosevic had been deposed. A series of interviews were conducted in March/April 2001, in and around the Subotica, located on the Hungary/Serbia border northern province of Vjovidina, and Belgrade. The interviews in June 2002 were conducted in Novi Sad and Belgrade. The first two visits in 2001, (January, 18-30; April 1-9) required an official 'letter of invitation' from a Serbian resident, while the June 2002 (17-29) trip fell under a newly initiated open tourism visa during the summer months.

Belgrade (January 2001)

The list of interviewees has been redacted from the online version of this thesis.

Belgrade and Subotica (April 2001)

The list of interviewees has been redacted from the online version of this thesis.

Novi Sad and Belgrade (June 2002)

Novi Sad, Vojvodina:

The list of interviewees has been redacted from the online version of this thesis.

South Africa Interviews:

Fieldwork in South Africa was left for the final phase, (30 October – 15 December 2002) as both an observational and progress cross reference comparison with the two other countries. It was done in the Western Cape region including, Cape Town and Stellenbosch.

Cape Town and Stellenbosch (November - December 2002)

The list of interviewees has been redacted from the online version of this thesis.

Interview Questions (Northern Ireland April 2000)

- Do you identify yourself as a member of a group and/or a community in Northern Ireland? If yes, which one(s)?
- Do you see you and/or your group and community, *are being treated fairly*, politically, economically, socially, in Northern Ireland? If not, why?
- Do you feel that *fair or unfair treatment* of individuals, groups, communities *directly contribute to overall success or failure of the peace process*? How?
- What did you consider to be the most important *political* issue(s) in Northern Ireland?
- What did you consider to be the most important *economic* issue(s) in Northern Ireland?
- Do you feel you have had *equal access to political, economic, social resources*? If not, why not?
- Do you think that there is such a concept as a *process of political forgiveness* or a *process of political revenge*?
- How would you describe the concept of “*fair treatment*” of individuals, groups, communities, in a political and the economic sense?
- Do you feel that perceptions of fair or unfair treatment to individuals, groups, communities directly contribute to a process of political forgiveness or political revenge? How?
- *How important is the issue of security of you and your community?* Does it affect your choice of where your job is located and which company you work for? Does it influence your choice of where you live, work, choice of schools or universities? Choice of taxi companies?
- How have these issues affected your view of the peace process?
- Do you think that intervention by outside international governments and economic, political, social humanitarian organizations *can help or harm* a peace process? How? When?
- How would you describe the concept of “*justice*”? Do you think perceptions of fairness in the way investigations and inquiries are carried out are *more or less or as important* as a formal criminal trial?
- Do you think that there is a relationship between *justice, political forgiveness, and political revenge*? If yes, please describe.
- Are there any other issues that you feel are especially important to this discussion?

Interview Questions (Serbia 2001)

- How do you identify yourself ?
(in Serbia)-as a member of a group and/or a community and/or nation ?
- Do you see you and/or your group and community, *are being treated fairly*, politically, economically, socially, by internal and/or external forces?
- Do you think that there is such a concept as a *process of political forgiveness* or a *process of political revenge*?
- How does that apply to your own group or community?
- How does that apply to other groups who are enemies?
- Do you feel you have had *equal access to political, economic, social resources*?
If not, why not?
- How would you describe the concept of “*fair treatment*” of individuals, groups, communities, in a political and the economic sense?
- *How important is the issue of security of you and your community?* Does it affect your choice of where your job is located and which company you work for? Does it influence your choice of where you live, work, choice of schools or universities? Choice of taxi companies?
- How have these issues affected your view of the peace process?
- Do you think that intervention by outside international governments and economic, political, social humanitarian organizations *can help or harm* a peace process? How? When?
- How would you describe the concept of “*justice*”? Do you think perceptions of fairness in the way investigations and inquiries are carried out are *more or less* or *as important* as a formal criminal trial?
- Do you think that there is a relationship between *justice, political forgiveness*, and *political revenge*? If yes, please describe.

