Robert C. Hudson, Wolfgang Benedek and
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Peace, Conflict and Identity: Multidisciplinary Approaches to Research

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Peace, Conflict and Identity

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List of Abbreviations

AC	Amnesty Committee (South Africa)
AUC	*Auto Defensas Unidas de Colombia* (United Self Defence Groups of Colombia)
ANC	African National Congress
CIMIC	Civil-military cooperation
CMOC	Civil-military operation centres
CNRS	*Centre National de la Recherche Scientifique* (France)
CSCE	Conference on Security and Cooperation in Europe (Helsinki)
ECHR	European Convention on Human Rights
ECHO	European Union's Humanitarian Aid Office
ECOWAS	Economic Community of West African States
EDC	European Defence Community
FARC	*Fuerzas Armadas Revolucionarias de Colombia* (Colombian Revolutionary Armed Forces)
FLN	*Front de la Libération Nationale* (Algeria)
FRY	Federal Republic of Yugoslavia
HCNM	High Commissioner on National Minorities
HCP	High Commissioner for Peace
HRV	Human Rights Violation Committee (South Africa)
IFOR	Implementation Force
IHTP	*Institut d'Histoire du Temps Présent*
ICCPR	International Covenant on Civil and Political Rights
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal for Rwanda
IDP	Internally Displaced People
IRA	Irish Republican Army
JDCC	Joint Doctrine and Concepts Centre (UK Ministry of Defence – MOD)

LJP	*Ley de Justicia y Paz* (Justice and Peace Law – Colombia)
MNF	Multinational Force (in Haiti)
MRND	*Mouvement Révolutionnaire National pour le Développement* (Rwanda)
MSF	Mèdicins Sans Frontières
MSH	Management Services for Health
NATO	North Atlantic Treaty Organization
NGO	Non Governmental Organisation
ODA	Official Development Assistance
OSCE	Organization for Security and Cooperation in Europe
Paras	Paramilitaries in Colombia
PCF	*Parti Communiste Française*
PDSD	*Politica de Defensa y Seguridad Democrática* (Democratic Policy of Defence and Security)
PKK	Kurdistan Workers Party
RPF	Rwandan Patriotic Front
R & R	Reparation and Rehabilitation Committee (South Africa)
RS	*Republika Srpska* (Bosnian Serb Republic)
RTS	*Radio Televizijia Serbia* (Serbian Television)
RUF	Revolutionary United Front of Sierra Leone
SFOR	Stabilization Force
TNI	Trans National Institute (Amsterdam)
TRC	Truth and Reconciliation Commission (South Africa)
UNAMSIL	UN Mission in Sierra Leone
UNICEF	United Nations International Children's Emergency Fund
UNIFIL	United Nations Interim Force in Lebanon
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNHCR	United Nations High Commissioner for Refugees
UNSCR	United Nations Security Council
WHO	World Health Organization
WMD	Weapons of Mass Destruction

Introduction: Peace and Conflict on the Edge

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This book originates in the work publicly presented and later written up by doctoral students attending the Bilbao (2007) and Graz (2009) Intensive Programmes of the European network *European Doctorate Enhancement in Peace and Conflict Studies* (EDEN). Respectively entitled 'Multidisciplinary Perspectives on Peace and Conflict: A View from Europe' and 'Human Security, Peace and Stability (with a focus on the Balkan Region)', these intensive programmes —part of an annual series which started in 2004— are a basic ingredient of the EDEN curriculum (also incorporating tutored periods abroad in other training centres of the network), and are designed to foster a critical research culture amongst all members of the network, increasing the contact between graduate students and more senior researchers, and establishing the foundations for a critical mass of researchers interested in Peace and Conflict issues from a broad interdisciplinary perspective. The organization of the annual Intensive Programmes and the publication of the results are crucial instruments in fulfilling EDEN´s goals. Publications are a powerful training mechanism, as well as key in the public dissemination of the ongoing debates taking place within the network, increasing its visibility. Furthermore, we believe that advanced graduate students are in a privileged position too, starting out from the solid theoretical and methodological foundations obtained in their respective PhD Programmes across Europe, and producing the kind of innovative and critical work that is sorely needed for any field of knowledge to remain alive and crisp. Namely, to remain both on edge and on the edge, questioning its limits, expanding its horizons, enriching it theoretically

and methodologically and constantly adjusting to the new kinds of problems arising. This book, the third in EDEN junior series (after *Peace and Conflict: Europe and Beyond*, 2006; and *Different Approaches to Peace and Conflict*, 2008), consolidates the network's desire to continue the path of becoming a European referent in Peace and Conflict Research.

In order to extract some lessons for contemporary conflict analysis and peacebuilding, Alexei Fedorov's case study focuses on the historical evolution of the bilateral relationships between the Soviet Union and Yugoslavia in the second half of the 20th century, by contrasting two periods in Soviet-Yugoslav relations (the 1950s and the late 1980s). The first period, 1948-1956, covers the cleavage in Soviet-Yugoslav relations that arose from the fall-out between Stalin and Tito and the rapprochement between Khrushchev and Tito whereby Khrushchev was trying to confirm his leadership against the hard-liners of the 'conservative' opposition within the politburo, by saving face and securing the Soviet Union's position within the eastern bloc. By contrast Tito would benefit from the dangerous game of playing off East against West during the period the post-war, bi-polar cleavage that would continue until the period of *perestroika* and *glasnost*. This brings us to Fedorov's second period of analysis and raises the following question. What would have happened if, in 1991, the Soviet Union had reverted to its traditional pro-Serb and pan-Slav interests? Certainly, the potential was there for such a development, and General Secretary Mikhail Gorbachev had consistently made references to his homologue Slobodan Milošević of a common Russo-Serb friendship based on the pan-Slav, pro-Serb, co-religionist relations between Serbia that predate the Serb migrations of 1691 and 1725. Yet he never extended the same hand of friendship to the Croatian and Slovenian leaders in meetings that took place against the back drop of the final endgame towards the eventual break up of Yugoslavia. In the shuttle diplomacy of high-ranking officers of the JNA and the Soviet Ministry of Defence there was certainly the potential for a Soviet military intervention in the former Federative Socialist Republic of Yugoslavia; and, given Yugoslavia's geo-strategic position on the Adriatic concomitant with the possibility of NATO intervention, how close did Europe come to the brink in 1991?

What Fedorov has done here is make a valuable contribution to future research in Russian and East European History, International Politics and Slavonic studies, which intriguingly makes us wonder what were the agreements and talks between the Serbian leadership and the Soviet leadership in the ember days of both states? Only future historians, political scientists and slavicists will be able to get to the heart of

the matter when the Russian and Serbian archives for the period are finally fully opened to the public.

In her chapter on the role of violence on Mexico's state formation and democratisation, Paula Luz Parra departs from the mainstream studies of this topic by incorporating, beyond direct violence, other forms of violence that are also crucial in the process, such as cultural-symbolic and structural violence, following Galtung's path. Drawing on different disciplines and feminist approaches, the author problematises what is meant by violence and explores the different ways in which it is both a destructive and constitutive force in state formation processes. By embracing Joas' and Tiryakian's vision that war and violence are integral features of advanced modernity, Parra also tries to point out the negative effects that the neglect of violence in predominant liberal theories of modernisation —the modernisation versus violence paradigm— and the limits classic Marxist theory has had in understanding some of its key components and even of its true nature. In the Mexican case, the focus on direct violence as a 'natural' feature of modernisation in the country —the kind of violence taking place in the public arena between liberals and conservatives and revolutionaries— has obscured the parallel tenacious and perverse workings of other forms of violence, glossing over crucial parts of the experience of the most precarious segments of the Mexican population. The impoverished majorities, the lower class actors, the indigenous populations, have been thus written out of history, their socio-political agency denied and their suffering unacknowledged. Only by shifting the focus and incorporating the neglected violences and invisible populations can modernisation as a historical process be reinterpreted and truly understood.

Hamadziripi Munyikwa´s study of Zimbabwean Civil Society provides another example of the complex relations between states and civil society when approaching issues of peacebuilding and democratisation. According to Munyikwa, Civil Society in Zimbabwe may be one of the most grounded in Africa and yet it is still in a state of chronic underdevelopment, in part due to continuous attempts by official political culture to "blur distinctions between the ruling party, public institutions and organised social life", cutting off spaces for a truly democratic civil society to emerge and consolidate. To understand this, Munyikwa asserts, it is crucial to first clarify what we mean when using the term "civil society"— considering the difficulties of both establishing the limits, circumventing different ideological takes on it, and the difficulties posed by using a rather "murky" concept in different political contexts across the world— and then, he goes on to develop an historical overview of its inception and unfolding since the pre-independence

period in Zimbabwe. The author concludes that Zimbabwe's civil society has had a critical function in the state's democratic trajectory, as a permanent source of resistance to the State's leanings towards totalitarianism and authoritarian rule. The many organisations operating in civil society have endured severe repression yet they have managed to convey the voice of many citizens, denouncing human rights violations and abuses by the State. Oppositional political leaders have cut their teeth on these activities and, very importantly, a political culture valuing "democratic norms and practices" has taken deep root.

There has been growing concern in recent years in the United Nations and right across the international area, of the growing use of Private Military Companies (PMCs) which are increasingly being contracted to intervene in conflict and post-conflict contexts, in a process that has been described as the "privatization of peace". In her chapter on PMCs, Carla Marcelino Gomes, assesses the activities of the PMCs and their personnel within the context of International Humanitarian Law and Human Rights Law. How do we account for the increase in the use of PMCs in conflict and post-conflict scenarios? Gomes points out that three main factors have paved the way for this new phenomenon, within the framework of the so-called "Revolution in Military Affairs", they are: The end of the Cold War; the proliferation of neo-liberal concepts posited on the privatization of the public sector and the withdrawal of the state; along with the emergence of fragile states, since the era of decolonization. Of course, the big concern is the perceived threat of low levels of accountability with regard to the PMCs and concerns that their activities may easily impinge upon humanitarian rights. Gomes argues the case for greater responsibility and regulation, as well as codes of conduct; so that PMCs become much more accountable before International Humanitarian Law, Human Rights Law and International Criminal Law.

Continuing in a similar vein to Gomes' chapter and drawing on ethnographic fieldwork conducted between July 2008 and May 2009 in Durban, South Africa, Tessa Diphoorn's paper highlights a basic issue in the contemporary shape of different forms of violence and conflict: the increasing presence of private security companies on the ground —already a fully-fledged and diversified private security industry—, subcontracting 'twilight' areas of 'safety' where states, police force or armies fall short as the result of a "governance void". This increasing presence has the potential to drastically redefine social, political and symbolic processes around the management of violence and the politics of fear, as well as short circuiting the implementation of state-centered international conventions. As Diphoorn herself asks about the all-perva-

sive armed response officers (AROs) in post-apartheid South Africa and the increasing privatization of public and private safety: "but who are these people? Who are these men that roam around in residential areas on bicycles or patrol the streets at night protected by bulletproof vests and with firearms at their disposal? What impact do their vast numbers have on security practices, discourses of violence, perceptions of crime, the wide-ranging maintenance of social order, the 'legitimate' use of force, and societal relations in general?" Tall order questions, for they underline a radical transformation of the 'legitimate' uses of violence. Her ethnography of AROs brilliantly highlights the novel kind of slippery terrains in which Peace and Conflict research needs to stretch its theoretical and methodological tools.

Julianne Funk Deckard stresses the continuing importance of incorporating the analysis of identity and identity politics within the framework of contemporary Peace and Conflict research, based in this case on the data gathered for her study of the conflict in Bosnia-Herzegovina. In her view, "ethno-national identity" —closely linked to religious institutional affiliation— has not been deactivated at all as a divisive force within the region and its critical analysis continues to be a key component in any process of willing 'conflict transformation' to succeed. But to properly understand the depth of the problems, the very term 'identity' —utterly overused and at times devoid of an operative content—, has to be deeply researched, problematized, and over analysed within its context. To move beyond the conflict-driven and pervasive "primordialist" conceptions of identity, based on obscure yet socially, politically and symbolically efficacious rhetorics of "ancient hatreds", Funk Deckard proposes that both researchers and policymakers consider the importance of emerging alternative perspectives on identity —such as cross-cutting identities or non-ethnic social movements— taking shape at the grassroots level which, as dynamic everyday "counter-discourses" and counterpractices, do actually work against or apart from the grain of the hegemonic primordialist conceptions and might pave the way to future forms of reconciliation or at least coexistence.

Continuing in a similar micro level of analysis, Miguel Barreto Henriques critically analyses the so-called "peace laboratories" in Colombia, an original set of civil-society locally based peacebuilding initiatives alternative to more official and global approaches to the Colombian conflict (such as peace negotiations, and so forth). A joint attempt has been made by the European Union, the Colombian government and a number of Colombian social organisations, with the intention of finding ways of detecting and dismantling the root causes of the conflict at local and regional levels. Following the case-study of the Peace Lab-

oratory of Magdalena Medio, created in 2002, the author scrutinizes the genealogy, scope, potentialities and limitations of such projects, as well as the peace models underlying it. The regional scope of the laboratories is based on the extended notion of Colombia as a poorly integrated country, where solutions have to take more geographically localised approaches. A second underlying hypothesis of these laboratories is that peacebuilding is closely related to development; in other words, that solutions would only come by building "a nation in peace through regional development". Following these premises, the main objectives are to curtail violence as well as poverty and exclusion. Henriques' assessment of the Peace Laboratories is mixed. On the one hand, they are original in a context sorely in need of imaginative policies and at the micro level, with a potential not only to imagine but to bring to life new —and more peaceful— scenarios, such as Humanitarian Spaces. Yet, their results are mostly symbolic, marginal, and the return of tangible results can only be long term. Then, provided they succeeded, another challenge would be to extrapolate them at the State level.

Richard Lappin faces a problematic aspect of the peacebuilding processes, namely, the issue of post-conflict democracy assistance. A number of failures on the ground —reversals to totalitarianism or even overt violence and conflict, such as Liberia, Angola or Haiti— have dissipated the initial enthusiasm and this necessarily forces the different peacebuilding actors to critically rethink their concepts, procedures and goals. It is precisely in the "capability-expectations gap" amongst donors, practitioners and local counterparts, as well as the lack of engagement with the values and tacit understandings supposedly being fostered on all parts, that hinder the efficacy of such processes. Thus, scepticism —Carothers' "backlash against democracy promotion"— arises in cases such as Iraq or Afghanistan, but also applies to Russia and China. An important growth in the process of harmonisation between a raft of expectations is crucial for any significant turnaround at a moment when post-conflict democracy assistance as a paradigm of peacebuilding is facing a very critical edge.

Andrej Zwitter's contribution opens a series of four chapters dealing with the concept of Human Security. Zwitter argues that the concept of Human Security and the oft-cited "root cause approach" to solve conflicts are often perceived as two different and separate approaches. However, he argues that both approaches share the common goal of a peaceful environment and the retrieval of basic needs. In order to identify potential synergies between these two approaches, Zwitter reviews an array of different terminologies and expressions employed by the UNDP, the Commission on Human Security, the International Comm-

mission on Intervention and State Sovereignty and other relevant actors to describe their approach in dealing with different types of causes that underlie conflicts. Zwitter's systematization of these various approaches reveals that the term "root cause" is already used by different actors, and indeed is often mentioned and used in combination with the concept of Human Security. However, Zwitter also argues that in practice the combination of a root cause approach and the Human Security approach can only be applied in an unstructured manner. Therefore, with reference to the triangle of violence developed by Johan Galtung and the concept of relative deprivation advanced by Ted Robert Gurr, Zwitter aims to make the root causes approach more applicable for the resolution and prevention of conflicts and political violence, for which purpose he is developing a comprehensive root cause approach based on the concept of Human Security.

Markus Moestl takes a look at the European Security and Defence Policy (ESDP) using a Human Security perspective. He argues that the concept of Human Security could be a useful framework for the further development of this comparatively new policy area of the European Union, since such an approach would constitute a post-modern answer to the security challenges of the 21st century. In his analyses of the theory and practice of the ESDP Moestl argues that the concept of Human Security is already to some extent incorporated in the second pillar of the European Union. The prominent use of civilian instruments, well discernable efforts to mainstream human rights within the ESDP, as well as the adoption of guidelines for the protection of children in armed conflict gives credence to his argument. However, the author's overall assessment of the ESDP is mixed. He alleges that a research-based evaluation of ESDP operations that takes into account a Human Security perspective that is still in its early stages and that various challenges to further integrate Human Security into the ESDP persist, especially when it comes to the implementation of this concept in practice. Therefore, he calls for an official statement declaring Human Security as the framework for the future development of the ESDP. According to Moestl this step would prepare the way for the EU towards a more value-driven agenda for the ESDP with the protection and promotion of human rights lying at its very core.

The contribution by Ricardo Pereira offers a more critical view of the concept of Human Security. As a result, the author makes an effort to underline the ambivalence and discrepancies of Human Security. More specifically, Pereira argues that the concept and application of Human Security tends to be adapted according to different geopolitical settings. Reviewing the development of Human Security, the author

analyses the content, purpose and use of this concept in two different geopolitical structures, namely during the post-Cold War period and after the terrorist attacks of September 11. While emphasising the example of the priorities of global health governance and policies aimed at the prevention and treatment of infectious diseases, he argues that there has been a shift in the way the concept has been implemented before and after the beginning of the 21st century. Pereira concludes that the "War on Terror" has also determined the meanings and practices of the concept of Human Security.

The perspectives on Human Security that have already been discussed become noticeably enriched by Georg Kerschischnig's discussion of cyberwarfare. As cyberspace harbours potential threats to global security, understanding its formats and mechanisms becomes another new challenge for Peace and Conflict research, as cyberspace challenges the field to mobilize and innovative theoretical and methodological tools, as well as to creatively anticipate as yet unimaginable scenarios. Kerschischnig starts with the difficulty of knowing what exactly "cyberwarfare" is, as he sets in motion concepts such as: "cyberattack", "cyberexploitation", "cybercrime", "cyberterrorism", "cyberintrusions", "cyberespionage", "cyberdissidence" or even "hacktivism" and "patriotic hacking", in order to pin down some potentially problematic uses of cyberspace and its "borderless architecture". By doing so, he shows the serious limitations of traditional approaches to Peace and Conflict research in dealing with it in a sophisticated fashion. Issues of governance in cyberspace and its potential role regarding national security are for the author crucial entry points for the proper understanding of the vast, ever-changing and volatile universe contained in new technologies, within a human security approach.

All the chapters in this book reflect the challenges that confront early-career researchers in the fields of peace, conflict and identity, whose work is at the very cutting edge. This book is truly an international scholarly effort to make visible the analytical challenges, hesitations, and innovative approaches faced by promising young scholars who will be in charge of commanding the field not very long from now. For the directors of the IPs and all the EDEN faculty it is very encouraging that doctoral students from across the world find it important to meet with academic colleagues from the twelve European higher educational institutions that make up EDEN, to gather together to discuss and critique the different issues and challenges that confront the multidisciplinary perspectives of their chosen fields at two of the annual Intensive Programmes that were held at the Universities of Deusto and Graz.

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Lessons from History: Bilateral Relations between the Soviet Union and Yugoslavia

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Abstract

This chapter, based very much on research in progress, sets out to evaluate to what extent looking back at the complex historical and political events of the past can assist us with widening and deepening our understanding of the dilemmas of the present. In many contemporary cases that involve the making of vital political decisions, the past is often disregarded, either by mistake or deliberately for political purposes. Inevitably this may lead to serious errors in planning, which in their turn can, and often do result in a negative enlargement of the contemporary issues at stake, rather than their successful solution. Furthermore, errors like these are often accompanied by human suffering and, sadly, the loss of life. This chapter will revisit the bilateral relations between the Soviet Union and Yugoslavia in the second half of the 20th century and see how these relations affected the New Russia and the Yugoslav successor states in the last decade of the 20th century.

Introduction and a note on methodology

The last decade of the 20th century produced many tests on the political, economic, and social abilities of actors in the international arena. The world witnessed the fall of one of its largest systems and its ideology, as it made its first uneven and tentative steps into what would be referred to as the 'new world order'. This process of transition, as with the case of the rapid change of a battery's polarity, had both positive and negative side effects: changes to the global political structure had resulted in the disintegration of two states, creating a wave of violence, the impact of which will take a long time to overcome. These states, which also happen to be the main focus of this work, were the Union

of Soviet Socialist Republics (USSR) and the Socialist Federative Republics of Yugoslavia (SFRJ).

Before proceeding to details, it is possible to say that both states had shared a lot in common. Although created almost twenty-five years after the USSR, Socialist Yugoslavia was originally modeled on the structure of the Soviet Union and was sponsored by the latter to become its loyal satellite. However, due to a crisis in bilateral relations that developed soon after the creation of the new Yugoslavia, the latter changed both its place within the Soviet strategic-political and ideological orbit and its position globally, forcing the Yugoslav state to adopt a more balanced stance between the two opposing camps, a form of policy which later became more commonly known under the term 'non-alignment'. Yugoslav-Soviet relations were, to an extent, restored successfully through a series of negotiations, but remained highly unstable with occasional periods of crisis since the rapprochement that would follow in the mid-1950s.

Little needs to be said about the USSR itself, but with regard to the above paragraph, a note should be made regarding the place of Yugoslavia in Soviet foreign policy ever since the main period of tensions in their bilateral relations ended. After taking the first steps to restore relations with Yugoslavia, the Soviet governing elite had desperately tried to push the Yugoslav leadership towards rejoining the Soviet political and strategic establishment in Eastern Europe, with relatively little progress. Wary of, yet benefiting from, the potential beneficial outcomes of its position 'between-the-blocs', Yugoslavia accepted the risks and either absorbed or declined most of the Soviet requests. It was not until the 1980s and the upcoming changes initiated by the Gorbachev government in 1985 (GORBACHEV 1995: 380) that Soviet-Yugoslav relations were finally declared to have been 'completely restored'; thirty-seven years after the original cleavage.

What followed later, as both states' domestic and foreign matters deteriorated rapidly as the year 1990 approached, may be interpreted as a second paradox, the first one being the very fact of the crisis in Soviet-Yugoslav relations that took place forty years previously. The Yugoslav governing elite made a decision to seek Soviet support in order to prevent the disintegration of the Yugoslav state, which had already started to show its emerging ethnic boundaries to the world. These events, together with the spirit of the revival of the old, pre-revolutionary 'Slav friendship' under which they had been concealed, and Tito's political slogan of *bratsvo i jedinstvo* (brotherhood and unity) had, to a large degree of probability, influenced the tragic events on the Balkans at the beginning of the 1990s.

This brings us to outlining the objective of this chapter: to use the analysis of the flow of the Soviet-Yugoslav relationship to detect the main trends which were to surface throughout almost forty years of bilateral ties, with the next step being to discuss the process of changes to these trends and perceptions, as both Russia and Yugoslavia approached the period of democratic transition. The concluding task will be to evaluate the condition of these changes prior to the series of high and low intensity conflicts that accompanied Yugoslavia's disappearance from the political map of Europe.

As the size of this project is limited, the above tasks will be accomplished by examining two particular periods in the relationship between the USSR/Russia and Yugoslavia, namely the periods which include most of the features that accompanied the entire relationship process. Since it is possible to suggest that, the true nature of one's policy towards another becomes evident with the start of the conflict, periods to be targeted here will be conflictual in nature, in one case referring to the Soviet-Yugoslav rapprochement in the aftermath of the 1950s crisis in relations, and in the other, to some aspects of the relationship between the Soviet Union/Russia and Federalist Yugoslavia/ the Yugoslav successor states during the final years of *perestroika***.** The latter is especially intriguing, due to the fact that by that time the crisis-influenced tense ties between the USSR and Yugoslavia were in retreat, and the conflict between them was transformed into a struggle for the preservation of old state values with a desperate attempt by various people to save the existing state systems on both sides. The analyst thus has an opportunity of assessing to what extent the attempts of both states to rescue themselves from imminent disintegration could have shaped the future conflict in Yugoslavia and Russia's role in it.

Soviet-Yugoslav relations in the 1950s: a conflict that should not have happened and its outcomes from the perspective of Soviet foreign policy during the Cold War

Speaking of the post-Second World War period in Soviet-Yugoslav relations it is impossible to avoid mentioning the bilateral dispute that took place in the spring and summer of 1948, after which a previously successful development of relations, reinforced by intense cooperation between the USSR and Yugoslavia during the war, came to an inauspicious end. The origins of this crisis are still widely disputed by academics identifying several possible causes ranging from Soviet strategic concerns (ROMANENKO 2000: 256) to individual factors, involving

charismatic leaders of the parties involved at the time. With time the latter reason became a clear favourite in the list of causes of conflict, an assumption based on the analysis of the behaviour of the Soviet leader Stalin (GIRENKO 1991: 360, 382), as well as the nature of accusations after which the period of tensions began.

The 1948 conflict began with a series of political disputes concerning unilateral actions by the Yugoslav side in the second half of the year 1947 (a diplomatic move and a military incident) the uncontrolled nature of which received criticism from the Soviet government, resulting in a series of insulting and accusatory letters being sent by Stalin and Molotov to the Yugoslav president Josef Broz Tito in April-May the following year. The Yugoslav elite made many attempts to resolve this situation peacefully through messages such as the one that follows:

> What is the accusation that we have no democracy in our party, based on? Perhaps, on the information given by Lavrentiev[1]? Where did he obtain such information? … We do not believe that the CC CPSU[2] can argue the positive results, recently achieved by our party. … Our viewpoint is that the social reformation process in Yugoslavia has many specific areas … but this does not mean that we are dropping a negative shadow on the CPSU and a social system in the USSR. .. We are not trying to prove that our way is better than the one that is being followed by the Soviet Union, nor are we trying to invent something new either — we are doing what life suggests to us. The CC CPY is offering the CC CPSU to send official representatives in order to form a true image of the state of things here (ROYAL INSTITUTE OF INTERNATIONAL AFFAIRS 1948: 18-30).

The Soviet leadership chose to make the situation public at the Cominform meeting, in the summer 1948, which issued the following resolution:

> Recent CPY actions regarding both domestic and foreign policies, represent a wrong line that stands for the abandonment of Marxism-Leninism… The party [CPY] has no democracy, no self-criticism and no appointment by election ... the Communist party exists in a semi-legal basis... If the current leaders of the CPY are not capable of [acknowledging and correcting these errors] they must be replaced by the establishment of the new branch of leadership (GIBIANSKY & ADIBEKOV 1998: 455-461, PRAVDA 29 JUNE 1948).

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[1] Soviet Ambassador in Belgrade at the time.

[2] Here and below: Central Committee of the Communist Party of the Soviet Union; Central Committee of the Communist Party of Yugoslavia (later YLC).

After the above hostile political exchange Yugoslavia became almost completely isolated from the Eastern bloc by a long campaign of radio propaganda, border incidents of a provocative nature and military manoeuvres in Romania, Bulgaria and Czechoslovakia, creating the image of an imminent Soviet invasion. In addition to these political complications, Yugoslav economic losses from the cancelled trade agreements with the countries of the eastern bloc forced it to seek financial and agricultural support in the West.

Hostilities were finally toned down after Stalin's death in October 1952, although it would take three years before the official Soviet delegation headed by Nikita Khrushchev arrived in Belgrade to encourage the rapprochement process. Stalin's figure as a primary initiator of the 1948 dispute was not exposed. In his speech upon landing at Belgrade airport, the new Soviet leader chose to place the blame on Lavrentii Beria, the former chief of Stalin's secret police; a move which left the Yugoslavs both critical and wary of the nature of the Soviet peace initiative. According to the report below, that Khrushchev and Bulganin delivered to the closed CC CPSU plenum in July 1955, the changing Soviet foreign position in relation to Yugoslavia, encountered several far-reaching dilemmas, which could be placed specifically into three broad categories:

> Comrades! Both the political and military significance of the Yugoslav question is substantial. The rebuilding of normal relations between the USSR and Yugoslavia on state and ideological levels is of great importance to our country. …We have lost a 17-million strong, friendly nation, the most powerful country in the Balkans, and in some respects, Europe. We have lost friendship with a potentially economically rich state. …[For instance],Yugoslavia has a well-developed ship-building industry …that is capable of producing ships with a cargo capability exceeding 10 thousand tonnes, meaning that we have to order ships in Western Europe with great difficulties.[…] Now with regard to Yugoslavia's military potential; not a single state in Europe, apart from us, of course, has such an army that currently holds 42 divisions. The Yugoslav army has artillery, tanks, and aviation, including the jets, supplied by the Americans. Due to her geographical location Yugoslavia holds a place that is very vulnerable for us, the Soviet Union. If you take a look at the map you will see that Yugoslavia has stretched far to the East. And now imagine future military possibilities: if we had to advance to the West with our divisions we would always have 40 to 50 Yugoslav divisions on our left flank. {Khrushchev}: Plus the American ones. {Bulganin}: Yugoslavia owns the Adriatic that is linked to the Mediterranean Sea that is of vital importance to the communications of the Anglo-American armed

> forces, as they get their strategic supplies through the Suez canal and the Mediterranean. {Khrushchev}: […]Of course, it is very difficult to work with leaders who claim that they build their actions on the principles of Marxism-Leninism and, in practice, move away from these principles. To concede to such leaders in order not to reveal the discrepancies or to avoid the fight would be an opportunistic concession in the questions of ideology, a concession which we cannot allow. There will not be any concessions on ideology...[3]

The first, and arguably, the most important category concerned the field of ideology. Yugoslavia's separation from the Soviet satellite system had resulted in the creation of the 'new' Yugoslav interpretation of Communism, which evolved as the conflict developed, and became a formidable ideological construct by the time the rapprochement process had been initiated. According to the principal ideologists of Yugoslav Communism, such as Edward Kardelj, the country had a right to its own independent interpretation of Communism which, to some extent, allowed cooperation with the West and, *de facto*, challenged the Soviet leadership in the area of ideology. This debate remained open long after the Belgrade and Moscow declarations were signed in 1955 and 1956 respectively. Neither side wanted to cede ground on these matters. Being 'ideologically different' was crucial to the SFRJ's independence and being an undisputed leader of the 'free world' was the primary objective on the USSR's foreign agenda. Interestingly, despite all the ideological rivalry generated by the dispute, public opinion was seemingly unaffected by the official line of the CPSU. Velko Mićunović, the SFRJ ambassador in Moscow at the time, talked of crowds of people meeting Tito when the latter was on his first official visit to the Soviet Union after the conflict MIĆUNOVIĆ 1980: 61-62), which could direct one towards the suggestion that the subconscious image of Yugoslavia as a 'related' country, at the time mainly reinforced by intensive wartime propaganda and to a lesser extent, by the traditional values of Slav unity, had survived well past the October Revolution despite having absorbed a number of ideological influences.

Secondly, there was one area which observed the newly emerging Soviet-Yugoslav links from a purely strategic standpoint, but was linked to the ideological component. Yugoslavia's successes in 'the building

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[3] Russian State Archive of Modern History (former Centre of Modern Documentation), *Documents of the July 9 CPSU Plenum on the results of the Soviet-Yugoslav talks* [Gen. Sec. Nikita Khrushchev's report on the results of the Soviet-Yugoslav talks], pp. 1-64.

of independent socialism' and the construction of a bilateral relationship with the opposing bloc could provide potentially fertile ground for what received the name, 'the precedent' in official Soviet documentation, both at the time and well into the 1970s. The 'precedent' involved calculating the possibilities of the destabilization of the Eastern bloc by the Yugoslav scenario, which could have been adopted by national liberalization movements (and possibly was, as events in Hungary and Czechoslovakia had shown in 1956 and 1968), thereby affecting the Soviet position in Eastern Europe. It has to be noted that the military arguments that Khrushchev provided in the text in this case are likely to serve as an insurance factor for the CC to back the report, since the new Soviet leader faced strong opposition in his initiative to normalize the relations with Yugoslavia from the Stalinist figures who had all remained in the Politburo; from the point of view of the strategy of operations, which takes us to the next group of dilemmas; Yugoslavia was conveniently situated for various pressure-based policy moves.

The third, and final category, assessed the future of the relations on the basis of geostrategy. This was based on the traditional image of the Balkans as the gateway between the East and the West. Yugoslavia in particular, had been transmogrified into the role of a buffer-zone in Soviet Union's westward-orientated policies, that were conditioned by the bi-polar cleavage in the aftermath of the Second World War. In this sense, Yugoslavia could effectively develop relations with both the East and West, offering its political 'services' as a transitional zone to both superpowers and their allies, and becoming vitally important to both. The West saw Yugoslavia as a valuable destabilizing factor in Soviet Eastern Europe, whilst the Soviet Union itself viewed the SFRJ as an irritating reminder of its miscalculations in the recent past which had to be brought back into the Soviet political orbit, or at least create an image of its return to stop the *precedent*[4] from developing. The risky balancing strategy that was borne out of these rapprochement initiatives later resurfaced in a major international political movement known as 'non-alignment'[5] which further strengthened Yugoslavia's 'bloc neutrality' at the international arena.

As Soviet-Yugoslav relations progressed all three categories remained stable with a few periods of hyperactivity, when the relations between the parties were tested to their limits as a result of the Soviet

[4] A possibility of other Eastern European states following the Yugoslav development path, through creating their 'own' versions of socialism.

[5] Non-Alignment movement received its official status at the Belgrade Conference in September 1961.

military activities in Europe in 1956 and 1968. It is possible to say that between 1956 and 1979 the bilateral scheme was reliant upon the following pattern: Soviet aims to re-establish ideological (and therefore, satellite) links with Yugoslavia —concessions— and Yugoslav refusal whilst managing to profit from the concessions. This development led to considerable annoyance amongst the Soviet elite, as the price paid for the 'image' of good relations with Yugoslavia for the rest of the world to observe was, overall, too high and did not guarantee any result. The summary of factors listed above in this section formed a complete circle, to an extent replicating a "supplier-buyer" relationship.

It is necessary to add that the never-ending rivalry within Soviet political institutions often led to changes in key political figures and, as a result, changes in their opinions on foreign policy. Whilst Khrushchev had based his political emergence strategy on building good relations with Yugoslavia and was thus naturally interested in maintaining what he had achieved so far, his successors frequently shared different perceptions of the Soviet-Yugoslav situation. The levels of diplomatic bitterness varied, increasing from the Khrushchev period to that of Brezhnev and decreasing after the Andropov years, in the 1980s. Progressing to the next section, which will evaluate the changes to the Soviet-Yugoslav relationship after Andropov and assess the transformations of the rapprochement period policy patterns, it is evident that the levels of damage left by the 'greatest paradox of the Cold War' in 1948, was quite substantial indeed.

Approaching the New World Order: USSR/Russia and Yugoslavia/Yugoslav successor states in the late 1980s

The new era in Soviet-Yugoslav relationship in the late 1980s is linked closely with the name of Mikhail Gorbachov, whose reformist policies would have to include the complete normalization of ties between the two regimes. This task was not an easy one, since decades of bitter exchanges had been shaping opinions on both sides: ever since the 'truce' in the 1950s Yugoslavia had been living under the threat of a possible Soviet invasion and Soviet attempts to minimize the effects of the ideological splits of the early 1950s (BANAC 1988: 139) on Yugoslav communism[6]; at the time the Soviet policy makers

[6] When the Yugoslav society became divided into those who supported the USSR (called the Cominformists) and the Titoists.

were displeased with what they interpreted as Yugoslav disobedience and started numerous initiatives, mostly of a propagandistic nature, to openly condemn it.

It could be argued that the rapprochement process came to an end on 18 March 1988 (ROMANENKO 2000: 375), when a new Soviet-Yugoslav declaration was signed in Moscow, containing an unprecedented step by Gorbachev who openly stated that: "the damage to good relations between the USSR and Yugoslavia was the error of the Soviet government" (GORBACHEV 1995: 383). The reasons for such an admittance vary, ranging from the desire of the new Soviet leader to abandon the 'limited sovereignty doctrine' due to both the unstable nature of the satellites within the Soviet-controlled orbit and the expensive nature of maintaining the whole process, to the personal ideals of the new General Secretary who, as some of his biographers have suggested, believed that the: 'states of Eastern Europe are free to choose their systems' (DODER & BRENSON 1991: 258). In any case, old political stand points proved difficult to abandon: for instance, the perceived 'Soviet threat' was still seen as real by the Yugoslav leaders as late as 1987, when Ivan Stambolić, a YLC functionary, talked of seeing the face of president Milošević after one of the meetings with the Soveit leaders, having the impression: "that Yugoslavia had been attacked by the Russians and that World War III had just began" (SILBER & LITTLE 1995: 31).

Undoubtedly, designed to solve the existing issues between the Soviet Union and Federative Yugoslavia, the declaration gave birth to several disturbing trends, one of which could be linked to relations between the chairman of the CC SLC[7], Slobodan Milošević and Mikhail Gorbachev, and the use of references to the: 'historic traditions which link every Russian to every Serb' by Gorbachev[8]. This remark, which was made during a protocol speech during Gorbachev's visit to Belgrade in 1988, did not re-surface in any similar context in the meetings that took place between Soviet officials and their Croatian and Slovenian counterparts. The Russian historian Sergei Romanenko explains this through the misconceptions held by Soviet government functionaries (ROMANENKO 2000: 378) which aligned the Croat and Slovene nations to the 'westerners' by their nature.

The question whether the Soviet leader realised that the words of support for a specific nation, the Serbs especially with the historic con-

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[7] Serbian League of Communists.

[8] *A visit by the General Secretary of the CC CPSU to Socialist Federative Republic of Yugoslavia March 14-18 1988*, Political Literature Press, Moscow, p. 55.

text, as in the above case, could be interpreted incorrectly in a country that had already started to display the ethnic 'cracks' in its fabric, following the famous 1986 nationalistic *Memorandum* of the Serbian academy of Arts and Sciences, remains open to this day. The pan-Slavist rhetoric was employed in a substantial number of Milošević's future policies prior to and, after the collapse of Yugoslavia. This included the helicopter flight around Kosovo *polje* in 1989 and the establishing of connections with the first Russian president Boris Yeltsin. Upon his return to the USSR Gorbachov was forced to tackle a number of serious domestic problems produced by the failing policies of *perestroika*, and found himself up against a growing traditionalist opposition within the CPSU, facing a situation similar to the one his predecessor, Khrushchev, found himself in almost thirty years earlier, with the only major difference being that the GenSec[9] of the 1950s was challenged mainly on the grounds of the rapprochement process with Yugoslavia, as such.

Once again, considering the fact that, owing to both the structural and ideological similarities between the USSR and the SFRY, the Soviet elite could hardly have failed to consider that the further growth of decentralizing tendencies in Yugoslavia in the early 1990s could be duplicated in the Soviet Union; nor could they have ignored the early indications of the political crisis on the Balkans in its foreign policy making. Evidence suggests that this tendency in political thinking was used by both the followers and the enemies of the perestroika processes: Gorbachev referred to: "ending up with Yugoslavia" (ROMANENKO 2000: 381), advocating the continuation of reforms, whilst the anti-reformers exemplified nationalist political changes in Yugoslavia as a means of controlling the situation in the USSR, together with preserving its role in the international arena. Paradoxically, despite the fact that the Soviet leader had made a significant step in improving the relations between the two countries, it was, rather ironically, Gorbachev's opponents who nevertheless received a significant amount of support in Belgrade.

This phenomenon has the following explanation, centred on Milošević's rising support amongst the Serb-dominated sectors of the Yugoslav political mechanism including the JNA[10] command. As the 'popularity' and 'efficiency' of the nationalist-orientated policies in Yugoslavia grew, governing elite members lost interest in the direction of the reforms promoted by Gorbachev, as politically these were directly

[9] An official Soviet/Russian term that stands for General Secretary.
[10] Yugoslav Peoples Army *(Jugoslovenska Narodna Armija).*

opposed to the new Yugoslav line which targeted preserving the unity of the Federation. Furthermore, the changing role of Soviet influence in Eastern Europe could hardly be used by the Milošević-era elite for maintaining the role of a 'buffer-zone', which was one of the important factors in managing Yugoslav unity. Therefore, logically, those who were opposed to Gorbachev now stood closer to Belgrade than the initiators of the recent stage of the Soviet-Yugoslav rapprochement, being more interested in failure or, at least, the abandonment of *perestroika* than in its success. However, given the new nature of the Yugoslav interest in the USSR maintaining its influence, some of the previous political/ideological positions had to be abandoned for the sake of a constructive dialogue with the hard-liners in Moscow. Although, there is an argument that such concessions were made to create a visual effect, as Belgrade refused to abandon its negative views on 'Soviet aggressiveness' completely due to their usefulness in concealing political moves against a non-Serb population (ROMANENKO 2000: 387): for instance, the revival of old accusations of Soviet involvement in the 'Croat spring' in the early 1970s could partially remove any responsibility for the destabilizing process involving the Croats by accusing them of separatism.

In an attempt to strengthen the unstable contacts with the conservatives in the CPSU, the SFRJ governing elite had also made attempts to establish links with the 'traditionalists' in the Soviet military, arising from the JNA opposition to reforms and budget cuts. Several known visits of high-ranking JNA officials to Moscow in 1990 witnessed contacts with Marshal Yazov, the Soviet defence minister at the time, who 'had expressed an understanding of Yugoslav concerns'. Some sources, both Yugoslav and Russian give their attention to the fact that should military force become the main tool of state centralization, officials in both Belgrade and Moscow were likely too coordinate their actions (MAMULA 2000: 182).

If one chooses to give a general review of the steps taken by Belgrade in an attempt to stop a number of new Soviet policies which could not be aligned with Yugoslav domestic policy, it could be said that the involvement of the military stands out above the double-sided political dialogue due to obvious dangers of its possible future involvement in politics. These dangers were very real: after the bloody events in Lithuania in February 1991, the Soviet leader sanctioned the use of the armed forces to tackle separatist tendencies, the majority of the SFRJ and JNA elite changed its opinion of Gorbachev who 'became a supporter of a Soviet state preservation policy', and declared its support for him (JOVIĆ 1996: 69) whilst partially abandoning the ties with the CPSU conservatives. On 13 March, only three weeks after the So-

viet Army stormed into the Vilnius TV Centre, Yugoslav general Kadijeiević visited Moscow with a mission to assess whether the USSR was 'ready to protect Yugoslavia from the possibility of Western intervention, if Belgrade relied on military force to comply with the SFRJ Presidium regulations' (JOVIĆ 1996: 295). This neutrally formulated enquiry, could be identified as one of the most dangerous moments in Soviet-Yugoslav relations since the 1960s. The remark, relating to the forcible maintenance of the orders of the SFRJ Presidium could be found to conceal the possibility of a coup d'état with relative ease, with the Yugoslav initiative, in some aspects, being unprecedented, especially if to refer to the values of Titoism, which after years of living in fear of the Soviet invasion, hardly had an explanation for 'inviting' Soviet troops into the country' (ROMANENKO 2000: 387).

It is difficult to draw a line on the possible development of events, should the Belgrade coup plan become active: almost certainly, if the answer of the Soviet government to the Yugoslav request for support had been positive, there would have been a high risk of the Soviet army becoming engaged in the Yugoslav 'nationalized' domestic policy and internal struggle between the ethnic groups on behalf of Milošević and those allied to him — a step which (considering both Yugoslavia's geographic and strategic location) could have had serious international consequences, with the potential of Western involvement in the Balkans, if the coup went ahead.

Moscow was not the only city on the list of European capitals where Yugoslav emissaries were dispatched with similar missions of establishing the probable response of the international community to a change of governmental system in the SFRJ (JOVIĆ 1996: 295). The unfavourable impact such a response would have had on the international image of the USSR which was already balancing on the verge of collapse due to severe economic problems and on its political interests, had led the Soviet generals to decline Kadijević's offer. Boris Jović[11] wrote of: "the Russians seeing no variants in which the West will put up with their military intervention … and carefully steered out of any conversations regarding any potential Soviet assistance" (JOVIĆ 1996: 295), even though the negotiating parties were sharing the same negative views on the domestic situation in the USSR.

[11] Borislav (Boris) Jović — Serbian League of Communists' functionary. Held posts of the Vice-Chairman of the Assembly of Serbia (потпредседник Скупштине Србије, 1983-1989), Vice-Chairman of the Yugoslav Joint Presidency (потпредседник Председништва СФРЈ, 1989-1990) and the Chairman of the Yugoslav Joint Presidency (председник Председништва СФРЈ, 1990-1991).

Fortunately, despite the considerable investment in ensuring Soviet protection for the emerging ideals of a 'Greater Serbia', the reliance on the return to socialism of nearly all of the Soviet-orientated policies produced by Belgrade, ensured their failure. Indeed, one can argue that the pro-Milošević circles had underestimated the levels of the crisis that was unfolding in the Soviet Union at the time that they made their requests for help. The popularity of traditional ideological values in the Soviet Union had fallen drastically during the late 1980s, and the state system entered its final critical phase in January 1991. Under these circumstances, the main interest of important individuals within the Soviet government and CPSU was given over to the issues of a power struggle, encouraged by the failure of the *perestroika* reforms. Against a background such as this, Soviet public opinion was unlikely to back any revisionist initiatives, the last of which, the putsch of the GKChP (State Commission for Emergency Situations) in the summer of 1991 had ended in failure, having successfully buried all the Yugoslav elite's hopes for attracting the political and military resources of the Soviet Union potential aid for its domestic agenda.

From the perspective of the situation in Yugoslavia, the last phase of Soviet-Yugoslav affairs which, in spite of their changing nature, rotated around maintaining the existing Yugoslav state, had obviously contributed to making the unfolding ethnic divisions in that country even more distinct. For instance, Croatia, inspired by a rapid worsening of its relationship with Belgrade and the necessity to further promote the initiative of self-determination, during the August putsch, announced its unconditional support for the new Russian leadership, and later accepted Moscow's offer to participate in an October meeting between presidents Milošević and Tudjman, chaired by Gorbachev — the first Soviet political initiative to regulate worsening tensions between the two principal members of the Yugoslav Federation. This move, unsuccessful due to the damaged political reputation of the Soviet president, as well as to the size of the confrontation between the negotiating parties, became Gorbachev's last major strategic undertaking.

Conclusion. The Yugoslav crisis from the perspective of the changing Russo-Yugoslav relations

As can be seen, the twist taken by the historic route of Soviet-Yugoslav bilateral relations, could claim to be both paradoxical on the one hand, and natural, on the other due to the development of the eco-

nomic and ideological crisis that had arisen in Eastern Europe, as the Cold War entered its final stages. The first confrontation between the states, having emerged out of the individual ambitions of one man, Josef Stalin, and enforced and governed by strict ideological regulations until it ended, has directly contributed to the creation and development of the peculiarities of the Yugoslav state in a form which later generated both the crisis and its own disintegration. It could also be argued that whilst remaining generally hostile to each other, the number of links that were vital for the successful functioning of both the USSR and Yugoslavia, had expanded and become even more complex, rather than being reduced to the limited and cautious outside impression adopted by the international community throughout the forty-year-long history of this relationship. This complexity, a powerful combination of ideology, strategy and politics, as in the case of any form of international relations, required a certain political environment to function and fulfil its background goals, as the above descriptions have shown us; the goals of state maintenance (in the case of Yugoslavia) and of bloc maintenance (in the case of the USSR).

The second confrontation, to a large extent the product of the unwritten rules established by the first confrontation and aided by background regional factors, appears as an attempt by active forces on both sides to design a new form of beneficial policy for each other, following the disappearance of conditions which ensured the functioning of the old one. The selection of the term 'confrontation' here plays a purely indicative role, as the rivalry that is subject to analysis takes place between members of political groups participating in a power struggle and is, therefore, unofficial. It could be said that, referring to the 1948 conflict pattern, leading individuals on both sides were facing the type of issues similar to those of their predecessors. Like Khrushchev and Tito before them, both Gorbachev and Milošević had to establish themselves as able leaders within the power groups that they inherited, and both of them had their political careers built upon introducing reforms. However, failure to take into account the multiple individual issues that states were beginning to face with the start of the reforms, together with the true impact of the end of the bi-polar world system had effectively radicalized the reformative process in both Yugoslavia and the USSR. The first, finding itself unable to cope with the management of Marshal Tito's multi-ethnic legacy after the death of its charismatic leader, referred to the nationalization of domestic policies of the state to preserve its existing borders; contributing to further unrest amongst its inhabitants. The second, whose reforming process was undermined by an inability to calculate the true impact of reforms con-

ducted on a system of 'state socialism', was faced with deep internal divisions between both party and society.

In a simplified form, the situation within Soviet-Yugoslav bilateral relations at the end of the 1980s developed along the following lines: Gorbachev, a newly elected General Secretary of the CPSU made his political bid on the rapprochement with Yugoslavia after more than forty years of tensions. Whilst carrying a positive external image this, without doubt, successful diplomatic move was seen as being unfavourable by the new elite in Belgrade, as it removed the last unifying factor for Yugoslav multinationalism after the death of Tito — namely, the external threat of the Soviet Union. As the now 'normalized' relations developed, the Yugoslav elite made an attempt to use the difficult political situation in the USSR to urge conflicting parties there to participate in the solution of the Yugoslav dilemmas.

It could be suggested that the reliance of the later evolution of Russo-Yugoslav relations on this particular episode was substantial: as the former Finnish president Marti Ahtisaari wrote, the new Russian leadership has not forgotten the contacts between Milošević's elite and the Soviet hard-liners, particularly the *putschist* Yazov during the final years of the *perestroika* (AHRISAARI 2001: 9), prompting a change in the approach to the Yugoslav question by Boris Yeltsin's government. The latter gave preference to relations with Croatia over those with Serbia, starting diplomatic relations with the new Croatian state in October 1991 (TOMAC 1993: 451) — a step which, apart from the demonstrably individual disapproval of Milošević's activities by the first Russian president, also has an explanation in a political-strategic context.

The above explanation, which at the same time could be argued to serve as a main trend in the foreign policy of the new Russia towards the Yugoslav Successor States, in the 1990s, lies in the restoration of its lost image, damaged by the failures of reforms and the democratic transition. Yugoslav Admiral Mamula, a Croat by nationality, noted that: "the Russians have intervened in the Yugoslav crisis only then, when it was necessary for them to improve their own reputation and influence in the world, which fell so dramatically after the reunification of Germany and the fall of the Eastern bloc" (MAMULA 2000: 33). To an extent, such a policy of 'motivated intervention', could politically be referred to as a success as it enjoyed enormous support within Russian society, the true nature of it concealed the nearly two-centuries-old ideas of Slav unity, or Pan-Slavism.

In conclusion, it can be said that the whole process of Russo-Yugoslav links in the second half of the twentieth century could be compared to a constantly modifying secessional scheme. If to go back to

the 1950s, one could see that Marshal Tito was 'trading' on Yugoslavia's support for Soviet policies in Eastern Europe; forty years later the Soviet Union was debating with his successors over the extent of Soviet participation in the future of Yugoslavia, with the latter side prepared to secede this time; finally, in the 1990s President Milošević was forced to agree with the political price of the Russian involvement in the crisis on his side.

As is well-known, the Socialist Federative Republic of Yugoslavia ceased to exist in the same year (1991). Both subjects of this work disappeared from the map at approximately the same time, leaving a legacy that has taken (and is still taking) enormous international efforts to resolve. The author would like to express the hope that one day the successors of the USSR and the SFRJ will discover a suitable set of natural values for the replacement of the old ones, leading the troubled states towards peace.

Bibliography

AHTISARI, M. (2001): *Mission in Belgrade* [translated from Finnish], Filip Višnić, Belgrade.

BANAC, I. (1988): *With Stalin against Tito: Cominformist Splits in Yugoslav Communism*, Cornell University Press.

GIBIANSKY, L. & ADIBEKOV, M. (1998): *Soveshanija Kominforma 1947, 1948, 1949: Dokumenti i Materialy*, ROSSPEN, Moscow.

GIRENKO, Y. (1991): *Stalin-Tito*, State Literature Press, Moscow.

GORBACHEV, M. (1995): *Zhizn i Reformy*, Volume II, News Press, Moscow, 1995

JOVIĆ, B. (1996): *Posledni dani SFRJ (Izvodi iz dnevnika)*, Drugo Izdanje, Belgrade.

MAMULA, B (2000): *Slučaj Jugoslavija*, Podgorica.

MIĆUNOVIĆ, V. (1977): *Moskovske godine: 1956-1958*, Liber, Zagreb, [Also in English: MIĆUNOVIĆ, V. (1980): *Moscow Years: 1956-1958*, Chatto & Windus, London.]

ROMANENKO, S. (2000): *Yugoslavia*, Moscow Public Science Fund.

ROYAL INSTITUTE FOR INTERNATIONAL AFFAIRS (1948): *The Soviet-Yugoslav dispute: Text of the Publisher Correspondence*, London.

SILBER, L. & LITTLE, A. (1995): *The Death of Yugoslavia*, Penguin.

TOMAC, Z. (1993): *The Struggle for the Croatian State: Through Hell to Democracy*, Profikon, Zagreb.

The Role of Violence as a Hidden Thread of the Mexican State Formation and Modernisation Process

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Abstract

This chapter explores the relationship between violence and modernisation, particularly the case of state formation and modernization processes in Mexico. It analyzes how the literature concerning the history of violence in Mexico reflects the hegemonic discourses of violence, which mainly concentrate on direct violence, and at the same time, minimize or hide other types of violence such as structural and cultural (symbolic) violence.

Discussion on violence and modernisation

Violence is a very complex and ambiguous concept that has been seriously contested because its scope and meaning have changed with time and from one place to the other (NORDSTROM 1997: 115; KEANE 1997: 65; HEARNE 1998: 15; BASSILS 2002: 22). Although, it is a word used very assiduously, it is not a convenient term with a clear demarcation, precisely because violence is a phenomenon with many faces and anchors in different historical and social realities (FERRÁNDIZ & FEIXA 2007:51).

The causes of violence are clearly multiple and cannot be explained by one set of conditions. Moreover, there is little consensus around the term 'violence' because not all members of society recognize the same acts as violent.[1] Nevertheless, there has been a hegemonic discourse on violence more closely related to its reductionist perspective —direct violence— which limits it to its physical manifestation in the public

[1] Authors such as GALTUNG (1996) have suggested that perhaps arriving at a conclusive definition of violence is not a necessary exercise.

realm[2] (NIEBURG 1969:153-4; HACKER 1973:15; CANO & CISNEROS 1980:20; DAHLBERG & KRUG 2006: 3). For instance, Greg McLaughlin highlights that only certain acts of violence within a given social order are classified as violent and illegal. He states that "murder, assault, rape, robbery are paradigmatic crimes of violence that hold a hegemonic position in legal discourse and public imagination",[3] ignoring or minimizing other types of violence. This hegemonic interpretation of violence includes discourses, myths and practices that have helped powerful interest groups to uphold their privileges and to enforce the social perception of what is considered "real violence" and what is not (HUME 2003:14).

Patricia Hume argues that uncovering these meanings and myths about violence is a key element for challenging hegemonic processes that privilege mainstream interpretations of violence which have been used to make certain types of violence more visible while hiding other types of violence at particular social and political conjectures. In this sense, she suggests that the feminist approach to violence is very relevant because it emphasizes the necessity of naming violence and recognizes its different manifestations and types in order to make it visible.[4]

In order to get a broader understanding of violence and make other types of violence visible, it is useful to incorporate Johan Galtung´s framework on violence which includes a triangle to identify the manifold expressions of violence within three principal types: direct, structural and cultural violence. For Galtung, direct violence is the most feared form of violence, characterized by being visible, destructive, and with a will to harm. Structural violence, also named everyday violence, includes the structures within society that serve to maintain and reproduce inequality and injustice.[5] Finally, cultural violence brings together those aspects of culture such as religion and language that can justify or legitimize the

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[2] There are many different definitions of violence. For instance, the WORLD HEALTH ORGANIZATION (WHO) defines violence as: the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation (WORLD HEALTH ORGANIZATION 1996).

[3] Greg MCLAUGHLIN (2002): *The war correspondent.* London: Pluto, p. 285 quoted in HUME 2003: 247.

[4] The feminist approach to violence suggests that "in order to be able to speak about something, one must first be able to name it and define it. Names provide social definitions, make visible what is invisible, define as unacceptable what was acceptable; make say able what was unspeakable" (KELLY and RADFORD, 1996: 20 quoted in HUME, Ibid: 18).

[5] A very good tool to measure structural violence is related to the distribution of different resources such as power and income amongst different sectors in a society

other two types. Cultural violence is invisible as is structural violence, but it includes a clear intent to harm and even kill, indirectly, through words and images; in short, symbolically (GALTUNG 2000).

Following Galtung's notion of cultural violence that is also expressed in a sort of symbolic violence, it is useful to incorporate Pierre Bourdieu and Loic Wacquant's conception of symbolic violence. They see this type of violence as the kind exercised upon a social agent with his or her 'complicity'. In this sense, the term is related to the form of 'recognition' where the social agents engage by the mere fact of taking the world for granted, of accepting the world as it is, and of finding it natural because their minds are constructed according to cognitive structures that are issued out of the very structures of the world. In this sense, Bourdieu and Wacquant argue that just for: "being born in a social world, we accept a whole range of postulates and axioms that go without saying and require no inculcation" (BOURDIEU & WACQUANT 2004:272).

Likewise, Philippe Bourgois argues that symbolic violence is especially important for the analysis of contemporary violence because "the victims not only fail to see the structural dynamic oppressing them, but actually blame themselves for their failure to achieve 'the American dream'". For instance, Bourgois remarks that neoliberal capitalism has succeeded in its hegemonic project by blaming the poor and getting the poor to blame themselves for their poverty (BOURGOIS 2004: 427).

Finally, it is interesting to highlight Galtung´s notion of a triangle rather than a continuum because it suggests that violence does not begin with one particular element but that the different types nourish and feed off one another. In this way, different types of violence are regarded as interrelated, multi-directional and multi-layered manifestations of violence (HUME 2003: 31).

Analyzing structural and cultural (symbolic) violence is particularly relevant to the present essay because it will facilitate the understanding of other forms of violence that have been ignored, or even worse, normalized in the historical, interpretative and analytical process of violence in Mexico.

Following the logic of the feminist approach, it is necessary to recognize that violence involves the exercise of power.[6] Although Han-

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CANO, C. and M. T. CISNEROS (1980). *La dinámica de la violencia en México*. Edo. de Méx., ENEP-UNAM.

[6] Francisco FERRÁNDIZ and Carles FEIXA suggest that when speaking of violence we talk about power relations and political relations (which are necessarily asymmetric) (FERRÁNDIZ, F. and FEIXA, C. 2007:52).

nah Arendt emphasized the distinction, even the opposition, between power and violence, she recognized the instrumental character of violence to impose or control,[7] especially when power is in jeopardy (ARENDT 2004:241). Considering the instrumental character of violence, this chapter explores how the Mexican ruling elites have used different types of violence as instruments through the state apparatus to advance the consolidation of the state and its modernisation projects.

Violence: the covered side of modernisation[8]

> Violence is the midwife of every old society
> which is pregnant with a new one
>
> (Marx, Capital: Volume I: 916)

Existing theories of modernisation have not deeply analysed the role of violence within the modernisation process. Some social scientists argue that this is the result of neglecting violence in the analyses of modernisation theory (JOAS1999; ROXBOROUGH 1999; TIRYAKIAN 1999).

Hans Joas argues, in a very interesting article entitled *The Modernity of War: Modernisation Theory and the Problem of Violence* that war and violence are inherent within modernity and not as most representatives of the liberal modernisation paradigm have emphasized, only a minor part of its genesis.[9] Joas rejects the positive meaning, development and outcome of modernisation theory that assumes that modernisation is peaceful because it decreases the possibility of war.[10]

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[7] Arendt gave violence an instrumental character that increases and multiplies effects.

[8] This title was taken from an article entitled War: The covered side of modernity by Edward TIRYAKIAN in response to Hans Joas´ article: "The Modernity of war: Modernisation theory and the problem of violence".

[9] Philosophers such as ROUSSEAU and KANT, the fathers of liberalism who nourished the project of the Enlightenment, were very optimistic about the prospect of future peace given the premise of the innate goodness of humankind complemented by the increasing scope of rationality (TIRYAKIAN 1999: 474).

[10] For liberals, modern societies are more stable and are subject to little internal intra-violence by contrast with pre-modern or non-modern societies. This is the result of high levels of social mobilization and economic development that make them more stable and, therefore peaceful. Liberals such as Samuel Huntington suggest that what produces violence is not the absence of modernity but the efforts to achieve it (HUNTINGTON 1968).

He also rejects liberal statements that consider violence and war as part of the prehistory of civilized humankind, signs of backwardness, feudal relics, obsolete, and pre-modern elements (1999:457). Edward Tiryakian agrees with Joas' arguments and asserts that war and violence are integral features of advanced modernity rather than vestiges on the past. In addition, Tiryakian criticizes the liberal tradition that considers that: "the transition to modernity from feudality might have violence, intense but short-term; still, the major paths of modernity are in the direction of the rational, efficient industrial economy replacing traditional arbitrary political rule" (1999: 475).

Employing modernisation theory is a poor approach to the study of violence and war because it does not address phenomena such as the use of power to perpetuate the developmental inequalities in modern states (JOAS 1999: 462). In addition, it does not provide responses to tensions inherent in the transition to modernity, nor does it include elements of "pre-modern" societies as well as failing to take into account the survival of important pockets of anti-modernity within the heart of modern society (ROXBOROUGH 1999: 492). All these vacuums have ruined the liberal dreams that the path to modernisation would necessarily lead to peace.

Tiryakian remarks that Marx exposed the covered side of modernity through his historical analyses that considered class, warfare and violence as structural determinants of modernity (1999: 476). Marx understood revolutions not as isolated episodes of violence or conflict but as class-based movements growing out of objective, structural contradictions within historical conflict developing inherently —ridden societies— (SKOCPOL 1979:7). In this sense, Marx and the Marxists looked at the negative forces or factors within society that challenge the claims of modern states to advance the cause of modernity without conflict and violence. Nevertheless, Marx and the Marxists believed that when the working class takes power, then we can truly have a democracy without violence. That wish has not come true, and Marxist theory does not apply to societies that have not yet consolidated industrial proletarian societies. In other words, it has not responded to societies that still have incomplete state formation and modernisation processes such as the Third World countries that suffer from the historical legacy of colonialism.

In this order of ideas, the crucial question is what role violence plays in nation-states that have an incomplete process of formation and consolidation for what Ian Roxborough called an insufficient or unfinished modernisation process (1999: 491).

Because of the failure of modernisation theory and the limitations of classical Marxist theory in explaining the role of violence in the mod-

ernisation process, other theories or approaches have emerged.[11] Some of the most important ones came from Barrington Moore's research on the social origins of democracy and dictatorship, and from the American sociologist Theda Sckocpol and her theory of social revolution.[12] These works brought out more clearly the role that violence played in changes within the agrarian sector, in the so-called original accumulation and in the state apparatus, than conventional modernisation theory dealt with (JOAS 1999: 462).

Moore claims that evidence from his comparative history of modernisation shows that there have been different historical routes to modernisation, all of them with varied levels of violence. Some paths have finally accomplished peaceful modernisation and parliamentary democracies (as is the case in England), others have ended up as communist dictatorships (as in China and Russia), others found fascism (as in Germany and Japan), and other paths are so weak that the constitute a threat to democracy (as is the case in India) (1967: X).

A key argument of Moore's analysis that explains violence and the weakness of modernisation theory is that some states have tried to modernize without changing their social structures.[13] Moore remarks that this situation has caused the use of force that has been expressed in different types of social revolutions. On the one hand, this initiated revolutions from above, as was the case in Germany and Japan, and that this had been developed through militarism or violent political methods to perpetuate the extraction of surplus for accumulation by attempting to use traditional relations to make it work, especially maintaining a peasant society working the land. On the other hand, it has favoured revolutions from below since keeping agrarian structures implies the survival of a huge mass of peasants which is a problem for democracies, and at worst a pool for peasant revolutions led by communist dictatorships (MOORE 1967: 429-34).

Moore emphasizes that there are two major prerequisites for the accomplishment of democratic modernisation and the avoidance of peasant revolts; both are directly related to the dismantling of complex agrarian societies. In the first place, there has to be a consen-

[11] Other criticisms of the modernization theory deal particularly with its dualism thesis: traditional *versus* modern, urban versus rural, agrarian versus industrial, and so on.

[12] Both authors made comparative historical studies of the history of social revolution.

[13] MOORE suggests that more violence (expressed in social revolutions) occurred when the landed aristocracy failed to promote the transition from a basic agricultural economy to commercial-industrial agriculture.

sus amongst the landed upper class to act as a political *avant-garde* to shift from an agricultural economy towards commercial agriculture, and later to industrial capitalism. Secondly, either the elimination or the transformation of peasants (and their social institutions) into some other kind of social formation is necessary (MOORE 1967: 423).[14]

Theda Skocpol, who did her own analysis of social revolutions influenced mainly by Marxism and political-conflict perspectives, criticizes the as yet overriding theoretical approaches —structural-functional evolutionism and unilateral Marxism because they claim that social revolutions are related to 'modernisation' but have entailed an almost exclusive focus on socio-economic tendencies and conflicts *within* national societies (SKOCPOL 1979: 19). In this sense, she points out that classical Marxism has failed to foresee or adequately explain social revolutions because it focuses primarily or exclusively upon intra-state analysis concentrated in class-struggle relations and a limited conception of the state as an instrument of class domination.

Skocpol explains that there are two main additional elements that have invariably helped to shape revolutionary struggles and their outcomes. These are: the nation state formation as an administrative and coercive machine with potentially autonomous power; and, international structures and developments in world history, especially the uneven spread of capitalist economic development. With regard to the former, Skocpol argues that: "not oppression, but weakness, breeds revolution". In this sense, she claims that the crucial trigger for historical social revolutions was the inability of administrative and military machineries to modernise agrarian bureaucracies to face domestic and international challenges (1983: 153-4). Consequently, she confers upon the state a key role as a potentially autonomous entity, although she recognises that this could be conditioned by particular socio-economic interests and structures. She considers that only state machineries that are significantly differentiated from traditional landed upper classes could undertake modernisation reforms which almost invariably would have to encroach upon the property or privileges of the landed upper class, as well as mobilize resources and exercise control over its population (SKOCPOL 1979:14, SKOCPOL 1983:157).

Secondly, a social revolution cannot be explained without a systematic reference to transnational relationships, especially because of inter-

[14] MOORE, heavily influenced by Marxism, considered that peasants were conservative and reactionary forces. For this reason, peasants had to be transformed or turned into commercial farmers producing for the market instead of their own consumption and/or that of the overlord (MOORE 1967: 423).

national, military and commercial competition (as well as intrusion from abroad) that generates permanent conditions and pressures over the dynamics and development of the state. In sum, Skocpol considers that violence fundamentally depends upon the structures of state organizations and their partially autonomous and dynamic relationships to domestic classes and political forces, as well as their positions regarding other states (1979: 284)

In order to 'problematize' even further the role of violence in the process of modernisation, particularly in Third World countries with a colonial legacy and large indigenous populations, it is necessary to briefly consider Cristóbal Kay's analysis of the development and underdevelopment theories that have seriously contested modernisation theory in Latin America.

After the Second World War, the economist Raúl Prebisch, with strong support from the Economic Commission for Latin America (ECLA), launched a strategic "Developmental" project for the modernisation of Latin America. It followed Western structuralist logic and anticipated that industrialization led by strong governmental intervention would replace not only the old oligarchic order but lead to the development of modern and efficient democratic, bourgeois states and societies (KAY 1989:28). The promoters believed that what the Latin American economies needed was the implementation of the Import Substitution Model (SMI) to overcome the unequal international exchange system. This phenomenon was a consequence of the world's economic system that was divided into centre and periphery countries, where the former produced primary commodities (raw materials) and held cheap labour reserves while the latter produced and sold products with considerable added value. The SMI did not advocate socialism or revolutionary change, it basically proposed a "redistribution with growth". This model was implemented by many countries in the region from 1945 until the 1970s with diverse results.

One of the most important critical positions to this developmental project came from the Dependency Theory posited by Fernando H. Cardoso and Enzo Falleto in the 1950s and 1960s, which was later enriched by the so-called dependency reformists such as Sunkel and Furtado. The Dependency Theory strongly criticized the structuralist theory arguing that there are external and internal factors of exploitation and oppression that contribute to the asymmetry of the terms of exchange. Sunkel condemned the modernisation project for focusing exclusively on the positivist aspects of capitalist development, which threatened its end products as the vehicle of development (KAY 1989:132). There are

many additional criticisms of the SMI,[15] but some of the most relevant for the present essay are: its omission of class analysis and the theory of the state. In this sense, the emergence of authoritarian states was an alternative that had not been foreseen or contemplated. In addition, as Furtado had highlighted, it did not fully explain the need for permanent repression in order to maintain the dynamics of dependent industrialization (KAY 1989: 133).

The theory of Internal Colonialism, which derives from Dependency Theory, is another interesting response to both the deficient modernisation theory and orthodox Marxist theory, for it exclusively focuses on class relations, thereby neglecting the ethnic dimension.[16] The theory of Internal Colonialism was developed during the early to mid-1960s by two eminent Mexican sociologists Pablo González Casanova and Rodolfo Stavenhagen.

The theory explores how after national liberation and post-war decolonization, the internal domination and exploitation of indigenous groups continued but was carried out by other ethnic groups. Kay proposes that the domination of one ethno-group by another is driven largely through extra-economic mechanisms such as discrimination and the use of force (direct violence). On the one hand, political domination is exercised by excluding the subjected group from political participation, access to the state, and to civil society. On the other hand, it constitutes a relationship characterised by economic exploitation and based on non-capitalist forms. In other words, a surplus is extracted from the subordinated group through various forms of forces resulting in unequal exchange (KAY1989:75-6). The major forms of exploitation occur when indigenous producers undersell their produce. The other variant of exploitation takes place when indigenous people undersell their labour power to *mestizos,* either on a seasonal or permanent basis (KAY 1989: 78).

In sum, Internal Colonialism is a theory that should be put forward in countries with significant indigenous populations (such as Mexico)

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[15] The most important criticisms to the Substitution Importation Model were: a) the inability of industrialization to diffuse its benefits to other economic sectors and regions, b) There was a limited absorption of labour; c) Inequality in the distribution of benefits; d) the agrarian sector did not provide cheaper raw materials and there was a limited purchasing power of the rural population for a dynamic internal market; e) Increased control of foreign capital over the most dynamic economic sectors and industries; f) there was not the necessary transformation of profits into investments; g) increasingly dependency of value added products from the center countries; and, g) the existence of pre or semi-capitalist sectors in the economy (KAY 1989:46).

[16] For Cristobal KAY the great strength and major contribution of the theory of internal colonialism is to explore the links between class and ethnicity (Ibid.: 69).

to explain the internal mechanisms of oppression and the exploitation of one ethnic or racial group by another. The theory recognised that although indigenous communities are integrated by the dominant capitalist mode of production, it does not necessarily follow that their relations of production are fully capitalist. Nevertheless, the essential condition for defining this situation as internal colonialism is that these forms of exploitation are accompanied by extra-economic mechanisms of coercion.

The Normalization of violence: The Mexican Case

The present essay wishes to highlight that violence has been managed or perceived in the official discourse as a natural ingredient of the state formation and modernisation processes in Mexico. Emphasising the 'normalization' of violence in the aforementioned processes is of particular relevance. In this sense, it is interesting to quote Hannah Arendt, who believed that this attitude is indicative of a certain acceptance of violence as: "no one questions or examines what is obvious to all" (ARENDT 1970:8).

The literature concerning the history of violence in Mexico reflects quite well on the hegemonic discourses of violence. It mainly concentrates on direct violence, and at the same time, it minimizes or hides other types of violence such as cultural and structural violence.

The use of direct violence, especially repression against opposition agents, has been historically justified as necessary by representatives of the hegemonic discourse and legitimate governmental action in order to guarantee the progress and modernisation of the country. For instance, the *Científicos*[17] during the *porfiriato* (1876-1910) justified violence in rural areas and against urban rebel workers in order to guarantee "order and progress" for the modernisation of the country (CUMBERLAND 1968:223-26). Later on, in the post revolutionary period, the PRI vindicated many political decisions to re-establish order, social peace and political stability in the official discourse. Furthermore, the day after the October 2 1968 student massacre in Tlatelolco, the Mexican Senate officially applauded military and police intervention in order to protect not only the life and tranquillity of Mexican citizens,

[17] The *Científicos* brought into office in 1892, were conservative liberals who controlled the Mexican economy. David BRADING considers that thanks to their economic measures the country has generated strong state structures and stability (BRADING, D. 1980: 3).

but the integrity of Mexican institutions (STEVENS 1979:206). Recently, in a newspaper article, a very influential academic who leads one of the most prestigious Think-Tank Centres in Mexico, Luis Rubio,[18] wrote an article titled *Paralelos* where he made a comparison between China and Mexico's economic development. He subtly justifies the use of violence to advance the development project. Rubio wrote:

> In China economic change was threatened by democratic demands, and the government did not know how to process it politically (The case of Tiennamen square). However, it was very impressive that instead of getting frightened and yielding under political pressure to revert the reforms it made them a political imperative. By contrast, Mexico yielded because of political pressure and lost its way. Certainly, the Mexican and the Chinese governments are different in their structures and power. I do not advocate —in any way— repression as a legitimate method for promoting a development process. However, it is indisputable that when the Chinese government gave an imperative political status to growth, its priority was transparent and its actions took on a determination never seen before… (RUBIO 2006).[19]

A critical review of Mexican historical literature on violence

This essay wants to advance mainstream analysis and interpretations of violence recognizing that during the process of Mexican state formation and modernisation many types of violence have existed although they have been left unquestioned or made invisible in the official discourse and the mainstream analysis of Mexican history.

During the process of Mexican state formation and modernisation processes many expressions of violence have overlapped but the domi-

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[18] Luis RUBIO is the Director of the Center of Research for Development (Centro de Investigación para el Desarrollo, A.C. —CIDAC—).

[19] Spanish original version: "En China el cambio económico se vio amenazado por la demanda de democratización, y el gobierno no supo procesarlo políticamente (Caso Tiennamen). Pero impactante fue que en lugar de acobardarse y ceder ante la presión de revertir las reformas las hizo su imperativo político. En cambio, México cedió ante las presiones y perdió el camino. Ciertamente, el gobierno Mexicano no se asemeja al Chino en estructura o poder, ni estoy abogando de manera alguna por la represión como método legítimo para impulsar un proceso de desarrollo. Pero es indiscutible que cuando el gobierno Chino dio al crecimiento un estatus de imperativo político, sus prioridades se tornaron transparentes y su actuar adquirió una determinación nunca antes vista…".

nant discourses within society have made some types of violence visible and others hidden. For instance, direct violence dominates the literature of Mexican history while other types of violence have been overshadowed or ignored. For many years, the history of violence in Mexico has been conceived as public violence or a kind of violence that takes place in the public arena between liberals and conservatives,[20] *porfiristas* and revolutionaries, and post-revolutionary factions struggling for political power amongst others. However, little attention has been given to the different types of violence exercised against other sociopolitical sectors.

Peter Guardino argues that a serious problem with the Mexican literature about state formation is that there are few attempts to understand and explain the participation of Mexico's impoverished majorities in the historic conflicts, and that most of the literature does not look beyond Mexico City (GUARDINO 1996). He suggests that even today most studies continue to leave out the role of the working classes, both urban and rural, in the political struggle to shape the Mexican state. Some authors discount the possibility that lower class actors participated in or had any effect on political conflict. They and their sociopolitical participation are indeed denied, hidden or erased from Mexican history.

In the hegemonic discourse, many types of violence, particularly against indigenous people, have remained hidden or managed as a normal part of the consolidation of the Mexican state and its modernisation process. However, the three types of violence suggested by Galtung have been used against indigenous peoples since Mexico's independence, a phenomenon that continues albeit in a slightly different fashion today.

Charles R. Hale points out that the state has committed acts of physical (direct) and symbolic violence against indigenous peoples. In relation to the latter, Hale suggests that the State has denied and even promoted the extermination of some ethnic groups: "There were systematic efforts to eliminate indigenous peoples, their institutions and

[20] Little attention in the literature is given to the implicit and explicit alliance between liberals and conservatives in relation to the indigenous problems and the need to control them, or even eliminate them to avoid a caste war or indigenous revolts. Romana FALCON points out that liberal and conservative elites had a common agreement to impose the modernisation project over the indigenous communities or even "erase" them from the national project (FALCON 2001). Enrique FLORES CANOT believes that there was an agreement to seize indigenous lands, and destroy their institutions, which gave them identity and cultural cohesion (FLORESCASNO, E. 1997:487).

social organization, expropriating their lands, and promoting the 'myth of *mestizaje*' which holds that indigenous culture is inevitably, almost naturally, destined to disappear, replaced by a hardy and unique hybrid national culture that draws sustenance from both indigenous and European traditions" (HALE 2002: 500).

In Mexican history, the liberal academics preferred to neglect the presence of violence against indigenous people by hiding it or by denying it. For instance, Jesús Reyes Heroles, one of the most influential official Mexican historians, devoted three volumes to the history of Mexican liberalism without even touching directly upon the Indian problem (HALE 1968). Charles A. Hale in his book about Mexican liberalism between 1821 and 1853 gathered the main ideas of the liberal theoretician José Maria Luis Mora, and argued that the formal writings of the post-independence period revealed that there was an indifference to indigenous heritage and a doctrinarian effort to remove the designation of '*Indio*' from Mexican life. We must insist, said Mora, that by law, Indians no longer exist —*Actas 3,9 Nov 3, 1824*— (HALE 1968: 217).

George Collier emphasized that the post-revolutionary regime carried out a state policy, *el indigenismo*, with the aim of 'civilising' the indigenous communities through assimilation by progressively wiping away their cultural differences (COLLIER 2000). Stavenhagen asserts that the governmental *indigenistas*' integration policies seek to eliminate the Indians as cultural beings by integrating them into the dominant *mestizo* national culture (STAVENHAGEN 1965: 75). In this sense, indigenous people were erased from the official literature of Mexican history as a culturally distinctive group and as active citizens, and were left behind as relics of the past splendours in a process of inevitable disappearance (FALCON 2001: 15-16).

One of the positive aspects of globalization is that international campaigns have succeeded in making the issue of different types of hidden violence visible, and have helped indigenous communities come to terms with the 'conspiratorial silence' in relation to violence against ethnic groups or other groups that have suffered different types of cover-violence (TORRES RIVAS 1999 and 2000).

Bibliography

ARENDT, H. (1970): *On violence*. New York, Harcourt.
— (2004): "From on violence". *Violence in war and peace: An Anthology*. N. Scheper-Hughes. Malden, MA, Blackwell.

BOURDIEU, P. and L. WACQUANT (2004): "Symbolic Violence". *Violence in War and Peace: An anthology*. N. Scheper-Hughes and P. I. Bourgois. Malden,MA, Blackwell.

BOURGOIS, P. I. (2004): "Symbolic violence and neoliberalism". *Violence in war and peace: A anthology*. N. Scheper-Hughes and P. I. Bourgois. Malden, MA, Blackwell Pub.

BRADING, D. A. (1980): *Caudillo and peasant in the Mexican Revolution*. Cambridge [Eng.] New York, Cambridge University Press.

CANO, C. and M. T. CISNEROS (1980): *La dinámica de la violencia en México*. Edo. de Méx., ENEP-UNAM.

COLLIER, G. A. (2000): "Zapatismo resurgent: Land and autonomy in Chiapas". *NACLA Report on the Americas* **33**(5): 20-25.

CUMBERLAND, C. C. (1968): *Mexico: the struggle for modernity*. New York, Oxford University Press.

DAHLBERG, L. and E. KRUG (2006): "Violence a global public health problem". **2007:** <*http://www.scielo.br/scielo.php?script=sci_arttext&pid=S1413-81232006000200007&lng=en&nrm=iso*>.

FALCON, R. (2001): "Estrategias frente a la modernidad (Sublevados pacifícos) ante el imperio de Maximiliano". *Modernidad y modernización en América Latina: México y Chile, siglos VIII al XX*. G. Lizama Silva. México.

FERRÁNDIZ, F. and C. FEIXA (2007): "An anthropological view of violence". *Multidisciplinary perspectives on peace and conflict research: A view from Europe*. F. Ferrándiz and A. Robben. Bilbao, HumanitarianNet.

FLORESCANO, E. (2000): *Etnia, estado y nación*. México, Taurus.

GALTUNG, J. (2000): *Conflict transformation by peaceful means (The transcend method)*, United Nations.

GUARDINO, P. F. (1996): *Peasants, politics, and the formation of Mexico's national state*. Stanford, Calif., Stanford University Press.

HACKER, F. (1973): *Aggression*. Rowohlt (-Taschenbuch-Verl.

HALE, C. A. (1968): *Mexican liberalism in the age of Mora, 1821-1853*. New Haven, Yale University Press.

— (2002): "Does multiculturalism Menace? Governance, cultural rights and the politics of identity in Guatemala"*, Journal of Latin American Studies.*

HUME, P. M. (2003): *Meanings, myths and realities: Gender and violence in El Salvador.* Liverpool, University of Liverpool**:** pp.247.

HUNTINGTON, S. (1968): *Political order in changing societies*. New Haven, Yale University Press.

JOAS, H. (1999): "The Modernity of War: Modernization theory and the problem of violence". *International Sociology* **14**(4): 457-472.

KAY, C. (1989): *Latin American theories of development and underdevelopment*. London; New York, Routledge.

MCLAUGHLIN (2002): *The War Correspondent.* London; Pluto.

NIEBURG, H. L. (1969): *Political violence; the behavioral process*. New York, St. Martin's Press.

ROXBOROUGH, I. (1999): "The persistence of war as a sociological problem". *International Sociology* **14**(4): 491-500.

RUBIO, L. (2006): "Paralelos". *Periódico Reforma, Mexico*: Nov.19 on line.
SKOCPOL, T. (1979): *States and social revolutions: a comparative analysis of France, Russia, and China*. Cambridge; New York, Cambridge University Press.
— (1983): "States and revolutions: France, Russia and China". *States and Societies*. D. e. a. Held. Oxford, Blackwell.
STEVENS, E. P. (1979): *Protesta y respuesta en México*. México, Diana.
TIRYAKIAN, E. A. (1999): "War: The covert side of modernity". *International Sociology* **14**(4): 473-489.
WORLD HEALTH ORGANIZATION (1996): "Global consultation on violence and health. Violence: a public health priority". *Document WHO/EHA/SPI. POA.2*. 1996, WHO.

State-Civil Society Relations in Zimbabwe: Zimbabwean Civil Society Comes of Age?

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Introduction

It would seem that (for better or for worse) the paradox of Zimbabwean politics throughout the last decade in which the seemingly immovable dominance of ZANU-PF and the unstoppable force of the democratisation movement were held in a polarised stalemate, had reached its logical conclusion. Since 2000, the trajectory of Zimbabwe's democratisation has rarely been the source of optimism. The somewhat ironically termed "harmonised" elections of 2008 were once again marred by violence. The state that once represented a beacon of democracy in southern Africa, once again stood on the precipice.

In the wake of the disputed elections of March 2008, Robert Mugabe's ZANU-PF Party and the Tsvangirai and Mutambara factions of the Movement for Democratic Change (MDC) signed the Inter-party Agreement stating the determination: "to act in a manner that demonstrates respect for the democratic values of justice, fairness, openness, tolerance, equality, the respect of all persons and human rights". The current "dispensation", while anything but perfect, may yet herald the coming of age of a robust and truly independent, Zimbabwean civil society. This chapter explores and explains the evolution and consolidation of an increasingly independent and politicised civil society in Zimbabwe from 1980 up to the present.

Civil society in Zimbabwe exhibited relatively deeper foundations than the majority of African States due to industrialisation and relative modernisation. It was nevertheless in a state of "chronic underdevelopment" (MOYO 1995: 1). This was due to a combination of historical factors that operated in both the pre and post-independence periods. However, by 2000, a diverse and robust variety of social movements appeared to be capable of launching a powerful political challenge to Zimbabwe's ruling party. This was despite a protracted entrenchment of

an official political culture that tended to blur distinctions between the ruling party, public institutions and organised social life. This essay will trace the evolution of Zimbabwe's civil society through the key historical phases starting firstly with a brief overview of the pre-independence period, followed by an outline of state civil society relations during the first decade of independence. A critical turning point in state civil society relations occurred with the adoption of the Economic Structural Adjustment Programme, the fallout from which resulted in the fission of the state and urban civil society and led to a period of rapid civil society expansion and subsequent confrontation with the state from 1997 until 2000. This paper will conclude with an assessment of the extent to which this opposition embodies practices and values that might help democratise Zimbabwean politics.

One may postulate that as the nationalist movement became the unifying social force for change during the liberation struggle so too has the democratisation movement come to articulate the interests of a broad spectrum of social interests in the context of the authoritarian state and increasingly delegitimised political order in Zimbabwe. However, as was the case with the nationalist movement, the movement for democracy in Zimbabwe is not necessarily a stable coalition. Furthermore it has often been difficult to ascertain where the movement as a coalition ends and political society (the opposition Movement for Democratic Change) begins.

Civil Society: A problematic space

It may be useful to clear up some conceptual issues. The concept of civil society has become a ubiquitous term in the current political lexicon. The term has gained a prominent position in the official discourses of global governance institutions such as the UN, and the World Bank, donor agencies, national governments and policy makers, activists of all forms and ideological persuasions, journalists and scholars alike. What exactly is civil society and how can a term mean so many different things to so many different people and perspectives? The concept of civil society is not unparadoxical nor is it uncontested. It has come to represent anything and everything to everyone. In its current usage, the concepts risk falling into the trap of obscurity and uselessness.

The dominant definition of civil society in the contemporary discourse views it as a "third sector" to the state and the market: "The sphere of social interaction between the household and the state which is manifest in norms of community cooperation, structures of

voluntary association, and networks of public communication" (BRATTON 1994: 2). This realm of: "organized social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state and bound by a legal order or set of shared values" (DIAMOND 1994: 5) and by definition, it encompasses associations and institutions ranging broadly from clubs, religious bodies, unions, NGOs, community groups, professional associations, and the media to name but a few of its apparent constituents. Thus constituted, civil society has come to represent an: "aspirational shorthand" for notions of plurality, associationalism, the rule of law, trust, equity, and informed citizenry (GUDAVARTHY 2007).

The civil society discourse has revealed a myriad of problematic questions. What are civil society's boundaries with the market and the state, or the family? What kinds of organisations constitute civil society? For example, are religious groups, or gangs included? Is it only something that Western Liberal Democracies have? There has been considerable difficulty in applying the definition of civil society in different geographical contexts. Does it exist in South East Asia, or Africa? Given the donor agency agenda of strengthening Civil Society in order to bring about democratisation, is it possible to manufacture civil society? Furthermore, a number of Marxist critiques of the civil society concept maintain that the dominant theories occlude civil society as social form specific to capitalism and the formal democracy with which it is associated (ALEXANDER 1997; NZIMANDE 1995; WOOD 1990). Civil society finds itself in the paradoxical situation of being viewed as a panacea for all the world's ills while at the same time it is claimed by different and very often opposing ideological influences. The elasticity of the term means that it can be stretched to fit diverse discourses and academic disciplines. Thus, adopting a particular model of civil society essentially depends on one's academic or political leanings, or one's 'world-view'. Neutral concepts such as civil society therefore tend to be hegemonically defined in the terms of the most powerful. It has become evident that attempts to define civil society have often only succeeded in making it more elusive as the paradoxes of each definition compromise the concept's contribution to an understanding of politics, and society.

These theoretical issues beg the question, why maintain the concept given its problematic status? There are at least three good reasons. First of all, the civil society schema allows for a normative horizon, as it is undeniable that a sphere of associational life, that at times stands as a counter balance to the state, and at other times legitimises the state is central to all functioning democratic regimes. It has also had consid-

erable practical use as an organising principle for development workers, as well as democratic activists all over the world. Finally despite its conceptual murkiness civil society still has a degree of analytical relevance in a number of contexts.

"How do we move beyond such dehistoricised, depoliticised and flattened notions of the civil society and re-locate it in the process of democratisation?" (GUDAVARTHY 2007:2). Michael Edwards outlines three conflicting strands of the civil society theory. Firstly, the most prevalent schema follows Alexis De Tocqueville in holding that associationalism is central to any democratic polity. Most notably Robert Putnam, and a number of other leading scholars including Francis Fukuyama have adopted this schema. The second strand is the school of thought that views civil society as "the good society". Edwards notes that this second strand is often conflated with the associationalism that characterises the first. This is arguably due to "third sector" concepts that dominated post Cold War paradigms of understanding democracy and democratisation. The third civil society schema in the tradition of Antonio Gramsci recognises civil society as the public sphere, a space for public contestation, or in Gramsci's perception a "soft underbelly" of the capitalist system in all its variants be they, for example, democratic or undemocratic, civil or uncivil. It may be possible to make a logical step and hypothesise that by avoiding a rigid definition of civil society and imagining it as a dynamic relationship between all of the above three elements, which are after all not mutually exclusive, while dependent on the varying contexts, it would allow for an analytically sound conception that may avoid some of the pitfalls of the current civil society schema.

Civil society's resurgence: Placing the discourse in context

During the 1970s until the 1990s, the concept regained critical relevance firstly in understanding the depth and substance of real existing liberal democratic regimes. Cohen and Arato highlight the role of the third sector in the central theoretical debates of the time, Elite versus Participatory Democracy; Rights-Oriented Liberalism versus Communitarianism, and the defence of the welfare state versus Neoconservative Antistatism (COHEN *et al* 1992). Secondly, civil society was recognised as the key contributory factor in the transition to and consolidation of democracy in Third wave democracies. In this second instance the consolidation and expansion of the civil society space has been seen as an almost invariable accompaniment to the breakthrough of democracy

in "third wave" and post-authoritarian states, sometimes in helping to bring about the transition in the first place and at other points helping to bring about democratic consolidation after the adoption of democratic electoral procedures. This view arose in the wake of transitions towards the end of the Cold War as well as in its aftermath, and has had a central role in "democratisation" agendas of donor agencies, and governments. It remains however to be seen to what extent the deproblematised civil society as configured in the democratisation discourse fits in to the three debates outlined by Cohen and Arato in reference to real existing democracies.

Civil society and democratisation

How, indeed, does civil society; the realm of associational life, bearing a view of a civil, democratic society, while allowing for external civil contestation with the state as well as taking part within the realm of associational life itself facilitate democratisation? According to Samuel Huntington, the first and most basic function of civil society is: "the basis for the limitation of state power, hence for the control of the state by society, and for democratic political institutions as the most effective means of exercising control" (HUNTINGDON 1984: 204). This function has two dimensions, firstly the restraint of power in democratic states and secondly the democratisation of authoritarian states. The second contribution of civil society to democratisation is the role associational life plays creating democratic tendencies and skills such as tolerance, compromise and respect for opposing views. This notion holds as its classical locus, De Tocqueville's *Democracy in America* in which he lauds voluntary associations such as: the "large free schools of Democracy" in which a society learns the skills of democracy, resulting in more efficient political participation, and promoting the appreciation of the obligations and rights of democratic citizenship (1994). Another function through which civil society helps to strengthen democracy is by serving as a recruitment and training ground for new political leaders. This has certainly been the case in a number of states during transitions from authoritarianism to democracy, be they in Eastern Europe, Latin America, or indeed in Africa. Among the democratic functions of civil society are the dissemination of information, through individual associations as well as through an independent press, in more recent times civil society has taken a more active role in procedural democracy through consultative processes for example in the redrafting of constitutions, as well as in the monitoring of elections.

Africanist social scientists have often struggled to apply conventional arguments about the association of democracy with strong civil societies to local settings and circumstances. Commentators such as NDEGWA (1996) and KASFIR (1998) charge the framework as being myopic: presenting a normative rather than empirical outlook of the reality of civil society as well as ignoring the history of African society and the interplay of political forces. In this respect they have reflected the theoretical ambiguity in much of the transition literature's deployment of the concept of civil society in which civil society is alternately viewed as an absolute good or, more subtly, following Gramsci, perceived as a reflection of contending social forces.

Zimbabwean commentators in the 1990s emphasised the vulnerability of local civil society as well as the hostile environment that explained its 'chronic underdevelopment' (Moyo 1993) and its continuing need for externally derived resources (MAKUMBE 1996). More recent Zimbabwean focussed scholarship has perceived civil society organisations as the central component of Zimbabwe's 'democratic movement' with their ideological orientation increasingly influenced by 'international civil society' solidarity (SACHIKONYE 2002). Brian KAGORO (2003) and Sara DORMAN (2002) have supplied useful sectorally focussed contributions on the roles played respectively by the trade unions and the church in building opposition politics and Sam MOYO et al (2000) have compiled a more general survey of political relationships between NGOs and the Zimbabwean state. There remains, however, a shortage of studies that focus on the internal life of Zimbabwean voluntary organisations as well as analyses that critically examine their degree of commitment to democratic practice, keeping in mind Sheelagh Stewart's general observation about African NGOs and civil society, that 'democratic forms do not equal democracy' (STEWART 1997: 22).

The evolution of Civil Society in Zimbabwe

This essay will now trace the evolution of Zimbabwe's civil society through the key historical phases starting firstly with a brief overview of the pre-independence period, followed by an outline of state civil society relations during the first decade of independence. A critical turning point in state civil society relations occurred in the adoption of the Economic Structural Adjustment Programme, the fallout from which led to a fission between the state and urban civil society and led to a period of rapid civil society expansion and confrontation from 1997 until 2000.

Civil Society during the colonial period

The logic and structure of the colonial government in Rhodesia and subsequently the Ian Smith regime after the Unilateral Declaration of Independence (UDI) in 1965, were specifically contrived to limit and ultimately eliminate the political participation of Black Zimbabweans: that is "to kill civil society" (MOYO 1995: 10). This was achieved through a series of systematic policies that excluded Black Africans from national politics, generally by confining Africans to a tribal existence.

Before the 1940s the sphere of black urban associationalism had been confined to sports clubs, dance societies, and burial societies, which reflected the transitory nature of the urban African existence in which black workers were required to straddle their rural and urban lives. These workers formed tribal networks as a response to the difficult economic conditions in the urban areas (RAFTOPULOUS 2000). As African workers became more concentrated in key mining and commercial centres, early efforts were made to organize and articulate their interests. The first black Trade Union the Industrial and Commercial workers Union was established in 1927; and by 1931 had grown to 5.000 members in 13 branches across the country (RAFTOPULOUS 1995). The ICU did not possess the formal structures of a trade union nor did it ever succeed in organising a strike, as it was arguably more concerned with the status of a negligible minority of educated Africans. Nevertheless the ICU faced repression that included the banning of its meetings and the imprisonment of its leaders, and by 1934 had all but disappeared (Arrighi 1976). The unequal competition of races was consolidated in colonial government policy under the Industrial Conciliation act of 1934, which explicitly excluded Africans from its definition of employees, and therefore hindered the chances of Africans to rise up the industrial ladder, while simultaneously curtailing the space for the formation of African Trade Unions (*ibid.)*.

The Second World War and its aftermath set in motion a period of rapid economic growth due to increased global demand for raw materials on the one hand and a surge in local demand for goods and services as a result of the influx of European immigrants. The economic growth of this period coupled with the devastating impact of the Land Apportionment Act of 1930, which had confined the African Peasantry to less arable land, insufficient to cope with the rising population, led to an increase in the numbers of urban workers (ARRIGHI 1976; RAFTOPULOUS 1995). As Arrighi and Raftopulous have highlighted, the combination of decreasing peasant productivity and the increasing hardship faced by urban workers as a result of declining real wages

engendered solidarity between the African peasant classes and wage-workers. A bourgeoning black intelligentsia was then capable of articulating the black national consciousness in the light of the anti-colonial wave that had been sweeping the post Second War world. Nationalist political organisations came to provide a forum for expressing broader African concerns.

The growth of territorial nationalist consciousness was bolstered by the repression that faced those labour organisations that were capable of articulating their interests. This was the case in the railway strike of 1945 and the 1948 general strike. When, from the late 1950s onwards, successive African Nationalist Parties were banned; Africans were forced to conduct their political activity clandestinely, as social movements such as the trade unions, student groups, community organisations and political parties were trampled upon (ARRIGHI 1976, DU TOIT 1995; MOYO 1995, RAFTOPULOUS 2000). Here, from a very early stage the boundaries between civil and political society were very porous. Indeed, commentators such as Sachinkonye have stressed that in the upsurge of anti-colonial struggles social movements such as labour, student, religious, youth and peasant movements played a crucial role in swelling the Nationalist movement for independence. The nationalist movement therefore became the dominant motor for articulating the interests of all Black social movements.

The fact that the Nationalist Movements in Zimbabwe espoused a Marxist-Leninist ideology cannot be overemphasised, as their ideology would heavily influence state-civil society, dynamics post-independence or at least appear as a legitimating factor for the co-option of civil society by the state. What is interesting at this point is the extent of overlap of principal actors from the labour movement and the Nationalist movement following UDI. In 1965 the enactment of security laws such as the law and order maintenance act and the Emergency Powers Amendment Act meant that the possibility of the nationalist movement achieving its goals through non-violent methods became significantly diminished. The movement towards armed struggle as opposed to more civil action gained the ascendancy in Zimbabwe in 1966. During the liberation struggle and, more significantly, closer to independence, the nationalist movement successfully hegemonised most African social movements.

Conversely to the dynamic of co-option that typified the majority of African social movements, a number of church based organisations were formed during the 1960s and 1970s. These organisations such as the Christian Council formed in 1964; Christian Care (1967) and the Catholic Commission for Justice and Peace (1972) which were formed,

firstly as a response to the racist policies of the Rhodesian Government and during the guerrilla war, took on a more active role in documenting human rights abuses by the Security forces as well as caring for wounded combatants and their relatives. These organisations remained relatively independent from co-option either by the White settler state or the Nationalist guerrilla movements.

Furthermore as the state became more militarised, with most white males becoming involved as soldiers in the war, space opened for participation by black people in labour organisations and possibly as a consequence of this, of other associations. This was the case particularly with regard to members of the black middle class who had taken over the jobs previously reserved for the white men, who at this point, were engaged in their military service.

State and civil society relations 1980-1990

At independence, in 1980, Zimbabwe boasted a relatively vibrant associational sphere consisting of burial societies, farmers unions, trade unions, church and religious organisations, and students groups. However, in the immediate post-colonial period, civil society's capacity to influence the process of democratisation by functioning as a significant counterbalance to the interests of the ruling party and the state, or as a motor for articulating the interests of its constituent parts, was notably weakened. Civil society movements opted rather to maintain a "cautiously ambivalent" and non-confrontational relationship with the ruling party which has been remarked upon by a large number of commentators of this period.

The underdevelopment of civil society was the upshot of a number of inter-related factors. Firstly, the pre-independence period during which political participation by the majority was significantly limited, where it had not been explicitly repressed. As noted in the section above the nationalist movement became a unifying social movement articulating the interests of nearly all Black social movements. This evidently provided a poor foundation for the creation of an independent civil sphere. Moyo (1995) emphasises that the nature of the Nationalist Movement and the political culture of the anti-colonial struggle did not necessarily lend themselves to the forms and norms of democratic participation that are central to democratic civil society.

The post-colonial Zimbabwean state and the ruling party had a critical role in constituting civil society and largely defined the parameters within which it was to operate (RAFTOPULOUS 2000). There was a de-

gree of willing subordination to the ruling party's agenda on the part of Non-Governmental Organisations in the heady days following independence. This partly reflected their need for political patronage in order to pursue their individual objectives (RAFTOPULOUS 2000). Virtually all Non-Governmental Organisations chose to coalesce under the government's developmental programmes. In addition to the patrimonial relations that typified the state, the ruling party and the associational sphere, there was also a significant overlap of personnel. Commentators have highlighted ZANU-PF's fusion of the state and society as bottom tier local government institutions to the extent that they became almost indistinguishable from the party (DU TOIT 1995).

A number of the colonial institutions and rules of conduct controlling the Non-Governmental and Associational Sphere remained largely intact. An example would be the Welfare Organisations Act (1967), which had originally been passed by the Rhodesian UDI government to regulate organisations supporting the "terrorists" and their families during the liberation war (DORMAN 2001).

The financial status of Non-Governmental Organisations was another major contributing factor to civil society's underdevelopment in the first decade of independence. The majority of civic groups in Zimbabwe during this period were not capable of supporting themselves and were therefore reliant on the state and foreign donors for support (MAKUMBE 1998; MOYO 2000).

The above noted weaknesses were evident in the State-Labour relationship between 1980 and 1990. Labour movements were significantly fractured at independence. Labour-capital relations between 1980 and 1982 were marked by intense conflicts and resulted in numerous strikes motivated in part by the high expectations of the liberation struggle. Differences were resolved during this period through heavy state intervention by way of statutory minimum wages, monitoring of retrenchments and unfair labour practices, and the formation of workers committees (SACHINKOYE 1995: 135). The Mugabe government encouraged the formation of an umbrella movement the Zimbabwe Congress of Trade Unions in February 1981. Skalnes argues that the formation of the ZCTU was actually to counter the influence of trade unions affiliated to other parties and to undermine their attempt to merge into an independent national umbrella organisation in the United Trade Unions of Zimbabwe (UTUZ) (SKALNES 1993: 423). The government did not however condone civil servants striking, as was demonstrated when teachers and nurses went on strike in October 1981. The action was seen as an: "unjustifiable negligence of duty and disloyalty to the state" (NORDLUND 1995:142). Throughout the 1980s,

strikes by teachers, nurses, as well as miners and railway workers were quelled under the Industrial Conciliation Act and the Law and Order Maintenance Act, both remnants of the colonial era. Intervention by the government in the actions of the central labour union, the ZCTU, took the form of: "benevolent paternalism" under the guise of socialism and a government of national unity (NORDLUND 1995: 143).

Liberalisation, ESAP and the resurgence of a politically engaged civil society

The end of the 1980s and the early 1990s represented a major paradigm shift for Zimbabwe as much as it did globally. The adoption of the Economic Structural Adjustment Programme sanctioned by the International Financial Institution, sufficiently reflected the disproportionate influence, generally behind closed doors, of industrial organizations such as the Commercial Farmers Union, the Congress of Zimbabwe Industries and the Zimbabwe National Chamber of Commerce. Consultation of other civil society organisations most notably labour and the small scale mainly black Zimbabwean Farmers Union during the adoption of the liberalisation policies was minimal. Analysts were once again confounded by civil society's initial incapacity to contest the Structural Adjustment policies, despite the evident socio-economic ramifications.

The Zimbabwean adoption of ESAP should be understood in the context of the imposition of Structural Adjustment Programmes by the International Financial Institutions throughout the developing world and particularly in Sub-Saharan Africa. That the message in point was that economic liberalisation would subject the economic and political decision making to the rule of globally determined prices in the economic sphere, and to multi-party democracy and "good-governance" in the political sphere goes without saying. However, it has been widely acknowledged that Zimbabwe was not undergoing an immediate economic crisis, nor was the state in danger of a default of payments to its international creditors.

Zimbabwe's Economic Structural Adjustment Programme resulted in an economic downturn characterised by a rise in unemployment and a decrease in real wages. Unemployment rose from 30-50 per cent, which affected 26,000 jobs in the public sector, and 20,000 in the private sector (SACHIKONYE 1995: 143). The restructuring measures effectively reversed most of the social gains made in the 1980s. This was most evident in the cutbacks in the civil service, subsidies to parastatal companies and social services and food subsidies (DANSEREAU 2003).

The period of liberalisation resulted in a dramatic increase in inflation, which combined with a decline of 36 per cent in real wages between 1990 and 1996. The Government of Zimbabwe itself acknowledged that by 1995 the cost of food had increased by 516 per cent, while education, health care, and transportation costs all rose by 300 per cent (DANSEREAU 2003: 181).

The relatively open political space during the early 1990s allowed for the burgeoning of urban civil society. The above was composed of labour, women's groups, students and religious organisations. These began to assume a more politicised role in the state in the context of minimal political liberalisation. The role of the Zimbabwe Congress of Trade Unions especially grew more assertive during this period after the clientelism that had characterised its relationship to the state in the preceding decade. The strengthening of labour largely came about as a reaction to the falling standards of living, as well as the end of social spending that came with the structural adjustment policies. This stood in stark contrast to the large salary increases awarded to the country's leadership and higher-level government authorities, as well the increasing evidence of corruption within the ranks of the ruling party establishment (DANSEREAU 2003; SACHIKONYE 2002). Labour action began to take a more defiant and confrontational stance, as was exemplified in large strikes by post and telecommunications workers during the annual International Trade Fair, causing considerable embarrassment to the government. A number of student protests took place often degenerating into all-out riots. These were also apparently motivated by the increasing cost of living, while students also cited political grievances with regard to corruption and the increasing power of the executive under President Mugabe. For its part, the government reacted to these actions with a heavy hand, arresting striking workers and students and setting into motion a confrontational relationship with civil society in general (SACHIKONYE 2002: 17).

The politicisation of the labour movement under the ZCTU accelerated in 1996 when public sector workers, particularly teachers, staged a walk out which escalated into a general strike as third level students joined in solidarity. When a more sustained economic meltdown began in 1997, ZANU-PF's political base was further eroded while political dissent became more acute (SACHIKONYE 2002: 16). The growing strength and national credibility of urban civil society manifested itself in 1997 in a series of general strikes. The ZCTU managed to articulate the linkages between the economic crisis and problems of governance. Protests began to address issues of governance, the economy, and decry the pronounced authoritarianism of the government. It would also

be important to note the surprisingly outward support given to these strikes by private sector capital actors such as retail and factory owners. The economic downturn of 1997 had been precipitated by the unbudgeted Z$50,000 individual pay offs to liberation war veterans, which came to an estimated total of Z$4 billion (SACHIKONYE 2002: 15). This was also a major crossroads within the ruling party, as members of the Zimbabwe National Liberation War Veterans Association (ZNLWVA) took a larger role in ZANU-PF (MOORE 2002; SACHIKONYE 2002). Individuals such as the ZNLWVA's leader Chenjerayi Hunzvi began to point to the unresolved issues of land reform as ZANU-PF's rural constituency became increasingly restless, in no small part due to the economic results of ESAP. Isolated cases of community- led land occupations began to emerge in 1997 as landless villagers and war veterans began to pressurise the government over land reform.

Civil society convergence on the issue of the constitution (NCA)

Faced with the inability to solve (workers') economic problems, civil society capacity to bring about any real change was hindered by the increasing repression against strikes and demonstrations, as well as the oppositional vacuum on the political scene. In 1997 the Zimbabwe Council of Churches convened a meeting of civil society organizations to discuss the question of the constitution. A general consensus was resolved that the broad goals of civil society could only have been achieved through constitutional reform. 96 civil society organisations, comprising among others Labour, women's groups, human rights groups and churches came together to form the National Constitutional Assembly in 1998 (TORDOFF 2005: 411). The NCA prioritized the issue of democratisation and good governance and set about running civic-education activities and campaigns. The formation of the NCA represents a critical juncture in the relationship between NGOs and the state.

The government responded to the pressure from the constitutional Assembly by appointing the 395 member Zimbabwe Constitutional Commission in April 1999 (SITHOLE 2002: 165). This commission was charged with the task of consulting with society at large and drafting a new constitution which would be put to referendum in February 2000. The commission, though largely composed of members of ZANU-PF, was made up of a cross section of civil society and the private sector. It held public hearings across the country over 1999, to ensure that the new constitution would be informed by the views of the people (SIT-

HOLE 2002). In the drafting process disagreements arose between the government and the NCA over the composition of the commission, its neutrality, and the transparency of the process. The most notable aspects of the final draft of the constitution were its capacity to allow for land to be expropriated more easily, but maintained the powers of the executive presidency intact. The NCA lobbied heavily against the referendum, with support from white commercial farmers, and the newly formed MDC party (MOYO 2002: 14). The government lost the referendum for the new constitution in February 2000. This represented a major threshold for state and civil society relations that heralded the confrontation and subsequent repression that has characterised the first decade of the twenty first century in Zimbabwean politics.

General Conclusions

This chapter has traced the evolution and consolidation of Zimbabwean civil society with a view to contributing to the broader theoretical and conceptual debates regarding civil society. It has taken as a point of departure the contemporary civil society discourse, highlighting particularly definitional debates and of ideological standpoints. Drawing mainly from Michael Edward's Work, the chapter suggests a threefold conception of civil society. Civil society is therefore understood as the dynamic relationship between the elements of associationalism; notions of a society that is good (in the context of contemporary Africa sufficiently couched in the exigencies of good governance), and finally, a space in which, on the one hand, interaction as well as contestation with the state takes place and on the other internal interaction within the space of associational life. These three elements, it is argued are not mutually exclusive, but instead overlap depending on the different geographical, historical and political contexts, allowing for an analytically sound conception that may avoid some of the pitfalls of the current civil society schema.

As this essay has shown Zimbabwe's civil society has had a critical function in the state's democratic trajectory. Zimbabwe's civil society has contributed positively to democracy; firstly and probably most importantly as a source of resistance to the tendencies to arbitrary and authoritarian rule under the ZANU-PF government. Organizations such as the Zimbabwe Congress of Trade Unions, The Zimbabwe National Students Union, the National Constitutional Assembly and the Zimbabwe Election Support Network, to name merely the most prominent in a very long list, have braved severe repression in their struggle for

the defence of democratic practices. Repression has taken the form of the banning of gatherings; brutality at the hands of the state's security forces; and, arrests and imprisonment, often for prolonged periods and without charge. These organizations have provided channels for the expression of the interests of a large number of Zimbabweans who have become capable of clearly voicing their demands. Civic organizations such as ZimRights and the Catholic Commission for Justice and Peace have consistently documented human rights abuses and continue to conduct public awareness campaigns on the issues of democratization and human rights. The associational sphere has notably been a recruiting ground for political leaders. The political leaders of Zimbabwe's opposition have largely been drawn from the ranks of trade unionists, student leaders, and women's rights activists.

More subtly, in relation to the Putnam "associationalism" school of thought, civil society in Zimbabwe has provided a forum for the inculcation of democratic norms and practices. This fundamental characteristic of democratic civil societies is very strong, as Zimbabweans have formed a wide range of associations in order to cope with the harsh economic conditions over the last decade. Organizations such as Burial Societies, Rural Home Based Care Initiatives for the victims of the HIV/AIDS pandemic, and Community Drama and Culture clubs reflect what Alexis de Tocqueville referred to as the "great free schools of democracy". This fact reflects a significant problematic of African civil societies succinctly summed up by Nelson Kasfir: "Africa has long been rich in associational life but poor in democracy" (KASFIR 1998: 124).

As a precaution against viewing civil society as a democratic cure-all it would be important to note that, despite its positive contributions; civil society continues to suffer from the same problems of poverty and corruption that affect Zimbabwean society in general (MAKUMBE 1998: 331). Civil society as a set of social relations is not necessarily more inherently progressive than other forms of social relations, notably those derived from the state and formal political processes, in terms of challenging oppression (Giroux 1993: 185). There remains a lack of focused study on the internal dynamics of civil society organizations. Zimbabwe's associational sphere's heavy reliance on foreign donor funding also raises questions as to the autonomy of its concerns as opposed to the extent to which they meet donor specified goals. The above situation has exposed the associational sphere to vitriolic attacks from the ruling party's leadership, who argue that civic groups serve as puppets for Western Governments.

Furthermore, the extent to which there has historically been a significant overlap between the political sphere and civil society in Zim-

babwe may be reason to question is overall autonomy. This is the case with respect to civil society and the ruling party as a result of the liberation movement as well as the Movement for Democratic Change opposition party, following the increased dissent in the 1990s.

Events since the formation of the Government of National unity in Zimbabwe in 2008 have provided civil society with an incrementally wider space in which to participate in the process of democratic reform. This has been evident in the process of constitution building as well as in the formation of a media commission, which will be composed of and consult with civil society groups in rebuilding the independent media. A particularly positive development was the launch of the Civil Society Monitoring Mechanism (CISOMM) aimed at assessing the sincerity, accountability and transparency of the political parties to achieving the democratic reforms agreed following the signing of the Interparty Political Agreement (IPA) on 15th September 2008. However tenuous Zimbabwe's government of national unity may be, it has supplied a more fertile environment for a civil sphere that is autonomous, vibrant, and vocal.

Bibliography

ARRIGHI, G. (1967): *The Political Economy of Rhodesia*, URL:http://www.newleftreview.net/?getpdf=NLR03805 accessed: 05/03/2008.

BRATTON, M. (1994): "Civil Society and Political Transition in Africa", *IDR Reports,* vol 11, No. 6. Institute for Development Research.

COHEN, J. L. and A. ARATO (1992): *Civil Society and Political Theory.* Cambridge Mass.

DANSEREAU, S. (2003): "Liberalisation and Opposition in Zimbabwe", *Journal of Contemporary African Studies,* 21:2, 173-191 accessed 05/03/2008.

DORMAN, Sara (2002): "Rocking the boat?: Church-NGOs and democratization in Zimbabwe", *African Affairs* 101, pp. 75-92.

DIAMOND, L, J. LINZ and S. M. LIPSET (1998): *Democracy in Developing Countries: Volume 2: Africa*, Boulder: Lynne Reinner.

DU TOIT, P. (1995): *State Building and Democracy in Southern Africa: Botswana, Zimbabwe and South Africa*, Washington, United States Institute of Peace Press (Du Toit, 1995).

EDWARDS, M. (2004): *Civil Society*, Oxford Polity Press.

GUDAVARTHY, A. and G. VIJAY (2007): "Antinomies of Political Society: Implications of Uncivil Development". *Economic and Political Weekly* 42 (29): 3051-59.

KAGORO, Brian (2003): *Zimbabwe's Turmoil*, London: ISS.

KASFIR, N. (1998): "Civil Society, The State and Democracy in Africa", *Commonwealth and Comparative Politics,* vol. 36 (2), pp. 123-149.

MAKUMBE, J. M. "Is there a Civil Society in Africa?". *Internaitonal Affairs,* vol. 74 (2).
MOYO, J. (1993): "Civil Society in Zimbabwe". *Zambezia,* vol. 20.
MOYO, S., E. MUDENDA *et al* (2000): *NGOs, the State and Politics in Zimbabwe*, Harare, Zimbabwe Publishing House.
MOYO, S. (2002): *The Land Occupations Movement and Democratisation: The Contradictions of the Neo-liberal Agenda in Zimbabwe,* Harare, SAPES Books.
NDEDGWA, S. N. (1996): *The Two Faces of Civil Society: NGOs and Politics in Africa.* West Hartford, Conn., Kumarian Press.
GIROUX, H. (1993): "Paulo Freire and the Politics of Postcolonialism". MCLAREN, P. and LEONARD, P. (eds.): *Paulo Freire: a critical encounter.* London, Routledge.
NORDLUND, P. (1996): *Organising the Political Agora: Domination and Democratisation in Zambia and Zimbabwe*, Uppsala, Reprocentralen HSC.
PUTNAM, R. (2000): *Bowling Alone: The collapse and revival of American community,* London, Simon and Schuster.
SACHIKONYE, L. (1995): *Democracy, Civil Society and the State: Social Movements in Southern Africa*, Harare, SAPES books.
SKALNES, T. (1993): "The State Interest Groups and Structural Adjustment in Zimbabwe", *The Journal of Development Studies* 29:3 401-428 accessed 05/03/2008.
STEWART, S. (1997): "Happy ever after in the marketplace: NGOs and uncivil society", *Review of African Political Economy* 71, pp. 11-34.
DE TOCQUEVILLE (1994): *Democracy in America,* London, David Campbell Publishers.
TORDOFF, W. (1997): *Government and politics in Africa*, Basingstoke, Macmillan.

Private Military Companies: The Clash of "Civilianisations"?

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> Most recent news: [he] had contracted a security firm, recently created to guard his enterprises and his home at Alvalade. With the demobilisation from the governmental army, which, according to him, had been a precipitated result of the peace accords, some former military and police officers, had founded security companies, using their former subordinates and carrying government arms.[2]
>
> (PEPETELA 2008:25)

Abstract

This chapter will analyse the consequences of the use of Private Military Companies (PMCs), within a conflict or in a post-conflict scenario, by focusing their contribution to a possible "*clash of 'civilianisations"* (with reference to Huntington's "clash of civilizations"). The conceptual framework of this chapter lies within the privatization of violence and security. Analysis will be made of the legal dimension of this new reality, by assessing the activities of PMCs and their personnel according to International Humanitarian Law and Human Rights Law. The chapter will defend the need for all the actors involved to be responsible in conducting their PMC activities and will conclude by making some proposals. Considering that these areas of the privatisation of violence and security represent quite a challenging field for the future, the paper will try to answer whether or there might be a *clash of 'civilianisations'*.

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[2] Free translation, responsibility of the author. The present book partly describes Angolan society before and after the Independence war and the following civil war.

Introduction

The preoccupations related with the use of PMCs in conflict or post-conflict contexts will be developed under the conceptual framework of the privatisation of violence and security, which is discussed in the first section, together with a definition of the PMC. In order to fully understand the seriousness of the matters that will be raised, the author found it relevant to add some introductory notes concerning the industry of PMCs, namely their historical appearance and the way they function. Further on, the chapter explains the term *"clash of civilianisations"* and questions whether it is possible that such a clash can happen in the future. As part of this contextualisation and as a support for the positions defended in this chapter, there is a summary description of the legal framework that can be applied to the activities of the PMCs and the status of their personnel, according to International Humanitarian Law and International Human Rights Law. Recognising the importance of national regulation, I will provide a brief comparative legal analysis of the solutions adopted in different countries, such as Bosnia-Herzegovina, Iraq, Kosovo, South Africa and the USA. Finally, there will be a brief review of the international community position concerning activities of the PMCs and issues raised by their participation in warfare and post-conflict situations.

The chapter will conclude with the belief that it is necessary to gather together efforts, measures and systems relating to the control of transparency and accountability that involves all the actors: contracting states, territory states, home states, PMCs and personnel. It is time the international community dedicated special attention to this reality. Without measures such as these, the privatisation of violence will surely lead into a "*clash of 'civilianisations'".*

Conceptual framework

Although the designation "Private Military Companies"[3] is recent and scientifically non-consensual, the truth is that the presence and use of civilians within conflict scenarios is an historical

[3] Mainly within the Anglo-Saxon environment, we can find the following designations which, apart from some small *nuances,* refer to the same reality under scrutiny in this paper: *Private Military Corporations*, *Private Military Firms*, *Military Service Providers, Private Military Industry.*

fact[4] and, in some cases, this has been an activity protected by the legal canons. For example,[5] article 4 (4)[6] of the Third Geneva Convention (1950) makes an explicit reference to the use of private contractors responsible for the execution of certain tasks within the activities of the armed forces. Nevertheless, it should be highlighted that this reality is really closer to the Anglo-Saxon world, and that serious reservations are held in other parts of the world, particularly in continental Europe. However, even within the Anglo-Saxon tradition, the use of private contractors has been related more to issues such as logistics and catering, and not so much focused on the essence of war efforts themselves, intelligence, interrogation and even combat. So, the great change has not only been in the significant increase of private contractors in conflict or post-conflict scenarios but also the widening of their activities. This conjunction of factors has led to a number of relevant and serious concerns.

It is important to outline the theoretical field upon which the reasoning will develop. As for the broader concept, that is privatisation that will be based on the definition proposed by DE FEYTER & GOMEZ ISA (2005), as its approach is a human rights one. According to these authors: "the term 'privatisation' is often used to describe a process simply involving the removal of public authorities from the operation of an institution or of a service, even if the state retains ownership." From a human rights perspective, which is also the one adopted in this paper, those authors defend that: "states are the primary duty holders. Inevitably, a human rights perspective to privatisation implies a focus on the role of the state in the context of a privatisation process" (2005: 2).

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[4] That is the case of the Hessian Regiments, contracted by Great Britain and defeated by General George Washington, at the Battle of Trenton in 1776, by the time of the American Independency War. Another example is the use of the *"Flying Tigers",* who fought against the Japanese army, in Burma and China, by the Second World War.

[5] Another example is the *"1863 U.S. Army General Orders No. 100",* commonly known as the *"Lieber Code",* which legally recognises the presence of civilians within state armed forces.

[6] "Persons who accompany the armed forces without actually being members thereof, such as civilian members of military aircraft crews, war correspondents, supply contractors, members of labour units or of services responsible for the welfare of the armed forces, provided that they have received authorization from the armed forces which they accompany, who shall provide them for that purpose with an identity card similar to the annexed model."

As far as the term "Private Military Company" is concerned, the author has chosen the definition put forward by SINGER (2002:186), according to which PMCs[7] are:

> Profit-driven organizations that trade in professional services intricately linked to warfare. They are corporate bodies that specialize in the provision of military skills-including tactical combat operations, strategic planning, intelligence gathering and analysis, operational support, troop training and military technical assistance.

In other words, PMCs are legally created enterprises, whose specificity lies in the fact that they exist to deal with military activities that traditionally belong to the exclusive sphere of States, such as: military tactics and strategy,: armed forces training: and, even combat. The novelty that PMCs bring is related to the regularity and intensity with which, increasingly, they are contracted to intervene in the contexts of armed conflicts or post-conflict. According to KALDOR (2001:92): "regular armed forces are in decay, particularly in areas of armed conflict". This being so, the next obvious question is to wonder whether PMCs may eventually become an alternative resource to the present peacekeeping UN missions. The UN has been resisting the move towards the" privatisation of peace", although it is well known that Kofi Annan made a statement while being the UN Secretary-General, when referring to the camp of refugees, in Goma, Rwanda.[8] He commented that:

> When we had need of skilled soldiers to separate fighters from refugees in the Rwandan refugee camps in Goma, I even considered the possibility of engaging a private firm. But the world may not be ready to privatize peace.

Although the issue of contracting PMCs is still an uncomfortable one, the truth is that, increasingly, it has been recognised that there is a connection between humanitarian action and private security services.[9] According to a recent study (HUMANITARIAN POLICY GROUP, 2008:1), the use of private armed protection remains an exception, within the aid organisations, as in case of some UN agencies and NGOs, which

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[7] Singer prefers the term "Private Military Firms". For this matter, we consider that this term refers to the same reality as PMCs.

[8] See SG/SM/6613, pt.8.

[9] For a distinction between PMCs and Private Security Companies, see Faite (2004: 3). In general terms, one may say that PMCs are more linked with traditional military tasks. Private Security Companies mainly execute typical police activities.

prefer other strategies, such as: "withdrawing, suspending operations and remotely managing their programmes to deal with security threats" (IBID.).

Taking into account the significant use of PMCs in conflict and post-conflict scenarios as well as their involvement in activities that until recently have been almost exclusively owned by the State, such as the interrogation of prisoners of war and combat, one may be led to question the existence of some classical paradigms and eventually to overcome them. That is the case of the Weberian concept of the state, according to which the State holds the "monopoly of the legitimate violence", clearly linked with the Westphalian legacy. Simultaneously, the Clausewitzian concept of war (in the 20th and 21st centuries) also suffered from a deep evolution. According to Clausewitz: "a violent conflict is a social and rational phenomenon *(what)*, that puts states (who) in confrontation, through their armed forces (how), for reasons of national interest (why) and in order to serve political objectives (for what)" (CORREIA, 2002).

The industry of private military companies

The explosion of these types of companies results from the combination of three main factors: the end of the Cold War; the proliferation of neo-liberal concepts, and the emergence of fragile states, from the period of decolonisation, especially with regard to African states. By the end of the Cold War, the world witnessed a massive demobilisation of the armies that had previously been involved in the global cleavage resulting in a large number of unemployed former military personnel, who were unable to reintegrate into society or who had no other alternative life project than to resort to arms and combat. Moreover, there has been an unexpected appearance of military arsenals, which are either unnecessary or obsolete within the new international context, but still can be used in different types of armed conflict scenarios. This situation resulted in the existence of a vast array of material resources that could easily be displaced to other war zones. Nevertheless, the implementation of neo-liberal concepts, whose icons were the privatisation of public sectors and the acceptance of market rules, has determined the creation of the economical and legal framework that could support this new area of activity. Finally, the emergence of states involved in several conflicts and fragilities, partly as consequence of decolonisation, furnished the perfect environment for this new type of activity to flourish.

These powerful companies, usually created in a legal manner,[10] were often accused of violating human rights, yet were able to defend themselves by declaring that they were run on the principle of respect for the international legal order. Some claim to have developed or even signed codes of conduct[11] and were able to provide evidence of having participated in the processes of the national regulation of the sector, claming that this is evidence of their good faith. Simultaneously, the PMCs use economical reasons for their existence, meaning that in case they lose public credibility they will lose clients and, consequently, will end up closing down. It is easy to understand the fragility of this argument, as it is well known that some contractors prefer the use of PMCs due to their low levels of accountability. Some countries are accused of contracting PMCs to engage in nefarious activities such as the interrogation of prisoners, in an attempt to avoid state responsibility, with regard to the potential violation of human rights laws, with which they are obliged to comply. Due to the enlargement of their activities and to the fact that they are coming under a deeper scrutiny, PMCs are currently organising themselves in the form of networks and associations representing their interests.[12] As for all these critics, PMCs defend themselves, by proposing some measure, such as: strict recruitment criteria; training in Human Rights and Humanitarian Law; disciplinary procedures for those employees who have breached the law; and, clear contracting rules, including the rejection of contracts which may imply the practice of illegal activities.

Another relevant question is to observe this phenomenon of PMCs, through a different lens, the one of the personnel involved.

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[10] There is, however, reference to shadow companies, apparently with some other official activity, which hides private military activities, being consequently, their legality quite doubtful.

[11] For example, the *International Peace Operations Association (IPOA)*, which deals with the promotion of private companies, in its code of conduct states the following: "In all their operations, signatories will strictly adhere to all relevant international laws and protocols in regards to human rights. They will take every practicable measure to minimize loss of life and destruction of property. Signatories involved in armed operations will follow the United Nations International Covenant on Civil and Political Rights and the Geneva Conventions in the propagation of that conflict, and will seek a swift, equitable and beneficial conclusion".

[12] E.g. *British Association of Private Security Companies (BAPSC)*, whose members are Private Security companies, with their head-office in Great Britain; the *Private Security Company Association of Iraq (PSCAI)*, composed by private companies which run security operations in Iraq, having adopted a Charter of Conduct; *Association of Swiss Security Service Companies (Verband Schweizerischer Sicherheitsdienstleistungsunternehmen (VSSU)*), which admits swiss companies in charge of security services, mainly in Switzerland.

What is the exact position and status of those who work for the PMCs? Are they merely the ordinary employees of a company? Or are they freelancers or indeed, mercenaries? And, once involved in hostilities should they be defined as civilians or combatants? It is common knowledge that this type of activity is usually quite well paid. Nevertheless, especially in the case of injury or death, are the social rights of these workers properly protected?[13] Moreover, there have been reports of cases of individuals recruited in Latin America who claim not to have been fully informed about the "job" they were undertaking and receiving a ridiculous salary, when compared to other employees and especially taking into account the high risk involved in their activities. The answer to all these questions is far from clear, as it will depend on the type of task that each employee executes and on the type of company and its procedural rules. Later on, the author will come back to this matter.

The clash of 'civilianisations'

In the words of SINGER (2003:18): " ...an overall global pattern is emerging, one of growing reliance by individuals, corporations, states, and international organizations on military services supplied not just by public institutions but also by the non-sovereign private market. (...) The emergence of a privatized military industry may well represent the new business face of warfare." These and other changes are so deep and have considerable consequences, both on a practical and conceptual level, that it has already been dubbed the "Revolution in Military Affairs". This theory is related to the future of warfare and is often connected with major changes, such as the following: technological change (such as information or weapons); military organisation (with regard to the privatization of military structures); the conceptual framework (abandoning of the idea of a bi-polar world, in which states fight against other states) and doctrinarian pillars (related to the philosophy of war).[14]

The privatisation of military violence, that is, the growing presence of civilians within armed conflicts, both as contractors and as the contracted, has led to the development of the term "civilianisation", with

[13] In the public domain are the cases of PMCs employees kidnapped in Colombia and reported cases of brutal deaths of Blackwater employees, in Iraq.

[14] For more information on the "Revolution in Military Affairs", see *http://www.comw.org/rma/*.

an obvious reference to Samuel Huntington's "clash of civilizations", by introducing the designation the clash of civilianisation. It is the author's intention to draw attention to the question of a re-configuration of matters concerning armed conflict. To a certain extent, this reconfiguration is opening up the way to unpredicted forms of privatisation, that is, civilianisation, which will have repercussions and will raise new matters of legitimacy, transparency and accountability. With the expression "clash of civilianisations", the author is, therefore, introducing an opinion, according to which, that reconfiguration will not be pacific or consensual.

With reference to Huntington's paradigm, a further question arises: why should civilianisations clash? In keeping with the present status quo, any such clash would be due to three main reasons: first, the exponential growth of the use of civilians, within war scenarios, especially when carrying out these activities that have been associated with the military, has been too sudden and some of the PMCs and personnel finding their place within this new arena. Roles are really not clearly defined and that brings further confusion. If we add the fact that conflict or post-conflict contexts are per se already quite complex and tense, it is to be expected that new unidentified actors will only exacerbate the problem further. If the same PMC is responsible for training military personnel and at the same time for delivering humanitarian aid, that will certainly raise doubts among the local population. Secondly, some types of tasks the PMCs may undertake, such as interrogations and combat, are closely linked with extreme human rights situations. In contexts such as prisons and field battles, PMC personnel will have to manage very delicate issues, involving aspects of Human Rights Law and International Humanitarian Law. It is not clear that the PMC personnel receive training and are aware of these legal frameworks. Added to this is the fact that their legitimacy is often challenged, so that one can only expect an exacerbation of mistrust and further conflict. Third, PMC activities are not comprehensive and widely regulated yet. This kind of vacuum creates a situation in which many PMCs are operating in a kind of "madmax" environment, where transparency and accountability are just empty words. The disturbing question now is the following: is it possible to avoid that clash? Throughout this chapter, the author will try to gather together a variety of possible solutions in order to avoid that clash.

The Legal framework

The States

The current international legal framework furnishes some tools and principles that allow the analysis of this problematic, from a juridical point of view. International Humanitarian Law (IHL), as well as International Human Rights Law (IHRL) are applicable to PMCs[15], in armed conflicts. Although there may be some gaps, one first conclusion is obvious, in the light of the principle of good faith present within International Public Law: States cannot be released from their obligations by using PMCs. For example, a State cannot be exempt from the prohibition of the use of force against another state (article 2(4), Charter of the United Nations), through the hiring of a PMC, whose personnel would carry out the functions of a private army. According to DE FEYTER & GOMEZ ISA (2005:3): clearly, the State cannot absolve itself of its human rights obligations by delegating service delivery to private actors. The State remains responsible under human rights treaties even if the relevant service has been privatised. Privatisation does not affect the legal responsibility of the State under international Human Rights Law. Moreover, these authors recommend that: the State will only be able to provide protection, if it develops instruments for overseeing the human rights impact of service delivery by the private actor, and for stepping in when human rights are abused. The need to develop such new instruments is a direct consequence of the decision to privatise (2005:3).

The other obvious conclusion is related to the obligation for states to respect IHL (Article1, common to all Geneva Conventions) and Human Rights. This statement is applicable to the contracting state, to territorial States and to home states. According to the Montreaux Document, referred to later in this chapter, contracting states are those who contract PMCs to perform certain activities (Section A(1)), territorial states are the ones in whose territory PMCs operate (Section B(9)). Finally, home states are the ones where the PMCs are registered and have their head-office. This way, all vertices are covered under that legal framework. Contracting states are obliged to ensure that those PMCs contracted by them do not commit IHL or IHRL violations, and in case such violations take place, those states may be held responsible for any violations that are committed. Simultaneously, they are obliged

[15] For a more detailed analysis, see DROEGE, Cordula (2006).

to investigate and eventually try the alleged committed acts. This general principle of state responsibility has been reaffirmed by the text "Responsibility of States for Internationally Wrongful Acts", 2001[16] and most recently in the Montreux Document, according to which "Contracting States retain their obligations under international law, even if they contract PMCs to perform certain activities" (Section A-1). Territorial states are also obliged by that principle and others[17], but the reality is that quite often these states are quite fragile, having weak institutional and judiciary systems and, therefore, being incapable of fulfilling any of these obligations. Actually, it often happens that these fragile states confer immunity to PMCs and their employees. Eventually, the home states may be the ones in a better position to regulate PMC activities, as these will have to comply with the state rules. Home states may create regulations which oblige PMC activities to be respectful of IHL and HRL, namely: the prohibition of certain activities; the training of personnel in IHL and HRL; the creation of an internal disciplinary; and, procedural code and the application of sanctions in case of violation. However, it is expected that the PMCs may consider excessive regulation as not being very attractive and so that they will move to another country.

> According to DE FEYTER & GOMEZ ISA:
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> > Taking into account this idea of the state as the ultimate entity vested with human rights obligations, it is obvious that the state has the duty to impose limits and conditions on privatisation. This duty leads us to the need to take a human rights approach to privatisation; human rights concerns must be present in every process of privatisation since the very beginning. There are two aspects in which the state can take part; first of all, the decision to privatise a given service that affects human rights obligations and, second, the functioning of the service once it has been privatised (2005: 18).

The personnel

At this point, it is important to write a few words about the status[18] of those individuals who have been contracted; some authors and

[16] See arts. 7 e 8.

[17] See article 49, First Geneva Convention (GC), art. 50 II CG, Art. 129, III CG, art. 146 IV CG and Art. 85 of First Aditional Protocol.

[18] For further developments, see ABRISKETA (2007).

human rights groups defend that these persons are the new mercenaries[19], while others defend that they are a different kind of individual from the traditional mercenary, and are effectively de facto employees, as the definition of a mercenary is too rigid and actually these people are linked to a company, in almost everything not unlike other commercial enterprises. What is clear, however, is that there is no consensus on their status, especially in practical terms. In 1977, article 47(1) of the I Additional Protocol to the Geneva Conventions, it is explicitly stated that: "a mercenary shall not have the right to be a combatant or a prisoner of war", adding in section 2 a quite complex definition of mercenary, which ended up having to be slightly changed by the *International Convention against the Recruitment, Use, Financing and Training of Mercenaries*, in 1989. This Convention keeps the spirit of the above mentioned Protocol, but extending (article 1 (2-a)i) the concept of mercenary to that person who: "(a) Is specially recruited locally or abroad for the purpose of participating in a concerted act of violence aimed at i) Overthrowing a Government or otherwise undermining the constitutional order of a State". Moreover, this Convention enshrines the following: "who recruits, uses, finances or trains mercenaries, as defined in article 1 of the present Convention, commits an offence for the purposes of the Convention". This is an attempt to hold both sides responsible, contractors and contracted. The United Nations is closely following this question of the private military companies and mercenaries, having a Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination.

According to International Law and following Gillard (2006), one may identify four possible ways of classifying PMC personnel: mercenaries; members of the armed forces of a country; civilians accompanying armed forces; or, simply civilians. Firstly, following a strict application of the legal definition of the term mercenary, only a small minority of PMC contracted persons, could be classified as mercenaries but, in that case, the regime of mercenaries would be applicable.[20] Like the civilians, mercenaries have no right to participate directly in combat and, if captured, they are not entitled to the status of prisoner of war; instead, they are protected by the fourth Geneva Convention. Secondly, in case they are considered as members of the armed forces of

[19] According to ABRISKETA (2007:12): "The activity of military security companies is a form of mercenarism adapted to new armed conflicts. The time has come to adapt international law to this new situation".

[20] For a more detailed analysis, see FALLAH, Katherine (2006).

a country,[21] they hold the status of combatants, being then legitimate targets and subject to attack. But, on the other hand, they may invoke the status of prisoners of war, in the case of being captured. Thirdly, if they are considered as persons who accompany the armed forces, (third Geneva Convention, article 4(4)), despite not being combatants, they still may invoke the status of prisoners of war. Fourthly, taking into consideration the above qualification and the characteristics of the majority of PMC activities, the conclusion will be that the vast majority of PMC employees should be qualified as civilians. If they are hired by non-state entities,[22] they are civilians. Being so, they should not be subject to attack, unless they take direct part in the hostilities and, in this case, they lose the status of civilians. Yet, regardless of whichever status is attributed to them, when in warfare, they come under the rules of IHL and are individually responsible, under emerging international criminal law. The responsibility of individual international criminals is a recent development within International Law. According to classical theory, (GONCALVES PEREIRA, 2000: 382, 386), the individual is not considered as a subject of common international law. As a result, individual international criminal responsibility of PMC personnel would be impossible under that theory. Accordingly, international crimes committed by individuals would be punished by states, a solution is inherent within the traditional Westphalian conception. However, there has been a metamorphosis which has led to the responsibility of individual international criminals. This responsibility is applicable to those perpetrators responsible for acts that the international community considers as international crimes. This tendency can be recognised in the creation of several *ad-hoc* International Tribunals and especially with the constitution of the International Criminal Court. Still, it is foreseeable that there may be some serious difficulties in bringing PMC employees under the jurisdiction of the ICC, in the medium term.

At the national level — a brief comparative analysis

States and PMCs have the responsibility of turning this sector into a respected and credible one. "Human Rights protection in the con-

[21] FALLAH, Katherine furnishes some identifying indicators, namely, the existence of national legislation enshrining the use of PMCs employees as members of the state armed forces, the submission to a military disciplinary code, chain of command and hierarchy, and also the type of uniform used.

[22] On the responsibility of non-state actors, see CLAPHAM, Andrew (2006).

text of privatisation cannot depend on international law alone" (DE FEYTER & GOMEZ ISA, 2005:6). However, not many home states have adopted national legislation concerning the activity of PMCs abroad, South Africa and the USA being noted exceptions. South Africa has established a legal framework applicable to South-African PMCs operating abroad, in the *Regulation of Foreign Military Assistance Act,* 1998. Alerted to the preoccupying proliferation of mercenary activities in Africa, that country proposed, in the 2006, Prohibition of Mercenary Activities and Prohibition and Regulation of Certain Activities in Countries of Armed Conflict Bill. The USA has several legislative initiatives concerning this matter, like the Military Extraterritorial Jurisdiction Act of 2000, the Department of Defense Instruction number 3020.41, October 3, 2005, Contractor Personnel Authorized to Accompany the U.S. Armed Forces, and official documents that are related to this issue.[23] Great Britain has elaborated the Green Paper on Private Military Companies: Options for Regulation, 2002.

Other home countries also adopted specific regulations concerning the PMCs that operate in their own territory. Such as the case in Iraq where, in 2004, some activities of PMCs were regulated, including their registration through the *Coalition Provisional Authority Order Number 17 (revised), Certain Missions and Personnel in Iraq,* and *Registration Requirements for Private Security Companies,* June 2004. Sierra Leone had already made an attempt to regulate the activities of PMCs, interestingly, through the *National Security and Central Intelligence Act, 2002*, according to which the functioning of PMCs depended on an authorisation from the National Security Office, (art. 19). In Kosovo, the UN Transitional Administration preferred to regulate these activities with some detail, through the *Unmik/Reg/2000/33, On the Licensing Of Security Services Providers In Kosovo And The Regulation Of Their Employees, May 2000*. This document which envisages: the regulation of registration; the use of weapons; contractual clauses; limits; responsibilities; and, sanctions, is of particular importance, it comes from the United Nations and it may quite well indicate the position that the UN will take in the future, in general terms. Article 5 states that: "the primary role of the international security guard is deterrence; no license holder, security guard or other employee of a license holder may conduct investigations into criminal matters or conduct law enforcement functions. A **license holder shall be responsible for the actions of**

[23] ex. *Report on the Actions Still Needed to Improve the Use of Private Security Providers in Iraq. US Government Accountability Office (GOA).*

himself and his employees, including security guards, while conducting business as a provider of security services." (highlighted by the author).

In Bosnia-Herzegovina, there has been a different approach; the elaboration of a code of conduct, regulating the activities of Private Security Companies, approved in September 2006. This code is the result of the efforts of several donors and includes basic rules on the regulation of the sector, namely: recruitment; training; labour law; relations between those companies and their employees with clients; regular armed forces; and, other security companies.

The position of the international community

Academics and the press have been paying particular attention to this PMC phenomenon, which has been associated with the privatisation of violence. Yet, the lengthy way in which the international community has been reacting to this problem demostrates its complexity. However, under an initiative of the Swiss Federal Department of Foreign Affairs, together with the International Committee of the Red Cross, there have been a series of meetings which have set out to create an intergovernmental think-tank, which will hopefully provide a platform for the implementation of measures aimed at correcting the status quo. In January 2006, there has been a workshop, in Zurich, under the theme "private military / security companies (PMCs/PSCs) operating in conflict areas", which counted on the presence of some governmental representatives,[24] as well as PMC delegates and the ICRC. In November 2006, there was another workshop and this subject has been included in the agenda of the International Conference of the Red Cross and Red Crescent, in November 2007. In October 2008, 17 states[25] agreed on rules of good practice relating to private military and security companies operating in armed conflict, contained in the "Montreux Document".[26] This was the result of the above mentioned initiative launched in 2006. This document, despite not being legally binding, calls for the responsibility of States, PMCs and their personnel,

[24] Austria, Canada, France, Germany, South Africa, Switzerland, Ukraine, USA and Great Britain.

[25] Afghanistan, Angola, Australia, Austria, Canada, China, France, Germany, Iraq, Poland, Sierra Leone, South Africa, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, Ukraine and the United States of America.

[26] V. A/63/467-S/2008/636.

which is exactly the strategy that the author defends and calls of *"octopus strategy",* that is, a strategy spread and directed to several ramifications (States, PMCs and personnel), headed and ultimately linked by common rules and principles.

Apart from this initiative, being a matter which still causes quite a lot of discomfort, other official initiatives are timid or non-existent. The above mentioned UN working group remains the centre for monitorisation on a global level. However, it should be noticed that in 2000 the UN Secretary-General had emphasised the seriousness of this matter in the report submitted to the UN at the Millennium Summit, 'We the Peoples: The Role of the United Nations in the 21st Century,'[27] in which it was stated that: "Consideration should also be given to an international convention regulating the actions of private and corporate security firms, which we see involved in internal wars in growing numbers."

Conclusion

The activities of PMCs are in the ascent and are gradually becoming more intense and complex, in warfare and post-conflict contexts. Even when hired for security activities, there is quite a tenuous line that separates their personnel from an eventual direct participation in combat, in case the person or the assets they are protecting are attacked. It should be especially noted that the qualification of PMC personnel is far from being consensual, under International Law. Still, there are provisions within IHL and IHRL which all parties involved (States, PMCs and personnel) will be under an obligation to respect. Despite eventual weaknesses of those legal frameworks, these cannot be allowed to develop into "Mad Max" scenarios. Naturally, the ideal solution is the adoption of an international Convention or Treaty regulating PMC activities, especially in conflict or post-conflict situations. Until then, there must be a widespread knowledge that States, PMCs and personnel are definitely subject to IHL and IHRL.

Consequently, the author defends the move towards increasing a greater responsibility of all the actors involved. Contracting states have the obvious responsibility inherent in the fact of having hired someone and this contract cannot function as an exemption of the state's own obligation, the state having the responsibility to survey the PMCs'

[27] (A/54/2000), pt. 212.

activities. The territorial state also has obligations, namely by enhancing legislative measures ruling the presence of a PMC presence in their territory. Unfortunately, it is predictable that territorial states may not comply with some of these obligations, as they are probably confronted with institutional and judiciary fragilities. Home states have the important role of controlling PMC activities by making their constituency dependent on the insertion of HR and IHL clauses in their statutes. In their turn, PMCs are always subject to HRL and any violations would involve the payment of compensation. Although this measure may not appear as the best solution taking into account the eventual seriousness of the crimes committed, the truth is that it does directly affect the well-being of the company, that is making a profit, and, indirectly, it may have a negative impact on the company's credibility and in the long term diminish the profits. Civil liability may work as dissuasion. Finally, personnel employed in the PMC are individually responsible for any criminal acts they may have committed.

Recognising the difficulty of adopting an international legally binding document, in the short term, the author defends that a committed national, and eventually regional, regulation may play a very important role in the safeguarding of Human Rights, as well as in the clarification of the world of the PMCs. Despite understanding the opinion of those who defend that regulation is ultimately a legitimation of PMC activities, the truth is that they are definitely out there. Being so, it is more realistic to try to moderate their operations than to declare the prohibition of their existence and to ban them from the face of the earth, as that simply will not happen. So, answering the question posed earlier in this paper: is it possible to avoid a *clash of civilianisations?* The author answers in the affirmative but defends that some strong efforts and measures will have to take place and it is time that the international community and all actors involved took this matter seriously. Otherwise, there will certainly be many clashes in the future.

Bibliography

ABRISKETA, Joana: *Blackwater: Mercenaries and International Law,* Fride Comment, October 2007.

BOURNE, Mike (2004): *The Privatisation of Security*. Presentation at Clingendael/IKV, Seminar 2nd June 2004.

CAMERON, Lindsey (2006): "Private military companies: their status under international humanitarian law and its impact on their regulation", in *International Review of the Red Cross,* vol. 88 nº 863, pp. 573-586.

CLAPHAM, Andrew (2006): "Human rights obligations of non-state actors in conflict situations", in *International Review of the Red Cross,* vol 88, nº 863, pp. 491-523.

COCKAYNE, James (2006): "The global reorganization of legitimate violence: military entrepreneurs and the private face of international humanitarian law", in *International Review of the Red Cross,* vol. 88, nº 863, pp. 459-490.

CORREIA, Pedro Pezarat (2002): "Análise geoestratégica de Portugal", in *Nação e Defesa* n.º 101. Lisboa: IDN, 2002.

— (2005): "A tendência para a privatização da violência", in *Janus 2005*. Lisboa: Público/UAL.

— (2001): "Repensar a guerra: o fim do monopólio clausewitziano", in *Janus 2002*. Lisboa: Público/UAL.

COTTIER, Michael (2006): "Elements for contracting and regulating private security and military companies", in *International Review of the Red Cross,* vol 88, nº 863, pp. 637-663.

— (2006): *Relevant International Legal Standards: Overview, Use of Force, Mercenaries.* PMC/PSC Workshop, 16-17 january 2006, Küsnacht.

DE FEYTER, Koen, GOMEZ ISA, Felipe *et alia* (2005): *Privatisation and Human Rights in the Age of Globalisation,* Intersentia.

DROEGE, Cordula (2006): *Private Military and Security Companies and Human Rights: A rough sketch of the legal framework*. PMC/PSC Workshop, 16-17 january 2006, Küsnacht, pp1-6.

FAITE, Alexandre: "Involvement of Private Contractors in armed conflict: implications under international humanitarian law", *Defence Studies,* volume 4, number 2, summer 2004, Routledge.

FALLAH, Katherine (2006): "Corporate actors: the legal status of mercenaries in armed conflict", in *International Review of the Red Cross,* vol 88, nº 863, pp. 599-611.

GILLARD, Emanuela-Chiara (2006): "Business goes to war: private military/ security companies and international humanitarian law", in *International Review of the Red Cross,* vol 88, nº 863, pp. 525-572.

— (2006): *Private Military/Security Companies: the Status of their Staff and their Obligations under International Humanitarian Law and the Responsibilities of States in Relation to their Operations*. PMC/PSC Workshop, 16-17 January 2006, Küsnacht.

GONÇALVES PEREIRA, André et QUADROS, Fausto (2000): *Manual de Direito Internacional Público,* Ed. Almedina, pp. 382-391.

HAYS PARKS, W. (2006): *The Perspective of Contracting and "Headquarters" States.* PMC/PSC Workshop, 16-17 January 2006, Küsnacht.

HARRIS, Geoff (2003): "Civilianising Military Functions In Sub-Saharan Africa", in *African Security Review,* vol. 12, nº 4, pp. 83-89. V. http://www.iss.co.za/pubs/ASR/12No4/Harris.pdf.

HELLINGER, Daniel (2004): "Humanitarian Action, NGOs and the Privatization of the Military", *Refugee Survey Quarterly,* vol.23, nº 4, pp. 192-220.

HUMANITARIAN POLICY GROUP: *The use of private security providers and services in humanitarian operations,* HPG Report 27, September 2008.

KALDOR, Mary (2001): *New & old wars: organized violence in a global era.* Cambridge: Polity Press.

KENT, Vanessa and Mark MALAN (2003): "The African Standby Force Progress And Prospects", in *African Security Review,* vol. 12, nº 3. V. *http://www.iss.co.za/pubs/ASR/12No3/E2.html.*

LEANDER, Anna: *Disenchanted Conscription: A Military Recruitment System in Need of Justification.*

MATZIORINIS, Nicholas/Nalin (2004): *Private Military Companies: Legitimacy and Accountability,* Montreal, April 20th 2004.

MCINTYRE, Ângela (2004)*: "*Private Military Firms In Africa-Rogue or Regulated", in *African Security Review,* vol. 13, nº 3. V. *http://www.iss.co.za/pubs/ASR/13No3/CMcIntyre.htm.*

MONGELARD, Eric (2006): "Corporate civil liability for violations of international humanitarian law", in *International Review of the Red Cross,* vol. 88, nº 863, pp. 665-691.

N. SCHMITT, Michael (2004): "Humanitarian Law and Direct Participation in Hostilities by Private Contractors or Civilian Employees", in *Chicago Journal of International Law,* vol. 5, nº 2, pp. 511-546.

PEPETELA (2008): *Predators,* Ed. D. Quixote, Lisboa.

PERRIN, Benjamin (2006): "Promoting compliance of private security and military companies with international humanitarian law", in *International Review of the Red Cross,* vol 88, nº 863, pp. 613-636.

REPORT on the Actions Still Needed to Improve the Use of Private Security Providers in Iraq. US Government Accountability Office (GOA).

SHEARER, David (1998): *Outsourcing War (mercenary organizations) Foreign Policy.* V. http://www.fsa.ulaval.ca/personnel/VernaG/EH/F/cons/lectures/mercenaries.htm

SINGER, Peter (2002): "Corporate Warriors: The Rise of the Privatized Military Industry and its Ramifications for International Security", *International Security,* 2: 3, pp. 186-220.

SMALL, Michelle (2006): "Privatisation of Security and Military Functions and the Demise of the Modern Nation-State in Africa", in *Occasional Paper Series,* vol. 1, no 2, 2006.

(SWISS INITIATIVE) Expert Meeting on Private Military Contractors: Status and State Responsibility for Their Actions, Organised by The University Centre for International Humanitarian Law, Geneva Convened at International Conference Centre, Geneva 29-30 August 2005.

— *Montreux Document*, 2008.

— *Outline*. Swiss Initiative in Cooperation with the International Committee of the Red Cross to Promote Respect for International Humanitarian Law and Human Rights Law with regard to Private Military and Security Companies Operating in Conflict Situations 22 November 2006.

— *Summary of the Chair*. Workshop of Governmental Experts and Industry Representatives on Private Military / Security Companies16-17 January 2006, Zurich, Switzerland.

Reference Websites

International Committee of the Red Cross da Cruz Vermelha: www.icrc.org
Swiss Federal Department of Foreign Affairs:
http://www.eda.admin.ch/eda/en/home/topics/intla/humlaw/pse.html, regularly accessed since 2006.

Legislation

Aditional Protocol I to the Geneva Conventions, 1977.
Charter of the United Nations.
Geneva Conventions, 1977.
(Great Britain), Green Paper on Private Military Companies: Options for Regulation, 2002.
(Irak) Coalition Provisional Authority Order Number 17 (revised), Status of the Coalition Provisional Authority, mnf-iraq, Certain Missions and Personnel in Iraq, Junho 2004;
(Irak) Coalition Provisional Authority Memorandum number 17, Registration Requirements for Private Security Companies (PSC), Junho 2004;
(Kosovo) Unmik/Reg/2000/33, On Licensing Of Security Services Providers In Kosovo And The Regulation Of Their Employees, Maio 2000;
(Sierra Leone), The National Security and Central Intelligence Act, 2002;
(South Africa), Regulation of Foreign Military Assistance Act, 1998;
(South Africa), Prohibition of Mercenary Activities and Prohibition and Regulation of Certain Activities in Country of Armed Conflict Bill, version of August 2006;
(USA), Military Extraterritorial Jurisdiction Act of 2000;
(USA), Department of Defense Instruction number 3020.41, October 3, 2005, Contractor Personnel Authorized to Accompany the U.S. Armed Forces.

Security in the Twilight?[1]
Private Security Companies in Durban, South Africa

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Preamble

November 25th, 2008

It has been a long day, no real positives, but an exhausting day nevertheless. The heat of the midday sun has started to take its toll on us and our usual lively conversations have minimized to sporadic comments with deep silences in-between. Just as we think that it's almost time to end our shift, we receive a call out: an alarm has gone off close by. Keith steps on the gas to rush off to the site, only to hear a few seconds later that Andre has already attended; it was a false alarm. We turn around and slowly drive back from Durban North towards Morningside.[2]

Just as we come off the bridge, I see a white male standing on the side of the road, shouting aggressively and waving his arms at us to stop. We're both caught off guard and Keith breaks sharply in order to stop next to him.

"Open your window, let's see what this guy wants", Keith instructs me. The male is panicking and screaming at us, chaotically telling us that a woman has just been robbed and that the suspects are in a vehicle not far from here. It's hard to decipher what he's saying, he's talking so quickly, but what is clear is that he has the registration details of the license plate written on the palm of his hand.

"Get in the back, come on", Keith tells the man. I know this is against the rules: armed response officers aren't allowed to take

[1] I recently returned from my main fieldwork period. The ideas presented in this paper are therefore preliminary, exploratory and under construction. The title is therefore framed as a question, rather than as a statement.

[2] The names in this extract are pseudonyms.

other people in their vehicles, especially non-clients. I look at Keith, trying to make eye contact in order to understand why he's doing this, but he doesn't look back at me, he just slams on the pedal and races off. The man continues to panic and scream, "Oh my God, I just had them. The fucking assholes, I almost had them!"

As we start slowing down because of a traffic light nearby, the man points to a car on the other side of the road, "It's them, that's the car. You see, those two coloured guys and that fucking kaffir, that's them. Fucking go after them!" Keith makes an extremely abrupt u-turn and chases after the vehicle. The suspects in the car have seen that the man is in the car with us and they seem to know that we're chasing them, they keep driving faster. The vehicle is now in front of us, with two cars in-between. We're back on the bridge, but Keith can't seem to get right behind the car, the cars in front of us are not allowing us to overtake them. The man is continuously screaming at Keith, "Fucking hell, can't you just pass this car? Fucking coolie, drive faster, fucking drive faster! Get these assholes! Put on your sirens, get them!" We come closer to a traffic light and we see the vehicle has gone through it. We're forced to stop at the traffic lights and realize it's an intersection: the car could have headed in any direction, we've lost them. "Fuck! I can't believe they just left! We should have driven faster, you should have hooted at that car in front of you… Fuck, fuck…" and so he continues for a while longer, screaming at Keith and blaming him that the vehicle got away.

We drive around the area for a little while longer, taking different passage ways to see where the car could have headed, but we've lost them. The man is still screaming and swearing at Keith, at himself, and the suspects in the vehicle. I'm starting to get extremely irritated by this man and I'm finding it very difficult to restrain myself from shouting at him. I try to make eye-contact with Keith, but he doesn't look my way. He's extremely calm, just focusing on the road. When the man finally calms down a little bit, Keith finally asks, "So what exactly happened?" And then the story comes out.

The man was working in his office when he heard a woman scream. He and a friend went outside to see what was going on. A woman told them that while she was walking down the road, a black man pointed a gun to her head, grabbed her handbag, ran to the other side of the road, stepped into a vehicle where two other guys were sitting in, and drove off. Out of anger and frustration, he and his friend decided to chase after the vehicle, but they lost it half way. They drove to the ENGEN garage, because they have often seen police vans parked off there, but when they got there, there was no police van. His friend

decided to phone the police while he went to the side of the road, in the hope that a police van would pass by. And then he saw us.

Only at the end of his story does the man realize I'm sitting in the car and asks rudely, "Who the fuck are you?". I explain to him that I'm doing research, but I keep it brief. I'm annoyed with his attitude and I don't feel like explaining myself. I ask him why he stopped Keith, he answers, "Well, that's what they're here for, to catch criminals. I mean, you guys got a gun, you can do more than I can, you know?"

Keith offers to drop the man off at his work, the place where the robbery took place. When we get there, several people are standing outside discussing what just happened. The man starts explaining to the group of people what happened and that he chased the vehicle. Everybody, including Keith, is telling him that he shouldn't do stuff like this again, chasing after suspects. "You shouldn't be chasing guys like this, they could have had a gun, what would you have done?" The man replies, "Man, so many of my friends have been robbed and shot, I'm sick of this shit, I really am. I can't just sit around and do nothing anymore, I just can't…" We find out that the woman who was robbed is sitting inside and that the police are on their way. We also hear that the vehicle in question is being searched for by three different police stations. At a certain point, we realize that our job is done and we leave.

When we get back in the car, Keith finally looks at me and smiles. He starts laughing.

> T: What is it? What's so funny?
>
> K: You know that guy, I know him. I've had to take him out of a bar about three times because he was drunk and getting into a fight.
>
> T: Really? Where?
>
> K: Thunderroad, that place on Florida Road. He got all racist and aggressive on me, calling me a coolie, refusing to leave, that kinda shit. And now he doesn't even fucking recognize me. And now here I am helping the racist drunk out. (Starts chuckling).
>
> (silence)
>
> K: You okay Tess?
>
> T: Yeah, I was just a bit irritated. He was rude. I know he was upset, but he had no right to scream at you like that. And you were so calm, I almost flipped out at him.
>
> K: You see Tess, that's how it goes. I have to put up with his stupid shit. If I get aggressive at him, he's gonna phone the head office and I'm gonna have to explain myself. And I'm gonna give the company a bad name. Like I've said before, the client is always right. We deal with this everyday, you've seen how people treat us like shit, like we're stupid dogs that are trained to protect them... It comes with

> the job. It's the nasty part of this job. Now you see, if we would have got that vehicle, now that would have been nice. Then people realize we actually do do something, you see? That we don't just spend our time driving around, being useless all day... that we actually do have a purpose… Ah! Next time man, next time. One day we'll show them…

Introduction

This extract from my field notes is a fine example of the type of experiences that formed the majority of my ethnographic fieldwork conducted between July 2008 and May 2009 in Durban, South Africa. This empirical snapshot comprises several analytical perspectives that characterize the nature of the work of my main research population, namely armed response officers (AROs), a specific category of private security officers that perform the groundwork of the largest growing sector of the private security industry in South Africa.

The private security industry, encompassing all of its diverse actors and services, is a massive and booming industry. This is especially the case in South Africa, which is described as: "The absolute 'champion' in the security industry" (DE WAARD 1999: 169). Any person entering South Africa is immediately exposed to this fact; security guards are present at every form of commercial centre, logos of various companies are displayed on houses, and 'car guards' at every corner. In violent contexts, which statistics show South Africa unquestionably is, private security companies are leading actors in providing security for citizens. But who are these people? Who are these men that roam around in residential areas on bicycle or patrol the streets at night with bullet-proof vests on and firearms at their disposal? What impact does their vast quantity have on security practices, discourses of violence, perceptions of crime, the wide-ranging maintenance of social order, the 'legitimate' use of force, and societal relations in general?

All these questions came to mind during my orientation fieldwork in late 2007. It became apparent that an empirical gap existed when in-depth answers to these questions were not readily available. The relevance of this topic became even more evident when the 'scandals' of private security companies in Iraq, such as Blackwater, occupied the headlines of newspapers. Many debates concerning the legitimacy, legality and regulation of such companies have taken place since then. Although companies such as Blackwater differ from the type of companies that take the focus in my research, there is a unifying element,

namely the role of the state, perhaps more suitably expressed as the demise of the role of the state. A crucial paradigm on private security argues that private security companies emerge and grow due to the state's failure to provide security for its citizens. This 'governance void' on behalf of the state provides space for other (non-state) actors to emerge that do meet citizens' demands for the provision of security 'services'. The various manifestations of such non-state actors is extensive, ranging from death squads to neighbourhood associations and research conducted throughout various parts of the world shows that local contexts determine the type of actors that emerge.

Despite this variety, non-state actors are increasingly taking over state responsibilities, particularly with regards to the provision of security. They are challenging the state's monopoly over the supply of security, and very often the state's actual monopoly over the use of violence, as the two often go hand in hand. The maintenance of order and stability, i.e. policing, does not solely lie in the hands of the state (or the public police force), but rather in the hands of various other actors, such as Keith, the security officer depicted in this case-study.

However, non-state policing has always existed. Another prominent line of thinking in the field of private policing argues that security and policing have always been performed by various actors, not just the state. Authors such as SHEARING (2006) argue that we need to move away from a 'state-centered view' as the sole provider of security. In fact, SOUTH (1988) argues that the role of the state hasn't demised, but that it has changed; it has expanded by including other actors. Citizens simply face more options in the contemporary situation (BUUR & JENSON 2004) and security and policing are increasingly transforming into commodities (CRAWFORD 2006). Although this research concurs that non-state policing has always existed (in various different manifestations), the last few decades have witnessed a major expansion of this sector.

One of the fundamental implications of this growth is the disintegration of the dichotomy of state versus non-state, or public versus private. As non-state actors increasingly assume state-like responsibilities and incorporate state-like characteristics, this point of demarcation becomes less visible. Concepts such as quasi-state, hybrid places and twilight institutions analyze and clarify the repercussions and developments of this increasing blurriness. Furthermore, non-state policing is heavily criticized for maintaining and exacerbating class differences; the affluent protected by 'regulated' forms of security and the poor left at the mercy of more informal, illegal actors, thereby strengthening existing inequalities, social divisions, and the social boundaries of 'insiders'

and 'outsiders'. The South African context additionally raises concerns as to whether or not racially defined categories originating from the apartheid era are maintained by non-state security practices that are ingrained in the processes of 'othering' and exclusion.

This research analyzes these various questions and focuses on the inter-relatedness of (in)security, policing and violence, and how this influences societal relations in post-apartheid urban South Africa. Furthermore, it analyses how private security companies are related to other actors (such as the public police, community organizations, and consumers), how private security companies play a role in creating or maintaining particular societal relations (such as class and race), and how these companies are affecting discourses, perceptions, and the nature of violence, (in)security, and fear in the context of democratisation. This research uses armed response officers as a specific research population to function as a 'looking glass' in order to explain and interlink these larger ideas and processes.

Due to recently returning from the field, this entire paper is an exploration; it presents some preliminary ideas and questions that demand further analysis. This paper will first present a brief discussion about state failure and governance voids. Secondly, a contextual section will follow, providing a short summary of the private security industry and private security officers in South Africa. This is followed by a discussion on the concept of 'policing' and several implications of the rise of the private security sector. This paper will end with some concluding remarks and questions.

State failure and governance voids

Throughout the recent decades, the traditional role of the state has been put to the test. Domestically, mounting criticism has been addressed at the state's failure to maintain its part of the 'social contract' between state and society, thereby questioning notions of state sovereignty and legitimacy. These criticisms are particularly addressed at citizen security. Growing levels and diversifying forms of violence, combined with intensified feelings of fear, particularly in urban areas, are undermining the role of the state in providing security for its citizens. The (perceived) failure of the state to control such increasing rates of violence within its national frontier is generally clarified by the emergence of power vacuums that are filled by non-state actors, understood here as actors that are not a part of the state apparatus (KOONONGS & KRUIJT 2004, MOSER & MCLLWAINE 2004, ROTKER 2002, PEREIRA &

DAVIS 2006). This explanation is particularly used for states enduring or recovering from political transitions, especially those moving away from authoritarian regimes to democratic ones.

Democratisation processes often result in a weak central authority where political parties are fragile and democratic institutions fail to gain public support and trust (MANSFIEL & SNYDER 2001). Although democratic regimes are regarded as being more peaceful, experience shows that democratisation processes contain fault lines where spaces of confrontation and contestation are found, clarifying why political transitions are portrayed as "dangerous hours" (SCHEPER-HUGHES 1997: 491). The state's incapacity to manage tensions and conflicts that arise from such fault lines provides space for new forms of violence to thrive and dictate daily routine.

In environments where such new violence is widespread and consolidated within these so-called 'fault lines', the state's failure to establish legitimacy and assert authority creates power vacuums where other actors challenge the state, resulting in power struggles within fragile splinters of the state. Although some actors challenge the state directly to gain state control, this idea is better linked to the concept of a 'fragile state', a term used to characterise states such as Afghanistan and the Democratic Republic of the Congo (DRC). However, the concept of new violence, violence that is depoliticised, involves actors that are not specifically aimed at state conquest, but occupied with "the interstices of the fragile and fragmented formal legal, institutional and political order" (KOONINGS & KRUIJIT 2004: 8) of a state.

One of the common fractures of the state during a political transition is state policing conducted by the coercive arm of the state, the public police. The general theoretical paradigm emphasises state failure or state weakness and the surfacing of 'brown areas' (O'DONNELL1993: 1360) or 'governance voids'. Governance voids are conceptualised as "spaces or domains in which the legitimate state is effectively absent in the face of armed actors that abide by the rule of force" (KOONINGS & KRUIJT 2004: 2). The general argument is that state failure, especially on behalf of the public police, to implement the rule of law and claim legitimate authority over communities provides a space for non-state (often informal and/or illegal) institutions to flourish and assert authority. These non-state actors that exert violence, or are able to do so, are seen as "power-challengers" (OSAGHAE 2004: 23) to the state's monopoly of the use of violence and the aptitude of the state to address violence performed by such non-state actors.

These power-challengers are often amalgamated under various headings, such as 'informal policing' or 'private policing'. Although this

paper recognises that policing has always been conducted by various actors (and thus not only by the public police), non-state policing has mushroomed and diversified throughout the recent decades. This diversity of policing actors, both internationally and locally, has generated new perceptions and practices of violence, (in)security, and fear.

This line of thinking is especially used for societies labelled as having a 'culture of violence' or a 'culture of crime'. It is argued that in societies with a prolonged period of violence, violence has deeply penetrated within the social fabric of communities whereby social systems are created and sustained with norms, discourses and structural forces that allow, facilitate or perhaps even encourage the use of violence, thereby making violence seem normal, tolerated or acceptable (MOSER & MCLLWAINE 2004, SCHEPER-HUGHES 1997, STEENKAMP 2005). These labels are repeatedly used to describe the South African context, a country known for its violent past and violent present: current statistics show that there are at least fifty murders a day and soaring rates of robbery and sexual violence (ALTBEKER 2007, BEINART 2001, STEINBERG 2001).

The concept of a 'culture of violence' is frequently accompanied with notions of a 'culture of fear', or more precisely, a 'culture of security', that prevails within the daily lives of inhabitants, particularly in large urban areas marked by inequality and social exclusion. Citizens evoke new solutions and new 'practices of security' (ROTKER 2002), in both individual and collective forms, to defend themselves against violence and the 'dangerous other'. This ranges from street gangs that emerge to protect a particular neighbourhood against other gangs, or private security companies that citizens employ to safeguard their lives and property. When conducted on a large scale, policing is thus performed by a variety of actors, rather than solely by the public police.

The private security industry in South Africa

There is extensive ethnographic data on various forms of non-state actors engaged in policing, such as gangs (RODGERS 2006, GLASER 2000, KINNES 2002, SAVENIJE 2009) and vigilantism (PRATTEN & SEN (eds.) 2007, BUUR 2006, MINNAAR 2004, HARRIS 2003) Yet, similar types of ethnographic research amongst private security companies is extremely limited. In Europe and North America, private security companies[3] are

[3] I am not referring to private military companies here.

generally seen as legitimate, regulated and accountable entities that serve the interests of citizens and operate under the supervision of states. Whilst, in Latin America and Africa, private security companies are not perceived to be serious threats towards state stability and democratisation, especially when compared with other (more violent) actors. Although this distinction is legitimate and justified, my research shows that the rise of private security companies in South Africa has serious implications that should not be underestimated. However, before delving into that, a brief introduction of the private security industry in South Africa is needed.

There are many typologies of the private security industry and its various actors. For this paper, the most common categorization is employed which consists of two main actors: private military companies (PMCs)[4] and private security companies (PSCs) (FOALENG 2007, GUMEDZE 2007, SMALL 2006, SINGER 2003, SCHREIER & CAPARANI 2005). PMCs provide military services that are purposely aimed at influencing a particular armed conflict or violence, therefore often described as "a direct protagonist in conflict" (FOALENG 2007: 44) and referred to as 'corporate warriors' (SINGER 2003). Private security companies are companies that: "provide protection services for individuals and property and are used by extractive national or multinational companies, humanitarian organisations and individuals, mainly in situations of armed conflict, violence or instability" (FOALENG 2007: 43).[5] Private security companies, although often transnational, are primarily concerned with internal security and therefore focus more on police-like activities, such as guarding, access control and surveillance.

When looking at the percentage of GDP, South Africa has the largest private security sector worldwide (ABRAHAMSEN & WILLIAMS 2007). The latest report[6] states that there are 6,470 private security businesses operating in South Africa.[7] In terms of value, MINNAAR (2007) states that the industry was valued at R1,2 billion in 1990, R6 billion in 1997, and R30 billion in 2007 for annual turn-

[4] Other terms also used are privatized military firms (PMFs), mercenaries and 'soldiers of fortune'.

[5] This research analyses private security companies in Durban, South Africa.

[6] These figures come from PSIRA's Annual Report of 2006-2007. PSIRA is the Private Security Industry Regulatory Authority; a body created to maintain the regulations of the Private Security Industry Regulatory Act (no 56 of 2001). The statistics provided by PSIRA include businesses and individuals that are registered. We must therefore keep in mind that the actual amount is larger as many are not registered.

[7] To make a comparison: Great Britain accounts for approximately 2,000 companies, a third of the South African amount (CRAWFORD 2006).

overs.[8] Private security providers thus inhabit a booming industry in South Africa with further expectations of growth and expansion. How did it get to this point?

The apartheid-state was characterised as a military- governing regime: the South African Defence Force (SADF) played a fundamental role in maintaining the 'terrorist state' of the apartheid government (COCK 2005, CAWTHRA 2003, HANSEN 2006, BEINART 2001) and the public police largely assisted in suppressing the masses. "The apartheid state was a police state" (HANSEN 2006: 281); the public police force resembled the army and was often employed to break up political fighting and protests. During the 1980s, these armed forces were overoccupied with dealing with political detainees and protests, thereby neglecting other 'minor matters' that were handed over to private security companies.[9] In supporting the armed forces of the apartheid state, private security companies played an important role in protecting the white minority from the 'black criminals'. The apartheid state therefore strongly encouraged the growth of such companies (SINGH 2008, SHAW 2002).

During the 1990-1994 peace negotiations, emphasis was placed on the transformation of the armed forces: downsizing the military and creating a new representative police force accountable to all South Africans (HANSEN 2006, LEGGETT 2005, COCK 2005). Although many individuals from the different armed forces were incorporated into the 'new South Africa', many were not, leaving a large group of militarily trained officers unemployed. The private security industry provided a niche for these officers (ABRAHAMSEN & WILLIAMS 2007, COCK 2005).[10] Although some security officers such as Keith also have such a background, the majority of these ex-combatants were whites that served in the apartheid regime.

This vast supply of trained officers, now working in the private security industry, was matched by demands made by citizens. Like almost all political transitions elsewhere, the end of apartheid brought about two contrasting sentiments: high expectations for change on

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[8] R stands for Rand, the South African currency. The current exchange rate (date: 15/8/2009) is R 11.5 for € 1.

[9] The private security industry was extremely small at this point. It is stated that less than ten companies were operating in Durban.

[10] A common argument claims that many whites refused to work in the 'new South Africa'. Although this is verifiable to a certain degree, combatants of the resistance forces, such as the MK (Mkhonto we Sizwe, the military wing of the ANC) also ended up in this recruitment pool (COCK 2005, JOHNSTON 1999, ABRAHAMSEN and WILLIAMS 2007).

the one hand, and high levels of insecurity, uncertainty and fear on the other. This fear, especially amongst the white minority, strengthened and increased the demands for private security. When an upsurge in criminal violence spread across the country after 1994, particularly with regards to property crime, such fears were seen to be justified, and private security presented the ultimate means of security (SHAW 2002).[11]

Although the industry was initially viewed with suspicion,[12] with the passing of time this largely changed as the industry increasingly profiled itself as a profit-making business, aimed at working with the government to fight South Africa's common problem: crime (SINGH 2008). In terms of regulation, the Private Security Regulation Act was created in 2001 to set standards for the industry as well as its accompanying body, the Private Security Industry Regulatory Authority (PSIRA), to uphold these standards (ABRAHAMSEN & WILLIAMS 2007, MINNAAR 2007).[13] All companies and employees within the industry are compelled to be registered with PSIRA and can randomly be inspected by PSIRA. Although a very efficient system on paper, in practice it has proven to be much more difficult and PSIRA faces allegations of corruption and favouritism, especially from people within the industry. The largest problem concerns 'fly-by-night' companies: companies that appear and disappear so quickly that monitoring them is practically impossible. Fly-by-nights are known for operating illegally, especially through the underpayment of security officers and the illegal possession of firearms.

Performers of security

Although the political transition played a decisive role in the supply of the private security industry, the bulk of this supply is mainly found at management level and not amongst the direct providers of security.

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[11] During the initial growth period of the industry, it was characterized as a 'white man's world', on the side of consumers as well as the employees of companies.

[12] Due to the previous alignment of such companies with the apartheid state, the industry was initially regarded as potentially dissident and a threat to the maintenance of order by the new post-apartheid regime. Many of such companies were regarded as manifestations of white racist fear to the *zwartgevaar* and were seen as a threat to the power of the 'new' state and its transition towards democracy (ABRAHAMSEN & WILLIAMS 2007, AVANT 2005, SINGH 2008).

[13] This Act was a development of a pre-existing Act, namely the Security Officers Act (SOA) no 92 of 1987 (see SINGH 2008: 43-46).

This task lies in the hands of the security officers, the *performers of security,* of which there are 1,319,600 in South Africa.[14]

In South Africa there is a clear typology of security officers. At the bottom of the hierarchy are the car guards: they do not receive any formal wages, require no training, are often associated with various forms of illegalities, and are not registered with PSIRA.[15] On the second step of the ladder are the security guards, who constitute the majority of the industry.[16] They receive training,[17] receive wages, and are registered with PSIRA.[18] The guarding sector of the industry has two contrasting faces. On the one hand, it is seen to be the most lucrative sector, clarifying why the majority of fly-by-nights are guarding companies: simply recruit a few unemployed men, underpay them and make large profits. On the other hand, it is the least lucrative due to extensive labour costs, in contrast to the reliance on technological appliances. The security officers that occupy the highest level of the hierarchy are the cash-in-transit (CIT) officers; officers that transport goods and cash. Their job is extremely risky; cash-in-transit heists are common and exceptionally violent. These officers therefore require additional training.

Armed response officers (AROs),[19] the group that forms the focus of this research, occupy the middle position of the security officer-hierarchy. The term speaks for itself: they are armed, i.e. carry a firearm, and they respond to particular sources, such as alarms and panic buttons. They patrol areas in vehicles and use radios for communication. This sector of the industry thus relies heavily on technological appliances. It is the largest growing sector of the industry:[20]

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[14] Source: PSIRA report 2006-2007.

[15] Many initiatives aim to formalize car guarding, especially at shopping centers. The idea is to increase transparency, control, and accountability.

[16] Out of the 6,470 registered security businesses, 4,924 are guarding businesses (PSIRA report 2006-2007).

[17] The security training consists of various levels, each level providing additional skills. The higher the level of training, the higher the salary.

[18] A specific group of security guards are national key point guards: they guard crucial sites such as ports. Due to the significance of these sites, they require additional training and occupy a 'higher' position than other security guards.

[19] They are also called 'armed reaction officers'.

[20] The armed response division is regarded as a very lucrative sector. For example, the average cost of 1 armed response unit (including the salary of the officer, maintenance of the vehicle, etc.) is approximately R 10,000 per month (this varies greatly per company and per month). This amount remains the same regardless of the amount of 'clients'. Yet, let's say clients pay R 200 per month. In order to cover that specific unit, 50 clients are needed. In reality, a unit covers approximately 250 clients.

during 2006-2007, this sector experienced the highest growth of 34 per cent.[21]

In terms of training, AROs must have a grade C certificate, additional 'armed response' training, firearm training, and a driver's license. Due to these additional requirements, their wages are higher than security guards. Armed response officers fiercely state that they are not security guards and often feel that they have more in common with police officers. The background of these men[22] varies. For example, take Keith; he is 35 years old, has a long background in security (was formerly both a security guard and a CIT officer), he lives in an Indian township on the outskirts of Durban, and is married with two children. His profile is quite a representative view of many armed response officers.

This research focuses on security officers because they are the actual performers of security; when violence erupts (or a crime takes place) security officers provide the services their companies offer. The literature on private security provides limited accounts of research conducted amongst private security officers. Although there are some examples, such as BUTTON (2007) and RIGAKOS (2002), these are not based on ethnographic fieldwork. The more precise choice to focus on armed response officers, men such as Keith, is due to their niche within communities. They have the most contact with citizens, they drive through communities, they are the 'first line of duty' when attending a scene, and they are expected to 'come to your rescue'.

Policing implications

Throughout my fieldwork, the practical and empirical nature of several theoretical ideas and concepts surrounding (non-state) policing materialised.

Policing

The concept and definition of 'policing' is researched extensively. In this paper, policing is understood as: "a function of society that contributes to a particular social order that is carried out by a variety of different bodies and agents" (BUTTON 2002: 6). Policing is thus a heter-

[21] In contrast, the guarding sector experienced a decrease of 6.4% (PSIRA report 2006-2007).

[22] I use 'men', because I did not encounter a single female in this sector.

ogeneous function performed by a range of difference actors (REINER 1997, JONES & NEWBURN 1998, BAYLEY & SHEARING 1996, BUTTON 2002). The public police force is the coercive arm of the state, the legitimate body that retains the legal powers to use force or coercion, such as arrest, punishment and detention, on behalf of the state. However, the 'police' does not equate 'policing': policing is a social function whilst the 'police' is a specific state institution that is occupied with that particular social function. Although the police traditionally occupies a monopoly position over the use of force and the maintenance of social order and stability, this does not imply that it has a monopoly over 'policing'.

In an ideal world, policing is a public good and thus equally distributed amongst all citizens of a given territory (CRAWFORD 2006). However, numerous accounts demonstrate that this is an epitome, rather than a reality. Certain geographical areas or social segments of society are often under-policed or not policed at all by the state apparatus. However, to assume that policing is non-existent in such areas is to deny the existence of other (non-state) actors that perform various means of private policing.

Private policing concerns policing that is conducted outside the public realm and by private, non-state actors. There are authors that prefer the concept 'private policing' (STENNING 2000, BUTTON 2002, KEMPA et al 1999) whilst others favour the term 'private security sector' (SOUTH 1988, SINGH 2005). MINNAAR (2007) employs the term 'privatisation of crime control', because he argues that many security companies are more frequently involved with issues surrounding crime prevention and the investigation of violent incidents. These notions closely resemble the data retrieved during my fieldwork. This paper argues that the initially constricted role designed for armed response officers is continually expanding due to the increasing inclusion of policing activities that were previously predominantly conducted by the state police.

Hybrid places

The initial role for armed response officers was to provide a specific security service to clients in private settings. However, the case-study depicts a citizen (non-client) demanding a policing service from a private actor in a public space to follow and arrest other individuals (non-clients) in a public space. It seems obvious that the rigid distinction between what is public and private no longer holds, since a private actor

is asked by a citizen to step into the public realm. Private policing thus blurs lines between private and public domains. Therefore, rather than analysing policing within a dichotomy of state versus non-state (or public versus private), the various forms of policing must be placed within a continuum (such as KEMPA et al 1999, DE WAARD 1999, ABRAHAMSEN & WILLIAMS 2007, SHEARING 2006, CRAWFORD 2006).

One main concept originating from such an approach is the creation and maintenance of 'hybrid places', defined as spaces that: "are both legally defined and personally experienced as distinct from traditional forms of 'public spaces'" (KEMPA et al 1999: 203). For example, shopping malls; these are principally open to the public, but are governed and controlled by non-state actors and rules. In the creation of such spaces, 'undesirables' are excluded, physical barriers are erected to consolidate this process, and coercive control is condoned to safeguard this particular 'space' (KEMPA et al 1999, CRAWFORD 2006).

In South Africa, such 'hybrid places' are increasingly common. Not only in commercial centres, but also in more public spaces such as residential areas. Boom gates and other forms of physical security barriers are erected around homes creating enclosures and 'gated communities'. Security officers guard such sites and function as agents to maintain and control the hybridity of these places. An interesting question is how this concept of 'hybrid place' can be expanded to describe entire communities. Armed response officers patrol the streets of certain neighbourhoods. When entering the premises of a client, they clearly operate within the private realm, yet a great deal of their work takes place in the public domain. Armed response officers are frequently requested by clients to approach 'suspicious individuals' and enquire what they are doing in that area. This is an example of a private actor operating within a public space, controlling and determining which individuals are allowed 'access' to that specific area. In this case: "people are being, and will be, denied access to public and quasi-public places on the grounds of potential risk of future offending" (CRAWFORD 2006: 131). Although an entire neighbourhood is too large to be defined as a hybrid place, there are undeniably elements of this hybridity. Furthermore, focusing on places such as shopping malls refers to how: "privately owned spaces have take on a decidedly public character" (CRAWFORD 2006). However, this research aspires to build on these notions by analysing how privately-directed actors are operating in public spaces, and thus, how public spaces are taking on a private character.

However, what is perhaps more important is whether security officers such as Keith have the authority and legitimacy to perform these functions. PSIRA regulations outline that companies are only permit-

ted to assist their clients, which is based on a legal contract between companies and their clients. Secondly, such a contract provides armed response officers (such as Keith) with a specific role: they respond to sources (such as alarms and panic buttons) originating from private persons and settings. According to ABRAHAMSEN & WILLIAMS (2007), this 'law of contract' and 'law of property' imply that citizens grant armed response officers the means to control what happens on their property and who is granted access to their property. This evokes mechanisms and relationships of authority and legitimacy.

Citizens therefore clearly make demands from security officers to exude authority and maintain this hybridity. Security practices performed by security officers are thus very often manifestations of demands made by citizens; citizens are thus largely responsible for this expanding role. However, it seems that citizens are not aware of the legal boundaries of security officers. In this case-study, Keith was expected to use his sirens, drive through traffic lights, and overtake cars illegally.[23] Although these are simple demands, they are made continuously. Armed response officers are often called to premises for domestic disturbances. They can only play a mediating role and function as a buffer, yet citizens regularly demand them to use force. The mere fact that an armed response officer carries a firearm (which he is capable of using) symbolically provides them with an enhanced degree of power and authority, as the case-study also clearly shows.

Additionally, uniforms also augment this display of authority and the ability to exercise it. BUTTON (2003) argues that this symbolism feeds perceptions that security officers are able to exercise more legal rights than citizens. Furthermore, BUTTON (2003) states that security officers can make use of particular legal tools that go beyond the universal rights of citizens, such as the right to control access and the right to search. Nevertheless, when stripped of their firearm and uniform, they possess the same rights and legal capacities as any citizen.[24] Due to this discrepancy between the expectations of citizens and capabilities of security officers, friction often emerges.[25]

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[23] I often wonder what would have happened if we would have apprehended the suspects in that vehicle.

[24] According to Singh (2008: 49-50), the rights of private security officers in South Africa are indeed the same as those given to 'private persons'. However, Singh argues that "the legal authority given to 'ordinary private citizens' in South Africa is far-reaching" (50). She claims this is due to the apartheid legacy, where citizens were given supplementary rights to defend themselves and the state.

[25] This is exacerbated when armed response officers are treated very poorly by citizens, a very essential issue when describing the work of armed response officers.

As the case-study also portrays, there is growing frustration and desperation amongst South African citizens towards crime, particularly its systematic and pervasive role in society. Everyone in South Africa has a crime story and/or knows somebody who has personally experienced an incident of violent crime. Support for more violent responses, especially on behalf of the state police, is growing. Although many community initiatives are developing to address the problems 'locally', the provision of security is more often outsourced to private security companies.

Perhaps the most essential element displayed in the case-study is the absence of the state police. The theoretical ideas surrounding the failure of the state and the emergence of 'governance voids' are portrayed here in a practical sense: the man specifically stated that he was seeking the police. Unable to locate them, he decided to stand on the side of the road, hoping that somebody would assist him. This case presents a citizen demanding a policing service. The supply was provided by the moment we drove by. Although a very simplistic example, similar incidents are widespread. However, is this necessarily a result of state failure or has the state accepted that other actors, such as Keith, play the role of middle-man in tackling crime?

Armed response officers seem to operate in a 'transition' zone between citizens and the public police. The state police is not able to assist citizens immediately[26] and armed response officers fill this policing gap. Throughout my fieldwork, I experienced how their presence unquestionably enhanced a sense of safety; they provided assurance for citizens who had just experienced crime, often in a state of shock or trauma. Has the state realised its own shortcomings and granted men such as Keith the right to take over this 'first line of duty' position? However, security officers often lack skills to properly deal with matters such as crime scene management. Additionally, many officers have been accused of committing criminal acts and of (over)using violence themselves. Is the state capable of monitoring *everything* that takes place in such transition zones?

Twilight Institutions

Let it be clear that citizens play a fundamental part in determining the performance of security officers, their role in consolidating these ru-

[26] This paper will not discuss why the state police is not always readily available and why citizens frequently display a lack of trust and faith in the public police.

diments of hybridity, and their position on a continuum of state versus non-state or public versus the private sector. However, how should such a continuum be analysed? CRAWFORD (2006) states that: "… the degrees of publicness and privateness in policing are not a smooth continuum, nor a series of finely graded steps" (116). Can we employ a continuum with contrasting ends (of public and private) divided by a zone of fluidity? Are policing agents and their endeavours fixed upon a specific locus in such a continuum or are they constantly shifting within this domain?

The concept of the 'twilight institution' has been developed to label such actors/institutions that are found within this complex continuum. These are defined as those that: "operate in the twilight between state and society, between public and private" (LUND 2006: 678).[27] They exercise public authority; actively shape governance; and, enforce decisions and rules on a collective level. Such actors do not replace the state, but provide alternative forms of governance in specific local contexts. They do not function on behalf of the state, but operate like one by incorporating state-like characteristics. Twilight institutions are found in "zones of ongoing contestation" (BUUR 2006: 741) between state (public) and non-state (private). As BUUR (2006: 750) states, twilight institutions make: "it difficult to distinguish unequivocally between what is state and what is not."

HANSEN & STEPPUTAT (2006) concur and argue that although many non-state actors: "are engaging in sovereign practice" (306), this does not entail that they oppose state governance, legitimacy and sovereignty. Rather, the relationship between non-state actors and the state is multifaceted; they challenge the state through exerting governance and authority, they strengthen the state through mimicking the state's symbolic ways of securing legitimacy, and they take upon themselves the responsibility of providing services that the state cannot provide.

The next step of this research is to explore whether private security companies, or perhaps even private security officers, operate within this twilight zone and can be labelled as actors of a twilight institution. Due to their expanding role, the increasing execution of policing tasks, and their frequent involvement in 'hybrid' contexts, is the concept of twilight institution applicable to these agents? In this line of thinking, it is particularly their relationship with the state that is remarkable. Al-

[27] This concept of 'Twilight institution' is elaborately discussed in a special issue of *Development Change* 37(4), titled 'Public Authority and Local Politics in Africa', edited by C. LUND in 2006.

though SINGH (2008) contends that the South African case depicts how non-state policing complements the state, rather than replaces or opposes it, my fieldwork shows that although security officers may support the state by taking over particular functions, by doing so, they simultaneously reinforce the perceptions (especially on behalf of citizens) that the state is incapable and 'failing'.

In contrast to gangs and violent forms of vigilantism, the state permits the existence of private security companies. The state provides particular parameters (primarily executed through PSIRA) that determine how the private security industry is to take part in the policing domain. Private security companies thus derive their recognition, legitimacy and power from the state. Therefore, when security officers use force or violence, does that contest the state's monopoly over the use of violence, or is the state out-sourcing this monopoly and regulating it through institutionally laid out structures? As SOUTH (1997) argues, by providing a legal framework in which these companies can operate, the state is in fact extending its legitimacy. But what happens when such companies step outside the parameters of the law? How will the state react and how will this reconfigure the 'twilight zone'?

The 'social factor'

Another set of implications of the growth of non-state policing concerns societal relations. It is argued that contrasting forms of non-state policing exacerbate social divisions and intensify polarised societies (BEARPARK & SCHULZ 2007, CALDEIRA 2000, KEMPA et al 1999). In this line of thinking, security is analysed as a private good, a commodity that is determined by market forces and therefore not available to all (CRAWFORD 2006, RIGAKOS 2002).

Different forms of policing are thus formed and shaped by class. At the one end, we witness moral panics and the affluent sealing themselves off in gated communities that are secured by private security companies against the 'other', often the 'dangerous poor' (BRUNN 2006, LANDMAN 2006, COY 2006, LOW 2004, ELLIN 2001, CÁRDIA 2002, CALDEIRA 2000, LEMANSKI 2004, HALL et al 1978). At the other end, poorer neighbourhoods that lack the financial capacities to make use of private security companies are forced to resort to more informal or illegal methods, such as vigilantes or gangs.

In turn, different security practices tend to consolidate such social disparities. Crawford (2006) depicts how policing and security are 'club goods', which he defines as "goods that are available to members of

a club but restricted in some form or other to non-members" (120). These various forms of 'clubs' are spread across geographical spaces, creating 'bubbles of security', "pockets of safety" (SHAW 2002: 112-113) or perhaps even "bubbles of governance" (RIGAKOS & GREENER 2000). Terms such as 'divided cities', (BEALL, CRANKSHAW & PARNELL 2002, DAVIS 2006, CALDEIRA 2000) and 'fractured cities' (KOONINGS & KRUJIT 2007) have developed to characterize cities with different forms of security spread across different communities.

As MANDEL (2001) states, the result is not integration, but fragmentation with: "pockets of highly different types and levels of security" (135). Concerns are raised about the contribution of such pockets of safety to processes of exclusion and depictions of the 'dangerous other'. In South Africa these processes of exclusion are often found along racial lines, resulting in consternations about a new type of apartheid maintained by a fear of crime. In describing the role of private security companies in South Africa, SHAW (2002) states that: "… the security industry continues to reinforce the divisions and barriers of society that the political transition sought to undo" (110).

During my fieldwork, it was evident that notions of race and the depiction of 'the criminal' very often ran parallel with racial lines and included racial connotations.[28] 'Suspicious individuals' that demanded the attention of security officers were always black males. This is remarkable, because the majority of security officers are black or Indian (i.e. non-white) males. It is ironic that the agent paid to provide security and protection from the dangerous, suspicious black male, is simultaneously most often a black male himself. Many armed response officers expressed that clients often made such references, with statements such as: '*that criminal is your brother*' or: '*you're fighting your own kind*'.

Concluding remarks

These social consternations raise more questions about concepts such as twilight institutions or the 'transition zone' discussed earlier. Can the social realm be included in the conceptualisation of a twilight zone? Do armed response officers find themselves in several zones

[28] Notions of race and racist sentiments were a recurring theme during my fieldwork.

of twilight and transition? Do men like Keith also operate in the twilight between rich and poor, between black and white, between outside and insider? Do security officers function as 'connectors' between different social worlds, manoeuvring between different spaces across the 'divided city'? Has the role of the state been re-configured and reshaped? What consequences does this have for citizens? Such critical questions need to be conceptualised with more scrutiny. Analysing the possibilities of expanding and defining what these 'zones' entail, raises further questions concerning the definitions and mechanisms of legitimacy, authority and governance. As the title asks: do armed response officers provide security in the twilight?

Bibliography

ABRAHAMSEN, R. & M.C. WILLIAMS (2007): "Securing the City: Private Security Companies and Non-State Authority in Global Governance". *International Relation*s 21(2): 237-253.

ALTBEKER, A. (2007): *A Country at War with Itself. South Africa's Crisis of Crime*. Johannesburg & Cape Town: Jonathan Ball Publishers.

AVANT, D. (2005): "Private Security Companies". *New Political Economy* 10(1): 121-131.

BAYLEY, D.H. & C.D. SHEARING (1996): "The future of policing". *Law and Society Review* 30(3): 585-606.

BEALL, J., O. CRANKSHAW and S. PARNELL (2002): *Uniting a Divided City. Governance and social exclusion in Johannesburg.* London: Earthscan Publications Ltd.

BEARPARK, A. and S. SCHULZ (2007): "The private security challenge in Africa: Problems and options for regulation". In: GUMEDZE, S. (ed.): *Private Security in Africa. Manifestation, Challenges and Regulation*, pp. 73-88. ISS Monograph Series, No. 139. Pretoria: Institute for Security Studies.

BEINART, W. (2001): *Twentieth-Century South Africa*. New York: Oxford University Press.

BRUNN, S.D. (2006): "Gated minds and gated lives as worlds of exclusion and fear". *GeoJournal* 66: 5-13.

BUTTON, M. (2007): *Security Officers and Policing. Powers, Culture and Control in the Governance of Private Space*. England: Ashgate Publishing Ltd.

— (2003): "Private security and the policing of quasi-public space". *International Journal of the Sociology of Law* 31: 227-237.

— (2002): *Private Policing*. Portland, Oregon: Willan Publishing.

BUUR, L. (2006): "Reordering Society: Vigilantism and Expressions of Sovereignty in Port Elizabeth's' Townships". *Development and Change* 37(4): 735-757.

— & S. JENSEN (2004): "Introduction: Vigilantism and the Policing of Everyday Life in South Africa". *African Studies* 63(2): 139-152.

CALDEIRA, T. (2000): *City of Walls: Crime, Segregation and Citizenship in São Paulo*. Berkeley: University of California Press.
CÁRDIA, N. (2002): "The Impact of Exposure to Violence in São Paulo: Accepting Violence or Continuing Horror?". In: ROTKER, S. (ed.): *Citizens of Fear. Urban Violence in Latin America*, pp. 152-183. New Jersey: Rutgers University Press.
CAWTHRA, G. (2003): "Security Transformation in Post-apartheid South Africa". In: CAWTHRA, G. & R. LUCKHAM (eds.): *Governing Insecurity. Democratic Control of Military and Security Establishments in Transitional Democracies*, pp. 31-56. London & New York; Zed Books.
COCK, J. (2005): "'Guards and Guns': Towards Privatised Militarism in Post-Apartheid South Africa". *Journal of Southern African Studies* 31(4): 791-803.
COY, M. (2006): "Gated communities and urban fragmentation in Latin America: the Brazilian experience". *GeoJournal* 16: 121-132.
CRAWFORD, A. (2006): "Policing and security as "club goods": the new enclosures?". In: WOOD, J. & B. DUPONT (eds.): *Democracy, Society and the Governance of Security*, pp. 111-138. Cambridge: Cambridge University Press.
DAVIS, M. (2006): *City of Quartz. Excavating the Future in Los Angeles*. London & New York: Verso.
ELLIN, N. (2001): "Thresholds of Fear: Embracing the Urban Shadow". *Urban Studies* 38(5-6): 869-883.
FOALENG, M.H. (2007): "Private military and security companies and the nexus between natural resources and civil wars in Africa". In: GUMEDZE, S. (ed.): *Private Security in Africa. Manifestation, Challenges and Regulation*, pp. 39-56. ISS Monograph Series, No. 139. Pretoria: Institute for Security Studies.
GLASER, C. (2000): *Bo-Tsotsi, The Youth Gangs of Soweto, 1935-1976*. Oxford: James Currey Ltd.
GUMEDZE, S. (2007): *The private security sector in Africa. The 21st century's major cause for concern?* ISS Paper 133. Pretoria: Institute for Security Studies.
HALL, S. *et al.* (1978): *Policing the Crisis. Mugging, The State, and Law and Order*. Palgrave MacMillan: United Kingdom.
HANSEN, T.B. (2006): "Performers of Sovereignty: On the Privatization of Security in Urban South Africa". *Critique of Anthropology* 26(3): 279-295.
— and F. STEPPUTAT (2006): "Sovereignty Revisited". *Annual Review of Anthropology* 35: 295-315.
HARRIS, B. (2003): *Spaces of violence, places of fear: Urban conflict in post-apartheid South Africa.* Paper presented on the Conflict and Urban Violence panel, Foro Social Mundial Tematico, Cartagena, Colombia, 16-20 June 2003.
JOHNSTON, L. (1999): "Private Policing in Context". *European Journal on Criminal Policy and Research* 7:175-196.
JONES, T. & T. NEWBURN (1998): *Private Security and Public Policing*. Oxford: Clarendon Press.
KEMPA, M. *et al.* (1999): "Reflections on the Evolving Concept of 'Private Policing'". *European Journal on Criminal Policy and Research* 7: 197-223.

KINNES, I. (2002): *From Urban Street Gangs to Criminal empires: the Changing Face of Gangs in the Western Cape*. Pretoria: Institute for Security Studies.

KOONINGS, K. and D. KRUIJT (eds.) (2007): *Fractured Cities. Social Exclusion, urban Violence & Contested Spaces in Latin America*. London & New York: Zed Books.

KOONINGS, K. and D. KRUIJT (eds.) (2004): *Armed Actors. Organised Violence and State Failure in Latin America*. London & New York: Zed Books.

LANDMANN, K. (2006): "Privatising public space in post-apartheid South African cities through neighrbourhood enclosures". *GeoJournal* 66: 133-146.

LEGGETT, T. (2005): "Just Another Miracle: A Decade of Crime and Justice in Democratic South Africa". *Social Research* 72 (3): 581-604.

LEMANSKI, C. (2004): "A new apartheid? The spatial implications of fear of crime in Cape Town, South Africa". *Environment and Urbanization* 16: 101-111.

LOW, S. (2004): *Behind the Gates. Life, Security, and the Pursuit of Happiness in Fortress America.* London & New York: Routledge.

LUND, C. (2006): "Twilight Institutions: An Introduction". *Development and Change* 37(4): 673-684.

MANDEL, R. (2001): "The Privatization of Security". *Armed Forces & Society* 28(1): 129-151.

MANSFIELD, E.D. and J. SNYDER (2001): "Democratic Transitions and War: From Napoleon to the Millennium's End". In: CROCKER, C.A., HAMPSON, F.O. and P. AALL (eds.): *Turbulent Peace. The Challenges of Managing International Conflict*, pp. 113-126. Washington: United States Institute of Peace.

MINNAAR, A. (2007): "Oversight and monitoring of non-state/private policing; The private security practitioners in South Africa". In: GUMEDZE, S. (ed.): *Private Security in Africa. Manifestation, Challenges and Regulation*, pp. 127-150. ISS Monograph Series, No. 139. Pretoria: Institute for Security Studies.

— (2004): *Private-Public Partnerships: Private Security, Crime Prevention and Policing in South Africa*. Inaugural Lecture at the Department of Security Risk Management, School of Criminal Justice, College of Law, University of South Africa.

MOSER, C. and C. MCILWAINE (2004): *Encounters with Violence in Latin America. Urban poor perceptions from Colombia and Guatemala.* London: Routledge.

O'DONNELL, G. (1994): Delegative Democracy. *Journal of Democracy* 5: 55-69.

OSAGHAE, E.E. (2004): "Political Transitions and Ethnic Conflict in Africa". *Journal of Third World Studies* 11(10: 221-240.

PEREIRA, A. and D. DAVIS (2000): "New Patterns of Militarized Violence and Coercion in the Americas". *Latin American Perspectives* 27(2): 3-17.

PRATTEN, D. & SEN, A. (eds.) (2007): *Global Vigilantes*. London: Hurst & Company.

REINER, R. (1997): "Policing and the police". In: MAGUIRE, M., MORGAN, R. & R. REINER (eds.): *The Oxford Handbook of Criminology*, pp. 997-1049. Oxford: Clarendon Press.

RIGAKOS, G.S. (2002): *The New Parapolice. Risk Markets and Commodified Social Control*. Toronto: University of Toronto Press.
— & D.R. GREENER (2000): "Bubbles of Governance: Private Policing and the Law in Canada". *Canadian Journal of Law and Society* 15(1): 145-185.
RODGERS, D. (2006): "The State as a Gang: Conceptualizing the Governmentality of Violence in Contemporary Nicaragua". *Critique of Anthropology* 26: 315-330.
ROTKER, S. (ed.) (2002): *Citizens of Fear. Urban Violence in Latin America*. London: Rutgers University Press.
SAVENIJE, W. (2009): *Maras y Barras. Pandillas y violencia juvenil en los barrios marginales de Centroamérica.* El Salvador: FLASCO.
SCHEPER-HUGHES, N. (1997): "Peace-time crimes". *Social Identities* 3(3): 471-498.
SCHREIER, F. & M. CAPARINI (2005): *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*. Geneva Centre for the Democratic Control of Armed Forces (DCAF). Occasional Paper 6.
SHAW, M. (2002): *Crime and policing in Post-Apartheid South Africa. Transforming under Fire*. Bloomington & Indianapolis: Indiana University Press.
SHEARING, C. (2006): "Reflections on the refusal to acknowledge private governments". In: WOOD, J. & B. DUPONT (eds.): *Democracy, Society and the Governance of Security*, pp. 11-32. Cambridge: Cambridge University Press.
SINGER, P.W. (2003): *Corporate Warriors. The Rise of the Privatized Military Industry*. Ithaca & London: Cornell University Press.
SINGH, A. (2008): *Policing and Crime Control in Post-apartheid South Africa*. Aldershot: Ashgate.
— (2005): "Private security and crime control". *Theoretical Criminology* 9: 153-174.
SMALL, M. (2006): *Privatisation of security and military functions and the demise of the modern nation-state in Africa*. Occasional paper series, volume 1(2): 14.
SOUTH, N. (1997): "Control, Crime and the 'End of Century Criminology'". In: FRANCIES, P., DAVIES, P. & V. JUPP (eds.): *Policing Futures: the Police, Law Enforcement and the Twenty-First Century*. Great Britain: MacMillan press Ltd.
— (1988): *Policing for Profit. The Private Security Sector*. London: Sage Publications.
STEENKAMP, C. (2005): "The Legacy of War: Conceptualizing a "Culture of Violence" to Explain Violence after Peace Accords". *The Round Table* 94(379): 253-267.
STEINBERG, J. (ed.) (2001): *Crime Wave: The South Africa Underworld and its Foe*. Johannesburg: Witwatersrand University Press.
STENNING, P.C. (2000): Powers and Accountability of Private Police. *European Journal on Criminal Policy and Research* 8: 325-352.
WAARD, de. J. (1999): "The Private Security Industry in International Perspective". *European Journal on Criminal Policy and Research* 7: 143-174.

Identity and Conflict Transformation in Post-War Bosnia-Herzegovina[1]

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Introduction

After the war in Bosnia-Herzegovina during the mid 1990s, much has been said and written about identity politics, whether on national, ethnic or religious perspective, in an attempt to explain the conflict and post-war relations between Bosniaks (formerly referred to as 'Muslims'), Croats, and Serbs. The conflicts in Bosnia-Herzegovina between 1992 and 1995 have been represented as a model of a new type of conflict aftermath of the Cold War, which tends to be of an intra-state rather than an inter-state nature, and revolves around issues of identity rather than East-West power politics. And currently, as is clearly evident in the nationalist discourse prevalent in Bosnia-Herzegovina's politics, ethno-national identity continues to be a divisive force. As such, the experience of 'contemporary conflict' prompts the need for peace and conflict theory to address the salient aspect of identity. While BRUBAKER & COOPER (2000) make the valid point that this term, identity, has been utterly overused; yet, rather than discard identity out of hand, this chapter will try to clarify its meaning in use, from both an empirical and theoretical perspective. As a work in progress, this chapter seeks to deepen the as yet shallow application of theories related to identity and conflict transformation to the particular case of post-war Bosnia-Herzegovina. Gathering some empirical data about identity construction in Bosnia-Herzegovina, this chapter will proceed to use theories of peacemaking (KELMAN) and conflict transformation (LEDERACH), which ad-

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dress identity as an important component of this process, in order to expand the rather narrow conceptualisation prevalent currently. First, however, the article presents a very brief picture of identity o sketch my use of the term within this article.

Identity formation in relation to conflict

In brief, our concept of identity is rooted in the essence or core of the self, that which defines the person or that which the person uses for self-definition. In other words, it is the existential meaning of what it is to be "who I am". Substantively, identity can be seen as double-sided: an "abiding sense of the self" plus one's relationship to the world (NORTHRUP 1989: 55), but acting on many levels such as interpersonal, communal, organizational, cultural and international ones (YEVSYUKOVA 1997). These aspects of identity, while perhaps distinguishable in theory, are in actuality inextricably related and descriptions of oneself are often relevant to others. Functionally, on a psychological level, identity fulfils three basic human needs for living in an uncertain world that produces human anxiety (SMYTH 2002). A sense of identity satisfies the need for self-esteem, self-efficacy, and self-consistency: self-esteem gives the individual a sense of worth in the world, which is therefore meaningful; self-efficacy is the sense that one can manage the demands of that unpredictable world; and self-consistency provides a coherent scheme within which one can anticipate the necessary responses in constantly fluctuating circumstances (SMYTH 2002). As a whole then, identity counters the uncertainties of life, making it predictable, which is crucial to human functioning. We as humans need to anticipate our environment and what affects our behaviour will have upon it (NORTHRUP 1989). In this way, we orientate ourselves to produce the desired results — safety rather than uncertainty, which we experience as peace rather than fear or terror.

Personal and collective identities

At the personal level, 'the abiding sense of the self,' one's system of meaning is of the utmost importance. If this feels threatened, we not only grow psychologically uneasy, but our relationship to the world feels uncertain and we may act defensively to remove the threat or otherwise resolve the tension. The perceptual response to the perceived mismatch of meanings that constitute one's personal identity is what

BURKE (2004) calls 'verification' of one's identity. The behavioural response to a perceived threat to personal identity, according to NORTHRUP (1989), is the rejection of the disturbing thing, often with urgency and passion if the threat is towards a core aspect of one's identity. The threat to identity is one of perceived imminent annihilation —either physical or psychic— in other words, anxiety producing. Conflict is a potential natural result as the individual attempts to reduce anxiety and restore identity and predictability (NORTHRUP 1989).

In respect to the relationship of one's identity to the world there are related processes. Social psychologist Henri TAJFEL (1982) perceives social identity as the part of the self-concept arising from both the knowledge of and the value or significance of group membership for an individual. Through the process of self-categorisation, the individual categorises oneself and others into groups, which define one's identity in relation to society. Similar to the personal, anxiety-reducing phenomenon of identity as just described, the individual will display favouritism to their 'ingroup' even when there is no conflict or competition with an 'outgroup'. One does this to encourage 'positive ingroup distinctiveness,' which in turn maintains or protects the identity of the group and reflects positively on oneself (TAJFEL 1982). With the same aims as those above (self-esteem, -efficacy, and -consistency), the group member builds positive ingroup distinctiveness by 'intergroup discrimination' — the negative categorisation of an outgroup characteristic serves to heighten the positive distinctiveness of the ingroup. The particular variable could be based on anything, such as: language, religion, history, the economy, or nationhood, as long as there is a difference which can be compared. In the case of Bosnia-Herzegovina, it is ethno-national identity, which is distinguishable by religion, that counts. Not surprisingly, intergroup discrimination produces a dynamic of competition potentially leading to conflict. According to social identity theory, the competition is related to the ingroup trying to prove its superiority, which is a value-judgement not only about the ingroup, but also implies the outgroup's inferiority. The more this superiority and inferiority is emphasised, the more the outgroup's identity may feel threatened or negated, and will inspire the outgroup to build up its own positive identity in response (FISHER 1993). I, as an individual, experience my group's identity in an intimate, personal way because my self-identity includes our group identity (SEUL 1999). In Bosnia-Herzegovina, the rarification of identity into the single category of ethno-nationality has had the poignant result of making collective identity highly personal while other personal and collective identities receded in importance, even though they have remained active in everyday life.

Becoming a member of a group is much less about perceived similarities and differences than a sense of interdependence when envisioning the future (NORTHRUP 1989). Whether or not one prefers the people in one's group, a person can find their membership determined for them (by the other-identification of the outgroup, for example) and one thus realises that their fate is the same as the others in the group simply because they are related to these people by collective identity. This is the case with ethno-national identity and communal religious affiliation in Bosnia-Herzegovina today, as we explore in the next section —one is born into one's religious community and tradition just as one is born into a family—. During the war (1992-95), these distinctions became more salient than they were before. For example, many Bosniak 'Muslims' had not considered themselves part of this group before the war (many may have chosen a 'Yugoslav' identity, if asked), but because they had no Serb or Croat identity, this 'Muslim' identity was assigned to them and provided a clearer target for ethnic cleansing.

Identity in Bosnia-Herzegovina

The standard assumption in Bosnia-Herzegovina, as a result of the war and nationalist politics, is that a resident has only one identity — a collective identity as a Bosniak, Croat, or Serb. Of course, such a simple answer to the question of identity reveals its incompleteness. While these ingroups and outgroups play an important role in Bosnian political life and are aligned with a religious community identity, as seen below, there are additional, more localised 'alternative' identities that emerge in social life as a result of everyday interactions. These can vary between the informal and the organised in the form of social movements. Because the obvious collective identities and these alternative identities are being framed in opposition to one another today (primarily with the purpose of discrediting the importance of collective identity with proof of the alternatives), it is essential to consider both.

Ethno-national identity and alternatives

In Bosnia-Herzegovina today, ethnic and national identity are essentially one, meaning one's people or group, for which reason I use the term 'ethno-national.' The three ethno-national identities each claim to have their own unique historic lineage, land and culture. The overly-

emphasized and still salient nationalist lines of argument go along the lines that these claims are irreconcilable and the other ethno-nationalities are therefore a threat to the claims of 'our group.' This 'primordialist' understanding of identity continues to uphold the 'ancient ethnic hatreds' rhetoric more than a decade after the end of the war. Through the propagandist nationalism in Bosnia-Herzegovina over the last two decades, this premise has apparently had an influence not only over the residents of Bosnia-Herzegovina —as evidenced by its political parties and continuing social divisions— but also in the eyes of the international community, as seen in the consociational Dayton framework, foreign media messages, and the type of carrots and sticks relationship between the Office of the High Representative and national political elites[2]. As Heleen TOUQUET (forthcoming) assesses from the recent disappointed and condemnatory international political commentary, these sources: "paint a bleak picture about the situation in Bosnia … [whereas] there is hardly any attention for other developments, let alone groups which are trying to present an alternative to nationalist rhetoric" (1-2).

Such alternative perspectives do exist and seek to refute the essentialist claim about ethno-national identities in Bosnia-Herzegovina. These perspectives often come from the less powerful residents of Bosnia-Herzegovina and the former Yugoslavia or from visitors who experience life at the 'normal' or 'grassroots' level. One of these perspectives claims that ethno-national identification and the ultimate concerns of nationhood were not the cause but the result of the war (MAČEK 2009) a measure of the success had by the nationalist machine and its capacity to inspire fear and inflict ethnic cleansing. With regard to the lack of nationalist divisions during the war, Ivana MAČEK's (2009) anthropological study of life in Sarajevo under siege explores how war destroys all that was once normal and how general human violence produces general distrust: "the faith in humanity on which society itself is founded is constantly undermined" (3). Slavenka DRAKULIČ (1999) illustrates how such violence then perpetuates itself in her novel *As If I Am Not There*: "Once you suspect that you yourself are capable of doing the same [violence, as revenge], it is already too late. Because you have already imperceptibly taken the first step towards the other side, their side" (101-102). In other words, divisions were created as a result of fear and violence, but these divisions

[2] See Asim MUJKIČ'S (2008): *We, the Citizens of Ethnopolis*. Sarajevo: Centar za Ljudska Prava Univerziteta u Sarajevo for a critique of this one-sided discourse.

were a result of that fear and that violence rather than its cause. For the one experiencing fear and violence, the latter book demonstrates how unimportant any particular national identity is unless it manages to produce safety and peace.

Another set of alternative perspectives asserts that, despite the salience of ethno-national divisions created by the war, daily life for the average person in post-war Bosnia-Herzegovina is not governed solely by ethno-national 'reasoning' (TOUQUET forthcoming: 2). More and more empirical evidence is being cited and analysed to show the oversimplification of nationalist insistence upon only one identity in a variety of ways. Some scholarship remembers and recalls pre-war realities of tolerant and even harmonious civil relations across national, ethnic and religious 'divides.' This emphasis has been notable in my interviews with residents of Bosnia-Herzegovina as well as more concerted social studies (BRINGA 1995; GILLARD 2001; KOLIND 2008). So-called cross cutting identities existed before the war in Bosnia-Herzegovina by necessity (not as some rosy ideal) due to the mixed nature of society. 'Coexistence' was a reality because difference was/is a reality. Today, multi-ethnic societies remain, although they are fewer and less diverse; ethnic cleansing did indeed create significant ethnic segregation. The fact of the war and the partial successes of nationalist aims have imprinted society such that social trust is extremely low — 93% of residents do not think they can trust their neighbours (OXFORD RESEARCH INTERNATIONAL 2007). Nevertheless, the growing voice of 'counterdiscourses' (KOLIND 2008) speak to the presence of a tension between these two perspectives on identity. Emerging research demonstrates the development of alternatives to nationalistic identification in the post-war situation. Touquet's empirical research shows that the residents of Bosnia-Herzegovina: "are mobilized by themes and frames that emphasize the common plight of people from any ethnic group: a lack of security, juvenile delinquency and irresponsible politicians" (forthcoming: 2). These are the real concerns of local people who must live with the results of a war-torn society who understand peace as a "normal situation": where I can "take an identity that I have —which doesn't do violence to someone else— wherever I am" (interview, 2008).

Multi-faceted religious identity

My empirical research in Bosnia-Herzegovina from 2005 onwards has focussed more specifically on religion and religious iden-

tity[3]. Religion, the point of greatest distinction between the three ethno-national groups, is: "the thing that divides us" according to one young man I interviewed[4]. Others, especially religious persons, see religiosity or faith (*vjera*) as actually a deep resource for tolerance and 'decency' (*poštenj*) towards people from 'the other side'. As such, at the level of religious identity, a similar tension exists between essentialised group adherence and alternative and more malleable identities with a potential for de-categorizing rigid social identities.

In my interviews about the meaning of religion for residents of Bosnia-Herzegovina who identify with religion today, it seems that this identity has two aspects: belonging to the religious community (collective identity), with its linked ethno-national identity, and personal belief or faith (individual identity), which is claimed and then confirmed through moral behaviour. The collective religious aspect is a link to the institution (Roman Catholic, Serbian Orthodox, or Muslim) as well as its historic link with the ethnic community's assertion of political nationhood: this is often communicated through the group's story, or myth, which today includes as many religious elements as political ones. The second aspect was a surprise to me at first, as it is not explicitly present in the literature, however, it is consistent with general assertions of the sociology of religion. Those I interviewed who claim '*vjernik*' (believer) identity emphasised this aspect as an intimate, individual part of being religious that is equally important, if not more important than the communal tie. While there is no distinct separation between these aspects in actual experience, as is typically the case when we carry many identities in one self, this distinction reflects of the tension between the

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[3] As a note about methodology, my doctoral project includes field research in Bosnia-Herzegovina which focuses on semi-structured interviews, but also includes participant observation. The interviews initially (2005-2006) targeted "religious peacebuilders" (my term) —persons and organisations either working from a religious tradition ("faith-based") or addressing issues of religion/faith, rather than avoiding this aspect of life altogether as is common today in Bosnia-Herzegovina— regarding the role of religion in the peacebuilding process given its apparent divisiveness and even complicity in the violence. Later field research and interviews (2008-2009) have also included "ordinary" religious and nonreligious individuals for their perspectives on religion's substance and function in society. Expanding the range of my subjects has thoroughly enhanced my understanding of context and hopefully also my resources for analysis. While qualitative in nature, I do seek balance in representation of gender, ethno-religious group, and geography for my interviews. With regard to the latter, I have focussed on Sarajevo and Banja Luka, as the capitals of the two Entities, plus the towns of Zepče and Sanski Most in the Federation and Bosanski Novi/Novi Grad in Republika Srpska (which has yet to be carried out).

[4] A non-believing (non-religious) Muslim/Bosniak from the Federation who is a student at Banja Luka University (Republika Srpska).

discourse of national identity and other counter discourses mentioned above.

Religious identity as membership in a community

Religious identity is most often measured by one's affiliation with and/or participation in a religious organisation or 'faith community.' In Bosnia-Herzegovina this group belongingness seems to be the first association with religion as such and from a social scientific perspective, this collective side of religion is the most visible and measurable. Membership in the religious institution or community is inherited — belonging to the community is perceived as pre-determined, which reminds us of the primordial character of identity referred to earlier. A member feels a sense of belonging whether or not they wish to participate. As opposed to a tendency in western Europe of 'believing without belonging' (DAVIE 2007), in Bosnia-Herzegovina, religious practice seems to be more about belonging without believing (HERBERT 2003: 174). Belief is a separate issue, which seems to be less important to the institution and its leaders than to individual members and to general social cohesion because of religion's moral content (discussed below). Identification with institutional religions in Bosnia-Herzegovina is made by the community for the individual, which benefits the individual by providing a clear sense of belonging, security, and connectedness. It also benefits the group because it guarantees its continuity.

Religious, ethnic, and national identity are completely interconnected in the Bosnian case. Ethnicity as that which binds one group together as distinct from others is a 'thin' category requiring other 'cultural stuff' as its content to make "the dense, thickly meaningful, often highly affective practical category" (RUANE & TODD 2004: 218) that we see in conflicts of ethnic identity. In Bosnia-Herzegovina, the most significant cultural contents come from religion and the tied rhetoric of nationhood. Claire MITCHELL describes three ways religion can constitute the 'fabric' of ethnic identity (and in our case, national identity as well): (1) by infusing the components of ethnic identity with a sacred element that has the capacity to encourage oppositional identification and exclusivity; (2) by forming the identity's character through particular concepts that become embedded and assumed by all; (3) by catalysing the community (2006: 1144). All these elements came to the fore in the 1990s and remain important at the political level and sometimes also socially when Serbs, Croats and/or Bosniaks interact outside their typically segregated lives.

Religious believer identity

The believer (*vjernik*) aspect of religious identity in Bosnia-Herzegovina is personal, though not limited in expression to the private sphere, just as institutional religious identity can also have a private aspect (e.g. the Muslim tradition to pray five times a day is usually private even though it is part of a collective tradition). While 'believer' is the more common translation given to the word '*vjernik*', a 'person of faith' perhaps captures best the meaning of this aspect of religious identity; it hints at something deeper or more personal, of essentially non-rational (though not irrational) belief, faith or trust.

While all residents of Bosnia-Herzegovina, according to my qualitative findings, have a communal religious identity (since this is an essentially ethno-national identity), approximately 80 per cent of residents are estimated to be believers, according to my interview data. Beyond this, many of my sources referred to yet another category within believer identity based on quality of belief. 'True believers (*pravi vjernici*) are some 30-50% of the population while the rest are 'hypocrites' who claim to be faithful, but their actions do not reflect their pious words. 'Old' believers (those who have believed from infancy) are perceived always to be true believers but of the 'new' or '1992' believers emerging from the war period, some are true while others are hypocrites. Particular examples of the latter who are specifically singled out are political opportunists who claim religiosity and flaunt public religious appearances in order to appear more acceptable and get support. In comparison, the nature of the personal religious identity was explained to me as something related to the conscious or soul. It is the reflective part of the person who considered within themselves what is 'right' according to the teachings and essential message of religion and then used this to guide their behaviour. The most frequently mentioned quality of personal religiosity was an active respect for others, especially those of other nations/religions. This quality was mentioned, in different contexts, by nearly all believers and from all three religions.

These two aspects of religious identity may be related to the primordial sense of ethno-national identity and alternative identities. Communal religious identity corresponds to ethno-national identity and has been used to uphold the primordial and divisional character, even though religious communities are not necessarily essentialist. Indeed, religious history in Bosnia-Herzegovina demonstrates the opposite in the noted synergisms of belief and tradition as well as the sharing of holidays and rituals (BRINGA, 1995; DONIA & FINE, 1994; FUNK DECKARD, 2003). Believer identity is an alternative to communal religious

identity just as the counterdiscursive perspectives on the war and everyday non-ethno-national negotiations with social concerns are alternatives to ethno-nationalist identities. When mobilized, as the latter have been through oppositional social movements like *Dosta*! and *Grozd* (TOUQUET forthcoming), these alternatives can provide inclusive identities. In the case of believer identity, however, it is more a personal self-categorization than an alternative collective identity. As such, it exhibits a capacity to soften rigid categories such as essentialist religion primarily through de-categorizing believers from institutions. The identity of believers is an association with a certain (moral) attitude and behaviour as inspired by a religious framework, but not belonging to a group per se. I have observed this quality and the resource from which it springs bridging between rigid communal lines when believers from different religious traditions have gathered to discuss shared concerns.

This chapter emphasises that while identities in Bosnia-Herzegovina are portrayed as rigid, ethno-national and divisive, the picture is more complex even though alternative identities are not highlighted within and outside of the country. From the perspective of peacebuilding, the alternative developments of identity tend to be more conducive to conflict transformation than those primordial, essentialist aspects. While the three exclusive group identities in Bosnia-Herzegovina have been explored for their destructive aspects according to theories of identity (outgroup and discrimination), these less visible, more flexible and bridge-building identities have been less analysed for their transformational potential. As peace scholar-practitioner GILLARD lamented in relation to analysing his own counterdiscursive empirical data in Mostar, while there are identity theories that "have much to say about the way in which intercommunal relationships break down during conflict, they have relatively little to offer on the processes whereby those relationships might be rebuilt" (2001: 83). This underdevelopment has, since his writing, been somewhat expanded and will be explored below.

Identity and conflict transformation

Applying Kelman's framework of peacemaking to Bosnia-Herzegovina today

Herbert Kelman, a founder of peace research, helps orient us to the issue of identity in conflict transformation via his three approaches to peacemaking. For the purpose of this article, his research can provide us with a general framework of analysis towards conflict transfor-

mation as it relates to identity, even though he considers peacemaking rather than conflict transformation as such (which we will consider later). For Kelman, there are three distinct processes of peacemaking —conflict settlement, conflict resolution, and reconciliation— each of which has its own goal that can overlap and be mutually supportive of the other two or can be separate and contradictory (KELMAN 2008).

The first step, conflict settlement is the more traditional form of Western-style peacemaking: a political agreement concerned with national interests and achieved by bargaining between power-wielding political elites, often with a third party broker. A conflict settlement may be secured when the parties come to a 'hurting stalemate' or otherwise find the idea of continuing the hostility intolerable (KELMAN 2004). The settlement changes the situation and, ideally, provides a measure of certainty that future circumstances will be less violent, but the goal of settlement is not a relationship change.

In Bosnia-Herzegovina, the conflict settlement occurred in December 1995 with the Dayton Agreement. However, this settlement and its concomitant constitution have been very controversial and today Dayton is regarded as, at best, a temporary solution which no longer functions and must be replaced, and at worst, as the institutionalization of ethnic cleansing and 'ethnopolitics' (MUJKIČ 2008). The political interests of the parties remain unsettled. While Dayton is essentially a lose-lose situation, many residents of Bosnia-Herzegovina perceive our group's defeat and the their victory (e.g. a semi-autonomous Serbian state as the result of genocidal ethnic cleansing or a 'rogue' 'Muslim' state achieved by the illegal claims of a minority). The current standoff between the international High Representative and Dodik, the leader of Republika Srpska, is in essence a dispute over the authority to determine the future of the ethno-nations.[5] The upshot of Dayton is that the conflict settlement process currently remains active.

Conflict resolution, the second process in Kelman's framework of peacemaking, is the process of forming agreements that address the parties' needs[6] rather than interests (as in conflict settlement) The latter are "achieved through a bargaining process brokered or imposed by third parties" whereas conflict resolution is "likely to engender the

[5] If, as TOUQUET has found, non-ethno-national needs are also significant, particularly the shared concerns of the populace, such as unemployment or youth delinquency, these elements need to be included in political decision-making, not just exclusive national concerns.

[6] KELMAN explains these as "unmet or threatened needs for identity, security, recognition, autonomy, and justice" (2004: 112).

two parties' long-term commitment to the outcome and to transform their relationship" (KELMAN 2004: 112). While conflict settlement seeks to change behaviour —from physical violence to compliance with the other— conflict resolution seeks also to change attitudes —from hostility and disrespect and hostility to identification with the other— (KELMAN 2008). Whereas conflict settlement involves a change in the control of (political) means, conflict resolution involves a change in perception of the parties' social roles, which involves attitude as well as behaviour. Creative, problem-solving conflict resolution is a process of transforming relations between conflicting parties by explicitly acknowledging fears and needs, building a working trust and producing options that satisfy the deep concerns of all involved. If it is successful, conflict resolution secures a strategic change in relationship —from enemies to a resemblance of partnership—. According to Kelman's framework, conflict resolution produces new attitudes that must then find ways to situate themselves in relation to old attitudes and an old belief system where the other is distrusted and even dehumanised. It is a crucial middle step between animosity and partnership.

In Bosnia-Herzegovina, it seems that while the political elites (at least in Republika Sprska) are stuck in the conflict settlement stage, with little will to consider relinquishing means control, much less the concretized adversarial roles, civil society in Bosnia-Herzegovina as a whole is ready to move on, but it struggles with this process of conflict resolution. General social mistrust (adversarial roles) that developed during the war is reinforced constantly by the segregated media and political establishments. This creates a broad emotional distance between ethno-national groups, which hinders relationships from developing further. Additionally, the practical fact of ethno-national segregation makes it unlikely that one can relate on an everyday basis with someone from 'the other side' unless you live in a less-segregated cities like Sarajevo. It takes a special effort to create opportunities of interaction where stereotypes and prejudices may be considered and identified so that the other's presumed threat is demystified.

The third process in Kelman's scheme, reconciliation, presupposes and is a consequence of successful conflict resolution, "[b]ut whereas conflict resolution refers to the process of achieving a mutually satisfactory and hence durable agreement between the two [or more] societies, reconciliation refers to a process whereby the societies learn to live together in the postconflict environment" (KELMAN 2004: 3). Kelman's idea of reconciliation moves a step further than conflict resolution to an actual change in identity. The assertion of superiority by the ingroup towards the outgroup (as it occurs through the process

of comparison and distinction, discussed above) is essentially the negation of the other's identity, and therefore a threat to the outgroup's very existence. Consequently, a transformation of the relationship to one that respects the other's basic need for identity is necessary to reconciliation and is possible if: "each party revise[s] its own identity just enough to accommodate the identity of the other" (KELMAN 2004: 119). Reconciliation requires, as Miroslav VOLF (1996) asserts, that the self or group be ready to receive the other into itself and undertake a re-adjustment of its identity in light of the other's alterity" (110). If this occurs, the negative interdependence of identities —where one party's identity consists of the other's negation and vice versa— can be overcome. Reconciliation is, in essence, the internalisation of the new social roles and the relationship as partners established by conflict resolution. It carries those presumptions to their full extent, reconciling even the threatening mismatched meanings which provided kindling for the conflict in the first place. The social identity theorists would disagree that this is possible, but KELMAN (2004) and Jeffrey SEUL (1999) claim that the negative construction of the other —including prejudice and condemnation of the other's identity— is not inevitable. Positive identity need not come through the negative distinctiveness of the outgroup; one can simply exhibit a preference for, or an affinity with the ingroup without any distaste for the outgroup. We will explore the conscious, purposeful and innovative practices that pursue these ends in the next section.

Reconciliation is, for the most part, out of reach in Bosnia-Herzegovina because among other things, the highlighted ethno-national identity remains vulnerable, even though other existent identities lessen the significance of that vulnerability. For many, the idea of reconciliation these days is undesirable, implying another external imposition that will likely fail. Because the negation of the other actually seems to uphold 'our' identity, changing this aspect of identity no doubt feels like a great threat to 'us'. Central to the premise of primordial and essentialist ethno-national identity is this assertion that the other group's aims negate the identity of my group. To change my identity, therefore, would be to assist the other in its task of destroying my group (e.g., for Bosniaks to assist in creating a Greater Serbia through the obliteration of their own ethno-national group; for Serbs to support the establishment of a Muslim state where the richness of Serb culture and history is absorbed). Suggesting such a step could easily rekindle a conflict rather than move the conflict towards its transformation. For this reason, reconciliation in this way cannot be approached from a 'top down' or from an outside-in perspective.

As a whole, the Bosnian conflict continues to engage with all three of Kelman's processes of peacemaking. At the political elite level, conflict settlement continues, as negotiations between Entities, neighbours, and especially the European Union keep it alive. Conflict resolution seems to be the wistful desire of well-meaning people who remember Yugoslav times and wish things could be as they were. Reconciliation has barely begun as a process because the precondition of conflict resolution has not been met —relationships of partnership do not yet prevail—. Nevertheless, in some localized grassroots efforts, one can see the hope for reconciliation, as we will consider in the next section. Kelman's three-part framework seems a good analytical tool, a good start, but how does one pursue transformed identity in a positive and unthreatening way?

Lederach's 'transformational platforms'

John Paul LEDERACH (1997), the scholar-practitioner, has a unique insight into transforming identity-based conflict. He understands identity "as a relational dynamic that is constantly being refined" (LEDERACH & MAIESE 2003). It can be at the root of a conflict and so must be taken seriously on its own terms even if it seems invisible or insignificant. We wish to act rationally in conflict and conflict transformation as 'western,' 'enlightened' 'scientists,' but the fact is that deep, emotional, even psychological aspects of the self as an individual and as a group member operate almost imperceptibly. Conflict transformation "is not primarily about negotiating an agreement to solve a material problem, but rather is about protecting a sense of self and group survival" (LEDERACH & MAIESE 2003). In Lederach's approach (LEDERACH & MAIESE 2003), we who engage with conflict transformation must first orient ourselves to hearing the voice of identity, through: "language, metaphors and expressions that signal the distress of identity." This means we must listen also to what is not being said, to the implicit communication of parties in conflict. Often, this communication is unconscious, so we must learn to be interpreters. Lisa SCHIRCH (2005) speaks of ritual and symbol as deep places to listen to and attend to identity wounds and healing. In fact, ritual and symbol have the capacity to interact with these unconscious hurts and fears that 'normal' human interaction does not have. They also have the capacity to interpret identity and bring it to consciousness so that we can, secondly, acknowledge and make explicit the needs and distress of the identities in a conflict (LEDERACH & MAIESE 2003). The third step of

Lederach's approach to identity in conflict transformation is the design of 'transformational platforms' or spaces where exchange and exploration can happen over and over again. This piece of advice is bigger than the usual next step —to envision a desirable situation or solution for only this immediate situation— (LEDERACH & MAIESE 2003). Instead, transformational platforms interrupt the cycle of destructive conflict and set in motion constructive, transformational conflict patterns.

Therefore, according to Lederach, we must seek to "to create spaces and processes that encourage people to address and articulate a positive sense of identity in relationship to others but not in reaction to them" (LEDERACH & MAIESE 2003). The Center for Peacebuilding (*Centar za Izgradnju Mira*, or CIM), a Bosnian NGO where I have been based over the last month, pursues these ends. CIM organises events and activities where such 'transitional platforms' can emerge. These events provide unique opportunities that do not currently exist in society. First, active listening is one skill taught in CIM programmes. Whereas parties to conflict usually feel the need to be heard, little attention is given to learning to truly listen to the other so that he or she *is* actually heard. This is not only satisfying for the one who's voice is finally heard, but it makes the process more efficient and it tends to have the eye-opening outcome needed for acknowledgement. CIM's 'Peace camp' participants noted frequently in their evaluations the impact of active listening upon themselves (the listeners). It is experienced by many as innovative and effective. Second, CIM events address identity outright but only when the participants have developed a sufficient level of trust for sharing such deep feelings. Trust is developed quite simply — by having fun together, which is done through ice-breaker games, eating and drinking together, and simply spending time together. Identity is addressed through exercises to help make our own identities explicit to ourselves and then to consider how it feels to negate some of them for the sake of just one. This provides time to begin personal reflection upon one's own self and one's relation to others. However, the activities CIM initiates cannot be the only forum for such reflection. The activities ideally initiate such consideration and acknowledgement. Third, designing transformational platforms, is perhaps the most difficult, as it requires the previous steps of listening and reflection plus an added dose of creativity, or 'moral imagination.' Only the insider can design a transformational platform for his/her social context which means each person in a conflict potentially has key insights and capacity to create these platforms.

CIM events can be informal, like Movie Nights for youth or Coffee for Peace (where some elderly ladies formed a 'grandmas for peace'

group), but there are also structured activities which teach nonviolent conflict resolution and alternatives to violence — adult dialogue groups, peace camps for youth, classes at the local elementary schools, and so forth. In each case, the presence of the ethno-national other and/or differing ideas about 'our' identity or situation come to the fore as participants are given the chance to explore issues that are not otherwise discussed and relations that would not otherwise occur. The director of CIM in Sanski Most sees himself as a facilitator of contexts which have the potential to become 'transformational platforms' (LEDERACH & MAIESE 2003). The encounter in, for example, a dialogue group session, creates a situation of communication that the participants seek to conduct in nonviolent ways, but the encounter also purposefully serves to (re)establiish permanent relationships. "In other words, a conflict-transformation platform must be short-term responsive and long-term strategic. The defining characteristic of such a platform is the capacity to generate and re-generate change processes responsive to both immediate episodes and the relational context" (LEDERACH & MAIESE 2003). By addressing the relationship in such a sensitive, unrushed, and uncoerced way, the once-threatening notion of changing identity, as required by Kelman's reconciliation process, is feasible and even desirable.

Transforming identities in Bosnia-Herzegovina

At the beginning of this chapter, I described the state of identities in Bosnia-Herzegovina as gathered from literature and field research. These that I mentioned are: the powerful collective ethno-national and communal religious identities plus emergent alternative group identities of certain social movements, counterdiscourses of everyday negotiated identities, and personal, moral and religious believer identities. The brief and preliminary assessment here is against the ideal 'conflict-transformational platform' where identities can change from negating and threatening all but my own self/group to positive and engaging identities that create whole persons and societies. The test is whether each identity is positive, where not only its deep individual or group needs are being met, but ~~also~~ the needs of other identities are also respected and included. If any test poorly, where do we find transformational platforms in which their transformation can occur?

For the sake of brevity and because, at an experiential level, ethno-national identity and communal religious identity are one, I will treat these together. From the perspective of peacebuilders and social iden-

tity theorists, ethno-national-religious collective identity in Bosnia-Herzegovina is anything but positive and transformative. Each has the tendency to negate the other two given that reactive identity formation and elite leaders have, for the most part done their utmost to set these identities in stone, as if they were not social constructions but had existed from time immemorial. The heritage of the recent war provides firm ground for continuing the stereotyping and dehumanisation which fuelled violent behaviour. The quality of a positive identity is one that respects the other identities in their own needs. Each of these three collective identities (Bosniak Muslim, Serb Orthodox, and Croatian Catholic) acknowledges the other two identities highly in so far as they identify themselves against the other. However, they each choose to negate the other's identity needs in order to assert their own — as if the Bosnian situation can only be expressed in terms of "either/or" (its either your land, history, religion, or authority, or its mine).

Transforming such powerful, entrenched and yet sensitive identities requires deep, active listening to their distress. Acknowledging the distress of the other's identity would be a first and monumental step for each of these groups. To do so, there must be a safe space, a space of trust. While there is an utterly low social trust —trust of one's neighbour— it is notable for my research that religious communities are statistically considered highly trustworthy as institutions in Bosnia-Herzegovina today. They garner 73 per cent of the population's trust (either 'some' or 'a lot' of trust; GALLUP BALKAN MONITOR 2008). As such, issues such as religion, religious resources, rituals, traditions, and leadership may serve as settings for potential transformational platforms.

From the perspective of peacebuilding, this is not news. While underappreciated and under-engaged, peacebuilding as a discipline has been recently recognizing the contribution played by religion. Religion tends to have a local legitimacy and influence of presence and representation that is not conducted by others, as seen in the case of Bosnia-Herzegovina. Additionally, Cynthia Sampson claims that "some aspects of peacebuilding are best understood using concepts and approaches found in religion. In particular, the processes associated with reconciliation—confession, repentance, forgiveness, mercy, and conversion based on self-reflection and acceptance of personal responsibility— have emerged from religious, not secular, contexts" (SAMPSON 1997: 276). So called religious peacebuilding has been tapping into the "spiritual energy and charismatic legitimation" (Boulding, 1986: 511) of religion for generations before the name was recently coined. Ritual and symbol as described by SCHIRCH (2005: 123-136), which are the stuff of religion, have the capacity to form, transform, heal and pro-

tect identities, which must aid the trust-building and identity transformation process. Eventually, constructing transformational platforms at the larger social level will require good, small scale models (like CIMs) as well as credible and fundamental leadership — leaders who have the moral imagination (LEDERACH 2008), sensitivity, and the courage to address both the hurts and the ways one's own identity injuries the other. This is only the beginning however; envisioning transformational platforms for ethno-national-religious collective identities in Bosnia-Herzegovina deserves more consideration and attention.

To the best of my knowledge[7], emerging non-ethnic social movements like *Dosta!* and *Grozd* seek to mobilize around common values and shared concerns. They call themselves a-political, so as to distance themselves from ethnopolitics and they explicitly choose to avoid religious identities for a similar reason, I presume. They focus on issues and interests rather than identities and relationships. For this reason and analyzed according to Kelman and Lederach's approaches presented herein, it seems that they may be susceptible to a negative identification of the other (the other here being the establishment and all ethnic and elitist politics) because they do not appear to be listening to the distress of identity in the powers that be. On the other hand, however, these social movements are indeed trying to create transformative, constructive conflict through identifying issues of concern to the general population (conflict settlement process) and engaging people as partners across ethno-national divides on the basis of humanity and residence in Bosnia-Herzegovina (relational restoration and conflict resolution). As an alternative collective identity to ethno-national ones, these movements have something significant to offer. Their cells across the country have the capacity to be transformational platforms, especially in the third step: for designing dynamic processes for exchange and exploration. However, any denial of ethno-national identity as a valid identity within the group has the potential of hindering listening to and acknowledging identity needs.

The counterdiscourses to the rigid ethno-national identities cited earlier, as discussed by KOLIND (2008), GILLARD (2001), and BRINGA (1997), are like believer identity, unorganised, more individual and inter-personal, being negotiated with each situation and context. Kolind looks at Bosnian Muslim counterdiscourse in the town of Stolac in Herzegovina; Gillard, in Mostar, considers youth from Bosniak and

[7] My information about non-ethnic social movements in Bosnia-Herzegovina comes primarily from my colleague, Heleen TOUQUET. However, any mistakes about this subject herein are my own.

Croat ethno-nationalities; Bringa did her anthropological research in an unnamed central Bosnian village with individuals from all three groups; and I have thus far consulted believers in Sarajevo, Banja Luka, Sanski Most, and Zepče. I cannot presume that each of these examples have the same qualities of identity (positive or negative) or transformational platforms, so I will merely discuss one, believer identity, with which I am most familiar. With regard to negative/positive identification of self and other, believers in other religions are considered equally positive and in some cases (especially Muslim believers), they find incorporating part of Christian identity enriching to their own sense of self. Negative identification is most obvious in the case of believers and those ('old' believers especially, but also 'new' believers and non-believers alike) who condemn 'hypocrites'. It seems that, while believer identity is not a collective identity in an organised or mobilized way, most believers carry the same negative opinion about those who assert themselves as believers but behave reprehensibly. In other words, those who damage the reputation of 'true believers'. I have heard this refrain outside Bosnia-Herzegovina as well as a negation of those not wanted in the ingroup, and therefore an outgroup is created.

More hopeful, from a conflict transformation perspective, is deeply engaged and reflective belief. I have spoken with a few exceptional people (primarily believers) who dig deep into the well of their own selves and their faith traditions, looking for truth and answers to the most difficult questions about identity, human nature and violence, and many of them exhibit the three elements of Lederach's conflict transformation in their personal approaches to conflict — deep listening to identity distress, explicit concern for identity in processing the wounds and healing of individuals and society, and thinking big, outside the box, to envision creative, innovative transformational approaches to post-war life. Not all believers engage at this level. Some believers do dig deep but despair at the state of organised religion and those who represent truth, while others live out their faith according to some traditional codes of 'decency' without much reflection. However, these latter believers can be encouraged and guided by 'exceptional' believers in the ways of conflict transformation, as indeed CIM tries to do.

Conclusion

As a work in progress, this chapter attempts to bring together identity theories, including their applications within conflict analysis and transformation, with empirical findings about identity in Bosnia-

Herzegovina. The stereotypes about identities in Bosnia-Herzegovina today are obvious simplifications of a more complex situation. In the literature, it is clear that these ethno-national conceptions do not eliminate other types of identification; identity, even in polarized post-war Bosnia-Herzegovina, cannot be accurately construed as membership in just one group. In my field research, I have found a surprisingly traditional type of religious membership to a community, however, there is also the non-communal affirmation of belief which goes a step beyond affiliation with the inherited group.

Kelman and Lederach's approaches to peacemaking and conflict transformation, taken with a serious consideration of identity issues, provide tools of analysis that I used briefly, but merit further and deeper consideration. While identity is not the only or most important factor of contemporary conflict and peacebuilding, attention to this mostly hidden aspect might move this research and analysis along more successful lines. Perhaps most importantly, clearer vision of identity in conflict transformation may help us to recognise valiant efforts, exceptional peacebuilders and transformational platforms which need greater support. In the case of CIM, the entire operation (multiple offices in Bosnia-Herzegovina plus expansion internationally) is run by volunteers and must consider its sustainability merely into the next year, much less the long-term reconciliation process on the horizon. This is the reality because the academic and policy-making community often fail to value such grassroots efforts that refuse to accede to stereotypes.

References

BOULDING, Elise (1986): "Two Cultures of Religion as Obstacles to Peace". *Zygon* 21. 501-518.

BRINGA, Tone (1995): *Being Muslim the Bosnian Way. Identity and Community in a Central Bosnian Village*. Princeton University Press, Princeton.

BRUBAKER, Rogers and Joshua COOPER (2000): "Beyond 'Identity'". *Theory and Society* 29. 1-47.

BURKE, Peter J. (2004): "Identities and Social Structure: The 2003 Cooley-Mead Award Address". *Social Psychology Quarterly* 67. 5-15.

DONIA, Robert and John V.A. FINE, jr. (1994): *Bosnia and Hercegovina: A Tradition Betrayed*. Hurst, London.

DRAKULIČ, Slavenka (1999): *As If I Am Not There: A Novel About the Balkans*. Transl. Marko Ivič. Abacus, London.

FISHER, Ronald J. (1993): "Towards a Social-Psychological Model of Intergroup Conflict". Ed. Knud S. LARSEN: *Conflict and Social Psychology*. International Peace Research Institute, Oslo and Sage, London. 109-122.

FUNK DECKARD, Julianne (2003): "Shattered Life in Common: Religion and the War in Bosnia-Herzegovina (1992-1995)". Master's thesis, Katholieke Universiteit Leuven.

GALLUP BALKAN MONITOR/EUROPEAN FUND FOR THE BALKANS (2008): *2008 Analytical Report*. Brussels: Gallup.

GILLARD, Steve (2001): "Winning the Peace: Youth Identity and Peacebuilding in Bosnia and Herzegovina". *International Peacekeeping* 8. 77-98.

KELMAN, Herbert C. (2008): "Reconciliation from a Social-Psychological Perspective". Ed. A. NADLER, T.E. MALLOY and J.D. FISHER: *The Social Psychology of Intergroup Reconciliation*. Oxford University Press, Oxford. 15-33.

—, (2004): "Reconciliation as Identity Change: A Social-Psychological Perspective". Ed. Yaacov BAR-SIMAN-TOV: *From Conflict Resolution to Reconciliation*. Oxford University Press, Oxford. 111-124.

KOLIND, Torsten (2008): *Post-War Identification. Everyday Muslim Counterdiscourse in Bosnia Herzegovina*. Aarhus University Press, Aarhus.

LEDERACH, John Paul (2005): *The Moral Imagination. The Art and Soul of Building Peace*. Oxford University Press, Oxford.

— and Michelle MAIESE (2003): "Conflict Transformation". *Beyond Intractability*. Ed. Guy BURGESS and Heidi BURGESS: *Conflict Research Consortium,* University of Colorado, Boulder (Posted October). At: http://www.beyondintractability.org/essay/transformation/.

— (1997): *Building Peace. Sustainable Reconciliation in Divided Societies*. United States Institute of Peace Press, Washington D.C.

MAČEK, Ivana (2009): *Sarajevo Under Siege: Anthropology in Wartime*. University of Pennsylvania Press, Philadelphia.

MITCHELL, Claire (2006): "The Religious Context of Ethnic Identities". *Sociology* 40. 1135-1152.

MUJKIČ, Asim (2008): *We, the Citizens of Ethnopolis*. Sarajevo: Centar za Ljudska Prava Univerziteta u Sarajevo.

NORTHRUP, Terrell A. (1989): "The Dynamic of Identity in Personal and Social Conflict". Ed. Louis KRIESBERG, Terrell A. NORTHRUP and Stuart J. THORSON: *Intractable Conflicts and Their Transformation*. Syracuse University Press, Syracuse.

OXFORD RESEARCH INTERNATIONAL (2007): *The Silent Majority Speaks. Snapshots of Today and Visions of the Future of Bosnia and Herzegovina*. UNDP, Sarajevo.

RUANE, Joseph and Jennifer TODD (2004): "The Roots of Intense Ethnic Conflict May Not in Fact be Ethnic: Categories, Communities and Path Dependence". *Archives Europeenes de Sociologies* 45. 209-232.

SAMPSON, Cynthia (1997): "Religion and Peacebuilding". Ed. I. William ZARTMAN and J. Lewis RASMUSSEN: *Peacemaking in International Conflict: Methods and Techniques*. United States Institute of Peace Press, Washington, D.C.

SCHIRCH, Lisa (2005): *Ritual and Symbol in Peacebuilding*. Kumarian Press, Bloomfield, CT.

SEUL, Jeffrey R. (1999): "'Ours is the Way of God': Religion, Identity, and Intergroup Conflict". *Journal of Peace Research* 36. 533-569.
SMYTH, Leo F. (2002): "Identity-Based Conflicts: A Systemic Approach". *Negotiation Journal* 18. 147-161.
TAJFEL, Henri (1982): "Social Psychology of Intergroup Relations". *Annual Review of Psychology* 33. 1-39.
TOUQUET, Heleen (forthcoming): "'You have to be something'. Alternative identifications and postethnic mobilization in Bosnia-Herzegovina". *Transitions*.
VOLF, Miroslav (1996): *Exclusion and Embrace. A Theological Exploration of Identity, Otherness, and Reconciliation*. Abingdon, Nashville.
YEVSYUKOV, Mariya (1997): "Article Summary of 'The Dynamic of Identity in Personal and Social Conflict', by Terrell A. Northrup". *Beyond Intractability*. Ed. Guy Burgess and Heidi Burgess. Conflict Research Consortium, University of Colorado, Boulder.

The European Union's Peace Laboratories in Colombia: On the Road to Peace or "On the Road to Nowhere"?

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Introduction

In a country involved in an enduring and intractable conflict, Colombia has experienced, in recent years, several local peacebuilding activities. Based on the civil society, these have been an alternative to the national negotiations with the guerrillas, facing harsh difficulties and provoking high social and political frustrations.

One of these peacebuilding experiences has been the so-called Peace Laboratories. Located in a group of highly conflictual and violent regions, they constitute a joint attempt of the European Union (EU), the Colombian government and mainly a number of Colombian social organisations to address the structural causes of the conflict at a local and regional level.

In this paper we will analyse the Peace Laboratories as peacebuilding activities. We will focus mainly on the Peace Laboratory of Magdalena Medio, examining and accessing its potential in terms of conflict resolution within the Colombian case and the model of peace it conveys. To some extent, what is at stake is to question if the Peace Laboratories are real peace laboratories and where are they heading for. The objective is to investigate if this corresponds to an alternative form of peacebuilding and what has been the role of the EU in the process.

The Magdalena Medio Region

Magdalena Medio is a region located in the northeast of Colombia, with its axis on the river Magdalena. It is a strategically important region from the military and economic point of view. It is characterized by rich natural resources, which include gold, emeralds and especially oil; it is also a corridor for the drug and trade routes.

Historically it has remained a peripheral region, with a weak and precarious presence of the state, both physically and in terms of social and public services (RUDQVIST & VAN SLUYS 2005: 15). This political space has been fulfilled by insurgent and counter insurgent groups. Magdalena Medio is a region disputed by both guerrillas and paramilitaries. It is considered a *zona roja*, a hot spot. All armed actors are present in the region. It is a region of high intensity of violence. Historically a zone of influence of the ELN[1] (BERQUIST et al, 1992), it witnessed the political and military emergence and domination of paramilitarism in the 1990s, which diminished the influence of the guerrillas until today.

The origins and actors of the Peace Laboratories

A number of trends cross in the origin of the Peace Laboratories. Firstly, one must emphasize that Colombia has seen in the last years the emergence of several civil initiatives of peace and civil resistance. One of these initiatives would be the base of the creation of the Peace Laboratories — the *Programa de Desarollo y Paz de Magdalena Medio*. Created in 1995, it has been one the most ambitious and original initiatives in Colombia in the peacebuilding field. It was originated by a diagnose report required by the oil company ECOPETROL and its labour union USO[2] on the causes of poverty and violence in the region (AGUILAR 2006: 12). But it also has its roots on a historical dynamic of popular and social mobilization in Magdalena Medio (GUTIERREZ 2007). This report instigated a process which would establish a social and political programme for peace and development in the region, involving several organisations. This programme would attract the attention of the European Union, which showed interest in supporting this experience. In fact, the EU had started in this period to develop peace-oriented policies towards Colombia. After the implementation of Plan Colombia, and the European refusal to take part in it, it was politically imperative for Europe to give a response to it and develop its own peace policies and approach to Colombia. The Peace Laboratory would become one of its core elements.

The fact that peace negotiations between the Colombian Pastrana government and the ELN took place in the region, with the political

[1] National Liberation Army.
[2] Unión Sindical Obrera.

and financial support of the EU, would also play an important role in this process and on the location of the Peace Laboratory in Magdalena Medio. The creation of the Peace Laboratory was therefore also an attempt of the EU to support a political negotiated solution to the conflict (RUDQVIST & VAN SLUYS 2005: 7).

However, one has to realize that this does not correspond to a specific and originally European initiative and approach of peace intervention (GONZALEZ, 2004: 5). In fact, the Peace Laboratory did not start from zero. It was built on the base of an ongoing project and process in the region of Magdalena Medio —the Peace and Development Programme of Magdalena Medio (PDPMM)— (RUDQVIST & VAN SLUYS 2005: 4). The role of the EU aid was principally to support the processes and dynamics already ongoing in Colombian civil society (ibidem: 3, 8).

In fact, the heart of the Peace Laboratory is the PDPMM. The strategic and methodological conception of the peace laboratory is based on the original concept of the PDPMM. Its design, development and implementation are mainly of the PDPMM, even if the European involvement has brought to the process new objectives, dynamics, considerations and priorities. So, to a large extent the Peace Laboratory is a sub-programme or a complementary programme to the PDPMM.

It also structures a peculiar platform of actors. A triangle of dialogue and cooperation was formed by the Peace Laboratories. It is primarily a civil society creation, but it includes the Colombian state. It is mainly a Colombian initiative, but it works with international organizations.

With this quite original structure the first Peace Laboratory was created in Magdalena Medio, in February 2002, by the signature of the EU and the Colombian government of a special financing convention. A second and a third Laboratory would be created in other regions of Colombia later on.

Peace Laboratories?

The hypothesis or the Peace Laboratories and theoretical assumptions

The Peace Laboratories depart from two hypotheses and are sustained by two theoretical assumptions, both debatable from a theoretic point of view: the first one is that "Colombia is a country of regions" (VARGAS 2007).

There is no doubt that the history of Colombia has shown the importance of the local. To a large extent the Colombian conflict and

violence express themselves on a local and regional level. There are historical reasons for this. Colombia has never truly built a nation-state. Historically, the state has been precarious. The national territory is poorly integrated. There is what the Colombian historian Fernán Gonzalez (2007) calls a "differentiated presence of the state". The regional identities are therefore strong (HERRERA 2007). This space left aside, or never occupied by the state has been filled by guerrillas and paramilitary groups. Hence the Colombian conflict is being played to a high degree on a local and regional level. It is fought differently in each region. Each region develops its own conflict particularities.

Therefore, the Peace Laboratory perspective is that conflict resolution must necessarily also pass through this micro level, by the diversity of the regions. The Peace Laboratories constitute an attempt to build peace at a regional level, a regional form of peacebuilding. The Laboratories' utopia is to build a nation in peace through regional development (LUNA 2007).

A development hypothesis may be added to this regional hypothesis. The Laboratories' focus is based on a concept of peace which sees poverty as one of the root causes of the conflict and a nexus between development and peace.

For the Laboratories, the conflict was born, to a large degree, due to the model of development put in practice in Colombia, and specifically in the Magdalena Medio region. That is an extractive and exclusive model, which generates poverty and inequality (VARGAS 2007).

The role poverty and inequality play in conflict, in general terms, and in the Colombian case is a controversial issue. It is the object of a heated debate both politically and academically. There are different views on the matter. However, there is a general perception and acceptance that there is a correlation between the two. It is not an automatic relationship, nor a deterministic one. There are other elements and variables involved. Poverty *per se* does not lead to violence. Above all, poverty and inequity imply a risk of violence. Peace can't prevail where the economic and social conditions are not sustainable. Societies unable to meet the needs of their citizens are more vulnerable to collapse and to conflicts. The fact that Colombia is a country with high levels of poverty and inequality makes it more prone to violence (GUTIERREZ 2001: 57).

That is the theoretical perspective adopted by the Laboratories. Therefore, the Peace Laboratories are also a development proposal. They seek to find and build a different and alternative model of development, a more participatory, inclusive and equitable one, thus contributing to address the structural elements that sustain the conflict.

So, the productive projects play a vital role on the Laboratories' objectives.

The Peace Laboratories objectives

The Peace Laboratories have an ambitious programme and multidimensional goals. Its central guidelines are peace and development. It essentially intends to address two issues — the high level of violence which affects mainly the civilian population and the high levels of poverty and exclusion (RUDQVIST & VAN SLUYS 2005: 27).

Thus, the Peace Laboratories have two basic axes —peace and development—. That is quite evident in the name of the Programme itself, but also in its components, projects and philosophy. The Laboratories have an integral approach and depart from the theoretical assumption that both elements are related. They are based on the belief that peace is multidimensional and that in order to be sustainable, it must have a social, economic, political and cultural dimension. They intend essentially to build alternative models of peace and development at a local and regional level. It represents an attempt to create the social, economic and cultural conditions to peace at a grass roots level. The main objective of these experiments lies in the elimination of the root causes of the conflict, by searching to build an enduring peace and sustainable development.

As Francisco de Roux, the director of the PDPMM puts it: "[it has in mind] to start to build regionally a process that shows that it is already possible in the middle of the conflict to find the alternative ways to live peacefully and with justice" (DE ROUX 2005: 41). The vision that sustains the Peace Laboratories is basically the creation of new forms of human relation through the perspective of non violence, dialogue and civil resistance (PAX CHRISTI 2006: 48).

The model of peacebuilding of the Peace Laboratories

Considering something which intends to be a laboratory of peace it is crucial to define and analyse what model of peacebuilding it conveys and what model of peace does it stand for.

One first clue can be found in its name. When looking at the Peace Laboratories, the first thing that pops up and comes to one's mind is its name. It is a quite relevant name. In fact, it does convey a concept and a message. It suggests an attempt to build something new. It implies

an idea of exploration, and innovation, an experiment in the field of peacebuilding. And these aspects are indeed quite apart of the Laboratories' philosophy and concept. It tries to explore new ways of building peace and development at a local and regional level. It is a process in construction with all the people and organisations involved and without a predefined or pre-established model.

Moreover, it conveys a political message from the EU. It focuses on peace and bases its approach on peace. It is politically relevant that the name peace laboratory was chosen by the EU. The European Union had —by the majority of its members and institutions— opposed to Plan Colombia due to its military component. With the creation of the Peace Laboratories, in its own name, it transmits a concept opposed to the military, relating the pacific with Europe and the military to the US (LOINGSIGH 2005).

One can identify at least four elements in the Peace Laboratory's model of peacebuilding: its placement and focus on the micro level, its bottom-up character, its structural approach and its broad concept of peace.

The Peace Laboratories were designed to work at a micro level. The experience is intrinsically local: it is born in the local; it is structured and designed for the local; it develops in the local. They assume that the local and regional are extremely important for building a country in peace, especially in a place like Colombia. What is at stake is fundamentally the construction, at a micro level, of sustainable peace through the recovery of the social fabric and the attack on the socio-economic and cultural conditions which sustain the conflict at the local level. The fact that national peace negotiations have suffered severe difficulties and shown hard political limitations amplifies the significance of these local peace initiatives (ROY 2003: 19). Besides, as refers the president of *Vallenpaz*, "It is easier to build peace at a local level rather than at the national level. When you have a community where there are different armed actors (guerrillas, paramilitaries, army, peasants), it is easier to reach an agreement through concrete proposals for the improvement of the way of living of the people"[3] (ANDRADE & OJED 2006: 34).

To a large extent, this corresponds to peacebuilding from below. The Laboratories try to build peace with the local grass roots organi-

[3] "Es más fácil hacer la paz a nivel local que a nivel nacional. Cuando se plantea a una comunidad donde hay distintos actores armados (guerrillas, paramilitares, Ejército, campesinos) propuestas concretas para el mejoramiento de las condiciones de vida es más fácil ponerse de acuerdo."

zations following a bottom-up dynamic. It proposes to launch and develop processes with the historically excluded sectors of the population and to encourage these sectors to help building alternative social, economic and political proposals (Herrera, 2007). They view the social actors as fundamental players of peacebuilding and argue that civilians must not be treated as passive or invisible actors. (AGUILAR 2006: 22). It defends that peace, in order to be sustainable, has to be built and created from the base and that social actors have a role in conflict resolution. It follows the viewpoint that: "those most affected by violence, who understand and have to live with its consequences, are likely to be best the placed to find the most appropriate solutions to it" (MCDONALD 1997: 2). It is based on a conception of peace as not just a matter of elites and as a result of peace negotiations between warring parties.

This is a perspective which has had an increasing importance and feedback both on conflict resolution theory and practice (RAMSBOTHAM et al 2005: 215). Several authors, such as John Paul Lederach and Adam Curle, have emphasised the peacemaking role of the local communities. In this respect, the work of Lederach is particularly relevant. This author developed an analytical framework of conflict and conflict resolution based on a conflict pyramid composed by three levels of leadership and actors. Level 1 corresponds to political and military leaders of the conflict; level 2 to regional intermediate leaders; and level 3 to the population exposed to the conflict and to the grassroots leaders. For Lederach, all three levels, and not only the top of the pyramid, are equally important in order to build peace and all must be the object of conflict resolution strategies (Ibidem: 221).

The third element of this Laboratory model of peacebuilding is its structural dimension. The Peace Laboratory action, with its inherent long term logic and the fact that it is orientated to the elimination of the root causes of the conflict, configures what could be referred to as a "structural conflict resolution". In fact, it aims to transform, at the local and regional level the structures which cause and sustain the conflict. A structural peace implies addressing the social structures of indirect violence, such as poverty, exploitation, misery, repression and human rights violations (GALTUNG 1996). Thus, the Peace Laboratories have a strong political, socio-economic and cultural focus. It pays particularly a high attention on the development issues, considered one of the main structural causes of the conflict and keys to solve it.

Thus, the Peace Laboratories have and promote a broad concept of peace and peacebuilding, one which implies much more than the silencing of the rifles (ANDRADE & LEÓN 2006: 31). They follow, con-

sciously or unconsciously, voluntarily or involuntarily, a peace approach that can be framed within a Peace Research focus, based on an integral view of peace and conflict, on an emphasis on structural factors and on a strong link between the development themes and peace themes. Johan GALTUNG's (1996) concept of Positive Peace is particularly relevant and applicable in this framework. According to this Norwegian author, violence does not only mean physical violence and peace is not only the absence of war. That is a negative concept of peace. He opposes to this a positive concept of peace. For Galtung there is a structural and a cultural dimension in violence and peace. To a large extent, and with explicit references on some of its documents, the Peace Laboratories seek to build and make possible a positive peace. It is a view which portrays peacebuilding also as a fulfilment of human rights of all three generations (ANDRADE & OJEDA 2006: 32). The wide range of projects the Laboratories deal with is only comprehensive within this broad concept of peace.

Conclusion

The Peace Laboratories have become not only the EU's development aid policy and its most ambitious and primary project in Colombia (EUROPEAN COMMISSION 2001), but also the core and principal instrument of an EU peace approach to Colombia, based on efforts to facilitate a negotiated political solution to the conflict and on the definition of a structural strategy of attacking the root causes of the conflict.

The project represents a very original experiment in peacebuilding. It actually corresponds to a peace laboratory. It seeks new paths to peace, an alternative form of peacebuilding, in a country which desperately needs new and imaginative solutions in order to reach peace and which lives in an impasse in the national peace processes.

Yet, as in a real laboratory, it can take time to achieve any results, or it may never obtain or reproduce the formula for peace. But one has to emphasize and realise that it is mainly a symbolic initiative and it has essentially a symbolic value. It aims to show that it is possible to build another model of peace and development, to create another type of institution, another form of state, another form of life (VARGAS 2007). It is clear that the Laboratories, put before the gravity of the situation, are not enough in themselves to solve the Colombian conflict (PALECHOR 2005: 45). They cannot substitute a peace process and national negotiations involving the state and the insurgent groups. These remain fundamental to resolve the Colombian conflict.

Essentially, the Laboratories are a proposal, a seed. They try to show at the micro level an alternative peace and development solution. That proposal can be accepted or not on the mezzo and macro level. It's up to the Colombian state, to the local authorities, to the armed groups and to Colombian society. If it doesn't, the Laboratory impact is limited (GONZALEZ 2007b).

In fact, the key to the success or failure of the Laboratories lies in the articulation between its micro-level and the macro-level. It will determine to a large extent the Laboratory's impact. It is a vital issue and its greatest challenge. The Laboratories intend to have repercussions on the macro level. They seek to have a national impact, to be an exploratory and pilot experiment at a local and regional level, which can be replicated in other regions of the country and at a national level.

In this framework, the state plays a crucial role. Although it increasingly views with some sympathy the Laboratories and Programmes and it provides important support and backing to the process, the state's participation also poses some problems and tensions. The state, although participating in it, has not subscribed to it. To a large degree, the Laboratory's proposals, concept and philosophy are incompatible with Uribe's democratic security policy and with its macro-economic policies. It can turn out to be a Sisyphean task to implement peace laboratories as the government denies the existence of a conflict and reduces it to an action against terrorism and drug trafficking (CAMPO 2005: 48). That configures one of the main limitations of the Laboratory.

Moreover, with such small projects as the ones the Laboratories deal with, one may argue that it can influence general regional violence and development. 42,2 million euros cannot transform a region like Magdalena Medio. It is irrational to think that the laboratory will transform the region's structures (GONZALEZ 2007b). The Laboratory's impact is thus obviously relatively marginal. Though the generic evolution of the regional indicators in Magdalena Medio is positive (OPI, 2006), it is difficult to assess to what extent the Laboratory has contributed to that or if it has contributed at all. Violence is multi-causal. It doesn't depend only on the Laboratory's action. There are many factors and elements at stake.

However, one can point out some elements where the Laboratory's action has been visibly positive:

Above all, there is a remarkable micro success. "It is moving to hear the peasants speak about the Programme"[4] (GONZALEZ 2007b). In an

[4] "Escuchar los campesinos da ganas de llorar."

absolutely exasperating world of war, the Laboratories have aroused the peasants and given them expectations. The productive farming impact of the Laboratories is manifest. But it has also played a very important cultural and social role. It has empowered civil society, stimulated popular participation, and allowed marginalized social sectors like women, peasants and the indigenous to become more visible. Besides, it has stimulated a change of attitudes among the people towards negotiation, peace and tolerance (RUDQVIST & VAN SLUYS 2005: 41).

It is also relevant to mention a particular Peace Laboratory project —the Humanitarian Spaces—. These have become true instruments of civil resistance to the armed actors. Even though they don't correspond to islands of peace, neither they have suppressed the conflict dynamics in the regions, they have given some communities which live in very difficult zones a chance to survive, to organise themselves, and prevent forced displacement (GUTIERREZ 2007).

All in all, the Peace Laboratories convey an alternative, more complex and complete conflict resolution perspective as other actors in the region, such as the US (MAIO-COLLICHE 2005: 37), or such as the governmental democratic security policies. Whatever its impact in the region and at the national level is, it is on track, directed at the real problems, to the root causes of the Colombian conflict and towards a politically negotiated solution. It may not be the road to peace, but probably not the "road to nowhere" the Talking Heads used to sing about either.

Bibliography

AGUILAR, Juliana (2006): *Construcción de paz en el espacio humanitario de Micoahumado: una mirada desde la cooperación europea,* Monografía del Área de Énfasis en Gestión Publica, Pontificia Universidad Javeriana.

ANDRADE, María del Rosario, León DIEGO OJEDA (2006): "Trabajo en Red: Imaginarios conceptuales de paz, desarrollo y región en los programas de la Red Prodepaz", *Documentos Ocasionales* n. 74, Bogotá: CINEP.

BERGQUIST, Charles; SANCHEZ, Gonzalo & PENARANDA, Ricardo (1992): *Violence in Colombia: The Contemporary Crisis in Historical Perspective,* Wilmington: SR Books.

CAMPO, Jose Luis (2005): "Los Laboratorios de Paz en el marco de la politica de cooperación en Colombia: un cheque en blanco?", *III Jornadas Abiertas: La Cooperación Internacional con Colombia: ¿Paz y Derechos Humanos?* 14-16th April.

DE ROUX, Francisco (2005): "El programa de Desarrollo y Paz del Magdalena. Primer Laboratorio de Paz en Colombia", *III Jornadas Abiertas: La Coope-*

ración Internacional con Colombia: ¿Paz y Derechos Humanos? 14-16th April.

EUROPEAN COMMISSION (2001b): *Colombia: Country Strategy Paper,* Brussels.

GALTUNG, Johan (1996): *Peace by peaceful means: Peace and Conflict, Development and Civilization,* London: Sage Publications.

GONZALEZ, Fernan & OTERO, Silvia (2007): "Transformaciones en la política y presencia diferenciada del Estado", in *Seminario Nacional Observatorio Colombiano para el Desarrollo integral, la convivencia ciudadana y el desarrollo institucional,* 26th, 27th, 28th March.

GONZALEZ, Jorge Ivan (2007b): Interview, Bogotá, 11th May.

GUTIERREZ, Francisco (2001): "Inequidad y violencia política: una precisión sobre las cuentas y los cuentos", *Análisis Político,* no. 43 2001 pp. 55-75.

GUTIERREZ, Omar (2007): Interview, 16th April, Bogotá.

HERRERA, Luz Angela (2007): Interview, 9th May, Bogotá.

LOINGSIGH, Gearóid Ó. (2005): *Laboratorios de Paz de la Unión Europea: ¿El Plan Colombia de Europa?,* http://www.prensarural.org/gol20051216.htm, 16th December.

LUNA, Ginny (2007): Interview, 16th May, Bogotá.

MCDONALD, Geraldine (1997): *Peacebuilding from below. Alternative perspectives on Colombia's peace process,* London: Catholic Institute for International Relations.

MAIO-COLICHE, Aude (2005): "Los Laboratorios de Paz en el ámbito de las relaciones políticas y de cooperación entre la Unión Europea y Colombia", Mesa 2: Los Laboratorios de paz: límites y oportunidades, Barcelona, *III Jornadas Abiertas: La Cooperación Internacional con Colombia: Paz y Derechos Humanos?*

OBSERVATORIO DE PAZ INTEGRAL (OPI) (2006): *Informe semestral de la situación de violación a los DDHH, violencia política, infracciones al DIH, acciones bélicas y acciones colectivas por la paz en el Magdalena Medio colombiano,* Primer semestre.

PALECHOR, Libio (2005): *III Jornadas Abiertas: La Cooperación Internacional con Colombia: ¿Paz y Derechos Humanos?,* 14-16th April.

PAX CHRISTI (2006): "Pax Christi International Seeking Peace in Colombia", 27th January 2006, in *http://storage.paxchristi.net/AM9S06.pdf* [14th February 2006].

RAMSBOTHAM, Oliver; WOODHOUSE, Tom & MIALL, Hugh, (2005): *Contemporary Conflict Resolution: The prevention, management and transformation of deadly conflicts,* Cambridge: Polity Press, 2nd edition.

ROY, Joaquín (2003): *Europe: Neither Plan Colombia, nor Peace Process: From Good Intentions to High Frustration,* University of Miami, The Dante B. Fascell North-South Center, Working Paper No. 11, January.

RUDQVIST, Anders & VAN SLUYS, Fred (2005): "Informe Final de Evaluación de Medio Término Laboratorio de Paz del Magdalena Medio", *ECO,* February.

VARGAS, Marco Fidel (2007): Interview, 23rd April, Bogotá.

Post-Conflict Democracy Assistance and the Capability-Expectations Gap

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Abstract

The unfulfilled expectations of post-conflict democracy assistance are both palpable and disconcerting. The backsliding of several post-conflict states from democracy to authoritarianism, or even to violent conflict, has prompted a serious revision of the merits of democracy assistance. This article contends that a lack of engagement with the very values and assumptions that donors, practitioners and local counterparts attach to democracy assistance has fostered a debilitating gap between what assistance is capable of accomplishing through its strategic instruments and what people and partner organisations expect and demand democracy assistance to deliver in post-conflict countries. Considering the prime role that democracy plays in post-conflict peacebuilding, this 'capability-expectations gap' has the potential to not only severely undermine the successes and credibility of post-conflict peacebuilding, but also to shatter the hopes of local citizens who believe that international involvement will help them achieve democracy and peace. It is asserted that an enhanced harmonisation between the expectations of (a) the benefits of post-conflict democracy assistance and (b) the model utilised to achieve these benefits is of particular salience in helping us to take steps to effectively manage the capability-expectations gap and ensure that the process is made more coherent and sustainable for all the actors involved.

Key words: democracy assistance, peacebuilding, capability-expectations gap.

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The unfulfilled expectations of post-conflict democracy assistance

Since the end of the Cold War, one of the most striking aspects to emerge in post-conflict peacebuilding has been the prime position assumed by democratisation; an approach we can term post-conflict democracy assistance. This focus has hinged on an unerring belief that democratic governance, provided through periodic and genuine elections, offers the most effective mechanism for managing and resolving societal tensions without recourse to violence (ANNAN 2001; BOUTROS-GHALI 1992, 1996).

In recent years though, this faith in democracy assistance to post-conflict states has diminished considerably. Several gleaming examples of democratisation, such as Cambodia and Bosnia and Herzegovina, have proved significantly less entrenched then first thought, whilst countries such as Liberia, Angola and Haiti have all experienced a return to widespread violent conflict following initial democracy assistance efforts. Meanwhile, so-called interventions to bring democracy to Iraq and Afghanistan have been met with scepticism and have resulted in an overall tarnishing of the concept of democracy and all external efforts to assist democratisation. This loss of faith in democracy assistance has been further compounded by the situtaion in states such as China and Russia, who have not only rolled back democratic advancements in their own countries, but have also become increasingly hostile to the rhetoric and actions of democracy assistance. It is evident then, that a counterreaction to the initial heady enthusiasm about democracy assistance has emerged; a phenomenon that has been aptly termed 'the backlash against democracy promotion' (CAROTHERS 2006). The unfulfilled expectations of post-conflict democracy assistance have thus become a point of intense debate as academics and practitioners alike seek to enhance the sustainability of peacebuilding efforts.

In response to this dilemma of unfulfilled expectations an increasing number of studies have called for greater attention to state institutions (DIAMOND 1996; KAPSTEIN & CONVERSI 2008: 57; PARIS 2004), civil society (HEARN & ROBINSON 2000: 242; OTTAWAY & CAROTHERS 2000) or, more recently, the role of political parties (KUMAR 2004; USAID 1999), as a means to better realise the aims of post-conflict democracy assistance. However, whilst the literature on democracy assistance to post-conflict states has mushroomed in recent years, very few writers have scrutinized the underlying assumptions and expectations that underpin the design and conduct of these operations (RICHMOND

2007). For this reason, although the deficiencies and assets of many recent post-conflict programmes have been examined extensively by social scientists, the normative component of post-conflict democracy assistance —that is to say, the very rationale and understanding behind the relationship between democracy, democratisation and peace— has been a neglected theme in research. Employing a capability-expectations gap (CEG) approach to post-conflict democracy assistance for the first time, this article contends that a lack of engagement with the very values and assumptions that donors, practitioners and local counterparts attach to democracy assistance has fostered a debilitating gap between what assistance is capable of accomplishing through its strategic instruments (i.e. capabilities) and what people and partner organisations expect and demand democracy assistance to deliver in post-conflict countries (i.e. expectations). Considering the prime role that democracy plays in post-conflict peacebuilding, this 'capability-expectations gap' has the potential to not only severely undermine the successes and credibility of post-conflict peacebuilding, but also to shatter the hopes and aspirations of the citizens of war-torn states who believe that international involvement will help them achieve democracy and peace.

In the light of this situation, it is crucial that research probes deeper into the values and meanings that are attached to democracy and contrasts these with the actual capabilities of democracy assistance. What exactly are the expectations of *democracy*, *democratisation*, and *peace* that are held by those who design and implement post-conflict democracy assistance programmes? How do these match up to the capabilities at their disposal? And how can an awareness of a gap between capabilities and expectations help us develop more appropriate strategies for post-conflict democracy assistance? This chapter will provide insights to these questions in the following four sections. First, the parameters of post-conflict democracy assistance and its chief proponents will be outlined. Second, the theory of the CEG will be introduced and its utility to post-conflict democracy assistance will be evaluated. Third, a theoretical framework of how a CEG evolves in post-conflict democracy assistance will be proposed. Finally, the chapter will conclude with a consideration of the prime causes of a CEG, and suggest ways in which the gap can be best managed in order to increase the likelihood that international assistance will contribute positively to democratic consolidation and sustainable peace.

What is post-conflict democracy assistance?

By the end of the 1990s, the term 'democracy assistance' had acquired increasing and extensive usage in academic literature, and became a natural part of the rhetoric of the foreign policies and development programmes of Western countries. Yet despite this growing recognition, the term has rarely been clearly or comprehensively defined. Typically the term is used with the assumption that the reader will automatically understand the meaning; however, such casual usage can cause confusion, especially as other terms can be used to describe similar phenomenon, such as the oft-used label of 'democracy promotion', as well as other variants including 'development aid', 'political aid', 'democracy support', 'democracy aid', and 'support for democratic development' (BURNELL 2000b: 3). As such, it is critically important that researchers are cognizant of the breadth of meanings attached to democracy assistance by different people, and that they are precise in their own usage and definition of the term.

Democracy assistance can be defined as: 'the nonprofit transfer of funds, expertise, and material to foster democratic groups, initiatives and institutions that are working for a more democratic society' (De ZEEUW & KUMAR 2006: 20) These transfers are usually funded through governmental development agencies, such as the United States Agency for International Development (USAID) or the UK's Department for International Development (DfID). The programmes themselves are undertaken by a diverse group of inter-governmental organisations (IGOs), non-governmental organisations (NGOs) and, to a lesser extent, through bi-lateral agreements. Chief amongst the IGOs are the Organisation for Cooperation and Security in Europe (OSCE), the European Union (EU), and the Organisation of American States (OAS). The most prominent NGOs include the Carter Center, the International Foundation for Electoral Systems (IFES) and the Centre for Electoral Promotion and Advice (CAPEL). In addition, within a given country, there will also be a range of local counterparts who receive democracy funding including electoral commissions, state institutions, civil society groups, media groups and political parties.

It is possible to frame the actions of these organisations within a broader *democracy assistance pyramid*, which comprises three levels, namely: (1) democracy assistance *donors*, (those who fund, frame and evaluate the programme); (2) democracy assistance *practitioners* (those who implement the programmes in the field); and, (3) democracy assistance *counterparts* (those who are the beneficiaries of the aid and

utilise the aid on a local basis). A visual representation of this system is offered below:

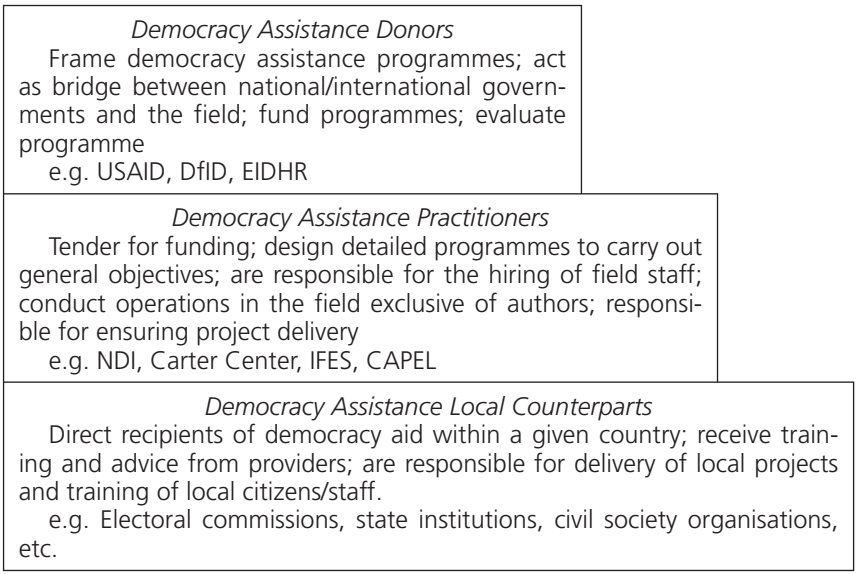


Fig. 1. **The Democracy Assistance Pyramid**

Furthermore, it is essential that the distinction between democracy *assistance* and democracy *promotion* is established. Although democracy promotion is often used interchangeably with democracy assistance, the latter should be recognised as only a small and distinct part of a much broader democracy promotion approach. As the table below illustrates, democracy promotion comprises several instruments, both positive and negative, both explicit and implicit, of which democracy assistance is only one distinct part. On the negative side, you have direct military action, which includes armed intervention to promote democracy, and can be either explicit (to install a democratic regime, as in Afghanistan) or implicit (to curb an anti-democratic regime, as in the first Iraq war). In addition, there is also the explicit tool of negative political conditionality, or 'naming and shaming', in which membership of international organisations may be suspended, economic sanctions applied, and embargoes enforced. On the positive side, you have the implicit instrument of classical development aid which seeks to foster improved socio-economic conditions, which, by consequence, may lead

to democratic developments. Additionally, there is the positive instrument of international interim administrations, as was the case in East Timor, where the democratic transition is directly controlled and managed in its entirety by international actors. There is also the explicit instrument of positive political conditionality, which can include offers of membership in intergovernmental organisations, security guarantees, or economic and trade benefits.

Finally, on the positive side, there is the distinct instrument of democracy assistance. Democracy assistance differs from all other forms of democracy promotion in several ways. First, it is distinct from military action insofar that it does not 'enforce' democracy, and form international interim administration insofar that it does not 'manage' democracy. Second, democracy assistance is directed exclusively at fostering democracy, as opposed to classical development aid where democracy is usually only a secondary concern. Third, democracy assistance is distinct from positive political conditionality insofar that it encompasses direct and active measures, rather than passive tools. Democracy assistance can be further differentiated from political conditionality insofar that it is neither a reward nor a punishment, neither a carrot nor a stick, but rather a 'booster' to internal groups that are already working towards democratisation. Indeed, democracy assistance explicitly recognises that 'the primary motive force for democratisation is and must be internal to the country in question' (BURNELL 2000b: 9), and that the exclusive intention is 'to help domestic actors achieve what they have already decided they want for themselves' (CAROTHERS 2007: 22).

	Explicit Instruments	Implicit Instruments
Positive Instruments	— *Democracy assistance* — Positive political conditionality — International interim administrations	Classical development aid
Negative Instruments	— Negative political conditionality — Military action	Military action

Fig. 2. **Democracy Promotion Instruments (table developed from: HUBER 2008: 46)**

The capability-expectations gap theory

The concept of a capability-expectations gap (CEG) was first articulated by Christopher Hill in 1993 in relation to the Common Foreign

and Security Policy (CFSP) of the European Union. Hill's initial aim was not only 'to look at the functions which the European Community (EC) might be fulfilling in the international system, but also to look at the perceptions which are held of its role by third parties' (HILL 1993: 306). In Hill's approach, capabilities are considered to be comprised of conventional instruments (for example, diplomacy), underlying resources (for example, wealth), and cohesiveness ('the capacity to reach a collective decision and stick to it'). Expectations, meanwhile, are considered to be 'those ambitions or demands of the EU's international behaviour which derive from both inside and outside the Union.' Upon analysis of these two factors, Hill then claimed that a gap had emerged between capabilities and expectations due to significant differences between: 'the myriad hopes and demands of the EU as an international actor, and its relatively limited ability to deliver.' Moreover, Hill argued that the existence of such a gap was 'dangerous' as it: 'could lead to debates over false possibilities both within the EU and between the Union and external supplicants. It would also be likely to produce a disproportionate degree of disillusion and resentment when hopes were inevitably dashed' (HILL 1997: 8).

Hill's analysis proved a benchmark within studies of European foreign policy and spawned significant debate and follow-up articles (CAMERON 2002; LUNG 2007; TULMETS 2007). Moreover, the concept possessed significant scope to be applied to a broader range of topics. As Hill wrote, the 'CEG is not a uniquely European phenomenon. It can also be found in the UN, in the OSCE, in trilateralism, in Saddam's Iraq and in every American Presidential election' (HILL 1997: 25-26). Nevertheless, despite this obvious cross-over appeal to other international actor strategies, the concept has remained largely confined to the EU (exceptions include: BURES 2007; LAPPIN 2003). It is argued here, however, that this is a concept which has a strong resonance with the challenges faced in democracy assistance to post-conflict societies. Indeed, like the EU, the democracy assistance community, although with a less defined membership, also encompasses a disparate group of members who each have their own agendas linked to their host nation concerns, different cultural backgrounds and different interpretations of democracy. Furthermore, there is also a similarity in terms of both the normative magnetism of their liberal-meliorist strategic objectives, and the fact that capabilities are heavily constrained by what national governments are willing to contribute and the extent to which decisions can be collectively agreed upon.

Additionally, it is of note that the CEG is not a static approach, but that it also possesses the merit of a yardstick by which changes might

be monitored, measured and evaluated at different points in time. As Hill writes: 'If we accept the premise that expectations and resources can get out of line —a familiar enough proposition in most walks of life— then it should be possible to see whether a chasm has narrowed to a fissure, or whether something that was once bridgeable has now widened to the proportions of a Grand Canyon' (HILL 1997: 2). Considering the rapid rise of democracy assistance in post-conflict peacebulding during the past twenty years, the CEG approach offers a further benefit of being able to analyse how approaches have evolved in response to the various challenges encountered in the field.

Finally, it is stressed that the utility of the CEG to post-conflict democracy assistance is at its greatest when an inductive approach to theory is assumed. An inductive strategy, by: 'keeping structure to a minimum is supposed to enhance the opportunity of genuinely revealing the perspectives of the people you are studying' (BRYMAN 2004: 282). As Patti Lather comments: 'data must be allowed to generate propositions in a dialectical manner that permits the use of an *a priori* theoretical framework, but which keeps a particular framework from becoming the container into which data must be poured' (LATHER 1986: 267). As such, the CEG should be seen as a theoretical lens, or sensitising tool, to provide 'a general sense of reference and guidance in approaching empirical instances' (BLUMER 1954: 7). Indeed, such a position is in tune with Hill's original understanding of the CEG as a pre-theoretical tool that can help us to foster general ideas and arguments that, in order to understand a phenomenon more accurately, without attempting to provide a general explanatory model characteristic of theory proper (HILL 1993: 306). That is not to say the approach is entirely devoid of predictive qualities, in fact, an understanding of the extent of a CEG can certainly serve as a significant warning for coming difficulties. However, as Hill writes: 'prediction is a relatively trivial matter compared to understanding' and: 'it is more important to know whether the two sides of the equation are still out of balance, and… whether presence or reputation have been severely damaged as a result' (HILL 1997: 24). It is this understanding of the CEG, specifically as a theoretical lens, that guides this approach.

Developing a CEG approach to post-conflict democracy assistance

It is considered that the CEG can be readily applied to post-conflict democracy assistance and additionally developed to provide a unique approach to exploring and improving upon democracy assistance strat-

egies to countries emerging from violent conflict. In particular, it is believed that a CEG approach can assist with the identification and understanding of the nature of the factors that influence both capabilities and expectations, and to ascertain what the likely consequences of a CEG may be. As a means of further clarifying a CEG approach to democracy assistance, the original conceptual framework that Hill outlined will now be elaborated upon through the diagram below, before being described in further detail thereafter.

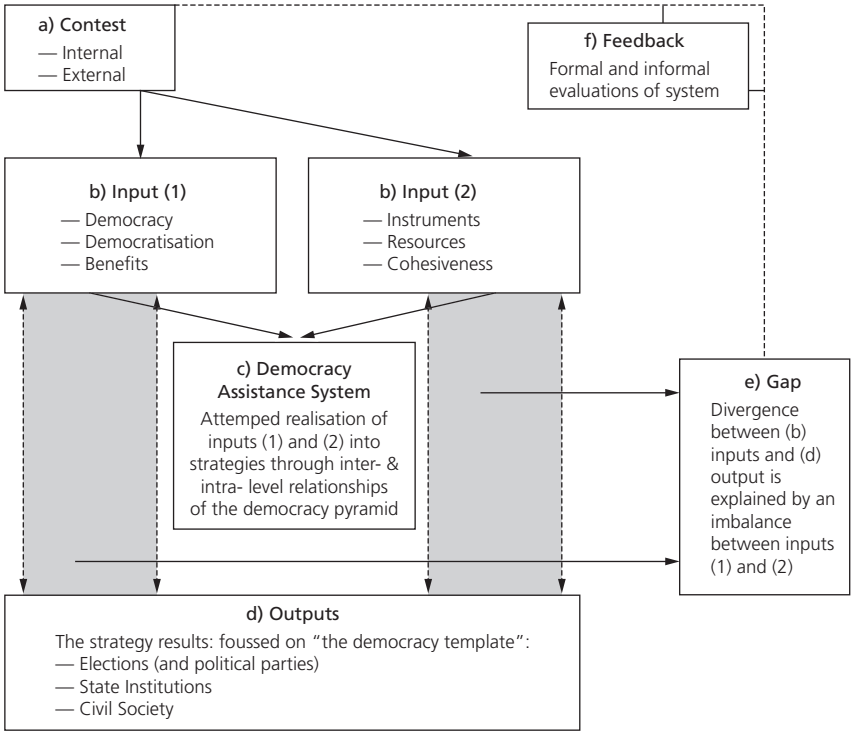


Fig. 3. **The Democracy Assistance System**

Context

The context which frames the democracy assistance system can be divided into two levels; the internal and the external.

Internal context

Historically, the most dominant academic theories of what contributed towards a successful democratic transition stressed the following variety of issues: internal, domestic preconditions: economic modernisation (LIPSET 1959: 17; PRZEWORSKI et al. 2000); a history of pluralism (REYCHLER 1999); class structures (MOORE 1966; RUESCHEMYER et al. 1992); levels of education (HADENIUS 1992; ROWEN 1995); degree of ethnic fragmentation (LINZ & STEPAN 1996); religion (HADENIUS 1992; ZAKARIA 2004: 148-150); the prevalence of Western values (HUNTINGTON 1997: 6). Regardless of the explanation favoured, what united these theories was the emphasis that democratisation is heavily dependent on the existence of certain internal preconditions.

In addition, the specific internal characteristics of a post-conflict country also merit consideration. Post-conflict contexts are by their very nature highly-charged, dynamic and often dangerous places. Here, democracy assistance organisations face an especially unique and daunting task, having to operate in hostile environments, with limited infrastructure, with societies deeply traumatised and polarised from war, and under significant pressure to illustrate a positive move towards peaceful, democratic governance in a short time-frame (KUMAR 2000: 192-3; KUMAR & DE ZEEUW 2006: 7-8).

External context

External efforts to promote democracy were traditionally viewed with pessimism. Indeed, writing in 1984, Samuel Huntington declared that: 'the ability of the US to affect the development of democracy elsewhere is limited' (Huntington 1984: 218). However, the end of the Cold War in 1989 and the apparent triumph of liberal democracy contributed to a widespread ideological consensus that liberal democracy, irrespective of internal preconditions, was the best political system available. As Fareed Zakaria has commented, democracy 'has become the standard form of government for all mankind' (ZAKARIA 2004: 13). This viewpoint found its most famous expression in Francis Fukuyama's *The End of History* thesis and, although contentious, its emphasis on democracy as the optimum form of governance was broadly accepted and seamlessly translated into peacebuilding strategies (FUKUYAMA 1992). As Eric Brahm has written, 'once warring sides have reached a ceasefire, democracy is seen as uniquely suited to provide a peaceful means for power and influence' (BRAHM 2004). In turn, theories ex-

pounding the role of external factors became more acceptable. One such argument is that the widespread presence of democracies have served as agents of diffusion which have spread international norms of democracy (HUNTINGTON 1991; STARR 1991). The concept of diffusion has been summarised in policy statements, such as George W. Bush's declaration that: 'a new regime in Iraq would serve as a dramatic and inspiring example of freedom for other nations in the region' (BUSH 2003). Indeed, in an increasingly globalised world of advanced technology, travel and communications, it has become: 'increasingly difficult even for highly autocratic regimes to prevent the demonstrable effects [of globalism] reaching their own society' (BURNELL 2000b: 7). Additionally, there has been a notable increase of literature concerning the value of military intervention to promote democracy, and although some authors are in support of this (PECENY 1999), the majority remain sceptical about the long-term benefits (BUENO DE MESQUITA & DOWNS 2006). Moreover, the Westphalian principle of non-interference has been subject to reinterpretation, with rights to democracy and peace now frequently trumping state sovereignty (BUXTON 2006). For example, the OSCE declares that: 'participating states emphasise that issues relating to human rights, fundamental freedoms, democracy, and the rule of law are of international concern… and do not belong exclusively to the internal affairs of the state concerned' (CSCE 1991). All of these factors have provided a platform for deliberate, external efforts to foster democratisation to be pursued more vigorously.

Finally, democracy assistance organisations themselves are influenced by the wider external context and are often subject to outside pressures to assist with thedemocratic transitions of countries, irrespective of whether the organisation is either ready or capable of assisting. Indeed, spurred on by the apparent triumph of liberal democracy, democracy assistance organisations have become the actors of first resort for all prospective transitions, regardless of the suitability of those countries or their likelihood of sustaining democracy. This is particularly true of countries emerging from civil war, where efforts to aid a democratic transition are an unavoidable task mandated by peace agreements, often at short notice and often with little time for preparation. Indeed, from the outset, democracy assistance efforts have developed largely as a response to international events and external demands and expectations; in other words they have been reactive rather than proactive (CAROTHERS 1999: 44). Thus, explanations of democracy assistance require an appreciation of how global events cause the democracy assistance community to respond to external stimuli (BURNELL 2008: 428).

Internal versus external contexts

The movement towards considering the role of external factors is important and contributes to an erosion of the rather elitist belief that democracy is limited to a precise set of countries that enjoy auspicious social, economic and cultural conditions. This is not to undermine the importance of domestic conditions which remain hugely influential; rather, it is simply becoming clearer that it is a combination of the internal and external contexts that determine the success of a democratic transition. In fact, 'it was always the case that even the most apparently self-contained of democratic regimes were constructed on the basis of norms and values that originated and persisted in a wider world of ideas' (WHITEHEAD 2004: 145). Therefore, 'it is not a matter of whether external or domestic factors are more important but rather what is the combined effect of these endogenous and external elements' (RIEFFER & MERCER 2005: 388). This shift is particularly salient to post-conflict peacebuilding where democracy will be attempted irrespective of conditional factors such as per capita income.

Inputs

The inputs of the democracy assistance system are also comprised of two parts, namely capabilities and expectations. In a post-conflict transition these two inputs are inextricably linked together within a short and precise timeframe, which is the drafting of the peace agreement. It should be noted that expectations are the primary input (so that a normative agreement for peace is reached first) and that the capabilities are a secondary, yet also high-ranking, consideration (in other words, what means are available to reach the desired ends). It is posited that regardless of the capabilities available, it is very rare that formal expectations will be lowered, that is to say that no goal less than peace —and one achieved through democracy— will be declared.

It is also of note that each actor —be it a donor, a practitioner, or a local counterpart— will have different capabilities and expectations of democracy assistance due to their different entry point into the context. Moreover, the existence of further divergences within expectations or capabilities in each of the categories of actor should not be discounted. For example, American and European democracy assistance providers may have very different definitions of democracy itself; whereas expectations of local partners may well differ between a po-

litical party and a civil society organisation. Similarly, there may be discrepancies between the coherence of decision making within a multi-member European Union and a single state such as the US; whereas internationally supported civil society groups may be able to hire more qualified people than a small political party due to greater financial resources. Naturally, capabilities and expectations will also be subject to change over time.

Expectations

Expectations can be summarised: as 'those ambitions or demands of the [democracy assistance community] which derive from both inside and outside the [community]' (HILL 1997: 8). Expectations are a crucial aspect of democracy assistance and can be many, varied and ill-defined, embracing perceptions of the ends (model of democracy), the means (method of democratisation), and the benefits of democracy (for example, peace, prosperity or realisation of human rights).

In respect of the model of democracy, expectations have typically focussed on *minimalist* models rather than *maximalist* ones[2]. The former has been defined by Joseph Schumpeter as: 'that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote' (SCHUMPETER 1947: 269). Several other influential authorities also favour the minimalist, electoral-based approach (DAHL 1971; HUNTINGTON 1991: 7; PRZEWORSKI et al. 2000). In contrast, maximalist democracy emphasises the normative underpinnings and the substantive virtues of democracy and tends to stress the importance of participation, citizenship, and political activity (BARBER 1984: xiv; HELD 1996; YOUNG 2000: 3). An example, of the preference for minimalist models is evident in the naming of the international institutions formed to support democratisation. For instance, in 1990 the OSCE created the Office for Free Elections, whilst in 1991, the UN created a similar organ, the Electoral Assistance Unit. As democratic transitions began to stagnate, efforts were made to broaden the approach and include more substantive elements and funds allocated solely for electoral assistance gradually reduced (ROBINSON 1995; YOUNGS 2007: 68). Nevertheless, elections have remained: 'the overriding ob-

[2] This distinction between models of democracy, these has been variously referred to as "narrow"/"broad", "political"/"developmental", "minimalist"/"participatory", and "proceduralist"/"classical" amongst others.

jective under which all other international activities are subsumed' (JEONG 2005: 103). Finally, it is of note that discussions of models of models of democracy have tended to be Western-oriented and have generally excluded considerations of local expectations and appropriations of democracy (KARLSTROM 1996; PALEY 2002).

Expectations on the method of democratisation were, for a long period of time, viewed in universal, simplistic and self-evident terms, resting on the classical model of liberalisation, transition, and consolidation (O'DONNELL et al. 1986). Liberalisation referred to a relaxation of power in a non-democratic country, allowing opposition and pro-democratic groups to organise. Transition encompassed the dismantling of the old regime and the formation of a democratic government through founding elections. Consolidation, although more disputed, broadly referred to a general consensus within the country that democracy was the only viable option for governance and the exercise of power (REYCHLER 2001; SCHEDLER 1998). This simplification is amplified by a tendency of democracy assistance organisations to focus on success stories and overestimate their capacity to initiate change. Until recently, the USAID website declared (Quoted in: KNACK 2004: 252):

> There were 58 democratic nations in 1980. By 1995, this number had jumped to 115 nations. USAID provided democracy and governance assistance to 36 of the 57 nations that successfully made the transition to a democratic government during this period.

Although the need to emphasise the positive aspects of their work in order to secure future funding may be understandable, such statements can severely skew the reality of democracy assistance. As Stephen Knack explains, 'obviously the fact that many aid recipients have become more democratic does not by itself imply cause and effect' (KNACK 2004: 252). Moroever, when quick and straightforward results are not acheived, disillusionment with democracy assistance is likely to be higher due to the complexity of the process never being thoroughly appreciated.

Formal expectations of the benefits of democracy assistance have consistently proven very high and represent a broad range of expectations from peace, to development and human rights. Expectations of peace are illustrated in a string of policy statements made in both the US and Europe. For example, Bill Clinton declared, in 1995: that 'ultimately the best strategy to ensure our security and to build a durable peace is to support the advance of democracy everywhere' (CLINTON

1995). In 2001, the EU declared 'its determination to promote stable, democratic environments, founded on the full enjoyment of human rights' (COUNCIL OF THE EUROPEAN UNION 2001). Similarly, Kofi Annan has stated that 'there are many good reasons for promoting democracy, not least —in the eyes of the United Nations— is that, when sustained over time, it is a highly effective means of preventing conflict, both within and between states' (ANNAN 2000). The high expectations for democracy in helping to foster peace are also evident in the very formulation of peace agreements. Many peace agreements, such as the 1992 Chapultepec Agreements of El Salvador and the 2002 Global and All-Inclusive Agreement of the Democratic Republic of Congo, stress the central role of democracy and affirm that popular elections will be held within a given timeframe as an illustration of a country's transition towards democracy and peace. These expectations are founded on international and domestic motivations. On an international level, this expectation draws upon the 'democratic peace theory,' which posits that dyads of democratic states are considerably less likely to fight one another than dyads made up of non-democracies, or a combination of a democracy and a non-democracy (DOYLE 1983; GLEDITSCH and HEGRE 1997: 307). On a domestic level, several authors argue that democracies are significantly less likely to experience domestic disturbances because they promote: 'the development of a domestic culture and norms that emphasise rational debate, toleration, negotiation of differences, conciliation, and conflict resolution' (REYCHLER 2001: 216; RUMMEL 1995: 4; ZARTMAN 1993: 327). However, such expectations have come under fire from several authorities who have convincingly demonstrated that although democratic states may be more peaceful, this is not necessarily true 'in this transitional phase of democratisation, [where] countries become more aggressive and war-prone, not less, and they do fight wars with other democratic states' (MANSFIELD & SNYDER 1995: 5). This position is supported by several other studies (FEARON & LAITIN 2003; MULLER & WEEDE 1990), and typically posits that in the absence of: an effective state; political opposition parties; news media; and, the rule of law, political opportunists will find it easy to employ belligerent nationalism as a means of manipulating domestic support (KUMAR & DE ZEEUW 2006; ZAKARIA 2004). Indeed, we only have to look at the mid-1990s and the conflict in the Balkans and Russia's war with Chechnya to concur with Luc Reychler's contention that: 'the devil is in the transition' (REYCHLER 1999). Nevertheless, the total absence of wars between democratic states remains a compelling —and perhaps the most important— reason why expectations for post-conflict democracy assist-

ance remain so high. Indeed, not only is the proposition empirically robust, but, as James Ray notes, it is also 'psychologically persuasive' (RAY 1998: 6).

Since the 9/11 terrorist attacks, democracy assistance has also been viewed as a distinct and vital method in combating international terrorism. It is considered that democracy lowers the costs of achieving political goals through legal means, thus, deterring groups from pursuing costly illegal terrorist activities (EYERMAN 1998; ROSS 1993). The acceptance of this argument is reflected in statements such as Bush's claim that democracy assistance is necessary: 'to help change the conditions that give rise to extremism and terror' (BUSH 2005). However, a closer examination of the empirical connection between terrorism and democracy illustrates that the relationship is much more complex and that it is probably too premature to confidently attribute any future reduction in international terrorism to the promotion of democracy overseas (GAUSE III 2005; LI 2004). Moreover, it has been argued that the democracy 'brand' has in fact been damaged by people manipulating the term for interests which have very little connection to people power, thus lowering public expectations both domestically and internationally (MOORE 2007).

In addition to the 'peace dividend,' there has also been an increasing belief that democracy will contribute to economic development and social equality. This attitude is perhaps best expressed by an OECD policy document, which stated that 'it has become increasingly apparent that there is a vital connection between open, democratic and accountable systems of governance and respect for human rights, and the ability to achieve sustained economic and social development' (OECD 1995: 5). This is a position shared by the UN, with Boutros Boutros-Ghali proclaiming that: 'peace, development and democracy are inextricably linked' (BOUTROS-GHALI 1996: 116). Similarly, the link between democracy and human rights has been increasingly pushed. Illustrative of this are comments made by Bush in respect of Afghanistan: 'Afghans approved a new constitution that protects the right of all Afghan citizens, including women... [it] respects tradition and establishes a foundation of modern political rights, including free speech, due process, and a vote for every citizen' (BUSH 2004). Such sentiments are evident at a grassroots level, with the voting public often demanding rapid and real improvements in their quality of life. However, fledgling democracies often lack the state capacity to make such swift improvements, and this can have an adverse effect on peace as well as expectations of democracy. For example, studies have illustrated a compelling 'relationship between

widespread popular unrest in the cities of the developing world… and the process of economic and social transformation' (WALTON & SEDDON 1994: 3).

Capabilities

Hill provides a typology of capabilities that is divided into 3 subparts, (1) instruments, (2) resources, and (3) cohesiveness.

Instruments refer to the methods employed to reach goals and, for democracy assistance, include options such as: training; study tours; logistics assistance: technical advice; direct management; mediation; public legitimation; and, a range of financial assistance from covering purchase costs to underwriting activities. These instruments offer variety and breadth, and have certainly improved over time, even if many push for further improvements. However, a pivotal constraint on instruments lies in the reluctance to utilise more 'political' approaches. It has been argued that a significant degree of the problems faced in transitional countries are not because of a lack of technical know-how, but due to the politicisation of key institutions such as the media and electoral commissions. Many authorities note a need to purposefully engage with the power relations in a target country (BURNELL 2007; SANTISO 2002), and questions have been raised about: 'the extent to which democracy can be enhanced through the "positive" route of aid projects without attendant critical diplomatic purchase' (DE ZEEUW 2007: 127). However, there is a notable reluctance to address such issues for fears of losing the neutrality that is considered central to the public acceptance of democracy assistance.

Resources constitute: the budget; equipment; time; personnel; and, quality of human capital made available for a democracy assistance programme. Budgets for democracy assistance quickly increased following the end of the Cold War. For example, US funding jumped from around $150m per year under Ronald Reagan to around $700m under Clinton (CAROTHERS 2004: 39-43). By the turn of the millennium, overall global funding was estimated at around $2billion per year, about half coming from private and public sources in the US and half from largely public sources in Europe (YOUNGS et al. 2006). However, a precise understanding of resources is undermined by the lack of any standardised or easily comparable classifications of democracy aid across countries. Moreover, because democracy has become increasingly viewed as central to peacebuilding, almost any international assistance effort that addresses any perceived or real peacebuilding or

development issue can arguably be labelled 'democracy assistance.' Indeed, it has been posited that some development agencies simply renamed their traditional development programmes as 'democracy assistance' to demonstrate that they were in tune with fashionable governance themes (BURNELL 2000a: 339). Finally, it is also worth stressing that democracy assistance funding remains a fraction of other areas of public spending such as defence[3].

Many authorities have additionally called for a longer term commitment with the target country, asserting that 'it can take years, even decades, to nurse political and social institutions that can promote and strengthen democracy' (KUMAR 2000: 205). It has also been stressed that for assistance to be credible it must be sustained and that 'one-shot' assistance is usually not well-absorbed (McMAHON 2002). Additionally, assistance should preferably arrive much earlier in the transition process (ELLIS et al. 2006). However, although in agreement with the need for a more sustained engagement, De Zeeuw notes that such calls are 'tantamount to wishful thinking' (2007: 97).

Cohesiveness can be classed as: 'the capacity to reach a collective decision and stick to it' (HILL 1997: 8). Within certain domains, there have been positive steps in fostering cohesion, for example, with the signing of the Declaration of Principles for International Election Observation (UNITED NATIONS 2005). However, there remains a clear necessity for enhanced coordination and harmonisation amongst donors (ELLIS et al. 2006; RAKNER et al. 2007). Indeed, 'whereas in other fields of development assistance, cooperation among donors is the norm, donor coordination and cooperation is not a standard practice as far as democracy assistance is concerned' (GREEN & KOHL 2007: 157). Overcoming donor fragmentation, it is argued, would increase cost-effectiveness of aid by avoiding the duplication of efforts and by allowing for a deeper, joint understanding of the local dynamics (MCMAHON 2002).

In addition, there is also a need for more consistency in the focus of democracy assistance. For example, it has been noted that: 'the incoherent and inconsistent pursuit of aims such as democracy promotion' does not contribute positively to the image of external assistance (SMITH 2007: 129). We have already seen how a lack of consistency and integrity in application can adversely affect perceptions of democracy assistance, but it can also have practical disadvantages in terms

[3] For example, the US defence budget is typically estimated at above $400bn, in comparison to the most optimistic estimations of US democracy assistance of $1bn.

of lessons not being learned and 'reinventing the wheel' on every mission. Burnell notes that assistance should retain a flexibility to adapt to the local context, but that: 'this is not an argument for amateurism, for a wasteful duplication of effort or the kind of collective amnesia that would allow remediable weaknesses in emerging democracies to "fall through the cracks"' (BURNELL 2000a: 343).

The democracy assistance system

Democracy assistance as a system of external relations is a collective enterprise in which independent organisations conduct partly common, and partly separate, international actions. In practice, what is being analysed here is how the inputs in terms of both capabilities and expectations are translated into strategies that seek to find an optimal balance between these two forms of inputs.

Outputs

Outputs refer to the strategic actions of democracy assistance. Despite the variety of countries that are targeted for democracy assistance, both post-conflict or otherwise, it has been argued by several writers that standard and consistent operational outputs exists (CAROTHERS 1999: 85-86). Carothers was one of the first to detail what he refers to as 'the democracy template,' arguing that it comprises of three core elements; elections, state institutions, and civil society. This template has been supported by several other writers, who, although tweaking the names and content of the categories, have proposed largely similar models (FINKEL et al. 2007; JEONG 2005; LABONTE 2003; PARIS 2004). Melissa Labonte notes a shift in emphasis on each of the components over time and is supported by Carothers and OTTOWAY (2000: 4-6) who argue that three distinct phases of democracy assistance are discernable, beginning with a focus on elections, before shifting to a 'top-down' emphasis on state institutions in the early-1990s, and culminating in a 'bottom-up' emphasis on civil society during the mid-1990s. Throughout all these phases though, the emphasis on elections has remained dominant.

A review of the literature illustrates that opinion is divided about the impact of the outputs of democracy assistance, from positive through negligible to negative effects. DE ZEEUW and Luc VAN DE GOOR (2006: 281) claim the impact of democracy assistance has been:

The Democracy Template	
Element	Areas of Assistance
Elections and Political Parties	Design of electoral system; good administration of elections; voter education; election observation; election mediation; professional political parties
State Institutions	Written constitutions (emphasising consent of the governed); separation of powers, rule of law, respect for political and civil rights
Civil Society	Diverse, active and independent civil society; Emphasis on advocacy (e.g. human rights, women's rights); independent media; trade unions

Fig. 4. **The Democracy Template**

'mixed but predominantly positive', FINKEL *et al.* (2007: 436) claim there has been 'a moderate but consistent worldwide effect', whilst, on the flipside, KNACK (2004: 251) has categorically claimed that 'no evidence is found that aid promotes democracy'.

The reality is that measuring democratic outputs is a highly problematic area and, even if progress is achieved, it is difficult to attribute specific outcomes to particular stimuli (McMAHON 2002). As the likes of Green have explained, identifying programme impact in a context of multiple programmes, donors and national and global political and economic conditions presents major difficulties. Moreover, there is also the problem of counterfactuals, making it difficult to justify claims of success, when it is unknown what would have happened in the absence of a programme. Nevertheless, despite difficulty in establishing causation and attribution, it is plausible that, at a minimum: 'many institutions conducive to democracy, like elections, civil society organisations, print and broadcast media, as well as human rights NGOs, would probably not have existed or survived in many post-conflict countries' without international democracy assistance (DE ZEEUW and VAN DE GOOR 2006: 282). Moreover, the most significant impacts of a programme are often difficult to measure and involve the transmission of ideas that impact upon culture, psychology and morals. As Burnell states, 'project results are often invisible — what's left at the end of the programme is a change of mind, an altered attitude, a new concept and way of doing things' (BURNELL 2000a: 341).

Furthermore, specifically on the issue of post-conflict transition, there is an argument that proponents of post-conflict democracy assist-

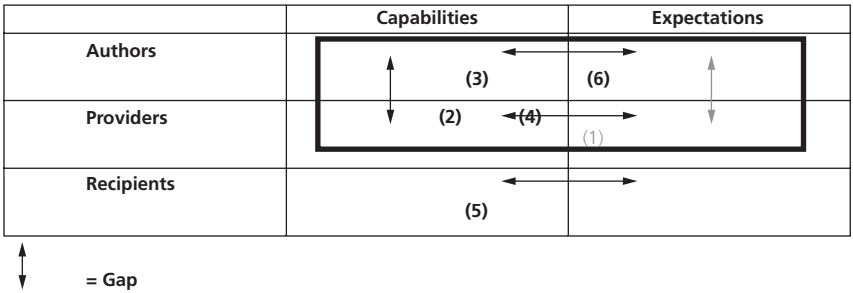
ance have been overly optimistic and efforts should be judged primarily by their ability to ensure the termination of conflict rather than in establishing a fully functioning liberal democracy (LYONS 2002; STEDMAN 2002). As Lyons states: 'in the most difficult cases, ending the war is the only goal that can be accomplished in the short run' (LYONS 2002: 216). It is argued that expectations of what determines a success are too high and that for post-conflict countries, the priority is always peace and that democracy is included solely as a support mechanism to the peace process.

Gap

Very simply, the gap refers to any divergence between the capabilities and the expectations of democracy assistance programmes. In the case of post-conflict democracy assistance, that gap is considered to be substantial and detrimental to not only the successes and credibility of post-conflict peacebuilding, but also to the hopes of local citizens who believe that international involvement will help them achieve democracy and peace. One obvious cause of the gap would be the tendency amongst democracy assistance organisations to claim substantial credit for a democratic transition in which they played only a minor role. For example, several authorities have noted how organisations have typically: 'talked only about their successes in order to generate greater resources and raised undue expectations about their effectiveness' (MENDELSON & GLENN 2002: 234). The way in which the funding and evaluations of democracy assistance programmes occur is certainly a major factor.

However, this author believes the gap originates much deeper, and can be traced to the expectations regarding the benefits of post-conflict democracy assistance. The peace, development and human rights arguments used to support democracy assistance are both compelling and robust. In particular, the manner in which democracy helps develop a culture of negotiation, toleration and mutual respect across various parts of a society is fundamental to a sustainable peace. However, these are substantive notions that are associated with maximalist models of democracy and are largely excluded from the minimalist models of democracy that have dominated international assistance strategies thus far. Indeed, it is precisely these substantive qualities of democracy —the very characteristics that make democracy so appealing to peacebuilding— that have been neglected in democracy assistance; a disjuncture which can be said to represent the most important cause of the CEG (LAPPIN 2009).

In addition, where Hill speaks of an overall CEG, it is posited here that an overall CEG can be broken down into various sub-CEGs. One of the advantages of a more broken-down, itemised approach to understanding the CEG is the ability this affords discerning which gaps are wider and which gaps are more influential or problematic. Due to space constraints, a full elaboration of this will not be given in this article, however, an initial sketch of how the CEG may manifest itself more specificically within post-conflict democracy assistance is given in the figure below:



The CEG framework can be considered a six-dimensional model, accounting for the gap in terms of:

(1) The gap between expectations held by the different stakeholders in terms of defining the ends (model of democracy) and the means (method of democratisation). = *Prime Cause of CEG*
(2) The gap between capabilities held by different stakeholders in terms of capacity to both 'provide' assistance and also to 'receive' assistance.
(3) The gap between capabilities and expectations for authors.
(4) The gap between capabilities and expectations for providers.
(5) The gap between capabilities and expectations for recipients.
(6) The gap between capabilities and expectation that exists holistically across the democracy assistance system within a given post-conflict country.

Fig. 5. **Potential Gaps between Capabilities and Expectations within Democracy Assistance**

Feedback

The final component, feedback, refers to the formal and informal loops that carry knowledge of the gap back to the democracy assistance authors and the powers that sanction them. Without such feedback, the initiation of new and improved inputs to better manage the

CEG is impossible. Feedback typically takes the form of country-specific evaluations organised by the donors, which can also include: general evaluations of organisational practice; feedback through the media; testimony and reports from local counterparts; and also, academic investigations.

Aguably, the biggest problem with the feedback from democracy assistance lies in the very methods used. Significantly, evaluations of democracy assistance programmes are not a standard and consistent practice and, even when evaluations are conducted, they are often informal, internally managed, and unpublished (BURNELL 2000a: 339). Second, donors have illustrated an unabashed preference for quantitative, highly visible and politically attractive outcomes of democracy assistance programmes over more qualitative based indicators (CRAWFORD 2003). For instance, it is much easier to assess the number of voters registered, election turnout, and the number of polling staff trained than it is to measure levels of accountability, civic involvement and representation. Third, even when qualitative analysis is included, it typically: 'ends up being supplementary at best, with little time and energy usually invested in it either by those producing it or those reviewing it' (CAROTHERS 1999: 293). Finally, the value of evaluations is often undermined by the fact that they typically occur immediately once a programme is completed. This is problematic because 'the true significance of investments in democracy building and their efforts may not become fully apparent until long after the event' (BURNELL 2000a: 340). In fact, there is something of an inherent contradiction between the long-term process of democratic change and the short-term necessity donors place on agencies to report results quickly (RAKNER et al. 2007).

Conclusions: Harmonising expectations and the 'optimal CEG'

Hill argued that the emergence of a CEG in EU foreign policy was inherently dangerous, as such an imbalance could lead to debates over false possibilities about potential and produce a: 'disproportionate degree of disillusion and resentment when hopes were inevitably dashed' (HILL 1997: 23). As the CEG is similarly injurious to democracy assistance strategies —and by consequence the entire democratic transition of the country in question— it should be closed, which can only be achieved, in theory, either by increasing capabilities or decreasing expectations.

Ultimately, Hill's suggested antidote for the CEG, at least in respect of the CFSP, is to significantly lower expectations to a level more consummate with capabilities: 'policy-makers [should] realise the dangers

of hubris and scale down their ambitions to remake international relations' (HILL 1997: 25). These are wise words, and ones which certainly have a place in democracy assistance strategies and wider peacebuilding efforts (LYONS 2002). However, it is asserted that if democracy is accepted as a central component of post-conflict peacebuilding, then a compelling vision of an imagined future must be in place. Imagined futures of peaceful coexistence are seen as vital in maintaining a commitment to a peace process (LARGE & SISK 2006; LEDERACH 1997) and should therefore not be jettisoned because they may seem overly ambitious. Indeed, in the midst of a civil war, any return to peace may be seen as wildly optimistic; however, without leaders able to articulate a viable peaceful future, such as Vaclav Havel and Nelson Mandela, progress towards a sustainable peace would be stillborn. The question, therefore, is not so much how to eliminate the CEG, but rather how do we manage the gap so that expectations of a sustainable and peaceful democracy remain viable even when we are unsure of the strategies to reach such an outcome or, in fact, how such a final outcome will ultimately manifest itself. The achievement of such a fine balancing act —of idealistic aspirations tempered by a vigilance of strategy— can be termed the 'optimal CEG.'

On a more practical level, improved capabilities would always be welcome, and in fact should constantly be sought after, not least in terms of improved donor harmonisation which would come at a relatively low cost. However, perhaps the more fundamental challenge is to work on closing the gap within expectations, and specifically between: the expectations of the benefits of post-conflict democracy assistance; and, the expectations of the model of democracy that can best realise those benefits. To this end, further research into the values and assumptions that are attached to democracy assistance by international organisations is required to understand if these expectations are indeed congruent with post-conflict peacebuilding. Academics and practitioners should, therefore, take meaningful steps to explore the assumptions inherent in post-conflict democracy assistance programmes —both within the organisations and within the targeted states— so that steps can be taken to make the process more coherent and sustainable for all the actors involved.

References

ANNAN, Kofi (2000): *UN Secretary General Kofi Annan's Closing Remarks to the Ministerial Meeting, "Towards a Community of Democracies.* Conference."

— (2001): *Framework for Coopeartion in Peacebuilding.* New York: United Nations.
BARBER, Benjamin (1984): *Strong Democracy.* Berkeley and Los Angeles: University of California Press.
BLUMER, Henry (1954): "What is Wrong with Social Theory?", *American Sociological Review* 19: 3-10.
BOUTROS-GHALI, Boutros (1992): *An Agenda for Peace.* New York: United Nations.
—, (1996): *An Agenda for Democratization.* New York: United Nations.
BRAHM, Eric (2004): "Election Monitoring". *http://www.beyondintractability.org/essay/election_monitoring/.*
BRYMAN, Alan (2004): *Social Research Methods.* Second Edition. Oxford: Oxford University Press.
BUENO DE MESQUITA, Bruce and George W. DOWNS (2006): "Intervention and Democracy". *International Organization* 60.
BURES, Oldrich (2007): *U.N. Peacekeeping in the 21st Century: A Capabilities-Expectations Gap Analysis*. In SGIR Conference. Turin.
BURNELL, Peter (2000a): "Democracy Assistance: The State of the Art". In *Democracy Assistance: International Co-operation for Democratization,* ed. Peter BURNELL. London: Frank Cass.
— (2000b): "Democracy Assistance: The State of the Discourse". In *Democracy Assistance: International Co-operation for Democratization,* ed. Peter BURNELL. London: Frank Cass.
— (2007): "Relations between State, Civil Society and Private Sector". In *Democracy: Europe's Core Value?,* eds. Marieke VAN DOORN and Roel VON MEIJENFELDT. Delft: Eburon.
— (2008): "From Evaluating Democracy Assistance to Appraising Democracy Promotion". *Political Studies* 56: 414-434.
BUSH, George W. (2003): "Transcript of Bush's Speech to the American Enterprise Institute". In *New York Times.*
— (2004): "President Bush's remarks on Development in Afghanistan". In *Washington Convention Center*.
— (2005): *War on Terrorism Requires the Advance of Freedom.*
BUXTON, Julia (2006): "Securing Democracy in Complex Environments". *Democratization* 13 (5): 709-723.
CAMERON, Fraser (2002): "The European Union's Growing International Role: Closing the Capability-Expectations Gap?". In *The European Union in International Affairs.* National Europe Centre, Australian National University.
CAROTHERS, Thomas (1999): *Aiding Democracy Abroad: The Learning Curve.* Washington D.C.: Carnegie Endowment for International Peace.
— (2004): "The Clinton Record on Democracy Promotion". In *Critical Mission: Essays on Democracy Promotion,* ed. Thomas CAROTHERS. Washington D.C.: Carnegie Endowment for International Peace.
— (2006): "The Backlash Against Democracy Promotion". *Foreign Affairs* 85 (2).
— (2007): "How Democracies Emerge: The 'Sequencing' Fallacy". *Journal of Democracy* 18 (1): 12-27.

— and Marina Ottaway (2000): "The Burgeoning World of Civil Society Aid". In *Funding Virtue: Civil Society Aid and Democracy Promotion,* eds. Thomas CAROTHERS and Marina OTTAWAY. Washington D.C.: Carnegie Endowment for International Peace.
CLINTON, Bill (1995): *A National Security Strategy of Engagement and Enlargement.*
COUNCIL OF THE EUROPEAN UNION (2001): *Council Conclusions on the European Union's Role in Promoting Human Rights and Democratisation in Third Countries.* Luxembourg.
CRAWFORD, Gordon (2003): "Promoting Democracy From Without: Learning From Within (Part I)". *Democratization* 10 (1): 77-98.
CSCE (1991): *Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE.*
DAHL, Robert A. (1971): *Polyarchy: Participation and Opposition.* New Haven, Connecticut: Yale University Press.
DE ZEEUW, Jeroen (2007): "How To Make Democracy Assistance More Effective: Recommendations for Doing it Differently". In *Democracy: Europe's Core Value?,* eds. Marieke VAN DOORN and Roel VON MEIJENFELDT. Delft: Eburon.
— and Krishna KUMAR (2006): "Democracy Assistance to Postconflict Societies". In *Promoting Democracy in Postconflict Societies,* eds. Jeroen DE ZEEUW and Krishna KUMAR. Boulder, Colorado: Lynne Reinner Publishers.
— and Luc VAN DE GOOR (2006): "Findings and Recommendations". In *Promoting Democracy in Postconflict Societies,* eds. Jeroen DE ZEEUW and Krishna KUMAR. Boulder: Lynne Rienner.
DIAMOND, Larry (1996): "Toward Democratic Consolidation". In *The Global Resurgence of Democracy,* eds. Larry DIAMOND and Marc F. PLATTNER. 2nd Edition. Baltimore: John Hopkins University Press.
DOYLE, Michael W. (1983): "Kant, Liberal Legacies and Foreign Affairs: Part 1 and 2". *Philosophy and Public Affairs* 12 (3-4).
ELLIS, A.; P. GUERIN and A. AYOUB (2006): *Effective Electoral Assistance: Moving Away from Event-based Support to Process Support.* Stockholm: International IDEA.
EYERMAN, Joe (1998): "Terrorism and Democratic States: Soft Targets or Accessible Systems". *International Interactions* 24: 151-170.
FEARON, James D. and David D. LAITIN (2003): "Ethnicity, Insurgency, and Civil War". *American Political Science Review* 97 (1).
FINKEL, Steven E.; Anibal PEREZ-LINAN and Mitchel A. SELIGSON (2007): "The Effects of US Foreign Assistance on Democracy Building, 1990-2003". *World Politics* 59 (3): 404-439.
FUKUYAMA, Francis (1992): *The End of History and the Last Man.* New York: The Free Press.
GAUSE III, F. Gregory (2005): "Can Democracy Stop Terrorism?". *Foreign Affairs* 84 (5): 62-76.
GLEDITSCH, Nils Petter and Havard HEGRE (1997): "Peace and Democracy: Three Levels of Analysis". *Journal of Conflict Resolution* 41 (2): 283-310.

GREEN, Andrew T. and Richard D. KOHL (2007): "Challenges of Evaluating Democracy Assistance: Perspectives from the Donor Side". *Democratization* 14 (1): 151-165.

HADENIUS, Axel (1992): *Democracy and development.* Cambridge: Cambridge University Press.

HEARN, Julie and Mark ROBINSON (2000): "Civil Society and Democracy Assistance in Africa". In *Democracy Assistance: International Co-operation for Democratization,* ed. Peter BURNELL. London: Frank Cass.

HELD, David (1996): *Models of Democracy.* 2nd Edition. Cambridge: Polity Press.

HILL, Christopher (1993): "The Capability-Expectations Gap, or Conceptualising Europe's International Role". *Journal of Common Market Studies* 31 (3): 305-328.

— (1997): "Closing the Capability-Expectations Gap?". In *Fifth Biennial International Conference of the European Community Studies Association of the United States.* Seattle, Washington.

HUBER, Daniela (2008): "Democracy Assistance in the Middle East and North Africa: A Comparison of U.S. and E.U. Policies". *Mediterranean Politics* 13 (1): 43-63.

HUNTINGTON, Samuel (1984): "Will More Countries Become Democratic?". *Political Science Quarterly* 99: 192-218.

— (1991): *The Third Wave: Democratization in the Late Twentieth Century.* New York: M.E. Sharpe.

— (1997): "After Twenty Years: The Future of the Third Wave". *Journal of Democracy* 8 (4): 3-12.

JEONG, Ho-Won (2005): *Peacebuilding in Postconflict Societies: Strategy & Process.* Boulder: Colorado: Lynne Reinner Publishers.

KAPSTEIN, Ethan B. and Nathan CONVERSE (2008): "Why Democracies Fail". *Journal of Democracy* 19 (4): 57-69.

KARLSTROM, Mikael (1996): "Democracy: Political Culture and Democratisation in Uganda". *Africa: Journal of the International African Institute* 66(4): 485-505.

KNACK, Stephen (2004): "Does Foreign Aid Promote Democracy?", *International Studies Quarterly* 48 (1): 251-266.

KUMAR, Krishna (2000): "International Assistance for Post-Conflict Elections". In *Democracy Assistance: International Co-operation for Democratisation,* ed. Peter BURNELL. London: Frank Cass.

— (2004): "International Political Party Assistance: An Overview and Analysis". *Conflict Research Working Paper,* Clingendael Institute, Netherlands 33.

— and Jeroen DE ZEEUW (2006): "Democracy Assistance to Postconflict Societies". In *Promoting Democracy in Postconflict Societies,* eds. Jeroen DE ZEEUW and Krishna KUMAR. Boulder: Lynne Rienner.

LABONTE, Melissa (2003): "Dimensions of Postconflict Peacebuilding and Democratisation". *Global Governance* (9): 261-272.

LAPPIN, Richard (2003): "An Investigation into the Capability-Expectations Gap in U.N. Peacekeeping". In *Department of Politics, International Relations and European Studies:* Loughborough University.

—, (2009): "What Democracy? Exploring the Absent Centre of Post-Conflict Democracy Assistance". *Journal of Peace, Conflict and Development* (14): 1-32.

LARGE, Judith and Timothy D. SISK (2006): *Democracy, Conflict and Human Security: Pursuing Peace in the 21st Century.* Stockholm, Sweden: International IDEA.

LATHER, Patti (1986): "Research as Praxis". *Harvard Educational Review* 56: 257-277.

LEDERACH, John Paul (1997): *Building Peace: Sustainable Reconciliation in Divided Societies.* Washington DC: US Institute of Peace Publishing.

LI, Quan (2004): "Does Democracy Promote Transnational Terrorist Incidents?". In *Annual Meeting of International Studies Association.* Montreal, Canada.

LINZ, Juan Jose and Alfred C. STEPAN (1996): *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe.* Baltimore: John Hopkins University Press.

LIPSET, Seymour Martin (1959): "Some Social Requisites of Democracy: Economic Development and Political Legitimacy". *The American Political Science Review* 53 (1): 69-105.

LUNG, Ioana (2007): "Improved Capabilities, New Expectations, Same Old Gap? Christopher Hill's Capability-Expectations Gap and the 2006 Lebanon Conflict". *Journal of Security Issues* 1 (1): 29-38.

LYONS, Terrence (2002): "The Role of Postsettlement Elections". In *Ending Civil Wars: The Implementation of Peace Agreements,* eds. Stephen John STEDMAN, Donald ROTCHILD and Elizabeth M. COUSENS. Boulder: Lynne Rienner.

MANSFIELD, Edward D. and Jack SNYDER (1995): "Democratisation and the Danger of War". *International Security* 20 (1): 5-38.

MCMAHON, Edward R (2002): "The Impact of U.S. Democracy and Governance Assistance in Africa: Benin Case Study". In *American Political Science Association Meeting.* Boston, Massachusetts.

MENDELSON, Sarah E. and John K. GLENN (2002): "Conclusion: The Power and Limits of Transnational Democracy Networks in Postcommunist Societies". In *The Power and Limits of NGOs: A Critical Look at Building Democracy in Eastern Europe and Eurasia,* eds. Sarah E. MENDELSON and John K. GLENN. New York: Columbia University Press.

MOORE, Barrington (1966): *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World.* Boston: Beacon Press.

MOORE, Jennifer (2007): "Democracy Ltd.". *Canadian Dimension* 41 (2): 56-58.

MULLER, Edward N. and Erich WEEDE (1990): "Cross-National Variation in Political Violence: A Rational Action Approach". *The Journal of Conflict Resolution* 34 (4): 624-651.

O'DONNELL, Guillermo A., Philippe C. SCHMITTER and Laurence WHITEHEAD (1986): *Transitions from Authoritarian Rule.* Baltimore and London: John Hopkins University Press.

ORGANISATION FOR ECONOMIC COOPERATION AND DEVELOPMENT (OECD) (1995): *Participatory Development and Good Governance*. Paris: OECD.

OTTAWAY, Marina and Thomas CAROTHERS (2000): *Funding Virtue: Civil Society Aid and Democracy Promotion.* Washington D.C.: Carnegie Endowment for International Peace.

PALEY, Julia (2002): "Toward an Anthropology of Democracy". *Annual Review of Anthropology* 31: 469-496.

PARIS, Roland (2004): *At War's End: Building Peace after Civil Conflict.* New York: Cambridge University Press.

PECENY, Mark (1999): *Democracy at the Point of Bayonets.* University Park: Pennsylvania State University Press.

PRZEWORSKI, Adam, Michael E. ALVAREZ, Jose Antonio CHEIBUB and Fernando LINMONGI (2000): *Democracy and Development: Political Institutions and Well-Being in the World, 1950-1990.* Cambridge: Cambridge University Press.

RAKNER, Lise, A. Rocha MENOCAL and V. FRITZ (2007): "Democratisation's Third Wave and the Challenges of Democratic Deepening: Assessing International Democracy Assistance and Lessons Learned". *Research Paper for the Advisory Board to Irish Aid,* Overseas Development Institute (ODI).

RAY, James Lee (1998): "Does Democracy Cause Peace?". *Annual Review of Political Science* 1: 27-46.

REYCHLER, Luc (1999): *Democratic Peace-Building & Conflict Prevention: The Devil is in the Transition.* Leuven: Leuven University Press.

— (2001): "Monitoring Democratic Transitions". In *Peacebuilding: A Field Guide,* eds. Luc Reychler and Thania Paffenholz. Boulder, Colorado: Lynne Reinner.

RICHMOND, Oliver P. (2007): "Critical Research Agendas for Peace: The Missing Link in the Study of International Relations". *Alternatives* 32 (2): 247-274.

RIEFFER, Barbara Ann J. and Kristan MERCER (2005): "US Democracy Promotion: The Clinton and Bush Administrations". *Global Society* 19 (4): 385-408.

ROBINSON, William I. (1995): *Promoting Polyarchy: Globalization, U.S. Intervention, and Hegemony.* Cambridge: Cambridge University Press.

ROSS, Jeffrey Ian (1993): "Structural Causes of Oppositional Political Terrorism: Towards a Causal Model". *Journal of Peace Research* 30: 317-329.

ROWEN, Henry S. (1995): "The Tide Underneath The 'Third Wave'". *Journal of Democracy* 6: 52-64.

RUESCHEMEYER, Dietrich, Evelyne HUBER STEPHENS and John D. STEPHENS (1992): *Capitalist Development and Democracy.* Cambridge: Cambridge University Press.

RUMMEL, Rudolph Jl (1995): "Democracy, Power, Genocide, and Mass Murder". *Journal of Conflict Resolution* 39 (1): 3-26.

SANTISO, Carlos (2002): "Promoting Democratic Governance and Preventing the Recurrence of Conflict: The Role of the United Nations Development Programme in Post Conflict Peace-Building". *Journal of Latin American Studies* 34: 555-586.

SCHEDLER, Andreas (1998): "What is Democratic Consolidation?". *Journal of Democracy* 9 (2): 91-107.

SCHUMPETER, Joseph (1947): *Capitalism, Socialism and Democracy.* New York: Haroer & Brothers.
SMITH, Karen (2007): "The Role of Democracy Assistance in Future EU External Relations". In *Democracy: Europe's Core Value?,* eds. Marieke VAN DOORN and Roel VON MEIJENFELDT. Delft: Eburon.
STARR, Harvey (1991): "Democratic Dominoes: Diffusion Approaches to the Spread of Democracy in the International System". *Journal of Conflict Resolution* 35.
STEDMAN, Stephen John (2002): "Introduction". In *Ending Civil Wars: The Implementation of Peace Agreements,* eds. Stephen John STEDMAN, Donald ROTCHILD and Elizabeth M. COUSENS. Boulder: Lynne Rienner.
TULMETS, Elsa (2007): "Can the Discourse on 'Soft Power' Help the EU to Bridge its Capability-Expectations Gap?". *European Political Economy Review* 7: 195-226.
UNITED NATIONS (2005): *Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers,* ed. New York: United Nations.
USAID (1999): *USAID Political Party Development Assistance.* Washington D.C.: USAID.
WALTON, John and David SEDDON (1994): *Free Markets and Food Riots: The Politics of Global Adjustment.* Cambridge, Mass.: Blackwell.
WHITEHEAD, Laurence (2004): "Democratization with the Benefit of Hindsight: The Changing International Components". In *The UN Role in Promoting Democracy: Between Ideals and Reality,* eds. Edward NEWMAN and Roland RICH. Tokyo: United Nations University Press.
YOUNG, Iris Marion (2000): *Inclusion and Democracy.* Oxford: Oxford University Press.
YOUNGS, Richard (2007): "Democracy as Product versus Democracy as Process". In *Democracy: Europe's Core Value?,* eds. Marieke VAN DOORN and Roel VON MEIJENFELDT. Delft: Eburon.
YOUNGS, Richard, Kristina KAUSCH, David MATHIESON, Irene MENENDEZ and Jeroen DE ZEEUW (2006): *Survey of European Democracy Promotion Policies 2000-2006.* Madrid: FRIDE.
ZAKARIA, Fareed (2004): *The Future of Freedom: Illiberal Democracy at Home and Abroad.* New York: Norton.
ZARTMAN, I. William (1993): "Changing Forms of Conflict Mitigation". In *Global Transformation in the Third World,* eds. Robert O. Slater, Barry M. Schutz and Steven R. Dorr. Boulder: Colorado: Lynne Rienner.

Towards an Extended Root Cause Approach within the Framework of Human Security

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Introduction

The term "Human Security" describes an individual human condition that we have to strive for. According to the UNDP Development Report of 1994 human security means: "First, safety from chronic threats such as hunger, disease and repression. And second, it means protection from sudden and hurtful disruptions in the patterns of daily life —whether in jobs, in homes or in communities—." (UNDP 1994: 23) These pervasive threats are to be tackled within the means of the international community. Some threats have their roots in environmental conditions and others are purely man-made.

Parallel to this concept policymakers, NGOs and scientists have stressed the necessity to tackle the root causes of conflicts, political violence (including terrorism) and threats in general. Both ideas and their resulting policies have good intentions —the resolution and prevention of conflicts—. Nevertheless, the fields of both, human security and root cause prevention, are still perceived as two different approaches, though they share a common goal —the establishment of a peaceful environment and the retrieval of basic needs—.

Slowly the idea is evolving that these two approaches, the root cause approach and the Human Security approach, could complement each other and result in a fruitful and durable synergy. Another claim, which can be achieved through such a combination, is the aspect of the prevention of threats.

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A Problem of Terminology

Bearing in mind that Human Security was originally conceived as a political concept developed by the UN Development Programme, one problem often creates a big gap between politics and science: it is the use of language. Policymakers tend to express situations and problems that are striking as possible to attract attention and to gain support from other decision makers. The use of catchwords however is often not compatible with the terminologies of scientific works. Terms like: pervasive threats; human insecurities; root causes; and, underlying causes correlate with scientific terms such as: structural violence; direct violence; direct threats: and, indirect threats. Politicians take science into account only sporadically. The catchwords are frequent and though they describe similar things, namely a threat to the individual, the use of different terms expands the problem, namely that science and politics do not have a common and coherent terminology. The tendency of politicians to often use striking catchwords makes it especially difficult to apply the political concept of human security to scientific work and the other way around, without creating a coherent terminology. Most of the time it is then up to the executive bodies to understand the political will and to structure ideas. It happens quite frequently that they rather reinvent the wheel than use accessible scientific results. The reasons for this dilemma may be that sometimes science is too complicated to be understood by policymakers or too complex to be implemented into policies, and that the use of different terminologies to describe the same phenomena often increases this problem[2].

The objective of this chapter is to extract and to structure the intention behind the use of these frequent catchwords, like root causes or human insecurities, by developing a systematic scheme of a root cause approach within the human security concept.

First, we will take a look at the surrounding of the discussion about human security in combination with terms describing underlying causes of conflicts. Secondly, we will refer to theoretical work in the area of conflict and peace studies and sociology to locate frequently used terms like root causes and underlying causes within the Human Security concept. To conclude with a structured root-cause-based approach of human security a systematic scheme will be developed.

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[2] This is a phenomenon, which is common even within related fields of science and even within the same areas. E.g. physics and mathematics, among doctors of different fields of medicine, medicine and psychology, law and sociology, etc.

Human Security and Root Causes in Policy-Related Discussions

In the following, an exemplary overview of different policy-related discussions concerned with tackling the reasons of conflicts and other threats is presented. A special focus will be on the terms such as 'root causes' and 'underlying causes' as a threat to the individual in the sense of Human Security.

Human Development Reports

The categories developed in the UN Human Development Report 1994 categorize the threats to human security (UNDP 1994: 24-25) under different aspects of security. It concludes for example that a threat to economic security like unemployment is one of the main underlying factors fuelling political tensions and ethnic violence in several countries." (UNDP 1994: 25). Among these seven elements of human security are considerable links and overlaps. A threat to one element of human security is likely to travel [...] to all forms of human security" (UNDP 1994: 33). Economic insecurity could result in violent struggles, and violent struggles may result in economic insecurities, resulting in a vicious cycle, which will be explained in the following section.

The Afghanistan National Human Development Report 2004 notes that the necessity of addressing both the internal and external root causes in order to prevent further conflicts (UNDP 2004-Afghanistan: 10). Moreover, this includes addressing both, the root causes of deprivation and of insecurities (UNDP 2004-Afghanistan: 83). The Regional Human Development Report of Central Asia from 2005 already reflected some concrete root causes with the following comments:

> Inequality, poverty and corruption have been at the root of conflicts and uprisings throughout the world, including the 2005 revolution in Kyrgyzstan. Poverty can foster circumstances where ordinary people become criminals and terrorists because they are frustrated with their lives and have little to lose. There are also direct links between the lack of voice and marginalization, and the desire to be heard through violent means (UNDP-Central Asia: 127).

The whole UNDP (National Human Development) Report 2005 on the Philippines is devoted to Human Security and conflict prevention

stressing the importance of addressing the root causes of armed struggle, including terrorism, and social unrest by pursuing social, economic, and political reforms (UNDP-Philipinnes: 64). The structural causes of the conflict in the Southern Philippines were assessed in this report and areas of particular vulnerability to violent conflicts were identified. "The National Unification Commission (NUC) Report to President Fidel V. Ramos in 1993, which had resulted from nationwide consultations especially at the provincial and regional levels in 1992-'93, identified the root causes of Philippine internal armed conflicts and classified them in five categories:

—Massive and abject poverty and economic inequity, particularly in the distribution of wealth and control over the resource base for livelihood
—Poor governance, including the lack of basic social services, the absenteeism of elected local officials, corruption and inefficiency in government bureaucracy, and the poor implementation of laws, including those to protect the environment
—Injustice, abuse by those in authority and power; violations of human rights; and, inequity, corruption and delays in the administration of justice
—Structural inequities in the political system, including control by an elite minority, of traditional politicians and political dynasties, and enforcement of such control through private armies
—The exploitation and marginalization of indigenous cultural communities, including lack of respect for and recognition of ancestral domain and indigenous legal and political systems (UNDP-Philippines 2005: 83).

The UN Human Development Report 2005 already provides a certain idea, how to structure a root cause approach to human security. "Much has been learned since 1990 about the conditions under which reconstruction fails to provide a framework for recovery. Post-conflict peace-building is a complex task, requiring sustained engagement. To be successful it must both address the underlying causes of conflict and develop institutions perceived as being legitimate by all sides" (UNDP 2005b: 175-177). The same is true for conflict prevention and the treatment of political violence as well. Additionally this report analyses how these underlying causes lead to violence by highlighting the term 'horizontal inequality'. "Horizontal inequality between regions and groups poses threats of a different order, not least because these inequalities can lead to a perception —justified or unjustified— that state power is being abused to advantage one group

over another."[3] The term "horizontal inequality' leads us to an interesting concept in conflict and peace studies and it will direct us to three authors: Frances Stewart, Johan Galtung, and Ted Gurr.

The Commission of Human Security (CHS)

In its basic document the CHS frequently mentions *Human Security Now* the necessity to tackle root and underlying causes regarding most of the human insecurities (CHS 2003: 11, 16, 21, 24, 33, 48, 101, 148). The framework, the CHS developed, put a lot of effort into preventing violent conflicts (including terrorism) by paying attention to underlying causes such as:

—Competition over land and resources
—Sudden and deep political and economic transitions
—Growing inequality among people and communities
—Increasing crime, corruption and illegal activities
—Weak and instable political regimes and institutions, and
—Identity politics and historical legacies, such as colonialism. (CHS 2003: 21).

The UN Summit 2005 Development Goals

In 2005, the General Assembly of the United Nations declared the following:

> We recognize that current developments and circumstances require that we urgently build consensus on major threats and challenges. We commit ourselves to translating that consensus into concrete action, including addressing the root causes of those threats and challenges with resolve and determination (UN GENERAL ASSEMBLY RESOLUTION 60/1 2005)

In the same document the General Assembly committed itself to preventing the uprising of armed conflicts and to include human security in its further policies to entitle people: "to freedom from fear and freedom from want, with an equal opportunity to enjoy all their rights and fully develop their human potential."

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[3] UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP): *Human Development Report 2005,* p. 163.

The ICISS' approach on Root Cause Prevention

In its report the International Commission on Intervention and State Sovereignty (ICISS) referred to human security several times (ICISS 2001: 5,6,7,13,15,18,23) and stressed its strength regarding initiatives, which address root causes that would broadly fit into this concept (ICISS 2001: 23).

According to the ICISS tackling the different root causes means having to resolve:

—Political deficiencies and needs:
—Economic deprivation and the lack of economic opportunities
—The lack of legal protection and institutions
—The need for sectoral reforms to the military and other state security services.

The ICISS clearly distinguishes between root causes and direct causes: "it is common to differentiate between underlying or 'root' and precipitating or 'direct' causes of armed conflict (ICISS 2001: 23)

In this context the direct causes are also called "triggers". The claim of Human Security to understand the interlink of its elements is indirectly reflected by the ICISS when it says that "[in] analyzing the causes of conflict and applying preventive measures it is important that developed countries be aware of the cultural barriers that may inhibit the interpretation of information coming from other countries and regions, and that they overcome any reluctance to examine closely their own policies for evidence of their potential negative impact on developing countries" (ICISS 2001: 23).

The European Commission and the EU

In April 2001 the European Commission adopted a "communication on conflict prevention", which reviewed the main instruments in this field and included recommendations for specific actions. This communication includes 4 objectives; the first of which focused on the root causes to: "make a more systematic and co-ordinated use of EU instruments [...] to get at the root causes of conflict" (EUROPEAN COMMISSION OF EXTERNAL RELATIONS 2001). Therefore, the European Commission developed a structured "check list for root causes of conflict/ early warning indicators" but this however remains a checklist for assessment and not a structured root cause approach, based on:

1. Legitimacy of the State
2. Rule of law

3. Respect for fundamental rights
4. Civil society and media
5. Relations between communities and dispute-solving mechanisms
6. Sound economic management
7. Social and regional inequalities
8. The geopolitical situation.

(EUROPEAN COMMISSION OF EXTERNAL RELATIONS 2001).

"Building on this Communication and on its own experience and views in this field, the Swedish Presidency launched, during its Presidency, the initiative of developing an EU Programme for the Prevention of Violent Conflicts. This Programme was adopted by the General Affairs Council on 11-12 June 2001 and endorsed by the European Council at Göteborg" (EUROPEAN COMMISSION OF EXTERNAL RELATIONS 2001). Influenced by this development and based on the key EU policy statements regarding conflict prevention the NGOs *International Alert* and *Saferworld* published a policy recommendation for the Irish and Dutch presidency in 2004 emphasizing both, human security and a root cause approach (INTERNATIONAL ALERT EU POLICY PAPERS FEB 2004).

Other examples

Another executive body, which implemented a root cause approach in its work, was the Department for International Development (DFID) of the British Government. Their conflict analysis already combines both, the root causes and conflict dynamics, and it adds the conflict actors and stakeholders as a third pillar (DFID: 10-18)) Herewith the DFID developed a comprehensive analytical tool for conflict assessment taking root causes, stakeholders, and conflict dynamics into account (DFID: 10):

- —Structures: the analysis of long term factors underlying conflict in the : security, political, economic, social
- —Actors: the analysis of conflict actors in terms of: interests, relations, capacities, peace agendas, incentives
- —Dynamics: the analysis of long term trends of conflicts, Including: triggers for increased violence, capacities for managing conflict, likely future conflict scenarios (DFID: 10).

The NGO *Swiss Peace* followed a similar approach based on root causes, which it presented on the Inter-Regional Forum on Coping with

Crises and Conflicts at Bucharest, in April 2001 (UNDP-Romania 2001). For their analysis of armed conflicts *Swiss Peace* refers to the scheme called FAST including:

—Root causes (such as ethnic diversity, colonial history, or economic situation)
—Proximate causes (including types of government, or an increase in poverty levels) and,
—Intervening factors (both positive and negative: such as civil society initiatives; as opposed to the arms trade).

The interplay of these three factors is likely to result in armed conflicts (UNDP-Romania 2001) According to Swiss Peace: "One strength of FAST is the uniform structure of all products, even if analytical nuances exist. This allows for easy cross-country comparison and aids policy makers in finding relevant information in the same place (UNDP-Romania: 60). This is exactly what a Human Security approach on root causes, aims at, by analyzing root causes in a manner that is not too sophisticated and time consuming for policymakers. Unfortunately, this FAST analysis oversimplifies sociological conflict dynamics and the history of violence (described below).

Summarizing the issues so far

Human security is a concept which researches the causes of human insecurities. Though the term root causes is often mentioned in combination with the Human Security concept, a structured root cause approach is not visible as yet. Nevertheless, policymakers acted, though unconsciously and in an unstructured manner, intentional according to their perception of necessities. It was (and still is) up to the executive power to implement the root cause approach now. Therefore, the help of science is necessary and a coherent terminology is mandatory. Science has to be geared towards the political concept and its terminology and vice versa. Only this would enable the executive bodies to implement outcomes and theories of science properly.

Out of the exemplary list under discussion above we can conclude that the term 'root cause' is already in use. The terms we are going to use for a coherent Human Security terminology are:

—*Human Insecurities*: All critical pervasive threats to the vital core of human lives (ALKIRE 2001: 2).

—*Root Causes*: All critical pervasive threats to the vital core of human lives, which are underlying reasons for political violence in any kind: civil wars: terrorism; rebellions; turmoil; and, guerrilla wars (GURR 1974: 3-4).

(Though the term "underlying threat" instead of "root cause" would be useful to clarify that root causes are human insecurities as well, for the coherence of a terminology we continue to use the term 'root causes'.)

A third term is that of *Derivative Threats*: Political violence as a result of one or more root causes. This is the only new term, which will be established in this article. In the discussion 'root causes' which are usually mentioned with regard to armed conflicts, which —depending on the discussion— could also mean terrorism and other kinds of political violence. In this chapter, armed conflicts are seen as a final stadium of derivative threats, whereas terrorism is seen as a preliminary stadium (ZANGL & ZÜRN 2003: 180). The term "derivative threat" is necessary to describe all kinds of political violence. At the same time it makes clear that political violence derives from root causes. This term allows the implementation of different theories of peace and conflict studies, without already highlighting a specific scientific idea.

The root causes commonly identified were: structural/horizontal inequalities or inequities; the lack of fundamental rights and freedoms; discrimination and marginalization; corruption; poor governance; and, a lack of rule of law. These root causes fit into the concept of Human Security and therein constitute human insecurities.

Root cause-related scientific discussions

The root cause approach is crucial for any attempt at preventing human insecurities from developing and affecting the vital core of human life, in a durable and consistent way. Arguments and explanations for a root cause approach within the Human Security concept can be found not only in policy related discussions but in different theories of peace and conflict studies. In this regard we will especially refer to Johan Galtung and Ted Gurr, whose works are highly compatible to a root cause approach from a sociological point of view and which include the dynamic of conflicts as well. Though highly essential for resolving conflicts, conflict theories on *private motivation* (KEEN 1994, COLLIER & HOEFFLER 2000)*, on the failure of the social contract* (NAFZIGER & AUVINEN 2000: 91-145), and the *green war hypothesis* (HOMER DIXON 2000:

5-40) will not be included, for it seems not primarily relevant for establishing a root cause approach within Human Security.

Jonathan Goodhand summarizes different dimensions and theories of conflict and highlights two sides of the discussion: the side, which emphasizes the relevance of root causes and the other side, which denies their relevancy by rating the dynamic of conflicts even higher (GOODHAND 2006: 27-47). The opinion stressed here is that both sides of the discussion are important for measuring and treating conflicts. The emphasis is to combine the theories as necessary complements along the hypotheses: the underlying factors resulted in the dynamic of the conflict and can therefore not be excluded from a long term approach. The sole treatment of conflict dynamics without treating the root causes would risk a new outbreak of a conflict that had already been resolved. A comprehensive 'expanded root cause approach' within the framework of human security must therefore contain both, root causes and conflict dynamics.

The Triangle of Violence

When summarizing Galtung's theory of the triangle of violence, the relevance of a root-cause-based approach is not obvious at first sight. However, it becomes clearer as the chapter progresses, in the section on: "sociological definitions of root causes and derivative threats".

To understand the triangle of violence it is necessary, first of all, to understand the terms: cultural violence; direct violence; and, structural violence.

Cultural violence

Galtung defines 'Cultural violence' as any aspect of a culture that can be used to legitimize violence in its direct or structural form. The effect of cultural or symbolic violence, which is built into a culture, does not directly kill or maim like direct violence or structural violence. It is used to legitimize ideologically either or both, as for instance in the theory of a *Herrenvolk,* or a superior race[4]. The relations between direct, structural and cultural violence are explored and explained by Gal-

[4] This aspect of cultural violence is both, an expression and a source for the theory of violence inherent for ideologies and for any weltanschauung. See Chapter "Ideology and Terrorism".

tung, using a violence triangle and a violence strata image, with various types of casual flows. Examples of cultural violence are manifold and can be indicated by using a division of culture into religion and ideology, art and language, as well as empirical and formal science (GALTUNG 1990: 291-305).

Structural violence

"Hunger and poverty are two prime examples of what is described as 'structural violence,' that is, physical and psychological harm that results from exploitative and unjust social, political and economic systems" (GILMAN 1983).

Direct violence

Direct violence, which is also referred to as a 'derivative threat' in this chapter, is expressed physically and/or verbally, becomes visible as social behaviour. Galtung explains the social character of this behavior by stating that human action does not come out of nowhere-there are roots. He indicates two roots: "a culture of violence (heroic, patriotic, patriarchic, etc.), and a structure that itself is violent by being too repressive, exploitative or alienating; too tight or too loose for the comfort of people (GALTUNG)[5].

These three forms of violence are interconnected. While structural and cultural violence are invisible, direct violence is the expression of their interplay (GALTUNG) The invisible roots of violence (structural and cultural violence) lead to direct violence by the use of violent actors. These actors try to revolt against the violent structure and are subsequently legitimized by culture (GALTUNG). Here the *vicious cycle* begins: On the one hand Johan Galtung portrays for example poverty in itself as a root for direct violence and on the other hand as an expression of the triangle of violence (GALTUNG).

Poverty alone does not necessarily lead to political violence; hence it is no root cause? Poverty as a horizontal equal condition, is stable and may likely cause 'crime for profit' but seldom causes political violence. As soon as poverty becomes dynamic, which means that inequal-

[5] J. GALTUNG: *Violence, War, and Their Impact: On Visible and Invisible Impacts of Violence,* Polilog: Forum for Interncultural Philosophy, para. 5. Available online at: *http://them.polylog.org/5/fgj-en.htm.*

ity and inequity arise among groups, one group may start to blame the other group for its poverty. "Not only inequality, but *inequity*" not "Y is low on well-being and human rights" and "X is high on both", but "X is high on both, because Y is low" (GALTUNG 1996) The "us versus them" feeling evolves and may now cause political violence. The political violence itself causes poverty again —the result is a *vicious cycle*—. "In this complex of *vicious cycles* we can now identify three problems that can only be solved by turning the *vicious cycles* into *virtuous cycles*:

a. The problem of resolution of the underlying, root conflict;
b. the problem of reconstruction after the direct violence which entails:

   —rehabilitation after damage to human beings,
   —rebuilding after material damage,
   —restructuration after structural damage,
   —reculturation after cultural damage;

c. the problem of reconciliation of the conflict parties" (GALTUNG).

In his book *Searching for Peace* Galtung questions different perceptions of security and refers to Human Security as a necessary concept to fostering peace (GALTUNG & JACOBSON 2000, 155. 268).

Galtung's *vicious cycles* of the triangle of violence are complemented by Gurr's theory of relative deprivation, which describes one of the major reasons for political violence and which, in policy related discussions, is often named horizontal inequality or structural inequity.

Relative deprivation

In respect of the causes of political violence Ted Gurr uses a different theoretical structure, however the factor of Galtung's *inequity* correlates with the structure of *relative deprivation*. "*Relative deprivation* (RD) is defined as an actors' perception of a discrepancy between their value expectations and their value capabilities. Value expectations are the goods and conditions of life to which people believe they are rightfully entitled. Value capabilities are the goods and conditions they think they are capable of getting and keeping" (GURR: 24) Though relative deprivation as a source of conflict is not a new concept[6], he rightly

[6] "For Aristotle the principal cause of revolution is the aspiration for economic of political equality on the part of the common people who lack it, and the aspiration

points out that the emphasis must be on the actors' perception of deprivation because this, and not an objective judgment of poverty, causes a certain violent behavior of the people affected (GURR: 24).

Another important difference is that Gurr starts a step earlier with values whereas Galtung locates the roots of direct violence in the interplay of the cornerstones of the triangle of violence. Gurr puts forward that values, which are the objective goals of human motivation, are presumably attributable to or derive from basic needs or instincts. Here he refers to Henry Murray, who listed 12 viscerogenic and 28 psychogenic needs (MURRAY, BARRETT, HOMBURGER et al 1938)[7], which he categorized three-fold as: welfare values, power values, and interpersonal values (GURR).

According to Gurr:

> *Welfare values* are those that contribute directly to physical well-being and self-realization. They include the physical goods of life —food, shelter, health services, and physical comforts— and the development and use of physical and mental abilities. [...] *Power values* are those that determine the extent to which men can influence the actions of others and avoid unwanted interference by others in their own actions. Power values especially salient for political violence include the desire to participate in collective decision-making [...] and the related desires for self-determination and security, for example freedom from oppressive political regulation or from disorder. *Interpersonal values* are the psychological satisfactions we seek in nonauthoritative interaction with other individuals and groups (GURR: 25-26).

These value categories cover the complete list of human securities proposed by the UN Human Development Report (UNDP 1994: 24-25): economic security; food security; health security; environmental security; personal security; community security; and, political security. A threat to these human securities could, apart from being a threat to human security itself, similarly result in the outbreak of political violence, which is again a threat to human securities. Here we can easily see the analogy with Galtung's vicious cycle of violence. The sources of

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of oligarchs for greater inequality than they have... Analogous concepts are used by contemporary theorists". See T. GURR: *Why Man Rebel*, pp. 37-40.

[7] Viscerogenic needs = hunger, thirst, etc.; needed for survival, important for everyone. Psychogenic needs = achievement, power, affiliation, intimacy, etc.; individual differences. H.A. MURRAY, W.G. BARRETT, E. HOMBURGER *et al.: Explorations in personality: A clinical and experimental study of fifty men of college age, by the workers at the Harvard psychological clinic,* New York, Oxford University Press, 1938.

aggression are manifold (like aggression as an instinct, as a learned behaviour, or activated by frustration) but the result is a violent behaviour (GURR: 56).

Root causes

Other authors, such as Frances Stewart or John Burton also advocate the necessity of tackling the root causes of conflict. Stewart summarizes these approaches as follows:

- —Wars are a major cause of poverty, underdevelopment, and ill health in poor countries
- —The incidence of war has been rising since 1950, with most wars being within states
- —Wars often have cultural dimensions related to ethnicity or religion, but there are invariably underlying economic causes too
- —Major root causes include political, economic, and social inequalities[8]; extreme poverty; economic stagnation; poor government services; high unemployment; environmental degradation; and individual (economic) incentives to fight
- —To reduce the likelihood of wars it is essential to promote inclusive development; reduce inequalities between groups; tackle unemployment; and, via national and international control over illicit trade, reduce private incentives to fight (STEWART 2002: 342-345).

As such, Stewart hypothesizes three connections: "that human security forms an important part of people's well-being and is therefore an objective of development; that the lack of human security has adverse consequences on economic growth and poverty and thereby on development; and, that a lack of development, or imbalanced development that involves sharp horizontal inequalities, is an important cause of conflict" (STEWART: 342 345). This line of argument demonstrates how human insecurities as root causes are linked to derivative threats; it has to be highlighted as a major statement for a root cause approach to Human Security.

While Stewart highlights the role of economic roots of conflicts, Burton points out clearly that the basic needs are not only covered by

[8] F. STEWART: *Root causes of violent conflict in developing countries,* p. 343. See Table: Examples of *Horizontal Inequality.*

food and shelter but that other values have to be taken into account as well. According to Burton:

> The argument is that aggressions and anti-social behaviours are stimulated by social circumstances. There are human limits to abilities to conform to such institutions and norms: the person is not wholly malleable. On the contrary, the needs that are frustrated by institutions and norms require satisfaction. They will be pursued in one way or another. These needs would seem to be even more fundamental than food and shelter-needs such as personal recognition and identity that are the basis of individual development and security in a society. Denial by society of recognition and identity would lead, at all social levels, to alternative behaviours designed to satisfy such needs, be it ethnic wars, street gangs or domestic violence (BURTON 1998).

The following section should help to explain the interrelationship of these concepts from a sociological perspective and will elaborate on definitions of 'root causes' and 'derivative threats'.

Sociological definitions of root causes and derivative threats

To define root causes and derivative threats as well as to better understand the interrelationship between root causes and conflict dynamics it is useful to refer to Max Weber's understanding of 'social behaviour'. In his fundamental work he distinguishes the social behaviours of crowds from reactive behaviours directly caused by any situation. Social behaviour is geared to the past and present and to those situations or behaviours of others expected in the future. If it rains, the common behaviour of crowds to cover themselves by hiding or opening an umbrella would be a purely reactive behaviour (WEBER 1984: 41-42). By contrast, the production of umbrellas and their being sold in the expectation of rain would be a social behaviour. Another example would be the development of law: a person hurting another person would result in a defensive reaction (however that may be shaped); social behaviour would be the establishment of a law against this offence in the expectation of future attacks. Root causes are real (subjective or objective) factors, which cause, firstly, a reactive behaviour and then a social behaviour. The expectation of the recurrence of this root cause is equitable with ongoing existent root causes; both foster the development and existence of social behaviour.

We can now define that a root cause is a real factor that has an impact on a crowd in causing a reactive and a social behaviour. The root cause itself, in order to fulfil the criterion of being the cause for the de-

velopment of a social behaviour, must be continual, repeated, and/or of major impact on the social structure, which guides the behaviour of the crowd.

For violence as a social behaviour an example would be that a situation of the poverty of one group α and well being of the other group β would result in violent acts of α against β[9]. The resulting social behaviour, is important, for it leads to a definition of 'derivative threats', whereby every kind of violence, as a social behaviour, which is the result of one or more root causes, can be called a derivative threat. To translate this to Galtung's triangle of violence: the root causes are the basis for structural violence, the derivative threats are classified as direct violence. The step back from structural violence to the root causes may seem to be unnecessary at first sight, but when looking at ideology and its development in the setting of cultural violence, then it becomes clear that root causes also give rise to cultural violence (ZWITTER 2007: 27-43).

A process-oriented approach to violence would declare that derivative threats become independent from root causes because of the *history of violence*; in other words the background of a group placed in a given time or region, and its lived or bequeathed memories of violence that have been suffered or inflicted, which influence social behaviour. It could be argued that due to a history of the violence of any particular group the primary reason for the derivative threat, the root causes, has been displaced by the social behaviour of violence, which has become a habit through the permanent expectation of the recurrence of root causes. This is logical and has to be implemented in the root cause approach, but it does not make the root cause approach itself superfluous. One might respond to the critics of the root cause; naturally, if the social behaviour once arose and became a habit, then the eradication of the root causes may not diminish the social behaviour immediately, which is proceeded in expectation of the return of the root cause. When the crowd realizes the permanent abolition of the root causes (this process of realization becomes the equivalent of the decomposition of the structural violence), the social behaviour of violence lacks it's reason and sense, and it will disappear in the long-term perspective. Therefore, the independence of a derivative threat from its former root causes has to be proven in each specific case. Outside the explanations of the CGT-complex ('chosenness', glory, trauma), the DMA-complex

[9] It is the result "violence" that interests us here for the definition of the term "derivative threat". For the socio-psychological mechanisms like horizontal inequality and relative deprivation see explanatory theories on violence above.

(Dichotomy, Manichean view, Armageddon)[10], and the '*guilt for guilt*' and '*trauma for trauma*' *complexes*[11] (that means outside of a *history of violence*) it becomes unimaginable that the historical permanence of derivative threats is independent from the root causes. These independent derivative threats would therefore be easier to address after the successful settlement of disputes no root causes could ever again cause the emergence of new derivative threats.

In the case of the *history of violence* in the group's mind: If the expectation of the resurgence of the root causes remains, the social behaviours (derivative threats) do not disappear; then, if the expectation flares up again within the group, which has already experienced the root causes, their social behaviour will equal the reactive behaviour as a reflexive action.

What was explained for the reactive and social behaviours with regard to the root causes, is true for derivative threats in analogy. The reactive and social behaviors may also be provoked by derivative threats —according to Galtung's vicious cycle—. This explains from a sociological perspective the durability of the *history of violence* and the impression that derivative threats have become independent.

Locating the root cause approach in human security

The theoretical framework for an expanded root cause approach

Applying the root cause approach to Human Security makes it necessary to differentiate between root causes and derivative threats. Both

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[10] "At the superficial level nations share religion and language. At the deeper level they share chosenness, glory and trauma; the CGT-complex. Wars are help define these kairos points. Contiguity around sacred places, and continuity to pay homage to sacred dates, project the nation into geography and history, as clearly seen by watching the names of metro stations and squares in a country referring to itself as la grande nation. Studies of national holidays and anthems, old conflict symbols, also bring out this clearly. After the guns have become silent the war in the minds is still there: the Dichotomy of nations into two camps, the Manichean view of the camps as good-evil, friend-foe, as the struggle between God and Satan on earth, the Armageddon battle as the defining event; for short, the DMA-complex." See J. GALTUNG: *Violence, War, and Their Impact: On Visible and Invisible Impacts of Violence,* paras. 45-47.

[11] "Both discourses agree on one point: a harmful act implies not only trauma suffered by the victim, but also guilt suffered by the perpetrator. The norm of reciprocity demands that the harm is equalized; *trauma for trauma* (you suffer my suffering), and *guilt for guilt* (we are equally bad you and I)." J. GALTUNG: *Violence, War, and Their Impact: On Visible and Invisible Impacts of Violence,* para. 18.

are threats to the individual and their collective term is that of "human insecurities". If these threats by themselves have the potential to cause direct violence, we call them root causes. Root causes become structural violence, if the affected people think that violence against the structure, which threatens them, can be changed through direct violence (GALTUNG) So, it depends on the perceptions of the people, that are affected by the root causes. This is a matter of different psycho-sociological mechanisms explaining the chain of frustration and aggression, which has been briefly described above. The perception of horizontal inequality is fostered by the dynamics of relative deprivation[12].

Translated into the terminology of human security: underlying threats (root causes) to the individual cause *derivative threats* to the individual which are realized as direct violence. The *root causes* can be categorized as: economic insecurity; food insecurity; health insecurity; environmental insecurity; personal insecurity; community insecurity; and, political insecurity. The catalyst for transferring root causes into structural violence is *relative deprivation* (the perceived horizontal inequality). The catalyst for translating the root causes into cultural violence can be found in: religions; gender discrimination; culture; politics; social constellations; and, ideologies. Social behaviour includes the catalysts and the triangle of violence, the result of which is direct violence. The *history of violence* and other *conflict dynamics* are embedded in the social behaviour.

The nature of root causes is such that they constitute crucial factors, which give rise to structural and cultural violence and as a consequence could lead to direct violence. The derivative threats are the result of one or more root causes in combination. As we have said, examples of derivative threats are manifold, such as: wars and armed conflicts; hate crimes; and terrorism. These derivative threats could also cause root causes or could contribute to existing root causes, for example poverty, which in the setting of perceived horizontal inequality could lead to political violence. Political violence also increases poverty and horizontal inequality and could foster human rights violations and discrimination as well as other root causes. Nepal demonstrates this interrelationship between derivative threats and root causes (UNDP 2005: 163-164).

The differentiation of different threats to human security, by looking at their different nature and origin, is necessary but often not even

[12] The term "relative deprivation" is used in the sense of "perceived horizontal inequality" or inequity because it contains the individual's perception, which leads to social behavior only. Another possible term would be "perceived horizontal inequality".

attempted. Instead, every human insecurity is treated as a sole threat ignoring human security's claim for an interconnected and multidimensional approach. The distinction of direct and indirect threats, as the CHS proposes it, and the classification of terrorism as a direct threat is insofar appropriate for a root cause approach as long as it is used in the sense of direct violence and within the discussed framework (CHS: 11) In this regard Alkire mentions that the source of the threat is necessary to build a response strategy (ALKIRE 2001: 30) but the question arises, which does one first seek: a remedy for direct threat or a remedy for an indirect threat ? Without understanding the dynamics and roots of violence one could easily respond by dealing with the direct threat first. This again is what happened in the "war against terrorism".

The analogy to root causes as a disease and the derivative threats as the resulting symptoms demonstrates the problem of an approach that is not interconnected and not multidimensional; an approach which does not distinguish between root causes and derivative threats. The symptoms are caused by the disease but still remain the expression

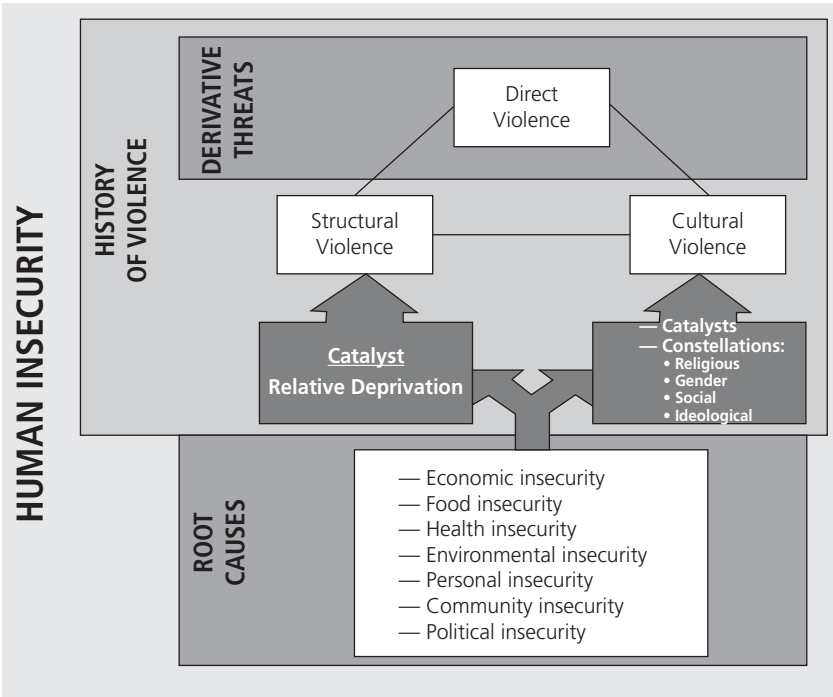

Figure 1. **Comprehensive Root Cause Approach of Human Security**

of the disease, whereby: "A fruitful way of conceiving of any human pathology is in terms of interplay between exposure and resistance; in cases where micro-organisms operating under the right conditions (for them) of temperature and humidity, and the level of immunity of the body, which in turn has to do with the immune system, nutrition and living standards, mind and spirit. This all plays together holistically and synergistically. [...] A disease cannot be detached from a patient and context as an abstract entity with a life-cycle of its own, calling for generalized prevention, therapy and rehabilitation. Key aspects of exposure and resistance may be in the context in a broad sense, not in the disease-patient interface. Causal cycles pass body-mind-spirit, not only the body. And key causes may be far away from the symptoms" (GALTUNG). To treat the symptoms would not cure the patient from the disease. Sometimes it makes the disease even worse. To treat the derivative threats would never solve the root causes. The derivative threats would rise up again. And to treat derivative threats like root causes identifies actors of political violence as the carriers of disease and violence and ends in their eradication like germs (GALTUNG). Still, this analogy implies another aspect; sometimes the same symptoms are caused by different diseases or the same diseases cause different symptoms. That is why we have to treat every disease as an individual one.

Conclusion

We can conclude that a root cause approach within the Human Security concept is about to develop in the political discussion. Meanwhile, the executive branches and NGOs have especially developed a more or less sophisticated root cause approach. There is still a need for the orchestration of this approach with the human security concept covering regional as well as international efforts.

With regard to conflict resolution and conflict prevention and also when it comes to efforts to prevent the development of terrorism this approach is mandatory in terms of durability and prevention. The outcome of major scientific theories has to be taken into account when trying to solve conflicts. Untreated root causes can let an already solved conflict arise again, and due to the history of violence this is much easier as in a stable region for it resembles a reactive behaviour. A durable solution must therefore include a root cause approach.

Though the root causes are very important, conflict stakeholders and conflict dynamics have to be taken into account for a successful remedy. It is up to the stakeholders to prolong and provoke conflicts,

and conflict dynamics avoid a peaceful settlement of the conflict. The *history of violence* allows the conflict to remain in the hearts and minds of the people. Root causes and conflict dynamics together could be called the 'extended root cause approach'.

The relationship between conflicts and horizontal inequality as a human insecurity, explored by Stewart, explains the need for a root cause approach on Human Security[13]. To ignore the threats to human security in a specific region in international terms is extremely dangerous, as these threats could be root causes for violence not solely in this area. If these derivative threats evolve it is most likely that they will spread throughout the world. International terrorism is a good example, where untreated regional human insecurities became a threat to the human security of the whole of mankind. The steps *regional root causes* —regional derivative threats— international human insecurities must already be stopped at the first step for two reasons:

—because of the legal and moral obligation of the international community to protect human rights and to promote human security

—because when human insecurities reach the international level a downward spiral (virtuous cycle) becomes difficult or even impossible.

So, according to the United Nations Development Programme:

> …when human security is under threat anywhere, it can affect people everywhere. Famines, ethnic conflicts, social disintegration, terrorism, pollution and drug trafficking can no longer be confined within national borders. And no nation can isolate its life from the world (UNDP 1994: 34).

What this chapter has proposed is a differentiation of human insecurities into root causes and derivative threats. Both are threats to human security but have a different nature. This distinction is essential to make the Human Security approach applicable for the resolution and prevention of conflicts and political violence. Three reasons are to be highlighted: Whilst, a durable stability after a conflict without solving the root causes is impossible, the prevention of conflicts and political violence relies on the abatement of root causes; and, the treatment of derivative threats as a disease of human security is likely to worsen the

[13] F. STEWART: *CRISE Working Paper 3: Development and Security,* p. 1.

situation by contributing to the dynamics or even to the root causes of political violence.

Bibliography

ALKIRE (2001): *CRISE Working Paper 2: Conceptual Framework for Human Security* Oxford: Centre for Research on Inequality, Human Security and Ethnicity.

BURTON, J. (1998): "Conflict Resolution: The human dimension". *The International Journal of Peace Studies*, vol. 3, No 1.

COMMISSION ON HUMAN SECURITY (2003): *Human Security Now: Protecting and empowering people* New York: United Nations.

EUROPEAN COMMISSION OF EXTERNAL RELATIONS (2001).

GALTUNG, J. (1990): "Cultural violence", *Journal of Peace Research,* vol. 27, no 3.

— (1996): *Peace by Peaceful Means: Peace and Conflict, Development and Civilization* London: Sage Publications.

— & JACKSON, C. (2000): *Searching for Peace: the Road to TRANSCEND* London: Pluto Press.

GILMAN (1983): "Government of the United Kingdom-Department for International Development". *Conducting Conflict Assessments: Guidance Notes*

GURR, T. (1974): *Why Men Rebel* Princeton: Princeton University Press.

GOODHAND, J. (2006): *Adding Peace* Boulder: Lynne Reiner Publishers.

HOEFFLER (2000).

HOMER DIXON, T. (1994): "Environmental scarcities and violent conflict: evidence from cases". *International Security* vol. 19, no 1.

KEEN, D.: "The benefits of famine: a political economy of famine relief in southwestern Sudan 1883-1989", in COLLIER, P. & HOEFFLER, A. (2000): *Greed and Grievance in Civil War* Washington DC: World Bank.

INTERNATIONAL COMMISSION ON INTERVENTION AND STATE SOVEREIGNTY (2001): *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* Otawa: International Development Research Centre.

MURRAY, BARRETT, HOMBURGER *et al.* (1938).

INTERNATIONAL ALERT EU POLICY PAPERS (Feb 2004).

NAFZIGER, E. & AUVINEN, J. (2000): "The economic causes of humanitarian emergencies", in NAFZIGER, E.; STEWART, F. & VARYNEN, R. (eds.): *War, Hunger and Displacement: The origin of humanitarian emergencies* Oxford: Oxford University Press.

STEWART, F. (February 2002): "Root causes of violent conflict in developing countries", *British Medical Journal* vol. 324.

SWAIN, A. (2000): "Water scarcity as a source of crises", in NAFZIGER, E.; STEWART, F. & VARYNEN, R. (eds.): *War, Hunger and Displacement: The origin of humanitarian emergencies* Oxford: Oxford University Press.

UNITED NATIONS DEVELOPMENT PROGRAMME (2004): *National Development Report: Afghanistan* Islamabad: Army Press.
— (1994): *Human Development Report* New York: Oxford University Press.
— (2005): *Regional Development Report-Central Asia* Bratislava: Reneans.
— (2001): *Inter-Regional Forum on Coping with Crises and Conflicts* Bucharest: Ministry of Foreign Affairs Romania.
— (2005): *National Human Development Report: Phillipines*.
UNITED NATIONS GENERAL ASSEMBLY RESOLUTION (2005): *World Summit Outcome* A/RES/60/1.
WEBER, M. (1984): *Soziologische Grundbegriffe* Tubingen: Mohr Siebeck UTB.
ZANGLE & ZÜRN (2003): *Frieden und Krieg* Frankfurt am Main: Suhrkamp Verlag.
ZWITTER (2007): "The anatomy of ideology: an analysis of the structure of ideology and the mobilization of terrrorists", *HUMSEC Journal,* issue 1.

Human Security and the European Security and Defence Policy: Achievements and Challenges

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Abstract

The impact of the concept of Human Security and its possible role in the design of the European Security and Defence Policy (ESDP) is a topic, which has not been researched thoroughly yet. After a short introduction raising awareness of the current lacuna in the debate on the theoretical background of the ESDP and after a brief introduction to the concept of Human Security (I), this chapter will discuss if and to what extent a Human Security approach has found its way into the theory and practice of the ESDP and will thus add a European perspective to the debate on Human Security (II). Finally, this paper will offer some conclusions supporting the argument that the concept of Human Security could, if backed by conceptual clearness and political willingness, serve as a proper framework to further develop the ESDP (III).

I. Human Security and the ESDP: contradictory or mutually reinforcing?

In 1999, the member states of the European Union (EU) launched the European Security and Defence Policy (ESDP) as an integral part of the Common Foreign and Security Policy (CFSP). After European inaction during the atrocities in the Balkans, the member states had decided that the Union should develop the capacity to respond to conflicts and crises by autonomously conducting the Petersberg tasks.[1] Since then the member states have made continued efforts to establish permanent political and military structures and to develop civil-

[1] According to Article 17.2 of the Treaty on the European Union these tasks comprise humanitarian and rescue tasks, peacekeeping tasks, but also tasks of combat forces in crisis management, including peacemaking.

ian and military capabilities at European Union level. These efforts have turned the ESDP into the most prominent tool of what is still the intergovernmental second pillar of the Union. Today, the ESDP is still developing fast — not only on paper, but also in the field: Up to now, the European Union has conducted 22 operations on three continents.

This considerable progress indicates that the EU aims to be a capable security provider in and beyond Europe. But since autonomously conducting civil and military operations is a comparatively new idea for the EU, the question arises, as to whether or not this new policy will change the overall position and orientation of the EU in the world, and how this will develop. Is the Union's reputation as a civil power or normative power at stake because it is striving to become a more capable military power or will the new instruments of the second pillar be embedded within the wide range of "soft" political, humanitarian and development instruments already available especially in the first pillar of the EU? Important strategic questions have been left unanswered so far. Even after the adoption of the European Security Strategy (ESS) (Council of the European Union, 2003b) it is still unclear, what distinctive role the ESDP can and will play as the member states of the Union take on new threats like failed and failing states, organised crime, terrorism, the proliferation of weapons of mass destruction and regional conflicts (FLECHTNER 2006).

These conceptual deficits call for a reflection on the design and conduct of the ESDP that takes into account the changing global security environment of the 21st century. A rather new political concept that tries to rethink security issues is the concept of Human Security. After this concept was first mentioned in the UNDP Report (UNDP 1994), many scholars discussed this concept from different perspectives, offering broad and narrow definitions[2], but still could not convince all critics[3] of the comparative advantages of this concept.

For the purpose of this paper and from a rather pragmatic perspective the concept of Human Security can briefly be described as a consequential attempt to cope with the fact that internal conflicts have overtaken inter-state wars as the major threats to international peace and security. The face of political violence has changed in the post-Westphalian era and made civilians become the main victims (HUMAN SE-

[2] For a good overview of different definitions see BAJPAI (2000), ALKIRE (2003) and TADJBAKHSH and CHENOY (2007).

[3] See *e.g.* PARIS (2001); for selected critical and supporting opinions on Human Security see BURGESS and OWEN (2004).

CURITY CENTRE 2005). The concept of Human Security attempts to counter the inability of neo-realists to deal with threats to individuals emanating from the state itself. As a result, proponents of a Human Security approach assume that the traditional state-based security paradigm becomes increasingly obsolete and that individuals and communities rather than states should be considered the referent objects of security. While it is understood that traditional state security remains one important element to ensure Human Security, the concept of Human Security aims to complement state security by shifting the focus of attention from nations to individuals. In other words, instead of primarily defending state boarders, a Human Security approach aims to safeguard and expand the security of people and aims to empower people to fend for themselves. The current situation in Iraq convincingly demonstrates that purely military means alone are not sufficient to provide and guarantee a safe and fulfilling life in dignity. Therefore, a Human Security approach rather focuses on conflict prevention and non-violent conflict resolution and privileges multilateral solutions for crisis situations. It supports the finding that the respect for human rights plays a decisive role for establishing sustainable solutions in post-conflict situations and it is also related to human development (COMMISSION ON HUMAN SECURITY 2003; OGATA & CELS 2003; HUMAN SECURITY CENTRE 2005).

II. **Human Security in the current discourse on the ESDP**

At first hand, the goals of the CFSP and the ESDP, which are expressed in article 11 of the Treaty on the European Union,[4] seem to a large extent to be in line with the values of the Human Security approach. Indeed, some features of the ESDP suggest that the idea of Human Security is already inherent in this new policy without naming it this way (KALDOR *et al.* 2007). But although the idea of applying the concept of Human Security to the ESDP seems rather apparent, this concept has, as yet, not often been referred to explicitly in official EU documents on the ESDP.

[4] According to article 11.1 of the Treaty on the European Union the objectives of the CFSP/ESDP are among others "[…] to preserve peace and strengthen international security, […] to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms".

1. *The Barcelona Report*

The notion of Human Security was explicitly referred to in the so called "Human Security Doctrine for Europe", also referred to as the "Barcelona Report", which is an expert report prepared for Javier Solana by the Study Group on Europe's Security Capabilities convened by Mary Kaldor (KALDOR 2004).[5] It sets out seven principles which should serve as guidance for politicians, diplomats, soldiers and civilians to include a Human Security perspective into the ESDP. These principles are: the primacy of human rights, a clear political authority, multilateralism, a bottom-up approach, a regional focus, the use of legal instruments and the appropriate use of force. Furthermore, it proposes a "Human Security Response Force" composed of 15,000 men and women, of whom at least one third would be police officers and civilian specialists. It also claims the necessity of a new legal framework to govern the decision to intervene and the operation on the ground. According to the Study Group, such a legal framework could build on the domestic law of the host state, the domestic law of the member states, international criminal law, international humanitarian law, and human rights law.

However, the Barcelona Report has come in for some criticism, not least because it omits to include a comprehensive approach which reflects the whole potential of the EU (BENEDEK 2007: 37; VANKOVSKA 2007). But although the long-term impact of this report remains ambiguous, it still demonstrates that the concept of Human Security entered the ESDP discourse.

2. *Civil and military instruments of the ESDP*

The member states established a number of civilian instruments, which can already be deployed in operations in order to foster Human Security. At the June 2000 European Council in Santa Maria da Feira, Portugal, EU leaders launched this civilian dimension of the ESDP and established four priority fields of civilian action: police; strengthening the rule of law; strengthening civilian administration; and, civil protection (EUROPEAN COUNCIL 2000). Four years later, a Civilian Capabilities Commitment Conference showed that the member states volun-

[5] For detailed background information and case studies being the basis of this report see GLASIUS and KALDOR (2005).

tarily confirmed the contribution of: 5,761 police officers; 631 experts for strengthening the rule of law; 562 experts for civilian administration; and, 4,988 experts for civil protection (MINISTERIAL DECLARATION 2004). The capabilities in these four fields may be used in the context of EU-led autonomous missions, or in the context of operations conducted by lead agencies, such as the UN or the OSCE. These efforts to develop European civil capabilities continue in the context of the Civilian Headline Goal 2008, which seeks to further define and build up the civilian capabilities in order to respond more effectively to crises (COUNCIL O F THE EUROPEAN UNION 2004c).

Besides these improvements in terms of capabilities, new civilian structures have been established at a European Union level in order to plan and conduct civilian operations: Most notably, the "Committee for Civilian Aspects of Crisis Management", which provides recommendations and advice to the Political and Security Committee, was established (NOWAK 2006: 23). The General Secretariat of the Council's Directorate General for External and Politico-Military Issues is now supported by a Directorate for civilian crisis management in charge of contributing to the planning and support of civilian ESDP missions. Finally, a civil-military cell was created in 2005 within the EU Military Staff in order to facilitate the coordination between civilian and military units within the Secretariat and the European Commission (KOHL 2006: 130).

However, to-date, the non-military components of the ESDP has not attracted as much public attention as the military component. Concerns were raised that the role of the military could constantly gain more importance in the ESDP. Although the ESS stresses that the new threats cannot be tackled by military means alone, the adoption of the battlegroups concept[6] and the newly established European Defence Agency (COUNCIL OF THE EUROPEAN UNION 2004a) support the impression of a militarisation of the EU. As the current military Headline Goal 2010 (EUROPEAN COUNCIL 2004) demonstrates, the member states prepare for robust operations on the higher end of the spectrum of the Petersberg tasks as well. Admittedly, these military assets could also be used to protect people in crisis situations and could therefore help to further Human Security, for example by dividing hostile parties and ensuring a secure environment. However, such a use of military capabilities still raises the question of how to limit the use of force and

[6] For a discussion of current challenges and prospects of the battlegroups concept see Lindstrom (2007).

calls for reliable measures to ensure accountability to local populations. The criteria set up by the International Commission on Intervention and State Sovereignty (ICISS) in the report "The Responsibility to Protect" (EANS & SAHNOUN 2001) could therefore serve as guidelines to limit the application of force, also taking into account the overall responsibility to prevent, react and rebuild mentioned therein. Moreover, this use of military capabilities in the framework of the ESDP calls for measures to improve the democratic control of the ESDP by the European public (WAGNER 2005, 2006).

When analysing the relationship between civil and military instruments in the ESDP, it seems that civil-military coordination and civil-military cooperation increasingly gain attention in the ESDP discourse. The Council of the EU therefore adopted a concept addressing the need for the effective coordination of all actions of all relevant EU actors involved in the planning and subsequent implementation of the Union's response to a crisis (COUNCIL OF THE EUROPEAN 2002b). The training programme established for ESDP personnel also includes joint courses for civilian and military personnel.[7] This attempt at improving civil-military interaction can be regarded as an example of the EU's drive for integration and comprehensiveness and at the same time represents an innate feature of the Human Security approach.

3. *Further initiatives in the framework of ESDP related to Human Security*

Besides building up capabilities and structures to respond to crisis and conflict situations, the ESDP addresses other topics on the Human Security agenda, which could influence the overall characteristics of ESDP missions.

One core aspect of Human Security is the protection and promotion of human rights.[8] Currently, the European Union makes efforts to mainstream human rights into ESDP operations (COUNCIL OF THE EUROPEAN UNION 2006a). Several initiatives to provide relevant expertise to ESDP operations, both at a headquarters level and in the theatre,

[7] See EU Training Program in the field of ESDP 2006 to 2009. At: http://www.consilium.europa.eu/ uedocs/cmsUpload/REV1TrainingProgrammefortheINTERNET2007_2009.pdf, last accessed: 1 September 2009.

[8] For analysis of the relationship between Human Security and human rights see *e.g.* OBERLEITNER (2002); BENEDEK (2007); GROPAS (2006); OBERLEITNER (2006); BENEDEK and KETTEMANN (2008).

have been identified. Proposals were made that human rights advisors should be included in the preparatory planning activities and in operations. Suggestions were made that the mission-specific reporting procedures should include reports on aspects of human rights. Furthermore, the Council of the EU intends to organise workshops and training for planners and develops manuals for personnel serving in the field.

Moreover, guidelines on children in armed conflict (COUNCIL OF THE EUROPEAN UNION 2003a) have been developed as well as generic standards of behaviour for ESDP missions providing for complaints procedures, reporting mechanisms and proper disciplinary measures (COUNCIL OF THE EUROPEAN UNION 2005a). Furthermore, the Council works on the implementation of Security Council Resolution 1325 (2000) and thus tries to promote gender equality and gender mainstreaming in crisis management from early planning through to the conduct and evaluation of ESDP operations (COUNCIL OF THE EUROPEAN UNON 2006b).[9] Last but not least, the Council of the EU and the European Commission approved a common concept for disarmament, demobilisation and reintegration (COUNCIL OF THE EUROPEAN UNION & THE EUROPEAN COMMISSION 2006), which supports the idea that ESDP operations can also comprise measures of a preventive nature.

4. *The ESDP in practise: fostering Human Security?*

The EU has already deployed a considerable number of civilian and military operations within the framework of the ESDP.[10] The first and still ongoing operations, the European Police mission in Bosnia and Herzegovina (EUPM), was launched in 2003 (COUNCIL OF THE EUROPEAN UNION 2002a, 2005b). This civil operation seeks to establish sustainable policing arrangements under Bosnian ownership in accordance with best European and international practices. By monitoring, mentoring and inspection activities police officers and civilian experts support the local police reform process and the development of local capacity and regional cooperation in the fight against organised crime and corruption. Since December 2004, the EU has also been conducting the military operation "EUFOR Althea" (COUNCIL OF THE EUROPEAN UN-

[9] For details and critical remarks on gender mainstreaming in ESDP missions see VALENIUS (2007).

[10] For an updated list of ongoing and completed operations see the website of the ESDP. At: http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=261&lang=en&mode=g, last accessed: 1 September 2009.

ION 2004b) in Bosnia and Herzegovina (BiH). This operation contributes to maintaining a safe and secure environment in BiH and supports the EU Special Representative for BiH and the local authorities especially in the fight against organised crime. It also provides support to the International Criminal Tribunal for the Former Yugoslavia, including the detention of persons indicted for war crimes.

An overview of the European Union's further operations reveals a geographically widespread engagement and makes it clear that the majority of ongoing and completed ESDP operations are civilian. The EU completed one military (Concordia) and two police missions (Proxima, EUPAT) in the former Yugoslav Republic of Macedonia. Five operations, two of them military (Artemis, EUFOR RD Congo), and two of them with police forces (EUPOL Kinshasa, EUPOL RD CONGO) and one with the aim of supporting the security sector reform (EUSEC RD CONGO), were launched in the Democratic Republic of Congo. With one operation (EUSS Guinea Bissau) the EU provides advice and assistance on the reform of the security sector in Guinea Bissau. The military bridging operation EUFOR Tchad/RCA contributed to the protection of civilians in danger in eastern Chad and the north-east of the Central African Republic. Furthermore, the EU started a police mission (EUPOL COPPS) and a boarder assistance mission (EUBAM Rafah) in the Palestinian Territories; an integrated rule of law mission in Iraq (EUJUST Lex); a rule of law mission (EUJUST Themis); a monitoring mission (EUMM Georgia) in Georgia; a civil-military operation to support the African Union's Mission in Sudan (AMIS EU Supporting Action); a mission to monitor the implementation of the peace process in Aceh, Indonesia (AMM) and a police mission in Afghanistan (EUPOL Afghanistan). Recently an EU planning team prepared for operation EULEX, which now operates in the broader area of the rule of law in Kosovo and is the largest civilian ESDP operation launched so far. With EUNAVFOR Somalia the EU launched the first maritime operation in order to prevent acts of piracy and to protect vulnerable vessels off the Somali coast.

Although the size and mandate of these operations differed, this active engagement demonstrates that the EU's support for international peace and security continues to grow. However, a research-based evaluation of these operations, especially with regard to assessments related to the concept of Human Security, is still in its early stages.[11]

[11] For an overview of first attempts to evaluate ESDP-operations in general see MERLINGEN and OSTRAUSKAITÉ (2005: 215).

5. *Challenges of integrating Human Security into the ESDP*

Despite this progress made in the sense of promoting Human Security via the ESDP, we cannot ignore that some features support the image that this policy cannot be fully associated with a Human Security approach.

Firstly, there is still a lack of proper coordination and cooperation between the Council of the EU and the European Commission (GOURLAY 2006). Even if the ESDP was oriented towards a Human Security approach, the chance of fostering Human Security would remain low as long as the interaction and coordination between the pillars of the EU remain rudimentary. Improvements in this regard would be necessary to provide a coherent response to crisis situations from their early stages, by combining and coordinating measures of foreign policy, trade and development with security initiatives. This would ensure that the Union's actions cover the entire circle of prevention, crisis management, stabilisation and reconstruction in a comprehensive way. Such an integrated strategy in the sense expressed by OGATA & CELS (2003: 276) is still lacking.

Secondly, the EU as a multilateral organisation *sui generis* has affirmed in the ESS that today's threats cannot be tackled by one actor alone, which is one important aspect of the Human Security approach. Although the member states of the Union strive to work together and try to reach common aims and although the EU seeks proper cooperation with actors like the OSCE, UN, NATO or the African Union, a truly multilateral and strategic approach is still lacking in the ESDP. Therefore, closer coordination and cooperation would be necessary not only within the EU and its member states, but also with other international and regional actors in order to prevent duplication or even rivalry (DWAN 2005: 280 *et seqq.*).

Thirdly, the European institutions still seem to follow a top-down approach, assuming in many situations that Brussels knows best (FLECHTNER 2005). A Human Security approach, as an approach that concentrates on the needs of individuals and communities, would pay more attention to the viewpoints of the people who live in an affected area and consider their views in the decision-making processes. More and constant consultations on an equal basis before and during operations would help in the process of identifying and understanding the basic needs of the local population, which would ensure a bottom-up approach.

III. **Conclusions**

Although five member states of the EU —Austria, Greece, Ireland, The Netherlands and Slovenia— are members of the Human Security Network, which is a coalition of like-minded states that feels committed to the concept of Human Security,[12] the ESDP as such is not based on a political or even legal commitment to Human Security. A brief analysis of the theory and practice of the ESDP reveals that this new policy already comprises some features of a Human Security approach whilst it does not as yet reflect the whole spectrum of this concept.

The civilian instruments developed in the framework of the ESDP basically aim to protect and empower people and communities to fend for themselves in crisis, conflicts and post-conflict situations. This formation of civil instruments is not a fig leaf for the development of military assets, but rather a special approach of a post-modern civil power. An intelligent combination of civil and, if necessary, military instruments in line with the Human Security approach could thus be the answer to the demanding security challenges of the 21st century. By implementing preventive measures and providing comprehensive responses to crisis and conflict situations the EU could offer expertise and capabilities that are unlike any other international actor, thus adding value to the international security environment.

Since the ESDP is not driven by the Human Security approach in some important aspects, the exploration of this concept in more depth could be worthwhile for the European Union, especially because this approach could provide the driving force to overcome institutional restraints between the Council of the EU and the European Commission and could thus increase the effectiveness of the ESDP and the European Union as a whole. An official statement declaring Human Security as the framework for the future development of ESDP would not only help to define the future role of the military, but it would also help the mainstreaming of human rights so that and other Human Security issues would not become mere rhetorical exercises for the European Union. Such a declaration, if backed by proper conceptual clearness and political willingness, would mark a significant move away from the kind of pragmatism that is often driven by self-interest towards a value-driven agenda with the protection and promotion of human rights lying at its very core.

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[12] See website of the Human Security Network. At: http://www.humansecuritynetwork.org/, last accessed: 1 September 2009.

Evaluating the ESDP operations from a Human Security perspective and exploring the possibilities and challenges of adopting a Human Security approach to the ESDP still remains a demanding task. This might be due to the oft-alleged vagueness of the concept of Human Security, but might also relate to the fast development of this relatively new European policy. Therefore, a multi-disciplinary approach seems to be helpful, indeed indispensable to achieving fruitful assessments and conclusions.

References

ALKIRE, Sabina (2003): *A Conceptual Framework for Human Security,* Working Paper 2, Centre for Research on Inequality, Human Security and Ethnicity (CRISE), University of Oxford, Oxford, 2003. At: http://www.crise.ox.ac.uk/pubs/ workingpaper2.pdf, last accessed: 1 September 2009.

BAJPAI, Kanti (2000): *Human Security: Concept and Measurement*, Kroc Institute Occasional Paper No. 19, Notre Dame University, August 2000. At: http://www.nd.edu/~krocinst/ocpapers/op_19_1.PDF, last accessed: 10 September 2007.

BENEDEK, Wolfgang (2007): "Human Rights and Human Security: Challenges and Prospect", in: FERRÁNDIZ, Francisco & ROBBEN, Antonius C.G.M. (eds.): *Multidisciplinary Perspectives on Peace and Conflict Research: A View From Europe*. University of Deusto, Bilbao, 2007, 29-49.

— & KETTEMANN, Matthias C. (2008): "Human Security und Menschenrechte", in: ULBERT, Claudia & WERTHES, Sascha (eds.): *Menschliche Sicherheit. Globale Herausforderungen und regionale Perspektiven*, Nomos, Baden-Baden 2008, 94-109.

BURGESS, J. Peter & OWEN, Taylor (eds.) (2004): "Special section: What is 'Human Security'?", *Security Dialogue,* vol. 35: 3, 345-387.

COMMISSION ON HUMAN SECURITY (2003): *Human Security Now*, New York, 2003. At: http://www.humansecurity-chs.org/finalreport, last accessed: 1 September 2009.

COUNCIL OF THE EUROPEAN UNION (2002a): Council Joint Action (2002/210/CFSP) of 11 March 2002 on the European Union Police Mission, *Official Journal of the European Union,* L 70/1, Brussels, 13.3.2002.

— (2002b): Civil-Military Co-operation (CIMIC) Concept for EU-Led Crisis Management Operations, Doc. 7106/02, Brussels, 18.3.2002.

— (2003a): "EU Guidelines on Children and Armed Conflict", Doc. 15634/03, Brussels, 4.12.2003.

— (2003b): "A secure Europe in a better world", European Security Strategy, Doc. 15895/03, Brussels, 12.12.2003.

— (2004a): Council Joint Action (2004/551/CFSP) of 12 July 2004 on the establishment of the European Defence Agency, Official Journal of the European Union, L 245/17, Brussels, 17.7.2004.

COUNCIL OF THE EUROPEAN UNION (2004b): Council Joint Action (2004/570/CFSP) of 12 July 2004 on the European Union military operation in Bosnia and Herzegovina, Official Journal of the European Union, L 252/10, Brussels, 28.7.2004.
— (2004c): "Civilian Headline Goal 2008", Doc. 15330/3/04 REV 3, Brussels, 3.12.2004.
— (2005a): "Generic Standards of Behaviour for ESDP Operations", Doc. 8373/3/05 REV 3, Brussels, 18.5.2005.
— (2005b): Council Joint Action (2005/824/CFSP) of 24 November 2005 on the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH), *Official Journal of the European Union,* L 307/55, Brussels, 25.11.2005.
— (2006a): "Mainstreaming of Human Rights into ESDP", Doc. 11936/4/06 REV 4, Brussels, 14.9.2006.
— (2006b): Council Conclusions on promoting gender equality and gender mainstreaming in crisis management, 2760th General Affairs Council meeting, Brussels, 13.11.2006. At: http://www.consilium.europa.eu/ue Docs/cms_Data/docs/pressdata/en/esdp/91749.pdf, last accessed: 1 September 2009.
— & EUROPEAN COMMISSION (2006): EU Concept for support to Disarmament, Demobilisation and Reintegration (DDR), Brussels, 14.12.2006. At: http://www.eplo.org/documents/EU_Joint_concept_DDR.pdf, last accessed: 1 September 2009.
DWAN, Renata (2005): "Civilian tasks and capabilities in EU operations", in: GLASIUS, Marlies & KALDOR, Mary (eds.): *A Human Security Doctrine for Europe: Project, principles, practicalities,* Routledge, London, 2005, 264-289.
EUROPEAN COUNCIL (2000): Conclusions of the Presidency (Santa Maria da Feira), 19 and 20 June 2000, Annex I. At: http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/00200-r1.en0.htm, last accessed: 1 September 2009.
— (2004): Headline Goal 2010 approved by General Affairs and External Relations Council on 17 May 2004, endorsed by the European Council of 17 and 18 June 2004. At: http://www.consilium.europa.eu/uedocs/cmsUpload/ 2010%20Headline%20Goal.pdf, last accessed: 1 September 2009.
EU Training Programme in the field of ESDP 2006 to 2009. At: http://www.consilium.europa.eu/uedocs/cmsUpload/REV1TrainingProgrammefortheINTERNET2007_2009.pdf, last accessed: 10 September 2007.
EVANS, Gareth & SAHNOUN, Mohamed (co-chairs) (2001): *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty,* International Development Research Centre, Ottawa, December 2001.
FLECHTNER, Stefanie (2005): "Embedding a bottom-up approach to European security", in: GLASIUS, Marlies & KALDOR, Mary (eds.): *A Human Security Doctrine for Europe: Project, principles, practicalities,* Routledge, London, 2005, 311-324.

— (2006): *European Security and Defense Policy: Between "Offensive Defense" and "Human Security"*, International Policy Analysis Unit, Friedrich Ebert Stiftung, 2006. At: http://library.fes.de/pdf-files/id/04139.pdf, last accessed: 1 September 2009.

GLASIUS, Marlies & KALDOR, Mary (eds.) (2005): *A Human Security Doctrine for Europe: Project, principles, practicalities,* Routledge, London, 2005.

GOURLAY, Catriona (2006): "Civil-Civil co-ordination in EU crisis management", in: NOWAK, Agnieszka (ed.): *Civilian Crisis Management: the EU way*, Chaillot Paper 90, EU Institute for Security Studies, Paris, June 2006, 103-122.

GROPAS, Ruby (2006): "What Role for Human Rights in the European Security Strategy?", in: WERTHES, Sascha & DEBIEL, Tobias (eds.): *Human Security on Foreign Policy Agendas: Changes, Concepts and Cases*, INEF Report 80, Duisburg, 2006, 53-69.

HUMAN SECURITY CENTRE (2005): *Human Security Report 2005,* Oxford University Press, Oxford, 2005. At: http://www.humansecurityreport.info/content/view/28/63, last accessed: 1 September 2009.

KALDOR, Mary (Convenor) (2004): *A Human Security Doctrine for Europe: The Barcelona Report of the Study Group on Europe's Security Capabilities*, Barcelona, 15.9.2004. At: http://www.lse.ac.uk/Depts/global/Publications/HumanSecurityDoctrine.pdf, last accessed: 1 September 2009.

— *et al.* (2007): "Human Security: A New Strategic Narrative for Europe", *International Affairs,* volume 83: 2, 273-288.

KOHL, Radek (2006): "Civilian-Military Co-ordination in EU crisis management", in: NOWAK, Agnieszka (ed.): *Civilian Crisis Management: the EU way,* Chaillot Paper 90, EU Institute for Security Studies, Paris, June 2006, 123-138.

LINDSTOM, Gustav (2007): *Enter the EU Battlegroups*, Chaillot Paper 97, EU Institute for Security Studies, Paris, February 2007.

MERLINGEN, Michael & OSTRAUSKAITÉ, Rasa (2005): "ESDP Police Missions: Meaning, Context and Operational Challenges", *European Foreign Affairs Review* 10, 215-235.

MINISTERIAL DECLARATION (2004): "At the Civilian Capabilities Commitment Conference", Brussels, 22.11.2004. At: http://www.consilium.europa.eu/uedocs/cmsUpload/ COMMITMENT%20CONFERENCE%20MINISTERIAL%20DECLARATION%2022.11.04.pdf, last accessed: 1 September 2009.

NOWAK, Agnieszka (2006): "Civilian Crisis Management within the ESDP", in: NOWAK, Agnieszka (ed.): *Civilian Crisis Management: the EU way,* Chaillot Paper 90, EU Institute for Security Studies, Paris, June 2006, 15-37.

OBERLEITNER, Gerd (2002): *Human Security and Human Rights*, ETC Occasional Paper Series, No. 8, 2002. At: http://www.etc-graz.at, last accessed: 1 September 2009.

— (2006): "Porcupines in Love: The Intricate Convergence of Human Rights and Human Security", *European Human Rights Law Review* 6, 588-606.

OGATA, Sadako & CELS, Johan (2003): "Human Security-Protecting and Empowering the People", *Global Governance* 9, 273-282.

PARIS, Roland (2001): "Human Security: Paradigm Shift or Hot Air?", *International Security,* vol. 26: 2, 87-102.
TADJBAKHSH, Shahrbanou & CHENOY, Anuradha M. (2007): *Human Security-Concepts and Implications,* Routledge, London, 2007.
UNDP (1994): *Human Development Report 1994: New Dimension of Human Security,* New York, 1994. At: http://hdr.undp.org/en/reports/global/hdr1994/, last accessed: 1 September 2009.
VALENIUS, Johanna (2007): *Gender Mainstreaming in ESDP Missions*, Chaillot Paper 101, EU Institute for Security Studies, Paris, May 2007.
VANKOVSKA, Biljana (2007): "The Human Security Doctrine for Europe: A View from Below", in: *International Peacekeeping,* vol. 12: 2, 264-281.
WAGNER, Wolfgang (2005): *The democratic legitimacy of European Security and Defence Policy,* Occasional Paper 57, EU Institute for Security Studies, Paris, April 2005.
WAGNER, Wolfgang (2006): "The democratic control of military power Europe", *Journal of European Public Policy,* 13:2, 200-216.

Human Security and Geopolitical Contexts: Uses and Meanings

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Introduction

As an academic discipline, human security derives from the work and discussions pursued by scholars in the field of Security Studies in the late 1980s and early 1990s, but it has been situated particularly in Peace Studies, since the 1960s. At the political level, however, it gained significance as the Cold War came to an end, namely in the first edition of the *Human Development Report* of the United Nations Development Programme in 1994. This programme was posited on the principles of "freedom from need" and "freedom from want"; in other words, freedom from threats such as hunger, epidemics, poverty, and violent disruptions. Today human security is vocalised and performed by a wide range of agents across the international scene, from states to humanitarian non-governmental organisations.

Whereas some geopolitical characteristics have remained and have been reinforced over the last twenty years, since the end of the Cold War, there have also been some major changes during that period. It is readily acknowledged that the United States has remained as the world's only superpower, especially with regard to its military assets. Meanwhile market-led economic globalisation, and all its socio-political effects, have continued to set the pace of today's world order. Yet, in the case of human security-related policies —which often correspond with the crossroads between development aid and global security— one has observed shifts in the way the concept has been implemented

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before and after the beginning of the 21st century, and especially since the terrorist attacks in September 11.

In this brief contribution I will analyse the content, purpose and use of the concept of human security in two different geopolitical structural contexts concomitant with the post-Cold War period and the War on Terror, that was inaugurated by the terrorist attacks on the United States in September 2001, and in Europe in March 2004 and July 2005. In order to illustrate the discrepancies, I will focus on the case of global health governance; and, specifically the broader rationales grounding the various policies aimed at the prevention and treatment of emerging and remerging infectious diseases. My argument is that, as an "ambivalent" concept (DUFFIELD 2002; 2006), human security tends to adapt to, and to be adapted, according to different, and to some extent opposite, geopolitical settings, which may explain the development of this particular academic field.

Human Security in the post-Cold War age: The 'original' proposition

The growing rapprochement between the two Cold War rival superpowers and corresponding ideological blocks in the late 1980s, mostly resulting from Soviet President Gorbachev's policies of *perestroika* and *glasnost*, and the growth in multilateralism, greatly contributed to a reappraisal of security which went beyond the concern over external menaces to territorial sovereignty. In 1991 Barry Buzan proposed a concept of security which included political, social, economic and ecological threats, which tend to work in an interconnected model (BUZAN 1991: 112-134). These non-military threats have been associated to a category named by Jennifer Brower and Peter Chalk (CHALK 2003: 2-3) as the "grey area phenomena," which account for the dissemination of diseases, the trafficking in drugs, environmental degradation, terrorism, and the like, and are characterized by no regard for sovereign bordered territories, and an incapability of being tackled within classical bipolar schemes of contention.

In order to comprehend and define strategies aimed at overcoming the threats associated with these phenomena, one concept which has been successfully advocated is that of human security. This is a concept which essentially perceives individual security not only as a function of state security, but as notions of the actual quality of life as well. Despite still being a "sketch" (CORREIA 2002: 245), this frame-

work has become part of the foundations of the so-called "New Geopolitics" in contrast to the traditional, state-centred approach ("Old Geopolitics").

Brower and Chalk establish three fundamental differences between traditional security and human security. Whereas the former mostly takes into account concepts of national security and international security, the latter reflects this in terms of global security, descending to the level of human beings and their dynamics among themselves and with regard to their relations with the surrounding environment (BAN 2003: 19-20). While traditional security takes the state as the object of analysis and its corresponding sovereign territory, whilst human security analyses the individual and his/her social and community ties, which may take a strong transnational stance.[2] Whilst from a traditional security perspective, violence is exercised at an inter-state level, and in a structured manner, under the auspices of an anarchical system of nations; in the case of human security, violence may take place in a chaotic and non-structured manner. Furthermore, whilst the traditional paradigm favours a vision of competition between states towards relative gains, the new paradigm, due to its individual nature, previews cooperation arrangements in the direction of absolute gains.

Yet, human security has its origins in an older scholarly tradition, namely, Peace Studies, as pursued under the auspices of the International Peace Research Institute (PRIO) and publications such as the *Journal of Peace Research*. To a large extent, human security attempts to offer a political response to the "triangle of violences" developed by the PRIO's founder and director for many years, Johan Galtung (GALTUNG 1996): *cultural violence* (symbolism aimed at legitimising violence), *structural violence* (socio-economic-rooted causes of violence), and *direct violence* (physical and verbal violence), and corresponding notions of *negative peace* (absence of violence) and *positive peace* (structural changes by peaceful means).

In 1994 human security gained remarkable political visibility in the first edition of *Human Development Report*. Yet this had been preceded by the work of the former United Nations' secretary-general Boutros-Ghali in his *Agenda for Peace* in 1992. In that text, denouncing that the ongoing concept of security does not mirror the reality of

[2] See SÖKEFELD, Martin (2006): "Mobilizing in transnational space: a social movement approach to the formation of Diaspora", in *Global Networks*, vol. 6, no. 3, pp. 265-284.

the majority of the world's population, human security advocates freedom from, chronic threats such as hunger, disease and repression, and, freedom from sudden and painful disruptions of daily patterns of life (UNDP 1994: 23).[3]

The United Nations has indeed championed the adoption of the concept of human security, applying it as the ultimate goal of its missions, particularly with regard to post-conflict reconstruction and peacebuilding. Human security stands for the *technological* overcoming of all sorts of violence-filled contemporary phenomena summarised under the name of "failed/failing states" and "new wars." Whereas failed states are those that:

> cannot or will not safeguard minimal civil conditions for their populations: domestic peace, law and order and good governance, [where] the basic functions of the State are no longer performed" (JACKSON 2000: 296; ZARTMAN 1995: 5),

New war is often the outcome of these phenomena. In other words new war eminently involves intra-state conflict, fed by identity differences (such as ethnic identity, religious identity and regionalism), associated with forms that are closer to the feudalism of the Middle Ages, and are fuelled by the extraction/distribution of resources that are valued highly by the international markets (such as precious stones, narcotics, gas and oil).[4]

Yet, the very realisation of the pertinence of new security priorities after the end of the Cold War and all the processes that this momentous historical change contributed to, putting into place, namely economic globalisation and its many complex and often unpredictable socio-political and environmental effects, made Western states aware of the need to adjust their own national security agendas in the form of a new global security perspective. On the one hand, there is a good deal of support for the UNDP, and its many public and private partners, and even group-led excursions such as the Middle Powers Initiative,

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[3] According to the report, there are seven categories of threats to human security: economy, food-related, health-related, environmental, personal, community-related, and political.

[4] See KALDOR, Mary (1999): *New and Old Wars: Organised Violence in a Global Era*, Polity Press, Cambridge; DUFFIELD, Mark (2001): *Global Governance and the New Wars: The Merger of Development and Security*, Zed Press, London; and BERDAL, Mats e MALONE, David M. (ed.) (2000): *Greed and Grievance: Economic Agendas in Civil Wars*. New York: International Peace Academy and Lynne Rienner Publishers, New York and Boulder (CO).

launched in 1998.[5] Yet, on the other hand, the strategic texts of the United States and the European Union underline the importance of the well-being of their populations in an age of challenging globalisation, equating national interest to global interest, and hence the need to provide national responses to global responses.[6] The European Union's Defence and Security Strategy, for instance, consubstantiates a human security agenda *par excellence*.

Human Security in the age of the War on Terror: Ambivalence or cooption?

The concept of human security heralds liberation by all means; freedom from need and freedom from want are the two keywords defining what is at stake. But one should bear in mind that generally-speaking the concepts of liberty and security are presented as two different dishes of the same balancing scales, in which one outweighs the other, or ideally reaches the same level. Arguably, this concept mirrors this picture, and reveals a charge of ambivalence as the post-September 11 period has been demonstrating, and to an extend the 'original' sense may be jeopardised.

Human security interconnects with human rights and human development (BENEDEK 2007). Furthermore, politically human security expresses an idea of "liberal humanitarianism" (PERRIGO 2007) given the wide array of agents involved, namely private and non-governmental ones, thus enabling non-traditional, non-state actors to participate in foreign affairs. From a theoretical standpoint, there is basically no doubt about the potential that human security holds with regard to the general improvement of the world's situation as the Millennium Development Goals have put it. The problem is that, either due to its inner ambivalence, if not cooptation, for the sake of particular national security interests today, the policies human security would sustain have often been used ultimately towards the security of specific regional

[5] The main guiding goal of the Middle Powers Initiative (MPI) is "promoting practical steps toward the elimination of nuclear weapons" (MPI, 2007).

[6] The strategic texts on national security of the main global powers, United States and European Union, articulate security preoccupations with quality of life, coinciding internal and external scales: "The goal of our statecraft is to help create a world of democratic, well-governed states that can meet the needs of their citizens and conduct themselves responsibly in the international system" (The White House, 2006); and "The European security strategy reaffirms our common determination to face our responsibility for guaranteeing a secure Europe in a better world" (European Council, 2003).

populations for specific purposes and not on an equal global scale as it was originally conceived. As a result, Western overseas development humanitarianism has been securitised and prioritised for the most dangerous contexts. Again, the geopolitical context —War on Terror— has contributed (if not highly determined) the meanings and practices of peace- and freedom-prone concepts, diverting away from the original meaning of human security in its period of gestation between 1986 and 1991.

Furthermore, it should be noted that the ambivalent nature of human security has been emphasised in several critiques originating from mainstream authors in the Realist School of International Relations, who have emphasised the "vagueness," of human security, arguing that it is impossible to deal with the concept (PARIS 2001: 93), if not utterly market-oriented, from the perspective of the mobilisation of scarce resources towards international human development through a security discourse (PETERSON 2002: 50).

Since the attacks n the United States on 11 September 2001, in Madrid on 11 March, and in London on 7 July 2004, the leadership of the centre of the international system, particularly the Bush Administration declared that it could not leave to chance any way of containing, first and foremost, any perspective of terrorist action by the "Axis of Evil". This led to military interventions as in the case of the invasions of Afghanistan, and later Iraq, and today's attention on the Middle East and "rogue states" in general have testified. Apart from these repressive measures, liberal ones go along under the form of development and support for regime change, which is increasingly prioritised towards countries and regions where terrorist networks might be working, either by posing serious risks to Western property and citizens, or by mobilising resources, whether human or logistical. Non-governmental organisations, such as Action Aid, have already voiced their discontent with this orientation, which clearly does not emphasise the original goals of a 'true' human security (COSGRAVE 2004).

However, what is 'true' human security? I argue that the suggestion by Mark Duffield of human security's ambivalence may be grounded in two policies: either: global solidarity or nation-state selfishness.[7] When one raises questions as to which of these two tendencies has been more advanced by the human security paradigm and for what purpose,

[7] "In a single concept the idea of human security […] contains the optimism of sustainable development while, at the same time, it draws attention to the conditions that menace international stability." (DUFFIELD, 2006: 9).

I come to the conclusion that it may well depend on the geopolitical framework that is at stake. Whereas before the War on Terror there was room to advance positive ideas about global improvement, ruling preoccupations nowadays of "Islamist fascism" (as the United States President George Bush calls it) or "uncontrolled migrations" (as one hears frequently from the average European decision-maker) provide a sense of human security being used for the security of the Western, "metropolitan" donor community-residing populations' with regard to the borderlands of the system.[8] At this stage, one should bear in mind that human security shifts from focusing preferably on the South to a growing preoccupation for the "South in the North" (SANTOS 2004) that I associate with the (sub)urban, Third World-born populations of the metropolises of Europe and North America. Given the top anti-terrorist agenda, that is closely connected to the management of migration, the securitisation of human security-based policies testify to the ambivalence of the concept, but also pave the way for its cooptation in the name of power politics. In the age of expanding, grey-area phenomena-filled (terrorist menaces, to begin with) globalisation: "achieving security in the borderlands, and hence international stability, is now seen as lying in activities designed to reduce poverty, satisfy basic needs, strengthen economic self-sufficiency, create representative civil institutions, encourage thrift, promote human rights, gender awareness, and so on: the name of this new security framework is development" (DUFFIELD 2002: 1064).

The case of global health management: Measures against emerging and remerging infectious diseases today

The governments of the United States and today's main regional leaderships (European Union, Russia, China and India) develop programmes aimed at preventing the spread of infectious diseases. In the case of the United States and the European Union, the scope of action lies both inside and outside their territories. Overseas development aid, channelled through non-governmental organisations, under the auspices of the United Nations, the World Health Organisation (WHO) and even the G8, whose meeting in St. Petersburg in 2006 was partially dedicated to HIV/AIDS.

[8] "The terms 'metropolitan' and 'borderlands' are metaphors for the opposing characteristics of order and chaos." (DUFFIELD, 2002: 1052).

The global health governance system, as it happens in other realms, is highly *liberalised* in the way that, in spite of the historical existence of an intergovernmental organisation (the WHO) embodying a global understanding of the promotion of public health and its priorities; this is often performed at a reduced level of coordination and by a wide raft of agencies. Meanwhile, responses to public health crises are often "fractured" (INGRAM 2005: 283), both technically, given, for example, the increased funding for AIDS prevention and its treatment set against decreasing funds being made available for the treatment of malaria and tuberculosis; and also politically, leading to a confrontation between "global governance", as proposed by former United Nations secretary-general Kofi Annan and United States unilateral solutions.

That tension can be attached to the different geopolitical environments that I have described, in which the former proposal is traditionally a post-Cold War, "original human security concept-rooted" one, and the latter may be interpreted as an expression of the hyperpower's top security agenda. The securitisation of development aid at the level of health brings about serious troubles in terms of giving a positive tone to the whole concept of human security. On the one hand, health security may legitimise the perverse bio-political measures of social discrimination and normalisation, since it can bring into question the fundamental rights of those carrying the disease (ELBE 2006). On the other hand, this securitisation may "selectively" prioritise support for diseases which, are not only identified as menacing most the Western populations (HIV/AIDS), but also increase the number of catastrophic effects within specific regional contexts, both at the macro level, for example the general deterioration of the social fabric, which in turn may lead to state fragility and possible armed conflict and at a micro level, for example, the orphaning of children who may respond to the appeals of extremists as a survival strategy. Today's "War on Terror" agenda undermines the far broader, yet long-term goal of the promotion of global public health as part of a master development and peacekeeping strategy as it was proclaimed back in the early 1990s (MCINNES & LEE, 2006; OWEN & ROBERTS 2005).

Conclusion

The concept of human security has gained considerable academic and political credit in recent years, despite criticism by the mainstream Realist school of International Relations. Moreover, one should stress Duffield's vision of human security as ambivalent, especially in terms of answering basic questions such as security for whom and security for what.

The end of the Cold War, and the renewed hopes for world peace and disarmament that were concomitant with this and provided a space for the notion of liberation from violence and its causes (such as hunger, disease, and persecution) that could be implemented worldwide mostly in the context of failed states and new wars. Human development and human rights, followed by academic discussions and proposals on peace and broader notions of security, finally received political significance and set an *Agenda*. Yet, since the beginning of the 21st century emphasis has been placed upon development agendas, especially Western donor-funded ones, which have been prioritised towards the prevention of what endangers the security of Western populations, most notably with regard to terrorism. Today some of the clearest expressions of this meaning and use of human security investment are located in the "rogue states" and those states undergoing "regime change" (first and foremost, Afghanistan and Iraq). Another priority is targeted at the populations of territories surrounding the very centre of the system, in order to prevent migration. The geopolitical context where human security programmes operate provides answers to the questions above.

Apart from not serving the original meaning of human security as I have demonstrated above in the case of the priorities of global health governance with regard to the priorities and the politico-ethical dilemmas of HIV/AIDS prevention, today's use of human security, or securitised human development, has produced rather a visible reverse effect. In my opinion, one example which makes a strong case for this is the increasing assault on development aid workers and volunteers and international peacekeeping officers overseas by specific local population's sectors, as denounced by Médecins Sans Frontières in its 2006 Annual Report (2007). In many contexts human security and all that it positively stands for is being associated with expressions of domination, if not imperialism, by the centre vis-à-vis the peripheries. As a result, the threatening effect of terrorism only serves to increase and undermine the promoters' liberating and solidarity mission of those who promote human security.

References

BAN, Jonathan (2003): "Health as a Global Security Challenge", in *The Whitehead Journal of Diplomacy and International Relations*, vol. 4, no. 2, pp. 19-28.

BENEDEK, Wolfgang (2007): "Human Rights and Human Security: Challenges and Prospects", in FERRÁNDIZ, Fernando & ROBBEN, Antonius C.G.M.

(eds.): *Multidisciplinary Perspectives on Peace and Conflict Research*, University of Deusto, Bilbao.
BOUTROS-GHALI, Boutros (1992): *Agenda pour la paix*, ONU, New York.
BROWER, Jennifer & CHALK, Peter (2003): *The Global Threat of New and Reemerging Infectious Diseases: Reconciling U.S.National Security and Public Health Policy*, Rand, Santa Monica (CA).
BUZAN, Barry (1991): *People, states and fear: an agenda for international security studies in the post-cold war era,* Harvester Wheatsheaf, New York.
CORREIA, Pedro P. (2002): *Manual de Geopolítica e Geoestratégia Vol. I-Conceitos, Teorias e Doutrinas*, Quarteto, Coimbra.
COSGRAVE, John (2004): *The Impact of the War on Terror on Aid Flows*, Action Aid.
DUFFIELD, Mark (2002): "Social Reconstruction and the Radicalization of Development: Aid as a Relation of Global Liberal Governance", in *Development and Change*, vol. 33, no. 5, pp. 1049-1071.
— (2006): "Ineffective states and the sovereign frontier. An overview and agenda for research", in PUREZA, J.M. *et al.* (eds.): *Peacebuilding and Failed States. Some Theoretical Notes*, Oficina do CES, no. 256, Centre for Social Studies, Coimbra.
ELBE, Stefan (2006): "Should HIV/AIDS Be Securitized? The Ethical Dilemmas of Linking HIV/AIDS and Security", in *International Studies Quarterly*, vol. 50, pp. 119-144.
EUROPEAN COUNCIL (2003): *European Security Strategy*, Brussels.
INGRAM, Alan (2005): "Global Leadership and Global Health: Contending Meta-narratives, Divergent Responses, Fatal Consequences", in *International Relations*, vol. 19, no. 4, pp. 381-402.
GALTUNG, Johan (1996): *Peace by Peaceful Means: Peace and Conflict*, Sage, London.
JACKSON, Robert (2000): *The global covenant: human conduct in a world of states*, Oxford University Press, Oxford.
MCINNES, Collin & LEE, Kelley (2006): "Health, security and foreign policy", in *Review of International Studies*, vol. 32, pp. 5-23.
MPI (Middle Powers Initiative) (2007): "Mission", http://www.middlepowers.org/about.html [3 August 2009].
MSF (Médecins Sans Frontiéres) (2007): *Las organizaciones humanitarias ven cada vez más limitada su capacidad de intervención independiente y segura*, Madrid.
OWEN, John W. & ROBERTS, Olivia (2005): "Globalisation, health and foreign policy: emerging linkages and interests", in *Globalization and Health*, vol. 1, no. 12.
PARIS, Roland (2001): "Human Security: Paradigm Shift or Hot Air?", in *International Security*, Fall 2001, pp. 87-102.
PERRIGO, Sarah (2007): *Gendered Violence and Human Security*, EDEN's Intensive Program at the University of Deusto, Bilbao, July 9 2007.
PETERSON, Susan (2002): "Epidemic Disease and National Security", in *Security Studies*, vol. 12, no. 2, pp. 43-81.

SANTOS, Boaventura Sousa (2004): *Do Pós-Moderno ao Pós-Colonial. E Para Além de Um e Outro*. Opening conference of the VIII Luzo-Afro-Brazilian Congress of Social Sciences, Coimbra, in September 16-18 2004: http://www.ces.uc.pt/misc/Do_pos-moderno_ao_pos-colonial.pdf.

THE WHITE HOUSE (2006): *The National Security Strategy of the United States of America*. Washington, D.C., http//www.whitehouse.gov/nsc/nss/2006/nss2006.pdf.

UNDP (United Nations Development Program) (1994): *Human Development Report*, United Nations, New York.

ZARTMAN, William (1995): *Collapsed states: the desintegration and restoration of legitimate authority*, Lynne Rienner, Boulder.

Human Security and Cyberwarfare

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Introduction

Cyberwarfare, a portmanteau word derived from the prefix 'cyber' and the word 'warfare', is a modern-day phenomenon emerging from the context of the information society. After an explanation of the notion, some factual particularities of cyberspace that create unique challenges to human security in the contemporary world will be highlighted, followed by a brief overview of governance initiatives and policies regarding cyberspace. Then, the human security aspects related to cyberwar will be brought into focus, starting with an actor-based classification of the particular threats, followed by an analysis and a conclusion.

What is Cyberwar?

There is a lack of consistency in defining the type of activity that constitutes cyberwar in both the pertinent literature and in the media. The widest definition includes any intrusion through cyberspace, regardless of the scope and actors concerned. In the narrowest sense, cyberwar is only warfare in cyberspace. It comprises cyberattacks; namely, the use of tools and techniques to corrupt or delete data and cyberexploitation; that is, the use of tools and techniques to infiltrate and spy on a target). The definition of cyberwar can include information warfare; in other words, the conveying of influencing information to the enemy, but this should be distinguished from electronic warfare; which concerns the use of electromagnetic and directed energy.

Furthermore, from a semantic point of view, the noun "war" not only refers to conflicts between states, but also "a struggle or competition between opposing forces or for a particular end".[1] Drawing an

[1] War, Merriam-Webster Online Dictionary, http://www.merriam-webster.com/dictionary/war (06-30-2009).

analogy with the "war on terror", it seems fitting to subsume corresponding issues of cyberspace within the definition of cyberwar as well. A look at the reality of cyberspace helps to identify these issues where states face each other on one side and non-state actors on the other. In this regard, the following areas of interest emerge: cybercrime, cyberterrorism, and the related fields of censorship and what is often referred to as "hacktivism"; in other words, political activism in cyberspace. Cybercrime appears to have an overarching influence on other issues, such as terrorism. It is a special form of crime, and censorship is often the response to the criminalization of political activism. What is more, the tools and techniques of cybercrime are universally used in the other activities. However, despite the fact that cybercrime is a huge threat to the security of cyberspace, the conceptualization of cyberwar requires a rather restrictive approach, whereby a line is drawn when it comes to any intention to realize profit. The motivation connected with cyberwar should not only be non-profit making, but specifically political, following Carl von Clausewitz's theory of war being the continuation of politics by other means. This leaves cyberterrorism and hacktivism as topics to be discussed in connection with cyberwar. The parties confronting each other in cyberspace are —in all combinations— nations, groups, and individuals.

Vulnerabilities accredited to cyberspace

Traditional approaches do not always apply to cyberspace, due to particularities that are embedded in its architecture and history. Furthermore, its decentralized nature, its spread and design should enable cyberspace to resist any nuclear strike, whilst its virtuality has made identification features superfluous, since no tracking of paying customers had been originally envisioned.[2] Neither has the rapid commercialization of the Internet been foreseeable, which followed the introduction of personal computers at affordable prices. Within less than twenty years, over 20 percent of the world's population went online.[3] Nevertheless, this overwhelming success has also introduced new challenges.

[2] Cf. NATO Parliamentary Assembly, NATO and Cyber Defence, Doc.No. 027 DSCFC 09 E, Committee Report, 2009 Spring Session, para 10, http://www.naa.be/Default.asp?SHORTCUT=1782 (06-26-2009).

[3] Cf. World Internet Users March 2009, Internet World Stats, http://www.internetworldstats.com/stats.htm (06-26-2009).

Ubiquity, dependency, and sensitive systems

The emergence of cyberspace has changed our daily course of life. Today, there are only a few areas left that have not been penetrated by information and communication technology (ICT). The proliferation of commercial computing, cheap end-consumer technology and ubiquitous embedded systems is constantly increasing connectivity. Today, cyberspace affects everyone: individuals, businesses, organizations, and governments; it is vital for the economic, social, and political wellbeing of modern society. Especially in developed countries, the Internet has become a critical resource that people expect to be continuously available.[4] Conversely, this growing dependence exposes all members of society to intrinsic national security threats related to cyberspace.[5]

What is more, not only do human beings communicate, work, and interact in cyberspace, but all sorts of computerized devices are being upgraded with automated connectivity features, creating the so-called "Internet of things". This trend towards ubiquitous computing has not even spared sensitive spheres, where an intrusion could have negative effects on national security in general, and on personal security in particular. In this regard, the highest sensitivity is found within "critical infrastructure". This is the framework of essential goods and services that a society depends on to function properly, and the disruption or destruction of which would have a debilitating or at least significant impact. It comprises various sectors, such as energy, transportation, telecommunications, water, public health, and some key assets, such as governmental services.[6] For the sake of

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[4] Cf. Commission of the European Communities, Communication from the Commission to the European Parliament and the Council, Internet governance: the next steps, Com(2009) 277 final, Brussels, 06-18-2009, 2.

[5] Cf. UK Cabinet Office, Cyber Security Strategy of the United Kingdom, safety, security and resilience in cyber space, 2009, 12, http://www.cabinetoffice.gov.uk/media/216620/css0906.pdf (06-29-2009).

[6] See generally MILLER, Robert A./LACHOW, Irving: "Strategic Fragility: Infrastructure Protection and National Security in the Information Age", in: *Defense Horizons,* National Defense University, Center for Technology and National Security Policy, January 2008, No. 59, 2, http://www.ndu.edu/ctnsp/defense_horizons/DH59.pdf (06-12-2009); MARSH, Robert T. (ed.): *Critical Foundations: Protecting America's Infrastructures,* The Report of the President's Commission on Critical Infrastructure Protection, 1997, Appedix B-1, http://www.fas.org/sgp/library/pccip.pdf (04-15-2009); LEWIS, Theodore G.: *Critical infrastructure protection in homeland security, Defending a networked nation,* Hoboken, NJ, USA (Wiley), 2006; Uniting and Strengthening America by Providing Appropriate Tools Required to Interrupt and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, Public Law 107-56, Oct. 26, 2001; COUNCIL OF THE EUROPEAN UNION, Council

efficiency, most of these areas are remotely controlled by networks which are often either directly or indirectly connected to the Internet. The telecommunications sector itself builds, alongside the energy sector, an overarching framework most other critical infrastructures rely on for their proper functioning. From this interdependency arise vulnerabilities that are further exacerbated by the implementation of commercial off-the-shelf technology.

Boundlessness, anonymity, and technological progress

Cyberspace does not adhere to traditional boundaries: due to its architecture and its intangibility it can hardly be harnessed within national borders. The impossibility of using analogue-age approaches to subject it to national jurisdiction urges international cooperation, which, aside from cooperation in technical matters, is still in its infancy. Cyberspace awakens threats unknown to the physical world and deprives any distance of its normally protective effect.

Moreover, cyberspace offers a great degree of anonymity. Although everyone is identifiable by their IP-address, there is a whole panoply of techniques to cover one's tracks. Thanks to special routing procedures information can be anonymously distributed thereby and protecting the communicator from identification. While this certainly has a positive side, the downside is that sophisticated cyberintrusions are very hard to track down. They are being routed through a chain of varying proxies in different countries, each adding an additional layer of concealment between the source and the target. This is further fueled by the commercial proliferation of broadband and permanent connections, providing hackers with an ample amount of often poorly secured end-user systems that they can use as a stopover. Together with the lack of universal international cooperation in cyberforensics, this makes the attribution of intrusions very difficult. Without absolute certainty if the identified source really is the first link in the chain, it is impossible to identify intruders and their motivations. It could be that hackers do their work for fun, for criminals, states or even for terrorists. Although only a mere 20 percent of the world's population is online and despite the "digital divide" between developed and developing countries, the group of malevolent actors keeps growing and cybercrime has become

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Directive 2008/114/EC of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection, OJ L 345/75.

a business in its own right. The enabling means are not exclusive: all one needs to create a malicious code is commercial ICT equipment, an Internet connection, the necessary knowledge, and a lot of time. The equipment and the connection are widely available and affordable, the knowledge is self-taught and free time is abundant, especially in economically deprived regions with high unemployment.

Another factor is the rapid development of the technology that underpins cyberspace. Vulnerabilities have emerged more frequently since software release circles became shorter and it became common practice to release flawed software that only subsequently gets patched up with updates, often not before someone has taken advantage of the security hole in question. What is more, the bulk of Internet users have very little knowledge of and concern for Internet security. They are diametrically opposed to a growing number of technically sophisticated hackers, capable of going in and out of systems without being detected. Further worsening the situation are the online applications that are part of what is commonly referred to as the "web 2.0", the reinvention of the traditional Internet, featuring better convergence and usability. Despite the prevailing positive aspects of social inclusion and the promotion of cyberspace, these applications also lure inexperienced users into realms where too trusting behaviour can ensnare them in exploitation.

A short history of governance in cyberspace

Most governments have long been underestimating the power vested within ICT, and the Internet in particular. They could not keep up with the pace that the private sector and civil society kept developing new technologies and picked up new ways to communicate and to generate income. Always being one step behind the private sector, states started to adapt to the new challenges they saw themselves confronted with, ranging from new forms of crime to the loss of sovereignty caused by the borderless architecture of cyberspace, only to find out that without substantial international cooperation any effort to harness cyberspace was futile.

Technical cooperation had been around in the telecommunications sector long before the birth of the Internet under the auspices of the International Telecommunication Union (ITU), one of the oldest international organizations, now a specialized agency of the United Nations (UN). The Internet as well understood technical cooperation from its beginning, but unlike the ITU this process was not backed by govern-

ments and based on international treaties, but by the private sector. It was based on "rough consensus and running code"[7] and featured a clear depreciation of any government involvement ("Governments of the Industrial World, […]. I come from Cyberspace, the new home of Mind. On behalf of the future, I ask you of the past to leave us alone. You are not welcome among us. You have no sovereignty where we gather").[8] However, this firm stance has partly diluted today, since civil society recognized that governments had to be involved to tackle cybercrime, ensure sustainability of critical services and defend the public interest against narrow commercial deliberations.[9]

While in the beginning this approach of bottom-up self regulation worked to the satisfaction of all parties, states —in particular the U.S. government, claiming its birthright— tried, over a period of time, to get a firmer grasp of the situation. Fortunately, the tenacity of the hitherto keepers of cyberspace led to the establishment of a multi-stakeholder approach, including governments, the private sector and civil society. However, so far no single body has been agreed on to undertake this governance, and the respective roles and responsibilities are distributed among different bodies, with varying degrees of independence and power. The most prominent of these bodies are the Internet Corporation for Assigned Names and Numbers (ICANN) and the Internet Government Forum (IGF).[10]

Parallel to this multi-stakeholder approach, governments still reserve the exclusive right to govern some areas on their own. It became obvious that a response to the flourishing area of cybercrime was necessary, and many states started to exercise their traditional coercive monopoly by delegitimizing certain acts in cyberspace. However, the lack of harmonization tended to hamper aw enforcement. To better this situation, the Council of Europe (CoE) drafted its Convention on Cyber-

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[7] CLARK, David D.: *A Cloudy Crystal Ball: Visions of the Future, plenary presentation at 24th meeting of the Internet Engineering Task Force,* 13-17 July 1992, http://xys.ccert.edu.cn/reference/future_ietf_92.pdf (06-23-2009).

[8] BARLOW, John P.: *A Declaration of the Independence of Cyberspace,* Davos, 1996, http://homes.eff.org/~barlow/Declaration-Final.html (06-23-2009).

[9] Cf. EUROPEAN COMMISSION (2009): "Internet governance: the next steps", 4; see also CASACUBERTA David & SENGES Max: "Do we need new rights in Cyberspace?, Discussing the case of how to define on-line privacy in an Internet Bill of Rights", in: *Enrahonar,* vol. 40/41, 2008, 99 et seq.

[10] See generally KLEINWÄCHTER, Wolfgang: "The History of Internet Governance", 41-64, in: MÖLLER, Christian & AMOUROUX, Arnaud (eds.): *Governing the Internet, Freedom and Regulation in the OSCE Region,* http://www.osce.org/publications/rfm/2007/07/25667_918_en.pdf (06-23-2009).

crime[11], an international convention also open to non-CoE states that entered into force in 2004. It is the first and still the only international legal instrument to tackle a wide variety of cyberspace issues, first and foremost cybercrime. Unfortunately, the lack of multi-stakeholderism in the drafting process became obvious due to inadequate human rights references, and the convention falls short of ensuring adherence to human rights in non-CoE member states.

However, human rights are even more endangered by other measures taken by states unilaterally. Initially it was believed that the technologies of cyberspace would ensure the freedom of information and would overcome all possible governmental limitations. Reality proved that technology can beat technology. Western ICT companies equip governments around the world with the necessary means to limit, censor, monitor, and track down individuals they deem to have broken the law.[12] The spectrum of state interference ranges from actions deemed necessary in any democratic society (such as the suppression of child pornography) to the crackdown on dissidents in an oppressive regime.

The role of cyberspace for national security

While developing mechanisms to filter and control cyberspace, several states also began to assess their cyber vulnerabilities. The daunting results of the first studies undertaken in the late 1990s led to the implementation of cybersecurity in many places. However, it became clear that the constant development of new technology relentlessly created new vulnerabilities — a fact that often renders the securitization of cyberspace a Sisyphean task. In the course of developing national cyberdefenses to protect critical infrastructures, government systems, and key businesses, the idea was conceived of also using cyberspace as an offensive asset. This could compensate for the vulnerabilities that cyberspace had created, and could be advantageous in many areas.

The respective national approaches differ in both scope and the level of disclosure, and mostly are only very vaguely formulated. The following list gives an exemplary overview of the activities and policies of notable cyberwar players.

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[11] COUNCIL OF EUROPE: *Convention on Cybercrime,* 11-23-2001, ETS No. 185, http://conventions.coe.int/Treaty/en/Treaties/Html/185.htm (06-23-2009).

[12] Cf. RHOADS, Christopher & CHAO, Loretta: "Iran's Web Spying Aided By Western Technology", in: *The Wall Street Journal,* WSJ.com, 06-22-2009, http://online.wsj.com/article/SB124562668777335653.html (06-24-2009).

—The USA, supposedly the country most reliant on cyberspace, was the first to research its respective vulnerabilities, beginning in the mid-1990s. Only recently, it adapted its cyberdefence policy by adding an offensive element.[13] However, the USA seems to be resolved in keeping a certain level of opacity about the scope of its intentions, since: "a lack of clarity is viewed as important to keeping an adversary uncertain of the severity of an American counterattack".[14]

—China took the offensive approach right away, indicating that it was building up an offensive cyberunit which it deemed an advantage in helping to equate their own forces with those of the other superpowers.[15]

—While Russia swathes itself in silence about its capabilities, it is so far the only country suspected of playing a part in several cyberwars (Estonia 2007, Georgia 2008, Kyrgyzstan 2009). Russia denied any involvement, but failed to act against the perpetrators.[16]

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[13] Cf. SHANKER, Thom & SANGER, David E.: "Privacy May Be a Victim in Cyberdefense Plan", in: *The New York Times,* NYTimes.com, 06-12-2009, http://www.nytimes.com/2009/06/13/us/politics/13cyber.html?pagewanted=all (06-24-2009); SANGER, David E. & SHANKER, Thom: "Pentagon Plans New Arm to Wage Cyberspace Wars", in: *The New York Times,* NYTimes.com, 05-28-2009, http://www.nytimes.com/2009/05/29/us/politics/29cyber.html?hp (06-16-2009).

[14] MARKOFF, John & SHANKER, Thom: "Panel Advises Clarifying U.S. Plans on Cyberwar", in: *The New York Times,* NYTimes.com, 04-30-2009, http://www.nytimes.com/2009/04/30/science/30cyber.html (06-24-2009).

[15] Cf. HARRIS, Shane: "China's Cyber-Militia", in: *National Journal Magazine,* 05-31-2008, http://www.nationaljournal.com/njmagazine/cs_20080531_6948.php (05-06-2009).

[16] See especially SOCOR, Vladimir: *Russia begins cyber attacks against Estonian government,* The Jamestown Foundation, 05-02-2007, http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=32715 (06-24-2009); cf. SHACHTMAN, Noah: "How I Joined Russia's Cyber War", in: *Wired.com*, 08-14-2008, http://www.wired.com/dangerroom/2008/08/how-i-became-a/ (06-24-2009); INTELFUSION: *The FSB's Cyberwarriors (the RBN) attack Georgia,* 08-11-2008, http://intelfusion.net/wordpress/?p=388 (06-24-2009); INFOWAR: "Kirgisistan unter russischem Cyber-Beschuss", in: *Der Standard,* derStandard.at, 01-29-2009, http://derstandard.at/1231153189091 (01-29-2009); but see: NATO Parliamentary Assembly, Visit to Estonia and Finland of the Sub-Committee on Transatlantic Defence and Security Cooperation, 2008, http://www.nato-pa.int/default.Asp?SHORTCUT=1593 (06-26-2009); DAVIS, Joshua: "Hackers Take Down the Most Wired Country in Europe", in: *Wired.com*, 08-21-2007, http://www.wired.com/politics/security/magazine/15-09/ff_estonia?currentPage=all (06-24-2009); SHACHTMAN, Noah: "Georgia Under Online Assault", in: *Wired.com,* 08-10-2008, http://www.wired.com/dangerroom/2008/08/10/#entry-53996176 (06-24-2009); against: HOROWITZ, Mark: *Haunted Screens: Oh what a*

—North Korea is also alleged to entertain a cyberunit with the task of spying on and interrupting services in South Korea and the USA.[17]

—In the EU, at the time of writing, only the UK has published a cybersecurity strategy. The UK frankly admits to having cyberattack capabilities at its disposal, without revealing if they have been used so far.[18] Interestingly enough, UK cybersecurity minister Lord West pledged the UK would not use cyberspace for industrial espionage, while in a 2007 speech the head of UK secret service MI5 Jonathan Evans accused Russia and China of using cyberspace: "to steal our sensitive technology on civilian and military projects, and trying to obtain political and economic intelligence at our expense."[19] An interesting aspect of the UK cybersecurity strategy, which has been released in the context of a wider national security strategy, is that it takes a human security approach, acknowledging that: "our understanding of national security challenges —and our responses to them— must move beyond concepts of the security of the state and focus as well on the security of people, addressing the many challenges of the global world."[20] The strategy stipulates a multi-stakeholder approach, integrating industry, civil liberties groups, the public and international partners.[21]

—The North Atlantic Treaty Organization (NATO) picked up the cyberdefense issue in 2002 after it had seen its systems under attack from Serbian hackers during the Kosovo conflict, and, after

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lovely cyber war!, 08-13-2008, http://www.hauntedscreens.com/2008/08/russia-kicked-off-its-new-war-against-georgia-by-launching--a-preliminary-cyberattack-against-various-georgian-government-sit.html (06-24-2009).

[17] Cf. "Nordkorea betreibt Spezialeinheit von Computer-Hackern", in: *Der Standard,* derStandard.at, 05-05-2009, http://derstandard.at/fs/1240550522548/Nordkorea-betreibt-Spezialeinheit-von-ComputerHackern (06-24-2009).

[18] Cf. CORERA, Gordon: "Cyber-security strategy launched", *BBC News,* 06-25-2009, http://news.bbc.co.uk/2/hi/uk_news/politics/8118348.stm (06-29-2009).

[19] Cf. UK: "Has cyber attack capability", *BBC News,* 06-25-2009, http://news.bbc.co.uk/2/hi/uk_news/politics/8118729.stm (06-29-2009); CORERA, Gordon: "Cyber-security strategy launched", *BBC News,* 06-25-2009, http://news.bbc.co.uk/2/hi/uk_news/politics/8118348.stm (06-29-2009).

[20] NATIONAL SECURITY STRATEGY (2009): update published, UK Cabinet Office, 06-24-2009, http://www.cabinetoffice.gov.uk/newsroom/news_releases/2009/090625_security.aspx (06-29-2009).

[21] UK Cabinet Office, Cyber Security Strategy of the United Kingdom, safety, security and resilience in cyber space, 2009, 5, http://www.cabinetoffice.gov.uk/media/216620/css0906.pdf (06-29-2009).

the cyberattacks of its member, Estonia, in 2007, shifted its direction towards developing a (classified) cyberdefense policy directed at including its members' systems as well, which was agreed in 2008.[22] The policy aims at protecting communication channels and fostering coordination among the member states.[23]

A new cold war?

Does the recent arms race in cyberspace imply the genesis of a new cyber cold war? There seem to be certain similarities, such as the great uncertainties about a potential adversary's capabilities that face an air of secrecy that is only interrupted by the occasional cursory sabre-rattling, further fueling the arms race. But the discrepancies prevail: compared to the cold war's principle of mutually asserted destruction, cyberthreats rather suggest a "mutually asserted disruption". The uncertain outcome a cyberattack could produce complicates estimates of deliberate as well as collateral damage, and therefore does not have the same deterrent effect as the threat of nuclear annihilation.[24] Another distinguishing factor is the attribution problem in cyberspace, caused by its architecture that allows a high degree of anonymity. Furthermore, its ease and universality of access has brought a multitude of non-state actors onto the scene, ranging from hackers to criminal organizations, and terrorists. This makes it difficult to ascribe an attack to an adversary nation and grants the latter plausible deniability, a situation which would be unthinkable in the case of a nuclear missile launch.

Human Security Aspects

The concept of human security places the individual at the centre of international affairs. It focuses on risks to the individual; in the present

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[22] Cf. Defending against cyber attacks, North Atlantic Treaty Organization, 01-29-2009, http://www.otan.nato.int/issues/cyber_defence/index.html (06-25-2009); NATO Parliamentary Assembly 2009-NATO and Cyber Defence, para 40 et seq.

[23] Cf. Defending against cyber attacks, North Atlantic Treaty Organization, 06-08-2009, http://www.nato.int/cps/en/natolive/topics_49193.htm?selectedLocale=en (06-25-2009).

[24] Cf. OWENS, William A.; DAM, Kenneth W. & LIN, Herbert S. (eds.): *The National Academies Press, Technology, Policy, Law, and Ethics Regarding U.S.* Acquisition and Use of Cyberattack Capabilities, Free Executive Summary, Washington, DC, 2009, S-1, http://www.nap.edu/nap-cgi/report.cgi?record_id=12651&type=pdfxsum (06-25-2009).

context, these are risks to the continuation of daily life and economic security that lie beyond the control of the individual.[25]

Cyberspace and the ICT have a dual influence on human security: on the one hand, they can foster freedom and democracy and on the other they allow monitoring and suppression.[26] Whilst cyberthreats against national security usually originate either from other states or from individuals, the threats to personal security can also stem from one's own government. In general, hackers, cybercriminals, and cyberterrorists are the non-state actors that threaten the individual with intrusion, exploitation, theft of personal data, fraud, deception, or the destruction of data. A lesser degree of threat emanates from private businesses that engage in excessive data mining and -trafficking, potentially infringing privacy rights. The threats going out from the government under whose jurisdiction the individual stands are surveillance and censorship. The risks for personal security emanating from other states are interrelated with the national security risks that states face. These are cyberespionage and cyberattacks against critical infrastructure, the economy, and civilian systems.

Non-state actor threats

Although cybercrime is without any doubt the biggest threat in cyberspace, it is not to be discussed under the topic of cyberwar, since, as argued in section, the motivation of personal profit poses a distinguishing factor. The same is true for private companies that act under the premises of an "economy of attention" model, which builds on selling advertisement based on the personal data of the user.[27] The motivational background for a cyberoperation must be political in order to be subsumed under cyberwar. Concomitant with the particularities of cyberspace, this motivation will often be difficult to prove in reality. Notwithstanding, the conceptual framework following this train of thought crystallizes out hacktivists and cyberterrorists.

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[25] Cf. Commission on Human Security, Human Security Now, New York, 2003, 10 et seq., http://www.humansecurity-chs.org/finalreport/FinalReport.pdf (07-09-2009).

[26] Cf. BENEDEK, Wolfgang: "Internet Governance and Human Rights", in: BENEDEK, Wolfgang; BAUER, Veronika & KETTEMANN, Matthias C. (eds.): *Internet governance and the information society, Global perspectives and European dimensions,* Utrecht (Eleven International Pub.), 2008, 43.

[27] Cf. CASACUBERTA, Senges (2008): *New rights in Cyberspace,* 101.

Hacktivism and patriotic hacking

Hacktivists usually target individuals they disagree with politically. In contrast to their productive counterpart, "webtivists", who use cyberspace to disseminate information in an attempt to counter censorship, hacktivists rather employ destructive means, such as the hacking of servers, the defacement of websites, or other acts of sabotage that compromise their target's presence in cyberspace. In some cases, cyberespionage might be used to find defamatory materials about an opponent. An example of hacktivism is the now well-known confrontation between the hacktivist group "Anonymous" and the Church of Scientology.

A concept that may be subsumed under hacktivism is that of "patriotic hacking", where political activism is exclusively driven by exaggerated patriotism. When tensions arise between nations or between ethnic groups, patriotic hackers often randomly target systems pertaining to the opposite side. This can develop its own momentum when more and more hackers enter the conflict on both sides. The problem of attribution in cyberspace provides governments with plausible deniability when accused of tolerating or even supporting the hackers acting in their favour. A good example of patriotic hacking was the cyberattack launched from Russian soil against Estonia in 2007.

Cyberterrorism

The face of terrorism has changed considerably in the last decade, moving from hierarchical structures to small independent cells. Terrorists use cyberspace mainly for communicative purposes, such as inter-cell communication, the distribution of manuals, reconnaissance, and rallying for support. Concern has also been raised regarding the use of cyberspace by terrorists for reconnaissance for conventional attacks, in particular web 2.0 satellite image applications like Google Earth. Although there is no internationally agreed definition of terrorism, the use of cyberspace for communication and planning is not cyberterrorism. In order to qualify an action as terrorism in general, a political objective has to be pursued by sowing fear within a society by the use of a certain amount of violence. Cyberterrorism does not so much concentrate on the element of violence as on fear itself. It covers unlawful attacks and threats against ICT systems, aimed at in-

timidating or coercing a government or group to comply with a political objective.[28]

A sustained attack by cyberterrorists against cyberspace itself would be unlikely. First, its physical framework is very resilient, and unless an attack is exceptionally sophisticated and successful, it would probably not even be noticeable to the ordinary user. A deteriorating effect, if any, would possibly have the same effect as a conventional technical failure, and therefore would not suffice the fear factor. Second, a global disruption might not be a priority for terrorists, since they rely on cyberspace for communication themselves.[29]

A well-suited target for cyberterrorists would more likely be an attack against critical infrastructures, which could, in theory, even lead to the loss of life, for example by the opening of dams or the creation of malfunctions in nuclear power plants. However, this is highly unlikely due to high security standards, control mechanisms, emergency strategies and the complexity of these systems. More probable are the rather low-profile scenarios that include the disruption of services, such as transportation, power and the banking systems; or, environmental terrorism, as with malfunction in sewage treatment plant that discharges sewage in aquifers. Also of interest for terrorists would be any attack against institutions that could lead to a feeling of insecurity among a population, such as emergency call systems or governmental and news websites. Even small-scale events, such as the repetitive release of vicious computer viruses could have cascading effects. Or, attacks that only affect single individuals could be multiplied by the media factor. Many authors deny such small-scale cyberattacks the essential threshold to rise to a critical level.[30] However, this can be countered with the probability that even small events can create high uncertainties when they hit the right spot. Also, a cyberattack could be used as force multiplier, e.g. by disabling emergency call services after a conventional attack or causing malfunctions in communication systems to instill mistrust, annoyance or fear. The aforementioned media hype can play a decisive —even if involuntary— role in fear-mongering. A fictional ex-

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[28] Cf. KAMAL, Ahmad: *The Law of Cyber-Space, An invitation to the table of negotiations,* Geneva (United Nations Institute for Training and Research), 2005, 66.

[29] Cf. MANNES, Aaron: "The terrorist threat to the Internet", in FOREST, James J.F. (ed.): *Homeland Security: protecting America's targets,* Vol. III: critical infrastructure, Westport, CT (Praeger Security International), 2006, 344 et seq.

[30] E.g. KAMAL (2005): *The Law of Cyber-Space,* 66; LEWIS, James A.: "Cybersecurity and critical infrastructure protection", in FOREST, James J.F. (ed.): *Homeland Security: protecting America's targets,* vol. III: critical infrastructure, Westport, CT (Praeger Security International), 2006, 333.

ample of this scenario could be the altering of the blood type in an electronic medical patient file which leads to the patient's death after receiving the wrong blood transfusion.[31] Anyhow, so far no terrorist group has ever claimed responsibility for a cyberattack. This may be due to a lack of relevant skills, but the acquisition of such may just be a matter of time; besides, experienced cybercriminals might sell out to the highest bidder.[32]

State-born threats: own government

Surveillance

States monitor cyberspace for law enforcement purposes (so-called "lawful interception"), in order to prevent serious crimes such as child pornography or terrorism. Here, the ordinary citizen is endangered by a possible mission creep, nourished by possible serendipities. Only the mandatory requirement of a restrictive court order and efficient safeguards can mitigate this risk. However, a particular reason for concern is provided by investigations of certain serious crimes against the state, in particular terrorism, which lies within the remit of the secret services, which are not subjected to full judicial scrutiny. Also, in oppressive regimes surveillance of cyberspace is a prerequisite for censorship, and is sometimes even used to convict cyberdissidents (people criticizing the political leadership by ways of cyberspace, mostly via blogs).

Censorship

Censorship in cyberspace is undertaken by governments by denying their citizens access to specific content or to certain channels of communication, or by universally blocking access to websites which lie within their jurisdiction. Internet censorship is not restricted to authoritarian regimes but is also employed in democratic societies. However, it differs greatly in scope: Western governments usually justify censorship with the protection of their citizens from "harmful" or "inappropriate"

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[31] Cf. 131ah/Rogers Russ/Beale Jay/Grand Joe/Fyodor/FX/Craig Paul/Mullen Timothy/Parker Tom, Stealing the network: How to own a continent, Rockland, MA (Syngress Publishing Inc.), 2004, 39 et seq.

[32] Cf. MANNES (2006): *Terrorist threat to the Internet,* 343.

content, such as child pornography, hate speech, or the glorification of terror.[33] However, in a 2005 joint declaration of the responsible freedom of expression organs of the UN, the OSCE and the OAS held that filter systems that are not end-user controlled represent prior-censorship and therefore cannot be justified.[34]

Authoritarian regimes may also act under the pretext of harmful content, but they suppress a far wider range of contents and applications, often with the purpose of ensuring their rule; often they restrain the "undesirable" rather than the "harmful". As more and more actors have entered the scene, cyberspace is increasingly used for political causes. Access to it is easy and comparatively cheap, it is distributes rapidly and to a worldwide audience, and its relative anonymity can protect the actors against persecution — although the latter is not always the case.

China was the first country known for the large-scale censorship of cyberspace, its infamous "golden shield" filtering out anything considered detrimental to the Chinese state.[35] Some countries, such as Cuba, have literally converted the Internet into an intranet, that underlies highly restricted access and heavy supervision, or, as in Korea, making the Internet accessible to only a small group of privileged people. A few countries, such as Myanmar/Burma, even repress the Internet systematically and take repressive action against the violators of restrictions and arrest cyberdissidents.[36] Organizations that monitor Internet censorship, such as the OpenNet Initiative or Reporters Without Borders, determine most of the countries which censor the Internet the most are mainly situated in the Middle and Far East. Content that violates Islamic or moral principles (such as pornography) is as much suppressed and criminalized as are the cyberspace activities of political opposition, separatist and pro-democracy movements, and human rights advocates, in particular women's rights activists, especially Saudi Ara-

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[33] Cf. BENEDEK (2008): *Internet Governance and Human Rights,* 43.

[34] Cf. International Mechanisms for Promoting Freedom of Expression, Joint Declaration by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media and the OAS Special Rapporteur on Freedom of Expression, 12-21-2005, http://www.article19.org/pdfs/igo-documents/three-mandates-dec-2005.pdf (07-06-2009).

[35] See generally GOLDSMITH, Jack & WU, Tim: *Who Controls the Internet?, Illusions of a Borderless World,* New York (Oxford University Press), 2006, 87.

[36] Cf. UN ECOSOC Commission on Human Rights, Civil and political rights, including the question of freedom of expression, The right to freedom of opinion and expression, Report of the Special Rapporteur Ambeyi Ligabo, E/CN.4/2006/55, 12-30-2005, 10, 40.

bia, Burma, China, Cuba, Egypt, Iran, North Korea, Syria, Tunisia, Turkmenistan, Uzbekistan, Vietnam.[37]

There are a variety of censorship technologies, often provided by Western companies, each of which has its own strengths and flaws. Therefore, Internet users, again with the help of Western individuals and organizations, have found ways avoiding filtering and detection by oppressive regimes. For example, they use tools that grant anonymity by bypassing the censorship apparatus via proxy servers. A current example is what has happened in Iran in the aftermath of the alleged election fraud. While the regime expelled the foreign press and made sure its own media would not cover any demonstrations, protesters embraced new convergent media that is hard to censor, such as Twitter, Facebook, and SMS to organize and exchange news among themselves and with the rest of the world. For the first time, foreign news agencies could —and in default of any other alternatives had to— rely on information that seeped through these channels. Dubbed the Twitter Revolution this has fostered the worldwide participation of the Internet community in the Iranian cause. Apart from criticism about the one-sidedness of the news conveyed and the lack of journalistic verification, this process can be regarded as enhancing democracy.

A different method, linking traditional distribution with new media, is the so-called "sneakernet". Reportedly, in Cuba's digital underground people tackle the unavailability of network access with this system where data is transmitted not by networks, but by memory sticks and on foot.[38]

Technical issues with censorship

- —The blockage of a server by its IP-address also blocks other —possibly legitimate— content that is hosted on the same server.
- —Censorship can spill over to other countries that connect to the Internet via the network of the censoring state.
- —Filters often produce "bycatch", filtered objects that were not intended for filtering, for example when a decent word contains a letter combination that equals a certain buzz word (such as the word "wris**twat**ch").

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[37] See generally REPORTERS WITHOUT BOARDERS: *Internet Freedom Desk, Internet Enemies,* Paris, 03-12-2009, http://www.rsf.org/IMG/pdf/Internet_enemies_2009_2_-3.pdf (07-02-2009).

[38] Cf. MCKINLEY, James C.: "Cyber-Rebels in Cuba Defy State's Limits", in: *The New York Times,* NYTimes.com, 03-06-2008, http://www.nytimes.com/2008/03/06/world/americas/06cuba.html?_r=2&pagewanted=all (07-02-2009).

—Channeling all Internet traffic through a central censorship server leads to the significant performance loss of a country's network due to bottleneck effects.

—It is impossible to achieve total traffic control, thanks to the distributed architecture of the Internet. Despite some national ownership of the ICT infrastructure, most of it is owned by private companies, and cyberspace itself is almost exclusively in private hands. Without convincing all stakeholders of the necessity for action, censorship is impeded by various counteractions.[39] In this regard, the phenomenon coined the "Streisand effect" is worth mentioning, which describes the defying reaction of Internet users to censorship: in the event of suppression of a particular content, the very same often resurfaces on many mirror sites and thereby gets more attention than it would normally have received in the first place.[40]

ETHICAL/LEGAL ISSUES WITH CENSORSHIP:

—Censorship is a violation of the freedom of expression, an essential element of democracy embedded in Art. 19 of the Universal Declaration of Human Rights (UDHR)[41] and Art. 19 of the International Covenant on Civil and Political Rights (ICCPR).[42] In particular, censorship in cyberspace threatens the right to freely express one's views and opinions (for example, the censoring of blogs) and the right to seek, receive and convey information and ideas (in other words, the censoring of news websites). Curtailing these freedoms in order to protect other human rights, the public order, health, or morale requires a fine balancing act in line with Art. 29 para. 2 UDHR or Art. 19 para 3 ICCPR that is subjected to the rule of law. Limitations can be appropriate, for example, to counter incitement of violence or hatred, but clearly not to silence political opponents.

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[39] Cf. FONSECA, Pedro: "Cerf sees government control of Internet failing", *Reuters*, 11-14-2007, http://www.reuters.com/article/reutersEdge/idUSN1420689320071114 (07-03-2009).

[40] Cf. GREENBERG, Andy: "The Streisand Effect", *Forbes.com*, 11-05-2007, http://www.forbes.com/2007/05/10/streisand-digg-web-tech-cx_ag_0511streisand.html (07-03-2009).

[41] UN General Assembly, Universal Declaration of Human Rights, GA Res. 217 (III) of 10 December 1948.

[42] UN General Assembly, International Covenant on Civil and Political Rights, GA Res 2200 (XXI) of 16 December 1966.

—In all cases where Internet service providers (ISPs) are not monopolistically held by governments, their cooperation has to be requested in order to enable censorship and surveillance. While in authoritarian regimes ISPs are usually subjected to direct governmental influence, in democracies the rule of law prevails as a regulative procedure. However, there are many self-regulating approaches that enable whistleblowers from civil society to report harmful content, such as child pornography or hate speech. In this case, the ISPs find themselves in the role of judges when they have to decide whether to block or delete the site in question. The owner of the concerned site typically has no remedy against the blockage, depriving him of his right to a fair trial.

—Certain types of websites that are cumbersome to monitor are more prone to being blocked completely rather than censored. This is mainly true for blogs and websites and applications that feature dynamic and frequently changing content (such as YouTube and Wikipedia), that are restricted to members (as in the case of social networks), or that offer communication (such as Skype). Considering that the blocked websites and applications, many of them pertinent to the web 2.0, mirror an evolutionary process that upgrades the "original" Internet of passive web surfing and email, people that are deprived of access to them are, in a sense, denied their right to development.

—The pervasive and overarching character of cyberspace works to its disadvantage when confronted with the accusation of undermining moral principles. Starkly different moral standards are a condition of cultural diversity. Conventional media accepts and adapts; TV stations and newspapers adhere to regional moral standards by entertaining region-specific outlets. Cyberspace, however, does not adhere — it defies, assimilates, and globalizes. This offers a reasonable excuse for its suppression under the pretense to save moral values. The problem lies within the definition of immorality. While it is comprehensible that pornography is considered immoral in many countries, it may not be so evident that social networking sites are blocked because they could lead to "immoral exchanges".[43]

—As for the involvement of Western ICT companies, these "gatekeepers of cyberspace"[44] are given the choice by some govern-

[43] Cf. REPORTERS WITHOUT BORDERS (2009): *Internet Enemies,* 17 et seq.
[44] BENEDEK (2008): *Internet Governance and Human Rights,* 43.

ments to comply with their standards, equip them with censorship-enabling technology, or to not make any deal at all. While some companies do not show much remorse for dealing with suppressive governments, others argue that without their compromise there would be no service at all. Nevertheless, even if, for example, search engines provide services, but only under the exclusion of certain hits in their search results, this still equates with censorship.

State-born threats: other state

Threats against the individual posed by actors other than their own state are either repercussions from an interstate conflict or from cyberespionage against civilian systems. Another possible scenario would be the targeting of the websites of cyberdissidents living abroad.

Cyberwarfare

As noted above, cyberwar in its narrower sense is warfare in cyberspace. The measures a cyberwarring state would take depend on its level of aggression, its cyberwar strategy, and its adherence to the international law of armed conflict (LOAC) and International Humanitarian Law (IHL). These bodies of law are governed by the UN Charter, the Hague and Geneva Conventions with their associated protocols, other related instruments, and customary international law. They limit the legitimacy of the use of force (*jus ad bellum*) and the behaviour of combatants in armed conflicts (*jus in bello*). Owing to space constraints, LOAC and IHL will not be discussed in this chapter.

It is unlikely that a nation-state would try to interfere with the functionality of cyberspace itself, given that such an act would in turn cause considerable damage to the interfering state. Only a country with little or no dependence on cyberspace could probably take that path, but it is implausible that such a country would have the necessary knowledge and resources to do so. It could, however, try to virtually take a country "off the grid" by launching distributed denial of service (DDoS) attacks against a multitude of the enemy's servers, which would become overloaded with bulk traffic in the process. A striking example is the Estonia case in 2007.

Also, it would be possible to attack the systems supporting the war effort of the enemy. Attacks on particular critical infrastructure, such as the defence industrial base or the energy sector are especially promising in terms of having a debilitating effect on the enemy's economy, its war supply chain, the general public's trust in a government and its support for the war effort. The latter could also be attained by deliberate attacks on other critical infrastructure than that which purely supports the enemy's war efforts. However, IHL interdict the deliberate targeting of civilian assets, which would make such an attack unlawful. If a state nevertheless decided to ignore IHL at all, it could revert to the same tactics cyberterrorists use in order to win a war of attrition (see above).

Cyberespionage

Although delegitimized in every state's national legislation, espionage is not covered by international law. Cyberespionage is already a reality. Highly sophisticated cyberespionage networks have infiltrated political and industrial systems. Illustrative examples are provided by the recent discovery of a worldwide cyberespionage network dubbed "Ghostnet" that spied on the Tibetan authorities, and the infiltration of U.S. critical infrastructure by hackers. In most cases, the intruders were traced back to China and the Russian Federation, who were quick to deny any involvement.[45] Of course, no governmental involvement or sponsorship could be proven due to the problem of attribution. However, it can be assumed with certainty that nations have cyberespionage capabilities at their disposal, and that they might also make use of them. Cyberespionage displays the advantageous double feature of industrial espionage and the "mapping" of vulnerabilities. Valuable targets are certainly military systems, although these are usually well protected and in the ideal case physically not connected to the Internet ("air-gapped"), but also critical infrastructure as well as private companies.

[45] Cf. GORMAN, Siobhan: "Electricity Grid in U.S. Penetrated By Spies", in: *The Wall Street Journal,* WSJ.com, 04-08-2009, http://online.wsj.com/article/SB123914805204099085.html (05-07-2009); Analysts dismiss 'cyber spy' claims, in: China Daily, Chinadaily.com.cn, 03-30-2009, http://www.chinadaily.com.cn/china/2009-03/30/content_7628028.htm (05-07-2009); China debunks 'cyber spy' rumor, in: China Daily, Chinadaily.com.cn, 03-31-2009, http://www.chinadaily.com.cn/china/2009-03/31/content_7635762.htm (05-07-2009).

Analysis

As we have seen above, cyberwar not only poses a threat to national security, but also to human security. The extensive civil use and ownership of cyberspace and its mostly unregulated history, which enabled the *de facto* empowerment of the people, contradicts its annexation by governments. In cyberspace, individuals can express and share their views more easily and find like-minded people.[46] It has become a crucial cornerstone of the economy and modern society, whose significance keeps growing due to ever-increasing connectivity. Disconnection would seriously impair the global economy; cut society off from an indispensible source of information and a crucial platform for communication; and, hamper the orderly operation of vital services.

Cyberwar poses threats to individuals because it can have a direct impact on them. In cyberspace, a nation cannot protect its people by traditional barriers and deterrents, such as border controls or a strong fighting force. If cyberspace is the battlefield, civilians are prone to come into the line of fire. It is striking to note that a good part of cyberwar threatens individuals in developed countries, whereas usually human security threats are more likely to surface in developing countries among refugees, internally displaced people, or marginalized groups. Furthermore, in cyberwar individuals are threatened in their very homes, and they can unwittingly get involved in a conflict and be subjected to its side effects, such as cyberexploitation and its consequences, such as destructive counterattacks. For example, an effective cyberweapon is a botnet, a network comprising of hundreds or even thousands of infected "zombie" computers able to launch a disruptive DDoS attack. Another example is that an individual's system can be used as a proxy for a cyberintrusion and therefore gets targeted by law enforcement.

The different manifestations of cyberwar put several human rights at stake:

—The freedom of expression is threatened by hacktivism and censorship, when online content becomes unavailable due to a politically motivated attack, while the freedom of information is endangered by censorship as well as by surveillance.

—The right to privacy may come under attack from intrusive hacktivism aimed at finding defamatory material, by cyberterrorism (including identity theft) and by surveillance.

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[46] BENEDEK, Wolfgang (ed.): *Understanding human rights, Manual on human rights education*, Wien (Neuer Wissenschaftlicher Verlag GmbH et al.), vol. 2, 2006, 332.

—The right to property is essential for the meaningful enjoyment of other human rights.[47] It is threatened by hacktivism and patriotic hacking (such as the taking down of a server or the defacement of a website), and by industrial cyberespionage (theft of intellectual property).
—Democracy promotes human security;[48] the right to democracy is hampered by hacktivism and censorship by impeding democratic participation and political pluralism. The rule of law and the principle of a fair trial are both pertinent elements of a democracy. They are contrary to the arbitrary monitoring of cyberspace and any possible subsequent detentions of political dissidents. Democracy should prevent a single person or small group from ruling over people in an arbitrary manner through the division of powers, checks and balances, and adequate control mechanisms.[49] Censorship and surveillance are prone to infringing all these principles.
—Cyberwar can violate human rights in an armed conflict (IHL). There is no cyberarms control, which allows uncertainties to prevail over the capability of potentially disruptive cyberweapons. If employed, connectivity and mixed military and civilian use of certain critical infrastructures is likely to lead to the extensive collateral damage of private systems, whilst the principle of distinction can hardly be followed, leading to the disrespect for the neutrality of civilians. Also, the targeting of certain branches of the enemy's economy to stall its war efforts is likely to have a direct influence on individuals due to job scarcity and economic crises. Besides, due to the civilian ownership of cyberspace the principle of distinction is difficult to respect.

Conclusion

As this chapter has demonstrated, cyberwar raises several issues that are inherent to the concept of human security. First, cyberspace empowers individuals by offering valuable forms of communication and information. Second, it also threatens individuals as opposed to either states or to other individuals. Third, the necessity for protect-

[47] VAN BANNING, Theo R.: *The human right to property,* Antwerpen (Intersentia), 2002, 176.
[48] BENEDEK (2006): *Understanding human rights,* 321 et seq.
[49] *Ibid*, 322 et seq.

ing individuals results from these threats. Fourth, the topic raises issues of human rights and human development, both of which are interdependent and mutually reinforcing. Fifth, the multi-stakeholder environment of cyberspace is the epitome of an interdependent sphere that features shared sovereignty.

Cyberwar is characterized by a collision of rights and interests that are often overlapping. National security ideally lies in the interest of individuals, as long as human rights are respected. However, the secrecy surrounding national security issues is opposed to adequate control mechanisms.[50] Without any doubt, in the cases where oppressive regimes crush down hard on the freedom of expression in cyberspace or abuse it for extensive surveillance of political dissidents, human security is clearly threatened. In contrast, when individuals face each other, their interests and rights often clash.[51] Paradoxically, cyberwar can even position the interests of one individual against each other: the personal interest in security in cyberspace (against cyberintrusions) involves the right to privacy (especially from surveillance). Other examples for conflicting rights and interests are:

- —the freedom of expression as opposed to minority rights (in the case of hate speech and racist material)
- —anonymity as opposed to accountability for unlawful content (hate speech, racist material)
- —national and personal security versus the right to privacy (national defense, law enforcement)
- —the freedom of expression versus the reliability on journalistic diligence (such as blogs or Twitter)
- —the right to property as opposed to the right to know (cyberespionage)

In any case, a careful balancing act between national security interests and the rights of individuals is essential.[52] If individual rights are opposed to each other, these rights should be ranked according to the respective context, whereas a right of one individual is curtailed in order to protect the higher right of another. Although this is the same procedure as in the offline world, it has to be taken into consideration that some rights might change or disappear in cyberspace. Some call for the elaboration of an "Internet Bill of Rights" in order to define human rights in the context of cyberspace. This instrument should rank

[50] Cf. BENEDEK (2008): *Internet Governance and Human Rights,* 43.
[51] Cf. CASACUBERTA, Senges (2008): *New rights in Cyberspace,* 101.
[52] Cf. BENEDEK (2008): *Internet Governance and Human Rights,* 43.

the rights according to their importance and identify "inarticulate elements" incompatible with cyberspace. These elements are assumptive pieces of information that are taken for granted in the offline world context, but need to be articulated in cyberspace.[53] This is required because of the particular settings of cyberspace that create uncertainties in relation to data handling. For example, the who, when, where, what or how of data interception remains hidden to the ordinary user.

Another element of the stipulated Internet Bill of Rights should be "network neutrality", the indiscriminate treatment of content in cyberspace. Although this principle is not exclusively coined on human rights, but was rather a reaction to a looming "over-commercialization" of the Internet, it is still very well suited for their protection, since it demands a restriction-free network.[54]

While the multi-stakeholder environment of the IGF would make it a fitting body to elaborate a normative instrument, an adequate body for enforcement would have to be found later on. Besides, any normative framework would be mutually interdependent of the technological framework, in other words the conditions set by code.[55] However, the current system of human rights protection in cyberspace is unsatisfactory, since it is mainly based on the actions ISPs take following reports by whistleblowers — a procedure that is not in line with the rule of law.

Finally, reference should still be made to the role of the individual. Although many unforeseeable threats lurk in cyberspace, the proverb that every man forges his own destiny is also valid here. Besides, human security also means the freedom to take action on one's behalf.[56] One could also argue that this could conversely imply a duty to act, in order to support the security of the common good — cyberspace. Easy to use antivirus and firewall software are freely available online, and so is the necessary knowledge to reach a basic level of awareness. These measures combined with strong passwords can already help to reduce the risk of becoming a victim of cyberwar.

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[53] Cf. CASACUBERTA, Senges (2008): *New rights in Cyberspace,* 102 et seq.

[54] See generally LESSIG, Lawrence & MCCHESNEY, Robert W.: "No Tolls on The Internet", in: *The Washington Post*, washingtonpost.com, 06-08-2006, http://www.washingtonpost.com/wp-dyn/content/article/2006/06/07/AR2006060702108.html (07-09-2009).

[55] CASACUBERTA, Senges (2008): *New rights in Cyberspace,* 102.

[56] COMMISSION ON HUMAN SECURITY (2003): *Human Security Now,* 11.

Bibliography

a. *Articles in journals*

CASACUBERTA, David & SENGES, Max: "Do we need new rights in Cyberspace?, Discussing the case of how to define on-line privacy in an Internet Bill of Rights", in: *Enrahonar*, vol. 40/41, 2008, 99-111.

DAVIS, Joshua: "Hackers Take Down the Most Wired Country in Europe", in: *Wired.com*, 08-21-2007, http://www.wired.com/politics/security/magazine/15-09/ff_estonia?currentPage=all *(06-24-2009).*

HARRIS, Shane: "China's Cyber-Militia", in: *National Journal Magazine,* 05-31-2008, http://www.nationaljournal.com/njmagazine/cs_20080531_6948.php *(05-06-2009).*

MILLER, Robert A. & LACHOW, Irving: "Strategic Fragility: Infrastructure Protection and National Security in the Information Age", in: *Defense Horizons, National Defense University, Center for Technology and National Security Policy,* January 2008, No. 59, http://www.ndu.edu/ctnsp/defense_horizons/DH59.pdf (06-12-2009).

SHACHTMAN, Noah: "How I Joined Russia's Cyber War", in: *Wired.com*, 08-14-2008, http://www.wired.com/dangerroom/2008/08/how-i-became-a/ (06-24-2009).

—: "Georgia Under Online Assault", in: *Wired.com,* 08-10-2008, http://www.wired.com/dangerroom/2008/08/10/#entry-53996176 (06-24-2009).

b. *Articles in volumes of collected articles*

BENEDEK, Wolfgang: "Internet Governance and Human Rights", in: BENEDEK, Wolfgang; BAUER, Veronika & KETTEMANN, Matthias C. (eds.): *Internet governance and the information society, Global perspectives and European dimensions,* Utrecht (Eleven International Pub.), 2008, 31-50.

KLEINWÄCHTER, Wolfgang: "The History of Internet Governance", in: MÖLLER, Christian & AMOUROUX, Arnaud (eds.): *Governing the Internet, Freedom and Regulation in the OSCE Region,* Vienna, 2007, http://www.osce.org/publications/rfm/2007/07/25667_918_en.pdf (06-23-2009), 41-64.

LEWIS, James A.: "Cybersecurity and critical infrastructure protection", in: FOREST, James J.F. (ed.): *Homeland Security: protecting America's targets,* vol. III: critical infrastructure, Westport, CT (Praeger Security International), 2006, 324-338.

MANNES, Aaron: "The terrorist threat to the Internet", in: FOREST, James J.F. (ed.): *Homeland Security: protecting America's targets,* vol. III: critical infrastructure, Westport, CT (Praeger Security International), 2006, 339-353.

c. *Internet documents*

BARLOW, John P.: A *Declaration of the Independence of Cyberspace,* Davos, 1996, http://homes.eff.org/~barlow/Declaration-Final.html (06-23-2009).

CLARK, David D.: *A Cloudy Crystal Ball: Visions of the Future, plenary presentation at 24th meeting of the Internet Engineering Task Force,* 13-17 July 1992, http://xys.ccert.edu.cn/reference/future_ietf_92.pdf (06-23-2009).

HOROWITZ, Mark: *Haunted Screens: Oh what a lovely cyber war!,* 08-13-2008, http://www.hauntedscreens.com/2008/08/russia-kicked-off-its-new-war-against-georgia-by-launching--a-preliminary-cyberattack-against-various-georgian-government-sit.html (06-24-2009).

The FSB's Cyberwarriors (the RBN) attack Georgia, IntelFusion, 08-11-2008, http://intelfusion.net/wordpress/?p=388 (06-24-2009).

WAR: *Merriam-Webster Online Dictionary,* http://www.merriam-webster.com/dictionary/war (06-30-2009).

SOCOR, Vladimir: *Russia begins cyber attacks against Estonian government,* The Jamestown Foundation, 05-02-2007, http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=32715 (06-24-2009).

d. *Legal sources*

COUNCIL OF EUROPE: *Convention on Cybercrime,* 11-23-2001, ETS No. 185, http://conventions.coe.int/Treaty/en/Treaties/Html/185.htm *(06-23-2009).*

COUNCIL OF THE EUROPEAN UNION: Council Directive 2008/114/EC of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection, OJ L 345/75.

UN GENERAL ASSEMBLY: *Universal Declaration of Human Rights,* GA Res. 217 (III) of 10 December 1948.

—: *International Covenant on Civil and Political Rights,* GA Res 2200 (XXI) of 16 December 1966.

Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, Public Law 107-56, 10-26-2001, http://www.gpo.gov/fdsys/pkg/PLAW-107publ56/pdf/PLAW-107publ56.pdf (06-17-2009).

e. *Monographs*

131ah/Rogers Russ/Beale Jay/Grand Joe/Fyodor/FX/Craig Paul/Mullen Timothy/Parker Tom, Stealing the network: How to own a continent, Rockland, MA (Syngress Publishing Inc.), 2004.

BENEDEK, Wolfgang (ed.): *Understanding human rights, Manual on human rights education,* Vienna (Neuer Wissenschaftlicher Verlag GmbH et al.), Vol. 2, 2006.

GOLDSMITH, Jack & WU, Tim: *Who Controls the Internet?, Illusions of a Borderless World,* New York (Oxford University Press), 2006.
KAMAL, Ahmad: *The Law of Cyber-Space, An invitation to the table of negotiations,* Geneva (United Nations Institute for Training and Research), 2005.
LEWIS, Theodore G.: *Critical infrastructure protection in homeland security, Defending a networked nation,* Hoboken, NJ, USA (Wiley), 2006.
VAN BANNING, Theo R.: *The human right to property,* Antwerpen (Intersentia), 2002.

f. *Newspaper articles*

Cf. GORMAN, Siobhan: "Electricity Grid in U.S. Penetrated By Spies", in: *The Wall Street Journal,* WSJ.com, 04-08-2009, http://online.wsj.com/article/SB123914805204099085.html (05-07-2009).
INFOWAR: "Kirgisistan unter russischem Cyber-Beschuss", in: *Der Standard,* derStandard.at, 01-29-2009, http://derstandard.at/1231153189091 (01-29-2009).
LESSIG, Lawrence & MCCHESNEY, Robert W.: "No Tolls on The Internet", in: *The Washington Post,* washingtonpost.com, 06-08-2006, http://www.washingtonpost.com/wp-dyn/content/article/2006/06/07/AR2006060702108.html (07-09-2009).
MARKOFF, John & SHANKER, Thom, "Panel Advises Clarifying U.S. Plans on Cyberwar", in: *The New York Times*, NYTimes.com, 04-30-2009, http://www.nytimes.com/2009/04/30/science/30cyber.html (06-24-2009).
MCKINLEY, James C.: "Cyber-Rebels in Cuba Defy State's Limits", in: *The New York Times,* NYTimes.com, 03-06-2008, http://www.nytimes.com/2008/03/06/world/americas/06cuba.html?_r=2&pagewanted=all (07-02-2009).
—: "Nordkorea betreibt Spezialeinheit von Computer-Hackern", in: *Der Standard,* derStandard.at, 05-05-2009, http://derstandard.at/fs/1240550522548/Nordkorea-betreibt-Spezialeinheit-von-ComputerHackern (06-24-2009).
RHOADS, Christopher & CHAO, Loretta: "Iran's Web Spying Aided By Western Technology", in: *The Wall Street Journal,* WSJ.com, 06-22-2009, http://online.wsj.com/article/SB124562668777335653.html (06-24-2009).
SANGER, David E. & SHANKER, Thom, "Pentagon Plans New Arm to Wage Cyberspace Wars", in: *The New York Times,* NYTimes.com, 05-28-2009, http://www.nytimes.com/2009/05/29/us/politics/29cyber.html?hp (06-16-2009).
SHANKER, Thom & SANGER, David E.: "Privacy May Be a Victim in Cyberdefense Plan", in: *The New York Times,* NYTimes.com, 06-12-2009, http://www.nytimes.com/2009/06/13/us/politics/13cyber.html?pagewanted=all (06-24-2009).

g. *Press releases and agency reports*

UK: "has cyber attack capability", *BBC News*, 06-25-2009, http://news.bbc.co.uk/2/hi/uk_news/politics/8118729.stm (06-29-2009).
CORERA, Gordon: "Cyber-security strategy launched", *BBC News,* 06-25-2009, http://news.bbc.co.uk/2/hi/uk_news/politics/8118348.stm (06-29-2009).
FONSECA, Pedro: "Cerf sees government control of Internet failing", *Reuters*, 11-14-2007, http://www.reuters.com/article/reutersEdge/idUSN1420689320071114 (07-03-2009).
GREENBERG, Andy: "The Streisand Effect", *Forbes.com*, 11-05-2007, http://www.forbes.com/2007/05/10/streisand-digg-web-tech-cx_ag_0511streisand.html (07-03-2009).
WORLD INTERNET USERS MARCH (2009): *Internet World Stats,* http://www.internetworldstats.com/stats.htm (06-26-2009).
DEFENDING AGAINST CYBER ATTACKS: "North Atlantic Treaty Organization", 06-08-2009, http://www.nato.int/cps/en/natolive/topics_49193.htm?selectedLocale=en (06-25-2009).
DEFENDING AGAINST CYBER ATTACKS: "North Atlantic Treaty Organization", 01-29-2009, http://www.otan.nato.int/issues/cyber_defence/index.html (06-25-2009).
NATIONAL SECURITY STRATEGY (2009): update published, UK Cabinet Office, 06-24-2009, http://www.cabinetoffice.gov.uk/newsroom/news_releases/2009/090625_security.aspx (06-29-2009).

h. *Reports*

COMMISSION ON HUMAN SECURITY: Human Security Now, New York, 2003, http://www.humansecurity-chs.org/finalreport/FinalReport.pdf (07-09-2009).
REPORTERS WITHOUT BOARDERS: Internet Freedom Desk, Internet Enemies, Paris, 03-12-2009, http://www.rsf.org/IMG/pdf/Internet_enemies_2009_2_-3.pdf (07-02-2009).
MARSH, Robert T. (ed.): "Critical Foundations: Protecting America's Infrastructures", *The Report of the President's Commission on Critical Infrastructure Protection,* 1997, http://www.fas.org/sgp/library/pccip.pdf (04-15-2009).
NATO: *Parliamentary Assembly, Visit to Estonia and Finland of the Sub-Committee on Transatlantic Defence and Security Cooperation*, 2008, http://www.nato-pa.int/default.Asp?SHORTCUT=1593 (06-26-2009).
—: "Parliamentary Assembly", *NATO and Cyber Defence,* Doc.No. 027 DSCFC 09 E, Committee Report, 2009 Spring Session, http://www.naa.be/Default.asp?SHORTCUT=1782 (06-26-2009).
OWENS, William A.; DAM, Kenneth W. & LIN, Herbert S. (eds.): The National Academies Press, Technology, Policy, Law, and Ethics Regarding U.S. Acquisition and Use of Cyberattack Capabilities, Free Executive Summary,

Washington, DC, 2009, http://www.nap.edu/nap-cgi/report.cgi?record_id=12651&type=pdfxsum (06-25-2009).

UK: Cabinet Office, Cyber Security Strategy of the United Kingdom, safety, security and resilience in cyber space, 2009, http://www.cabinetoffice.gov.uk/media/216620/css0906.pdf (06-29-2009).

UN: ECOSOC Commission on Human Rights, Civil and political rights, including the question of freedom of expression, The right to freedom of opinion and expression, Report of the Special Rapporteur Ambeyi Ligabo, E/CN.4/2006/55, 12-30-2005.

i. *Other*

COMMISSION OF THE EUROPEAN COMMUNITIES: Communication from the Commission to the European Parliament and the Council, Internet governance: the next steps, Com(2009) 277 final, Brussels, 06-18-2009.

INTERNATIONAL MECHANISMS FOR PROMOTING FREEDOM OF EXPRESSION: Joint Declaration by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media and the OAS Special Rapporteur on Freedom of Expression, 12-21-2005, http://www.article19.org/pdfs/igo-documents/three-mandates-dec-2005.pdf (07-06-2009).

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