

PEACE STUDIES  
JOURNAL

**Volume 6, Issue 2**  
**March 2013**

# PEACE STUDIES JOURNAL

Vol. 6, Issue 2  
March, 2013

Editor: Dr. Jason Del Gandio, Temple University

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## **Educating for Constructive Conflict Transformation**

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## **EDUCATING FOR CONSTRUCTIVE CONFLICT TRANSFORMATION (Essay)**

### **Abstract**

This article begins with an examination of the basic concepts of peace, conflict, and constructive conflict transformation, with attention to their related fields of study and of practice. I then discuss some of the major achievements of the constructive conflict transformation field in mitigating and ending large-scale violent conflicts. Major issues and challenges to the field are then considered, including inappropriate applications of the field's ideas, underutilization of the ideas, and inadequacies of the ideas. I conclude with observations about possible avenues to advance constructive conflict transformations.

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### **1. Introduction**

The premise of this article is that conflicts are not only inevitable in human societies, but that they are often desirable, particularly when they are well conducted. Thus, justice, freedom, and more equitable and integrated relations can and should be advanced by well-waged conflicts. Conflicts vary greatly in their mixture of constructiveness and destructiveness as they undergo many changes. I focus here on constructive conflict transformation and how they contribute to achieving peaceful societies and peaceful international relationships.

Peacefulness varies negatively and positively. Negative peace varies in the extent and degree of direct physical violence, as measured in deaths. Positive peace varies in the extent and degree of

the absence of structural violence, the presence of equity and justice, and the establishment of legitimate ways for the on-going contentions to be conducted. Conflicts occur in conjunction with negative and positive peace, but they are conducted differently.

The concept of constructive conflict transformation refers both to the process of a conflict becoming less destructive and more constructive and to a relationship that is not oppressive and not highly coercive. In the latter sense, it is thought of as a relatively stable condition of positive peace. However, I emphasize the processes of constructive transformation—of peace-making—since in reality no social condition remains rigidly fixed: change is constant.

Peace-enhancing conflict transformation does not occur smoothly or at the same pace for all parties in a struggle. One side often moves more readily than another. Some groups within each side may be hesitant and mistrustful, holding out for a better arrangement while other groups may be eager to move toward an enhanced mutual accommodation. Furthermore, conflict transformation is always multi-dimensional and occurs in different degrees among the various parties engaged in a struggle. For all these reasons, positive transformations often advance only to fall back before advancing again.

In addition to examining the phenomenon of positive conflict transformation, this article considers how people contribute to its realization. They can do so in two major ways: as observers/analysts or as engaged persons, whether as partisans or as intermediaries. Thus, they may do so by studying and teaching how destructive conflicts change and become relatively constructive and also they may do so by acting directly in conflicts or by intervening in them so as to foster positive changes. It should be recognized that some people may act to foster peaceful conflict transformations without identifying themselves as conflict resolvers, peacemakers, or working in the field of conflict transformation. They may see themselves as diplomats doing their duty, researchers of basic social conflict processes, public intellectuals promoting particular policies, members of social movement organizations opposing government policies, and at times traditional mediators and partisans. Conversely, self-identified conflict resolvers may draw from the experience of these persons and groups to enrich and broaden the field of constructive conflict transformation.

There can be tensions between these two conceptions of the field, defined in terms of people who identify themselves as belonging to the field or defined in terms of the particular ideas and practices that are used. However, the two conceptions can complement each other, as discussed in this article. The first conception fosters reflection and integration of the ideas and practices of conflict transformation, placing them into a broader context. The second conception fosters the diffusion of the ideas and practices and their implementation in everyday practice. To limit the field to only one of these conceptions would unduly constrict it and constrain its potential growth and value. But to simply merge them can have unwanted consequences.

The rest of this article is divided into four sections: the field's basic concepts, its achievements, its major issues and challenges, and ways to advance it. These matters are discussed as they apply to both conceptualisations.

## 2. Basic Concepts in the Constructive Conflict Field

In the context of the constructive conflict approach, there are numerous analytic concepts and empirical findings regarding social conflicts and there are many tools and practices consistent with those thoughts. Many of these ideas and applications are examined in several recent books about conflict resolution and peacebuilding (Bercovitch, et al. 2009; Kriesberg, et. al. 2012; Ramsbotham, et al. 2005; Sandole, et al. 2008). There is no grand theory in the field. Rather, there are many isolated propositions and empirical generalisations and also innumerable analyses of various social processes. In this section, I examine the ideas and practices particularly relevant to conflict transformation. It is worth noting that while social conflicts have both objective and subjective features, the perceptual processes and factors tend to be given more attention in the field than the structural ones, since they seem more malleable in the short run. Therefore, they have greater attraction for the people engaged in a struggle who seek to quickly transform a conflict.

### *2.1 Basic Characteristics of Social Conflicts*

Three characteristics of conflicts are particularly pertinent to understanding how large-scale conflicts can become constructively transformed. First, conflicts are generally fluid; they move through a series of stages as conflicts emerge, escalate, de-escalate and are settled, and whose outcome becomes the basis for more enhanced peace or for new conflicts. This broad movement incorporates many smaller conflict cycles and the stages vary greatly in length, with frequent backward steps. Conflict transformation itself includes several stages moving from changes within adversaries themselves that open opportunities for mutual exploratory moves between them, followed by gestures and other actions indicating that mutual accommodation has begun; this is followed by building more ties and increased mutual understanding and trust. At a later stage, new shared institutions, intensified interdependence, and integration may develop. Adversaries and intermediaries try to assess which stage they are in so they can determine whether the time is right for one or another policy to be undertaken (Kriesberg & Thorson, 1991; Zartman, 1989).

Second, every conflict is interlocked with many others—smaller conflicts are nested in larger conflicts, each part in a conflict has its own set of other antagonists, each conflict is one in a series of earlier struggles, and each side has its own internal fights. In this welter of simultaneous and sequential fights, the adversaries and intermediaries must decide which is primary and which is secondary, who enemy number one is and who enemy number two is.

Third, contenders in a conflict generally rely on diverse strategies to achieve their goals. The methods may include a wide array of violent actions, but many may also incorporate nonviolent coercive actions. In addition, moreover, non-coercive inducements may be part of the strategies adopted. Non-coercive inducements take the form of promised benefits or of persuasive efforts to change the adversary's conduct in the desired direction. Strategies usually blend these inducements together in various changing combinations.

## ***2.2 Core Constructive Conflict Ideas and Associated Practices***

Several sets of ideas help account for peaceful conflict transformations and there are various applications associated with those ideas. They relate to conflict transformation in (1) its transition phase, and (2) its peacebuilding, post-violence phase. Although there is no comprehensive theory explaining all conflict phenomena, there are various middle-range theories that interpret aspects of particular kinds of conflicts. There are also many limited theories about a narrow range of conflict-related behaviour, often focusing on a single process or factor. Such mini-theories tend to be articulated and elaborated by self-identified workers in the field of conflict transformation. When the ideas are diffused to people unwittingly doing conflict transformation work, the ideas are more likely to be isolated and be based or justified on a prior example of its application.

### ***2.2.1 Transitions: Initiating Conflict Transformations***

A traditional view explaining the transition from a destructive to a more constructive conflict is that one side is responsible for the conflict and its destructiveness; therefore, *defeating that side* will transform the relationship between the adversaries and constructive relations will follow. Indeed, many people regard the Second World War as a demonstration that the total defeat of Nazi Germany and Imperial Japan produced changes in the defeated countries that resulted in cooperative relations between each of them and the victorious countries. Workers in the conflict transformation field generally do not regard that explanation as adequately comprehensive. Some in the field believe that in particular conflicts in which the leaders of one or more sides are not representative of a large constituency, seek gains only for themselves and commit gross violations of human rights, violence may be necessary to transform the conflict; but they are likely to emphasize limiting the violence and providing some positive benefits for significant numbers of the defeated side. Clearly, this matter raises many important and complex issues, which will be further discussed later in this article (*section 4.3*).

*Intervention* by actors who are not primary adversaries in a conflict often contributes greatly to a conflict's constructive transformation. The intervention may be intended to assist one side in a conflict to impose an end or it may be to assist the adversaries to find a mutually acceptable transformation. Much attention among workers in the field is paid to external mediation that can range from deal-making muscular mediation to gentle facilitation. Mediation can help forge new options that are attractive to weary and mistrustful antagonists and make those options seem attainable. Protracted destructive conflicts often generate extreme resentments, fear, and other emotions that are not wholly realistic; mediators can help cut through extremely hostile beliefs and feelings. Consequently, a reality-grounded transformation becomes more feasible.

Given the multiplicity of inter-connected conflicts, a particular destructive conflict can be de-escalated by lessening its salience relative to another conflict. Such *reframing* may arise from structural changes, but the new circumstances need to be made salient to have such effects. The transformation of the bloody Franco-German enmity into cooperation after the Second World War owes much to the emergence of the Cold War with the Soviet Union as a common enemy. Facing a common enemy creates common interests and a superordinate goal for groups that may once have been antagonistic (Sherif, 1966).

The *interaction between adversaries* is the primary way in which adversarial relations become positively transformed. Several mini-theories posit specific patterns of action that contribute to constructive conflict transformation. One is graduated reciprocity in tension-reduction (GRIT): one adversary unilaterally initiates a series of cooperative moves; these are announced and reciprocity is invited, but the conciliatory moves continue for an extended period, whether or not there is immediate reciprocity (Osgood, 1962). In time, this will be reciprocated as the other side recognizes that prior fears were unrealistic. Another strategy is tit-for-tat (TFT), which has been elaborated and tested in part by game theory applications, particularly by work on the prisoners' dilemma game (Axelrod, 1984). An analysis of de-escalating transformations in American-Soviet, Soviet-Chinese, and American-Chinese relations compared TFT, GRIT, and other explanations (Goldstein & Freeman, 1990). The analysis found that in these cases the GRIT strategies were more effective than the TFT strategy in accounting for movement toward more cooperative relations. President Anwar al-Sadat's trip to Jerusalem in 1977 illustrates how making a dramatic gesture of good will can be a part of a GRIT strategy (Mitchell, 2000).

A middle-range theory accounting for a turning away from destructive conflict is the *initiation of mutually beneficial policies*. Undertaking such policies may result from formal agreements negotiated by opponents or former opponents. This is illustrated by the cultural exchange, arms control, and other agreements constituting *détente* in US-USSR relations in the early 1970s. Organizations incorporating opponents can generate vested interests to expand the organization, further integrating the opponents. This idea of expanding functional integration was articulated during World War II (Mitrany, 1944) and illustrated by the evolution of the European Union from the European Coal and Steel Community, established in 1952.

Finally, a highly influential mini-theory pertains to the *turning points* in protracted conflicts occurring when opponents believe they are in a stalemate that each believes it cannot change to its advantage, that is painful, and where a better option is possible (Touval, Zartman 1985). A bearable, stable, self-serving stalemate, on the other hand, lacking pressure to come to a resolution or lacking an attractive alternative, does not constitute a ripe moment for transitioning to a significant transformation (Zartman, 2005).

Each of the approaches and mini-theories mentioned here has some merit; how well each helps account for initiating transformative transitions depends upon the characteristics of the conflict and its surrounding circumstances. Often, several limited theories can be combined and yield a more comprehensive explanation. In some ways they have complementary explanatory value; thus, some mini-theories deal with factors that drive the transition, others relate to the initiation and implementation of the transition, and still others with sustaining the de-escalation.

### 2.2.2 *Post-Violence: Sustaining Constructive Conflict Transformations*

Several important mini-theories help account for perpetuating and deepening constructive conflict transformations. They draw on earlier analyses and are fundamental for the new and rapidly growing work in peacebuilding. Thus, an enduring issue relates to the differences between negative peace and positive peace (Galtung, 1969; Stephenson, 2008a). Negative peace refers to peaceful relations characterized only by the absence of direct violence, while positive peace refers to relatively harmonious relations as well. Negative peace may include oppressive

relations in a society where some people suffer structural violence, where their poverty and death rates are greater than those of many others in that society. Societies and relationships exhibit positive peace insofar as they do not experience structural violence. A related theoretical idea is that all persons share particular *basic human needs*, and if those needs are not met people will struggle to get their needs satisfied (Burton, 1990). Workers in the international relations field tend to focus on negative peace—avoiding and ending wars. The value of negative peace should not be denigrated and it is, reasonably, a prerequisite for developing and sustaining positive peace.

Many contemporaries in the field frame these matters in terms of the relationship between justice and peace (understood as limited to security or negative peace). In the long term, they do tend to reinforce each other, but during transitions in the transformation process, there may be times when one has greater priority than the other. The priority given to each depends on circumstances—the degree of each at a particular time and the value each has to various peoples.

An important middle-range theory dealing with the factors and processes that strengthen constructive conflict transformation pertains to the *creation of political structures and other shared institutions* that provide legitimate ways to manage conflicts (Paris, 2004). This is especially important for the relations between former warring parties living in the same country. Election ballots have commonly been viewed as a straightforward alternative to bullets, but they often fail to stop recurring violence and suppression of members of the society, unless safeguards are established to protect everyone's minimal rights (Lyons, 2005).

For adversaries who have concerns about their exclusion from political participation, discrimination or their physical safety, well-grounded reassurances that respond to those concerns are valuable for sustainable positive peace. Laws and constitutions can help, but they are insufficient alone. Sometimes negotiated arrangements and particular electoral procedures can help install and sustain power-sharing among the former hostile sides, which reduces the fears that increase the risk of future wars (Mattes & Savun 2009). Special problems arise from demilitarising armed groups after extensive violent conflict; this entails arrangements for integration with official police and military organizations and integration into the civil economy. Much analysis has been undertaken on these and related matters and on the policies to bring about the disarmament, demobilization and reintegration (DDR) of ex-combatants. Particular attention has begun to be given to the problem of “spoiler behaviour” by persons or groups within one side of the conflict or outside of the conflict who act violently to undermine and stop the movement toward mutual accommodation (Muggah, 2008; Stedman, 1997), also recognizing that the partisans frequently differ about the value of a particular transformation (Greenhill & Major, 2006/07; Zahar, 2008). In addition, strong and protected civil society organizations are crucial for the implementation of many transformative agreements.

Another important mini-theory emphasizes that constructive conflict transformations occur on many levels, from the elite to the grassroots. The movement may be initiated at one level, but to be sustained and deepened, *engagement of many levels* is needed. For example, the transformation of the Egyptian-Israeli conflict in the late 1970s was carried out on the Egyptian side by Sadat, without multi-level participation and support. The result has been not only the assassination of Sadat, but an essentially cold peace with Israel. Non-governmental

organizations functioning across adversary lines are important actors in preparing and sustaining conflict transformation at all socio-political levels (Montville, 1991).

In recent decades, many partial theories have been elaborated about attaining significant *reconciliation* between former enemies that fosters sustained peace between them (Gibson, 2006; Long & Brecke, 2003; Lederach, 1997; Rigby, 2001). Reconciliation is best regarded as multi-dimensional, with four continua often distinguished: truth, justice, regard, and security (Bar-Siman-Tov, 2003). A great deal of research has been done regarding various ways to foster reconciliation—for example, the Truth and Reconciliation Commission of South Africa (Gibson, 2006). However, unearthing the truth, identifying perpetrators and performing other acts of formal reconciliation often occur many years after extreme acts of violence and oppression have occurred, sometimes generations. In the meantime, traumas are endured and painful coexistence suffered (Pouliny, et al. 2007).

Research has shown that particular arrangements incorporated within negotiated settlements contribute to the survival of the settlements. The institutional arrangements include various forms of power-sharing and provisions for territorial autonomy (Hartzell & Hoddie, 2003). The idea of contrasting *forward-looking and backward-looking agreements* and outcomes synthesizes some of these mini-theories (Zartman & Kremenyuk, 2005). This idea builds on the complex relationship between peace and justice concerns. Attaining peace minimally means an end to violent fighting, but it may also entail foregoing claims for justice: punishment for perpetrators of atrocities, compensation for past abuses, and the establishment of relations marked by equality and dignity. Peace agreements vary in the relative attention they give to the past injustices or to the future relationship that will enhance justice and avoid creating new injustice. Thus, the agreements between France and Germany after World War II and the agreements in South Africa and Mozambique were relatively forward-looking; while the negotiations and agreements between Azerbaijan and Armenia regarding Nagorno-Karabakh and between Israelis and Palestinians have been highly focused on past grievances. Interestingly, forward-looking agreements are much more likely to result in relations of mutual respect and cooperation than backward-looking agreements, even if they have endured.

Finally, a widely adopted idea stresses the *great importance of external parties*, as interveners and intermediaries in constructively transforming conflicts. They include major powers and small countries, regional and global international governmental organizations, and also local, national and transnational non-governmental organizations. Such parties often play vital roles in sustaining peace agreements: providing assistance in implementing them and in monitoring compliance (Rubinstein, 2008; Stedman, et al. 2002). Even if not directly engaged in peacebuilding, they may stop the flow of military and other support to one or all sides in a fight, which makes continuation or renewal of fighting more difficult. They also often play intermediary roles, filling a wide array of mediating functions. Here, too, non-governmental organizations—local and transnational—increasingly play important roles providing channels of communication, new ideas and options, and incentives for building cooperative relations among former enemies (Davies & Kaufman, 2002; Kriesberg, 1995; McDonald & Bendahmane, 1987).

Each of these approaches and theories has some relevance for sustaining and expanding conflict transformations. None of them provides a fully adequate explanation; however, they

complement each other and together offer reasonably comprehensive accounts. Furthermore, since conflict transformations often occur in many interlocking conflicts simultaneously, different approaches may be relevant for the various conflicts, at the local grassroots level, at the elite level between opponents, or within one side in a conflict.

### **3. Achievements of the Constructive Conflict Approach**

I turn now to discuss the extent to which the constructive conflict approach may have contributed to the actual ending of destructive conflicts and their positive transformation (*section 3.1*). It is difficult to infer the contribution of the approach since it is part of the broader field of conflict resolution and many other factors affect the incidence of wars, deaths, and negotiated agreements. The assessment will be helped by examining two paths that may arguably have contributed to changes in mass violence and sustained peace. One path is the institutionalization of the field (*section 3.2*) and another is its diffuse influence upon public discourse and practice (*section 3.3*).

#### ***3.1 Actual Constructive Conflict Transformations***

To begin assessing possible contributions that the constructive conflict approach has made to peace, note should be taken of the well-documented decline in international and intra-state wars that has occurred since 1989, measured by various indicators of war and violence (Gleditsch, 2008; Hewitt, et al. 2010). There has been a decline in the incidence of wars and of deaths in wars. The declines were marked in the 1990s and have settled at a relatively low level in the early years of the twenty-first century. This period has also seen an increase in negotiated endings of civil wars, rather than coercively imposed endings.

Obviously not all these changes can be attributed to the ideas and practices of the emerging conflict transformation field, but the field has made important contributions. Certainly the end of the Cold War contributed much to the decline in wars and violence. It helped end the local wars around the world, which had been sustained by assistance from the Cold War opponents who supported different sides in many conflicts. It enabled the United Nations (UN) to expand peacemaking, peacekeeping, and peacebuilding activities. It reduced ideological struggles and contributed to the emerging normative consensus regarding human rights, popular participation in governance, the rights of minorities and women, and non-reliance on violence. Significantly, however, the ideas and practices of the field both influenced and drew from the policies that transformed and ended the Cold War (Evangelista, 1999).

Several other global developments bear on the increased likelihood of transforming destructive conflicts and sustaining peaceful relations. The growing economic integration and the intensification of communication globally make local wars more visible and more harmful to other peoples, which are incentives to intervene and limit destructive wars. Global mass media and transnational internet communications contribute to increasing world-wide consensus about norms regulating conflict. In addition, the widespread change in the status of women, related to their increased political engagement, also appears to reduce the readiness of governmental and non-governmental actors to resort to violence in waging conflicts (Caprioli & Boyer, 2001; Marshall & Marshall, 1999; Melander, 2005; Stephenson, 2008b). These developments have reinforced the theory and practice of the conflict transformation field.

Finally, non-governmental organizations have increased greatly in number and scope, operating more and more trans-nationally (Smith, et al. 1997). They often act in congruence with conflict transformation ideas, contributing to negotiations to avert and to end wars in a variety of ways, including training and consulting with partisans, facilitating Track II diplomacy and conducting workshops for grass-roots and sub-elite level partisans from the opposing sides (Agha, et al. 2003; Davies & Kaufman, 2002). Their efforts also contributed to the transformation and ending of the Cold War (Evangelista, 1999).

Despite these changes, terribly destructive warfare persists, particularly in Africa, the Middle East, and south Asia. Negotiated peace agreements frequently break down and civil wars recur (Hewitt, et al. 2010; Licklider, 1995). People in a great many countries in the world suffer structural violence, living in poverty and denied significant engagement in social, political and economic control of their lives. A case can be made that these circumstances are in part attributable to the severely limited application of the ideas and practices of the conflict transformation field, and indeed their rejection by powerful international actors (Kriesberg, 2007). But it may be that traditional conflict methods have been badly implemented or that the constructive conflict approach, as well as other approaches, is inadequate for the new global conditions.

### ***3.2 Institutionalization of the Constructive Conflict Approach***

The constructive conflict approach, conceived as the actions of self-identified workers in the field, is becoming increasingly institutionalised in academic settings and in the work of governmental and non-governmental organizations. Such institutionalization gives the field increased legitimacy and opportunities to be effective and it also helps increase the number of persons committed to working in the field and strengthening it.

Within the academy, the position of the constructive conflict approach is difficult to isolate because it is co-mingled with many other fields and programmes related to conflict resolution, peace, development, and democratisation. It appears in courses in many professional schools, including law, public administration and international relations. Many certificate, MA and PhD programmes provide training and foster research in various aspects of conflict transformation and related fields (Polkinghorn, et al. 2008). However, conflict transformation as a narrow field is not as independently institutionalised as conflict resolution or peace studies.

In many governmental and non-governmental organizations the ideas and practices of conflict transformation and conflict resolution are employed in their internal functions and in their external operations. The NGOs working directly and indirectly to help avert, limit or recover from large-scale violence have been rapidly expanding in number and size. Members of many of them are familiar with conflict transformation ideas and practices and often apply them.

Institutionalization can give grounds for concerns as well as for celebration. It can generate vested interests in continuing work as it has been done rather than innovating to meet new problems. Furthermore, in seeking to preserve the field, workers in the field may be overly cautious in challenging established structures that sustain domination and destructive conflict.

### ***3.3 Mainstreaming and Civilizing***

As the ideas and practices of the constructive conflict approach are increasingly absorbed into the social, cultural and political systems of societies around the world, the greater their effects and effectiveness are likely to be. If antagonists share the approach, each side will tend to respond constructively to each other and also add new ideas and practices to the field.

Many of the concepts, findings and practices of the conflict transformation and conflict resolution fields have become commonplace in many social spheres. The recent attention to the concept of “soft power” is one example (Nye, 2004). Drawing from the research and theorising about positive sanctions, nonviolent action and non-coercive inducements generally, this work emphasises the great importance of various kinds of power that are employed in many social conflict settings. When soft power is combined with hard power (typically military), it can be regarded as “smart power” (Armitage & Nye, 2007)—a term often used by Hillary Clinton during her 2009 confirmation hearings before taking office as U.S. Secretary of State. The diffusion of conflict transformation ideas and practices to people who apply some of them, but do not think of themselves as workers in the field, illustrates that they are becoming more mainstream.

The increased engagement of governmental and non-governmental organizations in providing mediation services and sustaining negotiated agreements is another important development. This is evident in the work of the UN, the Organization for Security and Co-operation in Europe (OSCE), and numerous governmental and non-governmental organizations. As previously noted, the end of the Cold War enabled the UN to become more engaged in mediation and in peacekeeping operations, and it has done so. Some of the important findings and core propositions in the field of conflict resolution and conflict transformation explicate and also are validated by the socio-political developments of recent decades. These include the recognition of the importance of civil society organizations and grass-roots movements in fostering and sustaining democratic processes and institutions. Social movement organizations relying on nonviolent action have buttressed the protection of human rights, including the rights of ethnic and religious minorities and of women. These accomplishments have helped avoid oppressive impositions and escalating violent resistance to them. Indeed there is considerable evidence that democratic societies are much less likely than non-democratic societies to suffer internal violent strife and civil wars and less likely to make wars against each other (Gleditsch & Hegre, 1997; Hewitt, et al. 2010; Russett & Oneal, 2001). The transitions to more democratic forms of governance, however, can often be accompanied by violence, take a long time and not be fully realized.

## **4. Major Issues and Challenges**

Admittedly, however, these witting and unwitting applications of the ideas and practices of the constructive conflict approach have had only limited success. This may be due to the inappropriate ways the ideas are employed, to the underutilization of the ideas and practices or, most gravely, to errors in the approach.

#### ***4.1 Inappropriate Employment of Ideas***

Undoubtedly, many times in the last two decades, particular ideas and methods in the field have been applied poorly. At times they have been treated as techniques and taken out of the context of the constructive conflict approach and employed within the context of other approaches. This can be seen sometimes in the US government's promotion of civil society, nonviolent action, electoral processes and public engagement during the administrations of George W. Bush. The presumption seemed to be that promoting such activities would serve immediate US interests, rather than viewing them as ways through which more equitable relations might be developed, satisfying the interests, needs and values of other peoples (Kriesberg, 2007b). Peace and conflict research findings and ideas were selected, but interpreted or used for traditional self-serving purposes. For example, as noted earlier, the research finding that democratic countries do not wage overt wars against each other seemed to justify imposing democracy in other countries, even by force. This strategy ignored evidence about the great difficulties in transitioning to democracy and the great variety of forms of legitimate governance based on different cultural and social factors (Diamond, 2005).

#### ***4.2 Underutilization of Ideas***

Undoubtedly as well, the conflict transformation perspective is known and used by small proportions of people and usually only for its effectiveness in very few arenas. Traditional approaches based on narrow self-interest still predominate in the US and elsewhere. The officials in major institutions believe they have vested interests in the perpetuation of those approaches. Furthermore, the traditional approach is widely seen as natural and based on unchanging human nature.

Fundamental changes in social structure are needed for the transformation approach to be more widely used and for it to be more effective. Governments take seriously the premise that states have a monopoly for the legitimate use of military force and typically maintain military establishments that are major elements of the government. This prominence influences the decisions that are made; and governments (sometimes even as members of international organizations) rely on military capabilities when intervening in foreign conflict transformations. Understandably, governments are relatively ill-prepared and reluctant to devote resources to help people in other countries cope with protracted domestic conflicts and recover from them. This is one reason that such tasks have increasingly been undertaken by non-governmental organizations, often under contracts with governments. In a small innovation to improve government performance in external conflict transformation, the US Department of State has established a Civilian Response Corps, which consists of active, standby, and reserve components. Active and standby components are full-time federal personnel prepared to deploy rapidly to countries in crises or recovering from violent conflict; the reserve component members are civilians in governmental or non-governmental organizations with skills that are needed in societies emerging from extreme violence.

Overall, domestic conditions greatly affect the course of domestic conflicts. Societies relying on military force and rule by unrepresentative or autocratic governments also tend to be inhospitable to the constructive management of conflicts. Indeed, such conditions are likely to evoke

resistance and fights for change, which then result in violence.

Along with diminishing the relative size and influence of authoritarian institutions exercising military and other coercive power, many societal developments can generate greater use of the constructive conflict approach (Senghaas, 2004). These developments include the growth of norms supportive of coexistence and mutual respect despite intense politicization of differences (Kriesberg, 1998; Senghaas, 2001). The continuing expansion in the number and functions of non-governmental organizations constituting a civil society is an important development to secure democratic institutions, popular engagement and mitigation of destructive conflicts. There is evidence that this is especially the case when the NGOs themselves are internally democratic (Hemmer, 2008; Pace & Kew, 2008).

Other important developments in the practice of governance promise to support the creation of a culture of constructive conflict management, which would be conducive to conflict transformation applications. One such development is the growing use of information technology that can increase the transparency of government operations, as legislation, budgets and speeches can be made readily available on the web. A movement to increase public participation in government has been growing in many countries; it involves innovative ways of generating public discussion of major issues and linking the ideas developed to the political process. In addition, there is increasing engagement in processes of collaborative governance within government agencies, among them, and in relations with clients and other stakeholders (O'Leary & Bingham, 2003). These developments draw from the conflict transformation and resolution fields and greatly contribute to the diffusion and application of their core ideas.

#### ***4.3 Errors and Grey Areas in the Approach?***

Despite progress, a major issue that confronts workers in the field of constructive conflict is that we know too little about the massively difficult problems that we face in studying and fostering the transformation of large-scale protracted conflicts. The field has a wide range of sources for ideas and practices, but large-scale conflicts, often entailing considerable levels of violence, have not been a primary source. Simply transferring insights from conflicts within countries with well-functioning dispute management systems opens the field to charges of naïveté.

In the last few years, research and experience directly pertaining to transforming large-scale, highly violent conflicts have burgeoned (Borer, et al. 2006). Much of this important work has focused on the post-violence, recovery phases of transformation, while work on negotiations and reaching agreements has continued to grow. Much of the work relating to post-violence peacebuilding has been from the perspective of outside interveners, rather than from a perspective of the people in the contending sides. The goals that people in the constructive conflict approach hold regarding the trajectory of the conflict in which they are intervening receive too little attention and reflection. They often stress the process that intermediaries and partisans seek to follow, more than the outcome. Yet goals chosen influence the selection of methods, and methods affect the ends that are reached. Some goals are conducive to adopting constructive means while other goals, such as seeking domination or aggrandizement, justify and seem to require destructive means of conflict. Therefore, workers in the conflict transformation field should give attention to the formulation of ends that support the use of constructive

methods of struggle. These tendencies affect several important issues, which are discussed next.

***The Role of Violence.*** A major issue in the field is the role of violence and the threat of violence in conflict transformation. Some workers in the field oppose all forms of violence, making little distinction among perpetrators, victims, scale or extent. Many are uncomfortable with various forms of violence and minimize their engagement or attention to its many forms. Others regrettably accept its inevitability and justify some kinds of physical violence to counter or mitigate other kinds. There are still others who believe in the virtue of applying violence against persons committing extremely terrible actions against particular other humans.

Paying attention to the doctrines of “just war” is one way of trying to chart a way of judging “good” and “bad” violence. But references to ideas of just war can be simplified and construed to justify military actions that fail to meet all the criteria for a just war, as was the case in President Barack Obama’s speech accepting the Nobel Peace Prize. If some measure of greater consensus in the field is to be achieved about policies relating to the use of various kinds of violence, much more empirical analysis is needed about the effects of various kinds of violence. It would be useful to examine the effects of specific forms of violence in particular circumstances, compared to specific forms of nonviolent actions. In every violent conflict, a great variety of violent and nonviolent actions are combined in shifting blends by many different actors. Disentangling all this is not entirely possible, but more attempts should be undertaken to advance our knowledge about the effects of particular violent actions executed in different strategic contexts.

***Conflict Asymmetry.*** Although great power and other disparities between adversaries are widely acknowledged to be present in most conflicts, the implications of such asymmetries for conflict transformation are not well understood. It is useful to recognize the complexity of asymmetry and the possibilities of changing the perception of asymmetry as a conflict is framed differently over time (Kriesberg, 2009b). Changes in asymmetry occur as allies enter or leave a conflict, as new enemies emerge and as capabilities within one or more sides in a conflict decline or rise. Moreover, some of these changes may be modified by efforts of the protagonists in a conflict.

The degree and nature of asymmetry has implications for the way a conflict is settled, affecting whether the settlement is largely imposed by one side or is the result of a negotiated agreement (Rouhana, 2004). Generally, less asymmetric conflicts will tend to have settlement outcomes that are more balanced and appear more equitable to the adversaries; but they may nevertheless be more unstable because each side may believe it can improve its relative position (see *Box 1* below).

#### **Box 1 - The Example of the Israeli/Arab-Palestinian Conflict**

The Arab-Israeli conflict has often moved toward peace and then fallen back into bloody wars since the establishment of the State of Israel in 1948. In the course of such changes, the conflict has undergone numerous major transformations, such as the peace treaty between Egypt and Israel in 1979, and the mutual recognition of the Israeli government and the Palestine Liberation Organization (PLO) in 1993, which initiated the Oslo peace process. What made conflict transformation possible in these instances and what factors have made it difficult to sustain them?

Let us take the example of the Oslo peace process. It began as a semi-Track II undertaking, facilitated by the

Norwegian government. Two non-official Israelis met with two high officials of the PLO, bypassing the official negotiations that had become stalemated. After some progress, officials from both sides took over the negotiations and continued them in secrecy until they concluded the Declaration of Principles in September 1993. Further negotiations continued, and agreements to transfer power in the West Bank and Gaza from the Israeli military forces to the Palestinian Authority (PA), headed by Yasser Arafat, progressed step by step. However, the agreements fell behind the original schedule. Even more significantly, both sides acted in ways that undermined the trust that each side would need from the other. Israelis continued to expand Jewish settlements in the occupied territories and the PA expanded its police and security forces. Some members of each side opposed the peace process and took spoiling actions to disrupt it, which too often were not effectively overcome.

In 2000, an ill-timed and poorly executed attempt was made to reach a final agreement. Israeli Prime Minister Ehud Barack proposed a summit meeting for final status negotiations, including issues that had not been subjected to considerable official negotiations: the status of Jerusalem, the final borders and Palestinian refugees. The US government was to serve as mediator. Arafat reluctantly agreed to participate. The Israelis made what they regarded as huge concessions but these did not yield an agreement, the summit conference ended, the Second Intifada erupted in intense violence and the Israeli military struck with great violence.

These events were an enormous setback to the movement toward constructive conflict transformation. Within Israel the popular peace camp was devastated and the new Israeli government militarily re-occupied the territories that had begun to be administered by the PA. Arafat and the Palestinian leadership had no viable strategy of response. Faced by the overwhelming military and economic power of the Israelis, they tried to counter that asymmetry by making moral and legal appeals. Those claims, however, were undermined by resorting to violent attacks on civilians. The Israeli government acted unilaterally to separate Israel from the Palestinians, withdrawing from Gaza and building a separation wall, roughly along the 1967 armistice lines and incorporating major Jewish settlements.

Currently, the new leaders of Israel, the PA and the US are attempting to renew substantive negotiations. There are many obstacles to reaching a negotiated end-of-conflict agreement. Restructuring the conflict with greater engagement of other international actors may be necessary in order to transform it.

***Fanaticism.*** At the height of the Cold War, ideological beliefs were often intensely held, driving and justifying extreme conduct. Indeed, this contributed to involvement in proxy wars, huge military expenditures, and varying harsh suppression of dissenting views. As ideological antagonism diminished with the end of the Cold War, intense ethnic and religious convictions became salient and sometimes were used to justify and explain committing atrocities against members of communities with different identities.

Such conduct is a challenge to the constructive conflict approach. Yet attempts to devise and implement constructive policies are being undertaken, as for example in discussions of countering attacks on civilian targets. These efforts give attention to matters such as humiliation, theological reasoning, judicial proceedings and nonviolent actions and involve broad-based institution building and reconciliation (Fontan, 2008; Gopin, 2002; Hastings, 2004; Kriesberg, 2006). It is worth noting that zealots on all sides often overreach themselves, which provokes resistance and backlashes; therefore, patient containment and restrained responses sometimes are part of the best strategies.

***Banditry.*** Recently attention has been given to groups who have struggled to obtain control of resources for their personal gain. Conflicts about extracting diamonds, for example, appear to be attributable to greedy thugs fighting with each other with little regard for the population at large. The Kimberley Process was instituted to regulate the diamond trade so that only legally acquired

diamonds could be traded, which has reduced the direct violence related to diamonds. A comprehensive analysis of such wars would locate them in the broader context of resource-dependent countries and vulnerability to civil wars (Billon, 2008). Using a problem-solving, constructive conflict approach might help produce examinations of such larger contexts and help the contending parties find more equitable and sustainable arrangements.

***Co-optation.*** Finally, and on a different note, I raise an issue pertaining particularly to the practice of conflict transformation. As previously noted, NGOs have greatly expanded their engagement in many aspects of peacebuilding following large-scale violence. Much of this work is supported by contracts and grants from governments as well as foundations and individual contributors. This expansion has made many NGOs dependent on government contracts, which can be a problem for NGOs doing conflict transformation work in some circumstances (Rubenstein, 2008). They may be constrained from cooperating with possible partners or they may modify their practices in keeping with the government's policies. Consequently, some workers in the field choose not to take any money from governments in order to avoid the appearance of co-optation or of serving as the agent of a government.

A related issue arises for people in various disciplines, such as psychology and anthropology. For example, some of them are employed by the US government to assist in military operations or in gathering intelligence. Many professional colleagues object to such service for various reasons. One objection is that such work violates professional ethics not to do harm; another reason is that such activities interfere with the work of their colleagues who become suspect in the eyes of the people about whom they would do their own research. On the other hand, engagement by such professionals might result in more humane and constructive conduct by the US government. These concerns warrant more attention and discussion within the field as such engagements are likely to continue to expand for many governments.

## **5. Possible Avenues to Advance Conflict Transformations**

In confronting the issues discussed above, I suggest five kinds of responses that workers in the field might advantageously pursue. They all promise to help meet the challenges that the issues represent and advance constructive conflict transformation.

***Improve what is known.*** At many points in this article, I have indicated that more knowledge is needed about the processes of conflict transformation and about the specific ways in which conflict may be transformed. To significantly improve the state of knowledge, basic research as well as policy-directed research is needed. Individual scholars as well as teams of scholars have created valuable data sets about mediation, the content of peace agreements, and the number of deaths in various conflicts. These data sets are used by an ever-growing number of researchers and are beginning to yield useful empirical propositions, which are related to particular mini-theories and to the constructive conflict approach in general.

More resources, however, are needed to support extended research and theory-building projects. In the past, large-scale research projects focused on the causes of war, but only recently have quantitative data collection and analysis about ending wars begun. Systematic analyses are needed of richly described cases at various stages of conflict transformation. It is also time to

undertake greater theory building, synthesizing related mini-theories.

***Focus on specific questions systematically.*** Coordination, through special networks or meetings, of workers in various research areas could help discover how different approaches and mini-theories complement each other and provide more comprehensive explanations of wider ranges of conflict phenomena in different circumstances. Focused analyses could be undertaken about the effects of different kinds of violence, asymmetry and fervour, giving attention to the ways destructiveness is averted, stopped and overcome. The research already done and past experience in trying to bring about conflict transformation should enable analysts to fashion and answer crucial questions arising from linking various partial theories. The result will not be an overarching grand theory, but it could synthesize some of the mini-theories to construct broader middle-range theories. In trying to answer major questions, the reasoning and evidence from a wide range of disciplines are relevant.

***Improve popular thought.*** Pressed to explain the outbreak of large, destructive conflicts and their persistence, probably most people in the world would regard them as inevitable, due to human nature, God's will, or other causes beyond human agency. It is the premise of the conflict transformation field that such conflicts are not inevitable. Conflicts are omnipresent in human societies, but they can be and are conducted in many different ways. They often are waged constructively to some degree at particular stages of their course. There are good reasons to believe that particular policies pursued by various persons and groups engaged in a specific conflict have helped move it along a more constructive path and transform it.

Popular recognition of the diverse ways in which conflicts are waged and how different people can affect the paths that conflicts take improves the likelihood that those policies that transform undesired conflict behaviour will be the ones that are considered and chosen. Therefore, people in the field, broadly understood, should help inform the public at large all over the world of the possibilities of conflict transformation. This could be advanced by working with relevant governmental and non-governmental organizations that could assist in spreading the conflict transformation perspective into mainstream discussions. This might be done in cooperation with voluntary service organizations and religious organizations.

Diffusion of conflict transformation thinking should also be furthered by way of the popular mass media, the internet, news channels, and schools. Several NGOs, for example, develop television programmes and other materials aimed at the general public in areas where conflict transformation efforts are underway. Peace education groups work on developing curricular materials. It may be possible to develop a news service that produces videos and other materials about episodes of conflict transformation, and makes them widely available.

***Enhance awareness of constructive options among sub-elites.*** For effective widespread adoption of the constructive conflict approach, the benefits of the approach must be evident. The possible benefits and risks need to be well-grounded in research and demonstrable experience. In conveying such information, particular efforts should be made to reach emerging leaders of a wide range of organizations and communities around the world.

Programmes to expand awareness of conflict transformation options might well be undertaken by international academies, such as the UN University, which might provide training for educators, police personnel, legislators, military personnel, and other governmental and non-governmental leaders. National programmes based in institutions of higher education could provide such training for their own nationals and for participants from other countries.

***Improve relations between theory and practice.*** The conflict transformation field has always encompassed academic studies and practitioner experience, but the relations between the two need to be closer. Too often, analysts provide explanations for destructive conflicts arising and persisting, with less attention to how they are transformed and the role of particular persons and groups in those transformations. Too often, practitioners focus on a particular conflict, giving little attention to academic analyses of the way other conflicts have become transformed. Increasing the opportunities for analysts and practitioners to meet and exchange information and insights would be helpful. Autonomous think tanks doing research, devising policy alternatives and reflecting on practitioner experience can be productive resources for conflict transformation efforts.

Comprehensive analytical work can provide a broad context for peacemaking efforts by persons engaged in conflicts as partisans or intermediaries. Such a context could help practitioners avoid relying on narrow techniques and help them handle the methods in the context of the broader constructive conflict approach (Schmelzle & Fischer, 2009). Attention paid by practitioners on the other hand can help analysts report their findings in more accessible and attractive forms.

Assessment of the effects, intended and unintended, of attempts to advance conflict transformation are crucial in relating theory and practice. Much evaluation research has begun to be done, but it faces numerous difficulties. The effects of any single conflict transformation operation are not likely to be great and will be very difficult to disentangle from many other operations and many extraneous changes. Too often, evaluation research is limited to the responses to an intervention by those who directly experienced it, such as workshop participants. This can have value in modifying particular projects, but not in assessing such projects relative to other kinds of interventions. Much broader kinds of assessments are needed, examining multiple conflict transformation policies, their changing contexts, and their direct and indirect effects—whether unintended or intended.

Looking ahead, I anticipate the intensifying global integration of economic, social, and cultural matters will contribute to growing normative consensus and mutual dependency, which will generate interests, justifications, and capabilities for actors to intervene in foreign conflicts. Consequently, effective conflict transformation ideas will be needed more than ever before.

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# PEACE STUDIES JOURNAL

Vol. 6, Issue 2  
March, 2013

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**Peacebuilding, Community Development, and Economic Assistance in Northern Ireland:  
The Impact of the International Fund for Ireland and the European Union Peace III Fund**

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## PEACEBUILDING, COMMUNITY DEVELOPMENT, AND ECONOMIC ASSISTANCE IN NORTHERN IRELAND: THE IMPACT OF THE INTERNATIONAL FUND FOR IRELAND AND THE EUROPEAN UNION PEACE III FUND (Essay)

### Abstract

This article explores the perceptions and images of 120 study participants regarding community development and peacebuilding initiatives in Northern Ireland and the Border Counties. The respondents' peacebuilding and community development projects are supported by economic assistance from the European Union (EU) Peace III Fund and/or the International Fund for Ireland (IFI). We examine the perceptions and experiences of community-group leaders and funding agency program development officers from Derry and the Border Area regarding the impacts of their peacebuilding projects on community development. The respondents' narratives explore the meaning of peacebuilding, discuss examples of various community building initiatives, and analyze the means of evaluating the success of the interventions. The findings emphasize the significance of various aspects of community development within the peacebuilding process and discuss the implications for external funding agencies providing economic assistance to peacebuilding initiatives to countries emerging from violent conflict.

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We have a different take on peacebuilding . . . we don't see it as an event, we don't see peacebuilding as something that you do [on] the weekends. We very much see peacebuilding as being about a journey and we see it [as] bringing people with us on a journey that enables them to discover what peace means to them and how they live with it in the community. (A community group leader from Derry.)

Peacebuilding in societies divided by protracted conflict involves processes of conflict resolution, conflict transformation, reconciliation, and community development (Dayton and Kriesberg, 2009; Jeong, 2005; Kriesberg, 2007) as well as the involvement of both local actors and the international community (Bliesmann de Guevara, 2010; Boudreau, 2009, 2002). Economic assistance from international donors has the capacity to support societies in transition from violent conflict, but it must be met by the commitment, capacity, and vision of actors working at the local level. This article draws upon a study of grassroots community development and peacebuilding initiatives in Northern Ireland and the Border Counties that are supported by economic assistance from the European Union (EU) Programme for Peace and Reconciliation in Northern Ireland and the Border Region of Ireland (Peace III) and the International Fund for Ireland (IFI).

Both of these funding agencies were established to promote economic and social development in Northern Ireland and the Border Counties by supporting peacebuilding initiatives that address the legacy of violent conflict through cross-community interaction and reconciliation efforts (Buchanan, 2008). The Peace III Fund (2007-2013) focuses on "reinforcing progress towards a peaceful and stable society and promoting reconciliation" by enhancing social and economic stability (Peace III, n.d., p. 4). The IFI was established in 1986 by the British and Irish governments to promote peacebuilding and reconciliation in Northern Ireland and the Border Counties with contributions from the US, EU, Canada, Australia and New Zealand (International

Fund for Ireland, n.d.a). The IFI's five-year strategy focuses on assisting the most economically and socially deprived communities, facilitating integration between communities, and ensuring the long-term sustainability of peacebuilding and reconciliation efforts (International Fund for Ireland, n.d.b).

This article examines the role and significance of community development initiatives within Northern Ireland's peacebuilding process. We examine the perceptions of 120 civil society/non-government organization (NGO) leaders regarding the meaning of peacebuilding and development, illustrating our analysis with examples from community projects. We discuss the challenges of evaluating the success of such initiatives and reflect upon various dimensions of community development, further discussing the implications of our findings for external assistance providers and local actors.

### **Peacebuilding, Community Development, and the Conflict in Northern Ireland**

The eruption of violence in Northern Ireland in the second half of the 20th century can be traced to tensions between Protestant and Catholic communities "derived from territorial partitions and repartitions [as well as] systemic political and socio-economic discrimination by privileged hegemonic groups against unprivileged subordinate groups" (Hughes, 2009, p. 288). The period of the "Troubles" (which began in the 1960s and ended in 1994) was characterized by long-term violent conflict and deeply embedded social antagonisms. Recently, however, Northern Ireland has undergone various political, social, and economic transformations that have helped to reduce violence and sectarianism (Smithey, 2011). In particular, the Protestant Unionist-Loyalist and Catholic Republican-Nationalist communities have become more open to dialogue and peacebuilding due to the establishment of more inclusive political structures (Darby and Mac Ginty, 2000a). This included the 1998 Belfast/Good Friday Agreement (GFA). Signed by the British and Irish governments, this agreement established a power-sharing Assembly comprising Unionist and Nationalist elected politicians. This contributed greatly to peaceful political transformation in Northern Ireland (Darby and Mac Ginty, 2000b).

However, peace agreements are just one component within a broader process of peacebuilding, they are "an element that may create some new opportunities, but hardly [alter] all aspects of the conflict" (Arthur, 2008, p. 146). Although the GFA brought about a number of important political and institutional changes in Northern Ireland, it also encountered considerable implementation difficulties (Wilford, 2001). Consequently, the Northern Ireland story is both a "narrative of progress" and "narrative of regress" in terms of political, institutional, and social change (Aughey, 2005). For example, while Northern Ireland is still influenced by sectarianism, physical separation, and hostility between Catholic and Protestant communities (Bloomfield, 2007), intercommunity forgiveness is also a central pursuit within peacebuilding efforts (Spencer, 2011a). Forgiveness empowers survivors of harm and encourages interpersonal dialogue between members of divided communities as they move along a journey towards understanding, empathy, relationship building, and reconciliation (Dayton and Kriesberg, 2009; Spencer 2011b).

Furthermore, Northern Ireland continues to face chronic economic problems. Beginning in the early 1990s Northern Ireland's economy experienced rapid industrial decline that resulted in dependency on the service sector. The proportion of employees in industry fell from 39 percent

in 1973 to 29 percent in 1991 while service sector employment rose from 53 to 69 percent (O'Dowd, 1995, p. 137). This was mostly due to the prevalence of security-sector jobs heavily subsidized by the U.K. In fact, with a subvention of approximately £4 billion (\$6.5 billion) annually, the economy was essentially kept afloat by the British government (Byrne et al., 2008; Carmichael, 2002; O'Hearn, 2000). While economic decline “cannot be attributed exclusively to the political violence of the past three decades,” the partition of Ireland may have “created the conditions under which the economy . . . floundered” (Morrissey, 2000, p. 139).

In this context of overall underdevelopment, certain areas of Northern Ireland (such as West Belfast) have been especially marginalized, experiencing higher than average rates of unemployment; consequently, these areas became hotbeds of dissident paramilitary activities (O'Hearn, 2000). Thus, as the peace process started to take shape in the late 1980s, “policy makers . . . made a direct connection between its success and the economic regeneration of marginalized areas” and judged social programs depending upon the extent to which they met social need (p. 188).

The provision of external economic assistance has the potential to facilitate peacebuilding processes (Jeong, 2005). Aid “is decisive in achieving monetary reconstruction” and is conducive to the overall recovery of post-agreement societies (Adam, Collier and Davies, 2008, p. 109; Collier and Hoeffler, 2004). However, Mac Ginty (2006) argues that post-conflict reconstruction involves more than economic recovery, the rebuilding of infrastructure, and the creation of new jobs—local people must also “own” their peace (Mac Ginty and Williams, 2009; Mac Ginty, 2011; Ryan, 2007). Post-agreement reconstruction also requires relationship building between divided communities; the promotion of social and political cohesion and inclusiveness; and strategies to ensure the sustainability of the overall process (Mac Ginty, 2006; Richmond, 2011). Indeed, the premature withdrawal of external economic support before initiatives become self-sustaining is a persistent failure of international donor organizations (Mac Ginty, 2006).

EU financial support of Northern Ireland's peace process has been subjected to various critiques from scholars and activists alike (Harvey, 2003; McCall and O'Dowd, 2008). Such concerns identify the lack of “deep strategic policy thinking about what peace and reconciliation means” and a limited understanding of the role aid plays in promoting “stability and a sustainable end to conflict” (Hughes, 2009, p. 302). A lack of consensus regarding the meaning of peace and reconciliation has also been identified among local leaders involved in the previous stages of the EU Programs for Peace and Reconciliation in Northern Ireland (Peace I and Peace II) (O'Dowd and McCall, 2008). Consequently, there is general scepticism about the (arguably overblown) success story of EU aid to Northern Ireland and the Irish Border area, particularly as deprived Europeans in the Baltic region received nearly seven times less support from the EU (Hughes, 2009).

Scholars have identified mechanisms to avoid these implementation problems. For example, Buchanan (2008) argues that it is crucial to develop decentralized aid delivery mechanisms so as to foster a sense of localized ownership over development initiatives. At the same time, the complexity of these delivery structures must be minimized to reduce barriers which may impinge upon grassroots participation. Relatedly, O'Dowd and McCall (2008) identify various advantages of multi-level transnational collaborations, which serve to: encourage a culture of cooperation; build cross-border organizations; promote shared goals; and focus parties on mutually beneficial outcomes (p. 97). However, such project-based transnational cooperation

requires a durable institutional foundation to facilitate project sustainability. This last requirement is critical; while external aid from the EU Peace programs and IFI have facilitated the creation of multi-level, cross-border partnerships, it is questionable whether these are sustainable—particularly as they depend upon the stability of political power-sharing structures and institutions (O’Dowd and McCall, 2008). In addition, there is evidence that Unionist groups have been struggling to gain access to the development funds, leading many community leaders to perceive this as an indicator of favouritism or as evidence of the greater community development capacity of Nationalist groups<sup>1</sup> (Byrne et al., 2008).

Other critiques levied against the EU Peace Fund and IFI projects include: the excessive rigidity of administrative and evaluation requirements (which grassroots organizations have difficulty fulfilling); the inability of the funding to provide smaller grants for short-term projects; and an overall lack of transparency (Harvey, 2003). Racioppi and O’Sullivan See (2007) also questioned whether the EU Peace Funds are capable of addressing long-term antagonisms between both communities at the grassroots level, especially considering the lack of elite-level cooperation and ethnic power-sharing practices.

Overall, community development is an important component of broader peacebuilding processes and may improve individual and collective wellbeing in areas affected by protracted conflict by promoting socio-economic development and expanding participation in decision making processes (Dayton and Kriesberg, 2009; Jeong, 2005; Lederach, 1997). Cochrane (2001) argues that peace and conflict resolution NGOs have had a significant but indirect influence on the peace process in Northern Ireland; these small-scale groups have encouraged political debate, introduced an inclusive NGO philosophy into the political arena, and encouraged local activists to become leaders in civil society. Furthermore, women have taken up leadership roles in community development and intercommunity relations, thusly expanding individual and community peacebuilding capacity and promoting gender equity (Morgan, 2004). To maximize the potential of local peacebuilding initiatives, it is argued that such work be guided by a “social transformation approach” that promotes participatory democracy, challenges ethno-nationalism, and encourages social interaction among divided communities (Dayton and Kriesberg, 2009; Taylor, 2001, p. 38). This article further expands upon the connections between international aid, peacebuilding, and community development by drawing upon practitioner experiences.

## **Methodology**

Semi-structured in-depth interviews were conducted in the summer of 2010 to explore the perceptions, images, and experiences of community development practitioners regarding the role that external economic aid from the IFI and EU Peace III Fund has played in supporting peacebuilding projects in Northern Ireland and the Border Counties. This study was carried out in Derry and the Border Area as these regions, located west of the Bann river,<sup>2</sup> are some of the most impoverished (and thusly better illuminate the impact of the funding on development and peacebuilding) (Byrne et al., 2009). The interview questions focused on various aspects of the economic assistance process, including: application procedures; the evaluation and assessment of peacebuilding initiatives; the sustainability of funded projects; the role of external economic aid in promoting cross-community contact, trust, and understanding; the impact of the funding on reconciliation, peacebuilding, and development; the contribution of the funding to the consolidation of equity and justice; the role of the GFA in the Northern Ireland peace process; and the participants’ hopes and fears for the future.

The focus of this article is on the participants' perceptions regarding the community development component of EU Peace III and IFI-funded peacebuilding projects. The 120 participants are community group leaders and funding agency program development officers from Derry/Londonderry and the Border region (including the Counties of Armagh, Cavan, Derry, Donegal, Fermanagh, Leitrim, Louth, Monaghan, and Tyrone) who are directly involved in peacebuilding and community development initiatives that received economic aid from the aforementioned sources. A purposive sampling was used in this study and participants represent a cross-section of actors implementing funded peace and development projects. The interviews lasted between 80 to 120 minutes and were tape recorded. These audio recordings were then transcribed verbatim. Participant responses were analyzed using a grounded theory approach and key themes emerged inductively from the data transcripts (Bogdan and Biklen, 2007; Druckman, 2005). This study uses fictitious names to protect the anonymity of the interviewees.

### **Exploring the Meaning of Peacebuilding**

Study respondents elaborated on the meaning of peacebuilding by providing various examples from their own work, practice, and volunteer experiences. Numerous community development project organizers framed their perspectives around the relationship between cross-community and single-identity work. For example, a community group leader from Derry noted that the peacebuilding efforts of her organization focus on healing community members and addressing personal perceptions so as to assist them in moving towards peace and reconciliation:

*Fiona:* As a peacebuilding centre . . . we empower and enable people to carry out work at the grassroots level. We . . . have done a lot of work at the grassroots level and our ethos is based on the premise of, "What is it that the people need to heal?" What are the unresolved issues that they need to address before we challenge them to open themselves up to other possibilities.

A community-group leader from County Monaghan also emphasized the importance of promoting inner peace as a component of broader peacebuilding strategies. In particular, building individual capacity may be considered a critical initial step for community work as this influences interpersonal, intra-familial, and intercommunity interactions:

*Matilda:* A lot of our early programmes with the women's group would have been concentrating on peace within oneself. So we would be very much involved in personal development, self-esteem . . . Those individuals, particularly mothers [and] families, learned to love and appreciate and be at peace with themselves, they were able to bring that into their homes and into the family situation. And then we do the peacebuilding classes and programmes that we had right along the way and that was done with groups from mixed areas.

A similar understanding of the role of personal peace was shared by a community group leader from Derry:

*Mairead:* I think now we are coming from a completely different angle, we are coming from an angle of a personal peace. I think this is what our programs have developed and, you know, we're not having contact . . . we are creating a personal

peace within our client because they're involved in our education programs and have become at peace within themselves . . . the follow-on then comes from that.

One more important characteristic of peacebuilding was discussed by a community group leader from Derry who compared long-term approaches to peacebuilding and one-time individual interventions. A long-term approach to peacebuilding incorporates relationship-building among community members on a daily basis by encouraging tolerance, understanding, and reconciliation:

*Myra:* We have a different take on peacebuilding . . . we don't see it as an event, we don't see peacebuilding as something that you do [on] the weekends. We very much see peacebuilding as being about a journey and we see it [as] bringing people with us on a journey that enables them to discover what peace means to them and how they live with it in the community. And we wouldn't say we were primarily a peacebuilding organization, but peace and reconciliation would be an ethos that runs through all of the work that we do . . . . We take a long-term approach; it's all about building relationships, it's all about building an environment that people want to come to and feel safe and nurtured and content to be [in] and it enables them then to start a journey in that environment—reaching out and re-establishing or creating relationships that have a level of tolerance and understanding.

Another community group leader from Derry pointed out the difference between peacebuilding and community development efforts (which he ties directly to the idea of “capacity building”):

*Larry:* I think the peacebuilding is kind of coming through our funding for an integrated education centre . . . so we provide a natural home for people from all communities, including the migrant community, in terms of training. So in that sense we are part and parcel of the peacebuilding process. I think in terms of the capacity building, that is different because that is part and parcel of what we do as an educational organization.

Thus, peacebuilding involves the acquisition of funding and creation of physical spaces while community development is related to capacity building and education. According to another community group leader from Derry, peacebuilding is based upon “common sense” and is a process that provides community members with an opportunity to become aware of their own identity and discover/change their attitudes towards others. He further identified that peacebuilding is a complex process of attitudinal change that is not easily measured:

*Arnold:* Peacebuilding is not mysterious, it's based on common sense; it's about changing people's attitudes, and it's about allowing people the space in which they might explore their own identity and their own attitudes to the Other. And that's absolute straightforward common sense so you will know when it is beginning to happen . . . to yourself and with the others. And so, yeah, that's what I mean by common sense, it's not mysterious and there isn't any scientific instrument that you can insert in people and draw out some sort of result mechanism.

Overall, the participants shared various conceptualizations of peacebuilding and community development. Some respondents characterized peacebuilding as a process focused on addressing the root causes of conflict, encouraging personal and community healing, building relationships, and fostering understanding, tolerance, and trust between communities. Others emphasized peacebuilding within individuals, self-discovery, and personal development. Lastly, participants discussed peacebuilding in terms of cross-community interaction and intercultural learning. Peacebuilding and community development, therefore, are characterized as having intrapersonal, interpersonal, and intergroup dimensions.

### **Community Development Initiatives**

Given the identified complexity of peacebuilding and community development, it is perhaps unsurprising that participants shared examples from their practice that reflect numerous strategic approaches. Community development projects are generally aimed at building relationships and fostering understanding and trust through long-term engagement with both communities across Northern Ireland and the Border region. For example, a community group leader from Derry discussed how the funding has fostered cross-community work amongst women's groups working for gender equity:

*William:* I referred to the women's group . . . . I think the level of engagement on a cross-community basis within that women's small sector . . . has been one of the biggest impacts of this injection of funds . . . . I'd see the values of community development as being simple: equality, inclusion, and participation.

Community development is also a component of economic projects that provide networking and educational opportunities. A community group leader from County Cavan shared the following:

*Lydia:* The IFI project . . . it was economics-led and, in terms of the outputs that were delivered, all key outputs were surpassed and it has enabled people to partake in education and networking from a business point of view firstly, but from a social perspective it is a kind of a spin off from that and that has been positive. And again it's from a quantifiable perspective . . . sort of would lead out on the economic and social return.

This problematizes the often assumed dichotomy between economic and social development, demonstrating the interconnected nature of these two spheres. In addition, the necessity of a greater focus on cross-community work is identified by a respondent from Derry who suggests a shift in perspective is occurring away from single-identity work towards intercommunity projects:

*Niall:* There was a time in Northern Ireland when we said, "Ok, this is such a divided city we have to build up each community . . . we need to build up the different traditions and they will [then] talk to each other" . . . . I'm not sure if I believe that . . . we did more of the work on building up separate institutions and not enough to connect them.

One way in which such cross-community work can be fostered is through projects that recognize issues of mutual concern. This is elaborated upon by a community group leader from County Cavan:

*Simon:* Community groups were used and became the vehicles for peacebuilding. And I think by linking people up on themes . . . across the divide or cross-Border on issue-based work and linking reconciliation in, sort of knitting it into the work of the projects I think, of the concerns of these communities so that it wasn't seen as something separate from their core area of work. So I think . . . that the interlinking of community development and peacebuilding work has been one of the big successes.

Thus, this respondent notes how community development projects meant to address shared social and economic issues can also facilitate reconciliation. This is reiterated by a community group leader from Derry:

*Geraldine:* The skills base was raised, the level of service provision within those communities were raised, [as well as] the knowledge of each other across communities. [There was] a realization that we might be Unionist or we might be Catholic, whatever, but we have got huge common social, economic, and health issues. And I think that has been the thing about [our organization] that has transcended the political divide.

Lastly, some participants emphasized the need to foster social inclusion through community development projects by engaging directly with marginalized groups. For example, a community group leader from County Leitrim discussed how her organization helps local communities create their own projects in a manner that also promotes social inclusion:

*Sinead:* We've a community development programme here where we work with a number of different community development groups; helping them in planning, helping them access funding, helping them to do needs analysis in their area to find out what the needs are. We're always trying to get them to work from a social inclusive point of view where we try to get them to include the most marginalized groups such as older people, people with disabilities, youth, women, travellers, new communities . . . I think the whole work here of the organization is underpinned by principles of community development.

Thus, community development initiatives focus on many different themes and employ a variety of strategies. Some of these include: fostering cross-community interaction by identifying and addressing issues of shared concern; promoting social inclusion and engaging vulnerable populations; and creating projects that integrate both economic and social development. Underlying all of these projects, however, is an emphasis on the creation of relationships within and between communities.

## Community Development and Peacebuilding: Working with Youth

While many peacebuilding and community development organizations focus upon a particular activity “theme” (for example, the arts, sports, or history) others employ a multitude of strategies but engage primarily with a single target population (women, the elderly, migrant workers, etc.). Many participants identified that engagement with children and youth is a critical mechanism for ensuring the generational sustainability of the peacebuilding processes. Children and youth are particularly vulnerable to poverty, displacement, and violence within post-accord environments and, in Northern Ireland and the Border Counties, are often targeted for recruitment by paramilitary organizations (Toole, 2006). Furthermore, youth have particular needs, experiences, and perceptions that must be taken into consideration during peacebuilding and community development efforts (McEvoy-Levy, 2006).

For example, an EU Peace III Fund development officer from County Donegal identified the necessity of, and challenges associated with, youth outreach:

*Pauline:* We have one project . . . there was a group of young fellows, teenagers, and they were hanging around street corners and drinking and that type of thing and there was a youth worker went out and got them engaged. He developed a kind of a programme activity to suit them; he took them out in the boats to show them what work would be like out in the boats and out fishing and stuff like that. And he took them to different places, like places of work potentially where they could get jobs just to show them there’s more than just hanging around the street corner.

Thus, this participant identified the need to provide youth with employment-related opportunities and to develop strategies that foster motivation and engagement with personal and community development tasks. A community group leader from Derry, meanwhile, emphasized the need to ensure such youth approaches are both relationship-oriented and practical:

*Alfred:* We have been able to offer young people accreditations that currently aren’t available to them in schools. We also have been able to provide opportunities for young people from areas that they are totally unfamiliar with and maybe even establish friendships. So it’s an old cliché that you are kind of breaking down barriers and creating contact . . . we are now part and parcel of some schools curriculum, which is an achievement.

Further, a community group leader from Derry suggested that the arts are an excellent motivator for intercommunity relationship-building:

*George:* We have three or four types of projects at different levels using different types of activities. We have one which is an interactive arts-based programme which looks at arts and using young people’s creative abilities to challenge stereotypes and intolerance. And we have [another program] which is basically music; if you are singing and dancing you are less likely to be fighting. So we’re very proactive in terms of highlighting issues around racism but also highlighting the use of music as a cultural conduit. The third level is cultural awareness training, particularly for public services where a lot of the indirect discrimination happens. And then we do conflict resolution in terms of mediation.

The work of this participant's organization, therefore, clearly illustrates the usage of multiple strategies (arts, music, cultural awareness training, and conflict resolution practices) as well as the need to develop cross-community strategies that address tensions indirectly (through programs that foster contact) and directly (through programs that mediate conflict and address the issue of discrimination).

Overall, the participants identified work with children and youth as a critical component of community development and peacebuilding. However, this work is also very challenging, often requiring the usage of innovative strategies that are both stimulating and practical. The building of relationships and meeting of practical needs are the underlying goals of this work.

### **Evaluating the Success of Peacebuilding and Community Development Projects**

Assessing the effectiveness of community development interventions is an important part of the overall peacebuilding process. It is critical for grassroots organizations to assess the impact of projects as well as the contributions these make to community development (Lederach, 1997). This is also an essential task for international donors who support these projects because it provides a means to improve the quality and scope of further financial assistance (Jeong, 2005). However, as the study participants identified, there are many challenges associated with the assessment of local projects. For example, a community group leader from Derry called into question the assessment criteria developed by funders while also identifying the general disconnect between macro-level criteria and local needs:

*Larry:* Most of the projects will have predetermined measures set by the funders and, by and large, where you measure the necessary outcomes it is generally through a consultancy, it's an external agent [that does] the evaluation against the targets. There is always a question . . . "Are those targets actually suitable for the local community?" . . . [T]here would be sometimes tensions between capacity building that the local community might want to do and the targets being set.

This point is reiterated by a community group leader from Derry who emphasized the general difficulty of developing quantifiable measures for peacebuilding processes:

*Brett:* Within the last two years we have been working on a project on sport and identity . . . sixteen-year-olds learn going through the programme. On the one hand, they get sports coaching and actual facilities and resources into the schools and, on the other hand, . . . they have to do the culture diversity training. So we believe that has had an effect and we do post- and pre-attitudinal surveys and you can see a progression in thought . . . We do think in terms of broadening awareness and encouraging people into positive engagement with the past instead of shying away from the past. We do feel that most of our projects have an impact in that sense, but how tangible it is? [That's] very hard to measure.

This is reiterated by another community group leader from Derry:

*Rodger:* We are still in negotiations about how to actually quantify the impact of our work—because we can't. If a family . . . comes to us and says "I want to talk to you about the death of my father and mother" . . . we can't sit down with them with a questionnaire

at the beginning and say “well how do you feel about the state and how do you feel about your neighbours” and then at the end of the process measure that once again to find out where they have moved to. And we would also argue that it’s wrong to limit the work within the constraints of some kind of positive peacebuilding measure that you can quantify and say this is only valuable if we can say that these families are all coming out at the other end and feeling good.

Thus, this participant identified that the sensitive nature of some peacebuilding activities is not congruent with the demands for stringent evaluation methods. Further, he noted that project assessment is often based upon identifying “positive” results; this emphasis is problematic as peacebuilding efforts can also amplify—at least temporarily—negative emotions and conceptions. This latter point is addressed by a community group leader from County Cavan who suggested that it is necessary to also identify and learn from mistakes and failures within peacebuilding work:

*Simon:* I suppose given the sheer amount of [projects] and the scale of them you’d have to say there have been a huge amount of success and a huge amount of good stories and good examples of good projects. I suppose what’s missing is what didn’t work and no one wants to highlight that. I think the main impact of it has been that it democratised the peace process, it built the platform, it led the way actually . . . it built this momentum on both sides of the Border for both cross-community and cross-Border work.

As this participant’s comments demonstrate, exploring peacebuilding failures does not necessarily de-emphasize the value of multiple successes. In addition, another community group leader from County Tyrone identified that a number of promising interventions were not delivered because of the bureaucratic hurdles faced by local community groups:

*Liam:* I think there have been some excellent successes and there have been some atrocious wastes of money and there are some in the middle, there are other people who are willing to try and make it work but are either inhibited or, maybe like me, had a great idea that was going to change and bring value and change people’s perceptions. My idea was to build a community safety institute and teach what we knew globally, it ran into the sand mainly because I got so tired of the bureaucracy involved.

At the same time, several participants stated that local organizations were developing alternative methods of evaluation to address the aforementioned concerns. For example, an EU Peace III Fund development officer from Derry suggested that while the more traditional project assessment technique involves surveys that measure attitudinal change, an alternative approach aimed at youth is being developed by her organization that makes creative use of technology and networking websites:

*Olivia:* One of the things we are going to do is attitudinal surveys, you know attitude surveys to kind of capture the people who took part in these events and workshops and courses, how they feel their attitudes have changed since before they started their projects . . . We are going to use attitudinal surveys on focus groups, we’re also

going to try and use things a bit more creative for young people, using blogs and video diaries . . . . I think, for young people, giving them a pre- and post-attitudinal survey is not always the way to engage [them], so they're setting up a Facebook website and they have got a blog . . . that will be an important way for us to evaluate impacts as well.

Furthermore, a community group leader from County Monaghan highlighted the importance of base-line analyses of the attitudes, needs, and interests of local communities as well as the usage of a “bottom-up” approach to both needs assessment and policy development:

*Gerry:* I'm often not clear whether enough base-line analysis was done in terms of where people were at. I think that you can only measure the road to peace and reconciliation if you see the distance travelled at a local level and that, for me, can only be done best through a good formal base-line analysis around attitudes, around perspectives, around where people are at in terms of that. Then you see where the issues are, from that you design, as a community, a direction forward, from there you build in the policies and procedures, and from there you start being proactive and knocking on doors.

Overall, study participants discussed the tensions and challenges associated with project evaluation from various angles, often suggesting practical assessment methods and identifying a number of factors that need to be considered in the evaluation process. Some of these factors include: the tangible and intangible impacts of peacebuilding; the need to consider both the successes and failures of community building interventions; the tension between bottom-up and top-down approaches to project evaluation; the importance of adequate base-line data that can guide localized project development; and the challenges associated with evaluating highly sensitive and/or complex peacebuilding strategies.

## **Discussion and Conclusions**

Despite experiencing a reduction in overt violence, Northern Ireland remains divided by segregation, intercommunity tension, socioeconomic disparities, and political division (Tonge, 2008). While the majority of study participants stated that a great deal of work has been done to promote community development by EU Peace III and IFI-funded projects, some questioned the sustainability of this progress. Five key findings emerged from our analysis of participant reflections.

Firstly, respondents defined community development as a process that integrates both social and economic spheres of activity. Economic projects help to meet various basic needs and cultivate “social capital” (Baron, Field and Schuller, 2000)—and are thus helpful for developing capacities and relationships that facilitate the achievement of other peacebuilding goals (such as reconciliation). The participants' perceptions are congruent with scholarly definitions of community development. For example, McClenaghan (2000) defines this as a process of creating the “institutions and practices conducive to lifelong learning; the maintenance and enhancement of social cohesiveness, social integration, and political stability; and the...economic growth...of communities (p. 566). Therefore, there is no strict dichotomy between social and economic development; both build “social capital” and contribute to the overall peacebuilding

process. Indeed, this connection has guided both the EU Peace III and IFI support as “social inclusion and economic growth were projected as twin inter-linked strategic objectives” (Racioppi and O’Sullivan, 2007, p. 371). Judging by the responses of the participants in this study, the linkages between social and economic development are understood and supported by grassroots practitioners.

Secondly, participants critiqued the rigid timelines and evaluation criteria demanded by international donors, calling these inappropriate in a milieu that has been affected by protracted ethno-political conflict. This observation is supported by the findings of other researchers. For example, Shucksmith (2000) identified that within the Northern Ireland context “insufficient time is frequently allowed in development programmes for capacity building” while funding delays and short-term funding structures “are inadequate for long-term development processes” (p. 211). Thus, it is unsurprising that many participants questioned the sustainability of community development efforts and the peacebuilding process as a whole—particularly as the external financial assistance is set to cease in 2013. Many suggested that there is a need for a renewed international commitment to long-term peacebuilding in Northern Ireland.

Thirdly, participants identified a number of important issues related to the evaluation of peacebuilding and community development initiatives. This included various challenges to assessment, a notion that resonates with the work of other scholars. For example, Fast and Neufeldt (2005) suggest that:

the outcomes from peacebuilding are essentially long-term, which makes short-term monitoring and evaluation difficult; it is difficult to isolate the impact of specific peacebuilding interventions from the complex political, economic and social contexts in which they are located; and each of the main actors (donors, recipients, the community and politicians) has different expectations of outcomes. (p. 27)

The long-term nature of peacebuilding, the complexity of the surrounding context, and the differences in expectations were all factors that participants identified as contributing to the challenges associated with project evaluation. In particular, participants raised questions regarding how and by whom evaluation criteria should be developed and utilized, with many emphasizing the need for greater local input. This perception is validated by scholars who suggest that grassroots organizations have a clearer understanding of local conditions and are particularly motivated towards the achievement of sustainable results (Mac Ginty, 2006). In addition, participants stressed: the need for adequate base-line data; the importance of learning from project implementation failures; consideration of the intangible effects of peacebuilding; and the need to match evaluation methods to target populations (e.g., using creative, technology-based methods to gather input from youth).

Fourthly, within the responses there was an identifiable tension regarding the relative merit of personal development/inner peace activities, single identity projects, and cross-community work. While many participants placed greater emphasis upon one of these areas, there was also widespread acknowledgement that they are not completely separate. Indeed, peacebuilding was understood as having linked intrapersonal, interpersonal, intragroup, and intergroup dimensions. However, many participants also indicated a need to shift attention away from single identity work towards cross-community projects. It is somewhat surprising that this tension has

remained a dominant concern of participants given the emphasis the Peace III Fund has placed upon fostering reconciliation.

Relatedly, many different direct and indirect approaches to building intergroup relations were suggested by participants. Direct approaches include bringing together members of both communities specifically for mediation, conflict resolution, or dialogue practices with the expressed intent of addressing trauma and social hostility. Indirect approaches, meanwhile, are based upon the fostering of contact and the development of projects that address issues of mutual concern. The benefits of indirect approaches were identified by participants and have scholarly support. For example, Kriesberg (2007) argues that in conflict situations the modes of interaction between adversaries may change depending upon context, at times even manifesting as “uncontentious” or even “cooperative interactions” (p. 3). Thus, it is possible to create circumstances that offer certain stimuli and benefits to participants that create positive changes in an initially antagonistic relationship. Many respondents indicated that the localized projects created such windows of opportunity and that these fostered cooperative relations.

Lastly, within peacebuilding it is necessary to identify vulnerable populations and to develop appropriate goals and strategies that address their unique needs, perceptions, and experiences. Many participants discussed this in relation to youth, claiming that youth involvement is both a means to foster the sustainability of peacebuilding and to promote social inclusion. Specifically, participants stated that it is necessary to foster the “agency” of youth—to develop their capacity to act and make change in their own lives and society (Boudreau, 2009). This involves the development of strategies that are creative, engaging, and of practical value.

In conclusion, community development is a critical component of peacebuilding processes. It is important that international funding agencies seeking to promote community development consult with local groups when designing needs assessment guides, evaluation criteria, and funding disbursement mechanisms (Mac Ginty, 2011). Grassroots participation in peacebuilding contributes to the sustainability of the overall process by ensuring that local initiatives are rooted in long-term commitment and aimed at addressing the community’s needs (Lederach, 1997; Mac Ginty and Williams, 2009). Local projects have the capacity to enhance the economic potential of communities while also promoting social development, relationship building, and collaboration across lines of difference (Jeong, 2005). Therefore, regions that have been historically divided by conflict and violence, such as Northern Ireland and the Border Counties, require a multimodal peacebuilding approach in which community development is a significant component.

### **Acknowledgements**

We are grateful to the anonymous reviewers of the *Peace Studies Journal* for reading and commenting on numerous drafts of this article. The research for this article is supported by a three-year research grant from the Social Sciences and Humanities Research Council of Canada.

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## Notes

<sup>1</sup> In response to a long history of state-based discrimination, Catholic communities developed strong grassroots capacities that allowed them to meet social and economic needs at the local level. This translated well into the development of EU Peace Fund and IFI-supported projects. Protestant communities, however, do not have the same historical tradition of local organizing and this has impeded their ability to develop similar initiatives (Byrne et al., 2008).

<sup>2</sup> Counties located west of the River Bann, including Derry, have historically experienced greater underdevelopment and political marginalization, partly because these communities also have large Roman Catholic populations (Coakley and O'Dowd, 2007).

# PEACE STUDIES JOURNAL

Vol. 6, Issue 2  
March, 2013

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## **Stories in Reconciliation: Reflections on Community Participation for Restoring Relationships and Transforming Conflict**

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## **STORIES IN RECONCILIATION: REFLECTIONS ON COMMUNITY PARTICIPATION FOR RESTORING RELATIONSHIPS AND TRANSFORMING CONFLICT (Essay)**

### **Abstract**

In societies that are emerging from conflict, it is important to focus on the identification and the creation of tools that allow for nonviolent resolutions of the tensions that were aroused as a consequence of the violence. This article contributes to that project by offering reflections on the importance of a dialogic truth in the process of reconciliation within and between communities. This is addressed, in particular, through the exploration of a space where the views of both victims and perpetrators are considered and expressed through stories that are intended to affect both individuals and the community. The discussion brings together notions of social healing, theories of conflict transformation, and experiences of reconciliation, with a particular focus on the African context.

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### **Introduction**

Despite the war has come to an end, in societies emerging from conflict the path to peace—particularly towards a sustainable one—is still very long: factors such as extreme poverty,

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ongoing ethnic, political or religious fight, armed violence, and the absence of a stable government and basic infrastructure, are all potential causes for a setback into war (Anderlini and El-Bushra, 2004).

What appears to gain importance in this context is the planning of recovery initiatives that are designed to overcome the culture of violence. Even though the institutional conflict is over and a peace agreement has been signed, the issues linked to power, interest and identity between the warring parties have not disappeared. In the reality of facts, civil violence is still present at the lower levels of society and continues to be an instrument of revenge in certain areas, where hostility strongly emerges between communities. Assistance should be offered that focuses on the creation of tools that allow for nonviolent resolutions of these tensions. Besides working on the structural causes of conflict, development programmes must be built on the objectives of renewing social relations, fostering dialogue, and building confidence (Fisher, 2004).

This article offers some reflections on the importance of a dialogic truth in the process of reconciliation within and between communities. This is addressed, in particular, through the exploration of a space where the views of both victims and perpetrators are considered and expressed through stories intended to affect both individual and the community.

After an illustration of the reality faced by populations at the end of a conflict, notions of social healing are introduced to show the psychological settings that arise when trauma is a condition that is undergone at a collective level.

The concept of conflict transformation is then discussed, paying particular attention to the ideas emerging from the work of Miall (2004) and Shapiro (2006), which emphasize the importance of focusing on the cultural context of a dispute, modifying perceptions of the opposing party and repairing broken relationships.

These theories open the path to a literature review that discusses the different perspectives promoted by scholars in the area of reconciliation, with particular focus on the importance of identifying those elements that can enable mutual acceptance.

Finally, the discussion brings together previous experiences of reconciliation, with specific reference to the African continent, where communities have—to various extents—played a crucial role in the process. Such analysis aims to extend some observations on the impact of stories for community healing and reconciliation.

### **Social Healing in the Aftermath of Conflict**

The impact of war on civilians extends well beyond the period of active warfare, with its effects lasting usually for years after the fighting. In particular, the trauma experienced both by individuals and by their communities is one of the most serious legacies of a civil conflict (Gobarah et al., 2004). According to community trauma theorists, the latter does not simplistically indicate that each individual belonging to a particular community is traumatized, but rather that the community itself, intended as a collective unit, has undergone trauma (Burstow, 2004).

In addressing the collective aspect of the trauma caused by mass violence, the physical reconstruction of housing, infrastructure and health systems should be accompanied by a social renewal that is primarily concerned with re-establishing a structure within civil society. The psychosocial dimension gains particular relevance, especially through the involvement of interventions that aim at achieving reconciliation both at the individual and intergroup level (Fisher, 2004).

Authors such as Ross (2000) argue that by encouraging a cooperative relationship between different local groups, the changes that can be achieved may produce benefits that will spill over into the larger quarrel. At the same time, Negowetti (2003) emphasizes that in order for transformation to occur, it is necessary that approaches to contemporary intra-state conflicts take into account the experiences of both victims and perpetrators.

This is also acknowledged, again, by Ross (2000), who recognizes that both parties should be enabled to gain an understanding of the other's standpoint and believe that the creation of a productive dialogue is possible. The author clarifies that mourning is the normal process that follows a person's real or threatened loss. Yet, when losses occur on a large scale, the grieving that leads to the acceptance of that loss is often impeded, so that "in the case of a large group the inability to mourn may become a political force" (Volcan, 1990, as cited in Ross, 2000, p. 1015). Group mourning is crucial in contexts where the degree of anger does not allow for a normal mourning and expression of loss to take place. The impediment to mourn a significant loss makes groups unwilling to re-think their position and to establish a relationship with the former adversaries (Ross, 2000).

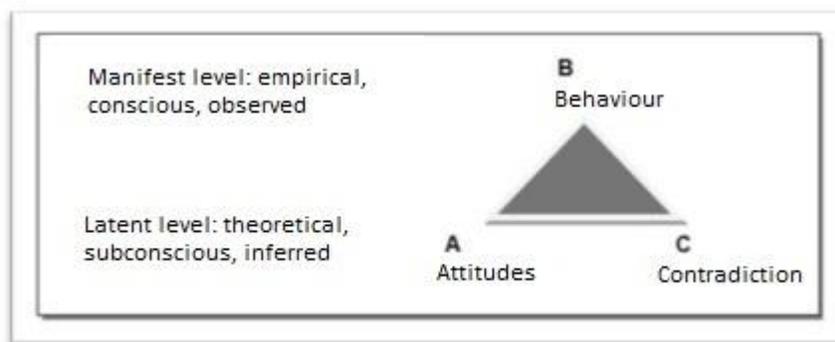
According to Gobodo-Madikizela (2008), when groups are involved in conflicts of a political nature, the human rights violations inflicted on the victims—which may include torture, physical harm, or death—create a vicious cycle of violence and loathing. The methods used by the victims against the perpetrators then, in turn, become more and more brutal. This produces a culture of blame in which culpability goes unacknowledged by both sides and revenge-based violence continues along generations. Past traumas are then passed on intergenerationally and hold the same emotional power as they did years earlier.

Gobodo-Madikizela explains that, firstly, the psychological injuries caused by the experience of trauma have a long standing impact on the life and identity of the survivors in ways that are still not fully explained; symptoms appear both as in grief and in the re-enactment of acts of violence against those individuals or groups that are historically associated with the original cause of hatred. When trauma is the collective condition of a group, the situation becomes more complex. Secondly, long lasting hateful behavior and violence against groups have what Gobodo-Madikizela refers to as "intrapsychic" dimension of trauma. This dimension of grief and the inability to mourn traumatic losses must be addressed at an individual level in order for meaningful intergroup reconciliation to occur. Thirdly, establishing dialogue to repair the rupture caused by past traumas is a key stage in coming to terms with the feelings that have maintained an enduring resentment and violence between groups over the years (Gobodo-Madikizela, 2008).

This shows that individual and collective healings cannot be looked at as entirely distinct and how each appears to be in a “dialectical” relationship with the other. However, while the process of individual healing from trauma deals primarily with the needs and interests of the individual and how s/he relates to their community, it is difficult to identify a specific practice that traumatized groups should undertake in order to heal themselves. This is due to the fact that a reaction to a traumatic experience manifests itself differently depending on the cultural context in which the event takes place (Brendel, 2006). As Krippner and McIntyre (2003) emphasize, the kind of challenges faced in treating large civilian populations affected by psychological war trauma are often unique and cannot always be traced in the therapeutic literature or conventional clinical practice. In cases where the abusers cannot be confronted—either because time has passed or they have died—effective tools for collective healing may include sharing stories, venting feelings, and using arts to represent violent experiences. Conversely, where the situation allows it, it may be useful to engage the community of victims and that of perpetrators in a dialogue, in which they both have an opportunity to meet one another by sharing stories, expressing feelings, apologising and, hopefully, forgiving (Krippner and McIntyre, 2003).

### Perspectives on Conflict Transformation and Reconciliation

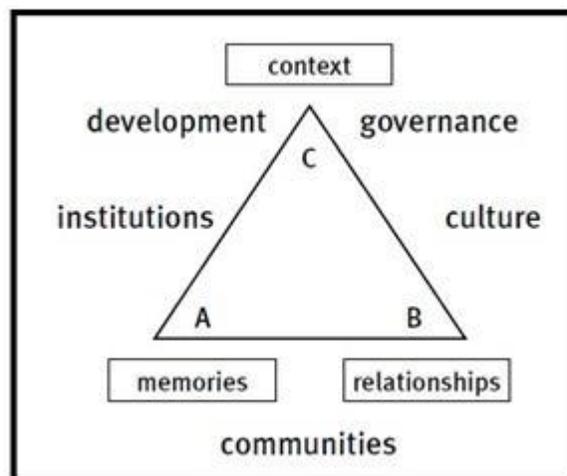
Renowned Norwegian academic Johan Galtung (1996) has illustrated how conflict is a triadic construct made up by the sum of  $A+B+C$ , where A is the manifest side of the phenomenon—i.e., *behavior*—and B and C are the latent aspects of it, identified in *attitude* and *contradiction*. This is clarified in Figure 1.



**Figure 1. Galtung's Conflict Triangle.**

Galtung provides further distinctions when talking about the concept of violence. He refers, in particular, to *direct* violence when the sender intends the consequences of his/her actions, and *structural* violence when those consequences are indirect. This type of indirect violence is generated within the social structure and it results in two currents of structural violence: those of repression and exploitation. *Cultural* violence is the blanket that covers all of this and involves the use of religion, ideology, language, art, science, law, media, and education to create the legitimate bases of structural violence. As Galtung states, “direct violence is an *event*; structural violence is a *process* with ups and downs; cultural violence is an *invariant*, a ‘*permanent*,’ remaining essentially the same for long periods, given the slow transformations of basic culture” (1996, p. 199).

Miall (2004) reformulates Galtung's Conflict Triangle framework by shifting the concept of "contradiction" to "context"; "attitudes" to "memory" and "behavior" to "relations" (see Figure 2). This recognizes that the meaning of a conflict depends largely on the context out of which it arises. The attitudes that parties have towards one another are shaped by previous relationships. The behavior they adopt is not purely reactive but is based on their memory of what has happened in the past.



**Figure 2. Miall's adaptation of Galtung's Conflict Triangle (adapted from Miall, 2004, p.9).<sup>1</sup>**

The author goes on to give details of what each component of the triangle constitutes. The *context* refers to the society involved in the conflict itself, as well as the wider international and regional issues. Besides traditional culture, the background of a society is comprised of factors such as governance arrangements, institutions, social roles, norms, and its progress in development. *Relationships* are formed by the interactions taking place within the society where the conflict occurs, but also with other networks of individuals. Miall here makes reference to the work of Lederach (1997), who stresses the importance of these relational aspects of conflict: poor relationships between groups that are not dealt with become an obstacle to peacebuilding even when direct violence is over, and those obstacles are likely to be a trigger for a new strife. Finally, *memories* represent the socially constructed understanding that each party has of the situation; these, again, are built around culture, discourse, and beliefs. The author emphasizes the role that memories play in the construction of the past and, as a result, on the mobilization for conflict; they are therefore a critical issue to tackle when working towards culture and reconciliation (Miall, 2004).

Shapiro (2006) stresses how attempts to put an end to violence require the engagement with processes of change. The complexity of such processes lies in the identification of the factors that need to be changed, what they should become, where this should begin, and when it should be concluded. At the same time, Miall (2004) affirms that while it is not easy to determine at a macro level the impact that peacebuilding has in tackling problems of historical memories and reconciliation, its achievements in personal and group transformations are remarkable. The author defines *conflict transformation* as:

. . . a process of engaging with and transforming the relationships, interests, discourse and the very constitution of society that supports the continuation of violence. This suggests a wide-ranging approach emphasising support for groups within the society in conflict rather than for the mediation of outsiders, for a long-term process of peace-building. (p.4)

This approach, largely advocated by Lederach (1999a), stands in contrast to the long standing theoretical frameworks of (a) *conflict resolution*, which encourages the use of nonviolent techniques such as mediation and negotiation through the help of third parties, and (b) *conflict management*, which seeks to manage and contain (rather than eliminate) conflict by limiting the negative aspects of it and by highlighting the positive ones.

From the different aspects of transformation that have been discussed above, it is interesting to make a connection with the *theory of change* brought up by Shapiro (2006). The author explains how this theory refers to the way practitioners look at individual, intergroup, and social change, and how acting at these three levels can generate positive results.

By considering different stages of analysis, Shapiro (2006) looks at what needs to be targeted in conflict interventions in order to form theories of change. He identifies two main categories: changing individuals and changing relationships.

**Changing individuals.** This encompasses shifts in attitudes, perceptions, feelings, behaviors, and motivations of the beneficiaries of an intervention. Such shifts may involve:

- *Cognitive change.* The objective of this type of change is that of transforming the perception that one party has of the other. The hostility and prejudice that is felt can be changed by learning about the other, fostering self-reflection, and critically analyzing social norms.
- *Affective change.* This recognizes how emotional states such as fear, rage, shame, and grief can represent an obstacle in the resolution of a conflict. Empathy, hope, and compassion must be developed, and some interventions can play an important role through the promotion of emotional literacy practices and self-awareness.
- *Behavioral change.* Programmes focusing on this type of change try to create a new set of rules and norms for people to interact with each other; at the same time, they offer behavioral models that lead to positive change and a safer environment. The construction of “pioneer” or “leader” characters is often used to push participants towards the adoption of a specific idea or behavior.

An approach to this level of change adopted in a post-conflict situation can be found in the use of radio drama. During the transition phase from fighting to peace, and at times even for prolonged phases, media production companies, researchers, and (typically) nongovernmental organizations (NGOs) join forces to create dramas that are broadcasted either on community or national radio stations. These broadcasts address issues that have been derived from the conflict. Both the

storylines and the characters involved want to offer a reproduction of the situation that people face in the aftermath of violence, where the lack of understanding of some of the causes of the conflict, the rumors being spread, the anger, and the suffering contribute to maintaining hostility.

An example of this type of work that merges education with entertainment while providing tools for psychological recovery from mass violence is carried out by the Dutch organization *La Benevolencja*. *La Benevolencja* produces and broadcasts radio dramas in countries such as Rwanda, the Congo, and Burundi, whose goals are to open paths for its audiences to learn how to cope with their traumatic experiences; to shed clarity on the origins of violence as well as its impact; and to promote violence prevention strategies and reconciliation among the population (Staub et al., 2007). Such strategies become clear through the behavior adopted by the characters during the unfolding of the drama.

**Changing relationships.** Change at this level occurs when interventions are designed to create a collaborative and meaningful interaction between members of the (formerly) warring parties, which results in the improvement of intergroup relations. Shapiro states that “the processes of learning about the ‘out-group,’ changing behaviors toward out-group members, developing cross-group friendships and, at times, . . . establishing a new, common in-group identity facilitate inter-group cooperation” (Shapiro, 2006, p.6).

From a communication perspective, this type of change can be achieved when people participate in the production of a media story that allows them to reflect upon and to become more aware of their situation, as well as to create an understanding and share their experience with other groups.

The concept of “changing relations” had already been brought up by Kelman in 1978 through his analysis on the perception between Israelis and Palestinians. Conducted in the late 1970s, Kelman’s study (1978) shed light on the psychological conditions that need to be created if a process of acceptance between two parties is to be set in motion. Here are the elements identified by Kelman that I believe are relevant to my study:

- acquisition of some insight into each party’s perception of the other;
- awareness of the continuing possibility to talk to someone on the other side;
- acknowledgement of the importance of mutual concessions in kick-starting a process of change (the two opposing factions tend to believe that the other party has not undergone any change and will not do so in the future; therefore, actions that were carried out in the past will simply be replicated, even when new elements have come into play; this decreases the confidence in the possibility that change can occur);
- mutual recognition of human concerns and psychological needs.

As Lederach (2003) emphasizes, the role that relationships play is central to conflict transformation. According to the Lederach, there are four modalities in which conflict impacts situations and brings about change: (a) personal, (b) relational, (c) structural, and (d) cultural. Within this context, it is relevant to focus on the relational and cultural dimensions of conflict.

The **cultural dimension** relates to how group life modifies as a consequence of the conflict, and how culture influences the response mechanisms that are put in place to address conflict. Descriptively, the goal of transformation is to find out how the cultural patterns of a group are affected and changed by conflict. At a prescriptive level, transformation looks at the way violence is “motivated” by cultural patterns in specific contexts, and how prevailing cultural resources can contribute to the creation of tools aimed at handling conflict.

The **relational dimension** refers to the emotions, power, and interdependence of the adversaries. Here, the communication and interaction occurring during the conflict are major keys. From a descriptive approach, transformation is shaped by the patterns of communication and interaction that affect relationships throughout the conflict. Prescriptively, transformation is regarded as the deliberate attempt to increase mutual understanding between parties (Lederach, 2003).

Assefa (2003) reminds us of how peace cannot be viewed as a mere state of general calmness or an order imposed from the top to soothe friction; on the contrary, peace is formed by a network of relationships characterized by harmony and connectedness among people. Interventions that aim at resolving conflict and making peace must therefore focus on the restructuring of those relationships.

Reconciliation can be seen as the process of producing a social space where the parties who were involved in the conflict can share their grief, the trauma caused by their losses, and the painful memories of the injustice they have experienced. One of the key steps for the creation of such space is the acknowledgement of the other’s story, which initiates the process of restoration of individuals and their relationships. According to Negowetti (2003), reconciling means, therefore, identifying the events that have occurred (truth), striving to repair the wrongdoings (justice), and forgiving those who have done harm (mercy). The main aspect of reconciliation is that it works on mechanisms that encourage former adversaries to engage with one another as human. It is a process that wants to help both sides of the conflict to address the past, confront their pain, and plan a shared future.

Assefa (2003) defines reconciliation as:

. . . the act by which people who have been apart and split-off from one another begin to stroll or march together again. Essentially, reconciliation means the restoration of broken relationships or the coming together of those who have been alienated and separated from each other by conflict to create a community again. Reconciliation is conflict resolution, but . . . it has greater dimensions and more profound implications. (p. 9)

Lederach (1999b) compares the different approaches that can be taken to undergo this journey. In the context of the setup of a Truth Commission, the author highlights how the first step to social reconciliation is largely based on the identification of the injustices that were committed, who was responsible for those injustices, and who suffered as a result. This is a prerequisite to the re-establishment of relationships and the beginning of healing.

Fischer (2011) underlines that Truth Commissions help to neutralize a culture of denial and to redress the historical distortion that had been enforced during the conflict. Particularly in

situations of ethnic or religious disputes, where groups characterized by different identities will continue to live as neighbors, it is crucial to prevent extremists' attempts to attribute responsibilities of past crimes and abuses to the adversaries. Hence, engaging society in a (often painful) national dialogue contributes to contrast those tendencies.

However, through the elaboration of a conflict transformation framework, Lederach (1999b) also underlines how engaging the two sides in a discussion about the past could be less effective than initiating a conversation concerning the future. When talking about the future, the Lederach deems that the two parties may find out about shared commonalities and slowly diminish that sense of antagonism that is often perceived when remembering the wrong. While focusing on the past may still generate a defensive response, an open reflection on what lies ahead can lead the way to a constructive interaction.

Becker (2005) explains that reconciliation processes are always part of the traumatic history of the victims. Truth commissions, procedural justice, and the alike are not processes that take place after the trauma, but rather represent part of the trauma itself. They thus have a direct impact on the state of the victims. They can deepen their pain or they can facilitate victims' reintegration into society. Whether or not these activities contribute to victims' empowerment or repeat the victims' disempowerment depends on how those activities are carried out.

As Wallace (1998) clarifies:

. . . the impact of reconciliation initiatives is hard to assess. The critical question is whether there has been a permanent change in attitude towards people previously regarded as enemies. One sure sign of reconciliation is when someone allows their livelihood to become closely tied up with the livelihood of their traditional enemy. (p. 5)

Moreover, reconciliation will take place more smoothly in contexts where the local culture recognizes forgiveness as an important value; this may also be attached to religious beliefs. Correspondingly, what could stand as an obstacle to this process is the suppression of painful memories as a cultural practice (Santa-Barbara, 2007). Israeli scholar Dan Bar-On (2000) offers as an example the differences in the approach to reconciliation between Islam and Judaism. For Jewish followers, reconciliation can only take place once the perpetrators themselves have personally apologized and asked the victim for forgiveness.

Ryan (1995) argues that the implementation of reconciliation initiatives involving the recognition of mutual wrongs, internal change, forgiveness, and the acceptance of new relationships has had an important impact on a number of individuals in situations of intercommunal conflicts. However, Ryan also argues that not everyone appears to have benefited from procedures. The main critique is that this approach focuses too much on interpersonal relationships and individual change as the way to resolve intergroup conflicts. Intercommunal disputes, on the other hand, are not simply a personal matter but revolve around the concept of social identity, which is the individual's aspect that psychologists deem the strongest. Intergroup hostility can be traced in the psychological factors that relate to collective social motivation. This in turn suggests, once again, that if reconciliation is to be achieved, an interaction should occur also at an intergroup level and not merely at an interpersonal one.

Through the exploration of different dimensions of conflict recovery, Fisher (2011) highlights the aspect of *truth recovery*. This activity is particularly important in the context of large scale human rights violations, where the impossibility to prosecute all those who have committed crimes is over-imposing upon the pursuit of legal accountability. One of the notions of truth recovery identified by Fisher is represented by *narrative truth*; this is the storytelling that occurs between victims and perpetrators, where personal truths as well as diverging experiences are communicated to a wider public. This notion is also accompanied by the *social or dialogical truth* that arises from the interaction and the discussion between the two parties. The importance of these concepts becomes clearer particularly through the discussion that follows below.

### **Stories for Reconciliation: Truth-telling, Restoration, and Forgiveness**

In this section, some of the major experiences of reconciliation that have taken place over the past century in the African continent are briefly reviewed, with particular attention on the different roles attributed to the communities and their perceptions and understandings of justice in the process. This discussion is not aimed at assessing their impact, but rather, at highlighting the reasons that have led to the communities' involvement as well as the various degrees in which this has occurred.

At the same time, these and other examples will highlight how stories can reconnect communities that have been taken apart by conflict and how those stories can re-establishing relationships among individuals and different groups. This is particularly important in a context where the process of restoration holds a greater value than the established punitive system.

Botman (1997) explains that the goal of reconciliation is to neither circumvent justice nor fulfill justice's legal requirements. The main feature of reconciliation is its underpinning to the principle of commonality, which allows justice to be achieved through an open and receptive environment where a common future is at stake. As Botman makes clear, "reconciliation replaces the culture of revenge, not the culture of justice" (p.17).

Justice plays a crucial role in the peacebuilding effort in post-conflict areas; the needs in these contexts go from the end of violence to the re-establishment of the rule of law, along with the prosecution of perpetrators of war crimes and human rights abuses. As a result, justice is also a complex concept that carries different meanings. Lambourne (2004) makes a distinction between the following: *retributive justice*—settling an issue through punishment or revenge; *restitutive justice*—recovery of losses or compensation to repair the wrongdoing; and *restorative justice*—re-establishing relationships between parties in conflict.

The *South African Truth and Reconciliation Commission (TRC)* is considered to be a groundbreaking experience of restorative justice and nation-building by way of reconciliation, and it has been regarded by many as an international model to be applied in comparable situations in other countries (Adam and Adam, 2000). Gobodo-Madikizela's (2008) work on the South African experience stresses how the creation of both a space for dialogue and an opportunity for the two parties to analyze the consequences of their conduct through reflective dialogue has been a critical element for intergroup reconciliation. Lewin writes (1998) that,

the TRC process changed the whole nature of story-telling. By giving this open, front-of-the-lights platform to the people (not the leaders, not the preachers, not the politicians), the real people with their own stories, in their own time, place and language—by giving them that opportunity we have changed the nature of story-telling and how we report it. (p.41)

Public truth telling (both at a formal and at an informal level) in post-conflict situations enables the creation of a public forum that allows people to acknowledge the pain of the losses and represents a shared platform for dignity and respect. Yet, Hartwell (2011) explains that one of the criticisms of a TRC is that its strongly restorative focus has overshadowed the legal need for retributive and punitive justice. However, according to the South African Archbishop Desmond Tutu, “retributive justice is largely Western. The African understanding is far more restorative—not so much to punish as to redress or restore a balance that has been knocked askew. The justice we hope for is restorative of the dignity of people” (quoted in Richters et al., 2005, p. 207).

While acknowledging the significance of justice in rebuilding society, the Rwandan government also realized that the regular secular judicial system was unable to address all the issues facing the country in the aftermath of the 1994 genocide. After extensive consultations over the country’s future held at a national level, a decision was made in the late 1990s on the implementation of a unique Rwandan model, consisting in the adaptation of the practice of state justice in the form of *gacaca tribunals*. Gacaca is an innovative model of participatory justice through which the information to be used in the trials was collected in and by the community; in addition to that, participatory forms of judgement and punishment were facilitated. These tribunals, functioning alongside other justice mechanisms, were proposed in an attempt to both uncover the truth of the events that had taken place and to encourage co-operative relationships (Richters et al., 2005).

The reasons that lead state-sponsored truth-seeking mechanisms to play such a key role in post-conflict settings are to be found in the belief that individual victims and their families endure a perpetual suffering because of their inability to find out what really happened and what caused certain events to occur. At the same time, they feel that their pain is not acknowledged. Once facts are made public by the state, victims are liberated from the past they had become trapped in and that had made them unable to move on with their lives (Fletcher and Weinstein, 2002).

Nevertheless, while these public *fora* have been created to achieve healing in many post-conflict contexts around the world, in a few countries a choice was made by governments to keep emotions out of the public domain. Following the war in Nigeria, for example, the main approach was that of a social healing of post-war trauma, whose complete course had to take place at the community level. Nigeria never went on the road of setting up a war crime tribunal, and the truth of what happened to Biafran civilians (the defeated party) is the one that comes from the interpretation of oral history and literature (Richters et al., 2005).

A similar experience took place in post-conflict Mozambique, where communities were left to reconcile among themselves. This approach can be considered as having a greater impact than the application of international and national laws by their institutions, as the processes followed

by the latter do not necessarily take into account the social and psychological aspects that guide the way individuals form attachments in groups and communities. In order for these connections to truly reproduce, justice should be grounded in local traditions and practices, and should be accompanied by other processes of social reconstruction (Richters et al., 2005). As clarified by Lambourne (2004), “approaches to reconciliation are affected by cultural differences often underpinned by religious beliefs” (n.p.). Hence, part of the answer lies in the identification of local structures or concepts that provide greater relevance for community acceptance.

This is also exemplified by the *Barza intercommunautaire* adopted in the Democratic Republic of the Congo, which offer a space recognized by the community where offenders and victims can express their views. These tools aim at uncovering the true story behind the offence and achieving reconciliation between the two parties. The process followed by each *barza* has both a flexible component, which adapts to the needs and traditions of a particular community, and a universal element, consisting of an open dialogue between the disputants and usually taking place under a tree while consuming a meal. Here, once again, the focus is on restoration rather than retribution, with the final goal that of forgiving (Villa-Vicencio et al., 2005).

Stark (2006) explains how community interventions in the aftermath of a conflict can be recognized in two paradigms. The first one is based on the Western conception of trauma and healing and the subsequent “medicalization of suffering”; this approach gives importance to a treatment at the individual level. The second paradigm, instead, recognizes the cultural dimension of grief and looks at local coping strategies; this approach acknowledges the African traditional concept of health as the stable presence of a network of relationships among individuals, with their environment and their ancestors.

Narratives are the rationale behind community thinking. Since cultural narratives encompass the knowledge that is shared by a group, they can be adapted and employed as a tool to create a critical framework and persuade people on specific aspects of social life. Stories are both an instrument for socialization and education. In addition, telling and understanding stories is a central inborn capacity of human beings (Senehi, 2002). As Kayser (1999) explains:

Stories are one of the most revealing tools for exploring the question of how people define their identities, how they see and wish to place themselves in the world. Stories are a reservoir of collective memory, individual experience and action and can complement the more 'rational' approaches to conflict resolution. (p.36)

Senehi (2002) tells us how storytelling encodes the culture of a particular community; this refers to the common perception of what identities, power, history, and values are for that group. It can also be key in resolving a conflict and encouraging peacebuilding, as it motivates people to undergo a transformation. As the author states, “storytelling is a resource even when stripped of all possessions and in the face of overwhelming power” (p.45).

This concept is emphasized by Chaitin (2004), who explains how the recounting of personal stories in situations that aim to reduce intergroup conflicts and to enhance peacebuilding and reconciliation between adversaries has been used within the last decade in a number of contexts around the world.

Chaitin discusses some practical examples of projects that have employed storytelling as a tool to reconnect hostile communities and groups, such as *To Reflect and Trust (TRT)* (see [www.torelectandtrust.org](http://www.torelectandtrust.org)), which is an international dialogue group between descendants of Nazi perpetrators and of Jewish Holocaust survivors. Individuals from the two groups met together in a self-supporting atmosphere to tell one another their life stories in order to attempt to better work through their pasts, as a result of their parents' experiences during WWII.

Another example is given by the work carried out by *PRIME (Peace Research Institute in the Middle East)* (see [www.vispo.com/PRIME](http://www.vispo.com/PRIME)), a NGO that designs projects to explore crucial psychosocial and educational aspects of the Palestinian-Israeli conflict and use the findings for peacebuilding work. Some of the activities involve the creation and sharing of narrated, videotaped testimonies, to allow both parties to become aware of many aspects of their joint history as well as the suffering of the other (Chaitin, 2004).

When dealing with intense social trauma, storytelling has demonstrated having an important effect on the lives of individuals. While survivors recounting their traumatic events does not guarantee the initiation of a healing process, it will ultimately re-open those channels of thoughts, feelings, and communication that the trauma had shut down. As we have noted here in a previous discussion, having the opportunity to tell one's story of trauma to someone who is willing to listen can be extremely beneficial and bring to the recount of deeply personal stories that had been previously repressed (Chaitin, 2004).

Schmidt (2000) places emphasis on the potential that storytelling has in bringing about reconciliation, particularly when it is employed as a form of a cross-border dialogue: crossing frontiers and overcoming enmity is possible by listening and asking questions to the other and by putting oneself in the other's position.

Shifting the focus back to the African experience and looking again at Rwanda, some observers have argued that *gacaca* placed too much importance on identifying and punishing those responsible for the crimes within the local community and did not adequately tackle the necessity of reconciling the different communities. In spite of its possible weaknesses as an approach, Richter et al. (2005) underline that *gacaca*'s potential to promote peace and reconciliation is mostly to be attributed to its truth-telling and testimonial component. This strengthens the importance of truth recovery highlighted by Fisher (2011) in her discussion. The issue at stake, here, is rather about whose stories are (allowed to be) told and whose are not (Richter et al., 2005).

In South Africa, the main distinctive feature of the Commission was its inclusion of not only victims' hearings, but also of the testimonies of the perpetrators, which—unlike commissions in countries such as Argentina, Chile and El Salvador—were not held behind closed doors. A crucial decision was also made of allowing cameras into the hearings. This was chosen after consultations that led to the conclusions that “the stories the victims were going to tell were stories that the whole of South Africa needed to hear” (Boraine, 2000, p. 271). As Boraine (2000) writes:

The truth that emerged in the stories told by the victims and perpetrators challenged the myths, the lies, and the half-truths conveyed and distributed at every level by the former regime. . . . Through the telling of their own stories, both victims and perpetrators have given meaning to their multi-layered experiences of their South African story. Through the media, these personal truths have been communicated to the broader public. Oral tradition has been a central feature . . . (p. 288-289)

## Conclusion

By way of a summary conclusion, this paper has illustrated the complexity of post-conflict environments, both in relation to their legacy of devastation and to the impact of mass violence on the population. The concept of community trauma was introduced, clarifying the importance of creating interventions aimed not only at individual healing, but also at the facilitation of a collective recovery. As emphasized by authors such as Miall (2004) and Shapiro (2006), repairing relationships and re-unifying groups are essential elements to transform conflict.

In African cultures, as discussed in the last section of the article, restoring relationships appears to play a more important role than the mere punishment of those who are guilty of crimes by the state, as the human value carried by the concept of justice is stronger than its legal significance. This, however, becomes complex when the recovery process requires the involvement of entire communities.

Within this context, the use of stories can be effective at bringing groups together, particularly when communities are called to play a direct role in the reconciliation process. From the discussion rising from these pages, it is possible to draw some considerations on the efficacy of stories as instruments that parties can use to engage in dialogue, giving the same space for expression to each group. Through these means, communities can have the opportunity to reconnect with each other by peaceful means and transform the conflicts that subjugate them.

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## Notes

<sup>1</sup> Permission to publish Figure 2 has been obtained from the *Berghof Handbook*.

# PEACE STUDIES JOURNAL

Vol. 6, Issue 2  
March, 2013

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## **Kant, Perpetual Peace, and the Colonial Origins of Modern Subjectivity**

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## **KANT, PERPETUAL PEACE, AND THE COLONIAL ORIGINS OF MODERN SUBJECTIVITY (Essay)**

### **Abstract**

There has been a persistent misunderstanding of the nature of cosmopolitanism in Immanuel Kant's 1795 essay "Perpetual Peace," viewing it as a qualitative break from the bellicose natural law tradition preceding it. This misunderstanding is in part due to Kant's explicitly critical comments about colonialism as well as his attempt to rhetorically distance his cosmopolitanism from traditional natural law theory. In this paper, I argue that the necessary foundation for Kant's cosmopolitan subjectivity and right was forged in the experience of European colonialism and the (pre-Kantian) theory it engendered. It is in this context that we witness the universalization of subjectivity and the subjectivization of right, emerging from the justificatory needs of extra-national jurisdiction and resource appropriation. This form of cosmopolitanism, whose emergence necessarily tracks the rise of global capitalism, continues to exert great and often uncritical influence on theories and practices of peace today.

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## Introduction

There has been a significant and persistent misunderstanding of the nature of cosmopolitanism in Immanuel Kant's 1795 essay "Perpetual Peace: A Philosophical Sketch." This misunderstanding is in part due to Kant's attempt to rhetorically distance his theory of right from a modern tradition that made possible its emergence. In his essay, Kant claims that it is difficult to understand why the word "right" has not been banished from the military exploits and colonialism of nation-states and why "Hugo Grotius, Pufendorf, Vattel and the rest (sorry comforters as they are) are still dutifully quoted in *justification* of military aggression . . ." (1991b, p. 103). This particular comment, together with Kant's critique of European colonialism in general, has been interpreted as a qualitative break from the preceding natural law tradition.<sup>1</sup> Rights only arise and gain recognition with the emergence and practice of new subjectivities, however, and this is also true of Kant's cosmopolitan right (*ius cosmopolitanum*), which is a *subjective natural right*. Such right is "subjective" insofar as the subject acts as its self-authorizing ground, rather than its relation to an external authority, political society, or national territory. Thus, we could say that without a cosmopolitan *subject*, a cosmopolitan *right* would be incoherent. This sentiment is analogous to Charles Taylor's claim in *Sources of the Self*: "Selfhood and the good, or in another way selfhood and morality, turn out to be inextricably intertwined themes" (1989, p. 3). As he indicates here, Taylor's impressive study focuses on selfhood and the *good*, whereas my focus is on selfhood (or more particularly, subjectivity) and *right*. With an eye on the subject's relation to right, we can trace the important move from rights-bearing to rights-generating subjectivity—a development of great importance for the emergence of right in the interstices of nation-states.

The thesis I defend in the following is that cosmopolitan subjectivity emerges from the experience of European colonialism and the (pre-Kantian) theory it engendered. Indeed, the history of modern colonialism is—from the work of Francisco de Vitoria and Hugo Grotius to its culmination in the work of John Locke and Emerch de Vattel—the history of modern natural law theory and its doctrine of natural subjective rights. It is here that we witness the *universalization* of subjectivity and the *subjectivization* of modern right, emerging from the justificatory needs of extra-national jurisdiction and resource appropriation. We thus find the birth of cosmopolitan subjectivity, necessary for cosmopolitan right, given form by none other than Kant's "sorry comforters." Understanding the political, juridical and economic factors contributing to the historical formation of right in Kant's political work is, I argue, essential to constructing self-reflexive theories of peace and justice and the emancipatory practices they inform.

I've divided my argument into four parts: (1) I present a brief look at the history of the idea of cosmopolitanism and its political and economic context; (2) I address the self-authorizing ground of Kant's cosmopolitan right and his positions on coercion and colonialism; (3) I situate Kant's project within the colonial context of the natural right tradition he sought to distance himself from; and finally, (4) I provide some concluding remarks.

### I. Cosmopolitanism: History, Right, and Commerce

Kant was not, of course, the first to think in terms of moral cosmopolitanism. While gestured at by the ancient Greeks, cosmopolitanism took on more definitive contours among the Roman

Stoics in the context of Roman colonialism and conquest. Given the increasing commercial pressure within the growing territorial empire of Rome, the distinction between civil and natural law eventually all but collapsed and citizenship was granted to almost all inhabitants of the empire (an act of Emperor Caracalla) in 212 A.D.<sup>2</sup> With the expansion of citizenship came the increasing inclusion of many previously “rightless” or legally unrecognized individuals (excepting slaves) within the sphere of the civil law (*ius civile*). At the same time, we witness the increasing prominence of the stoical idea of the law of nations (*ius gentium*), which in turn changed the nature of *ius civile*. This development was clearly tied to the growing commercial relations with non-Romans—itsself largely the result of the acquisition, by force, of new territories or “provinces”—and greater exposure to the legal systems of other nations.<sup>3</sup> As citizenship was being expanded the nature of civil law was being universalized and simplified.<sup>4</sup>

The result of this decline in *national* character of citizenship and its unique claims to capacities—such as the absolute right of property ownership (*dominium*)—is the beginning formation of a universalistic legal personality, itself the precursor or rights-bearing subjectivity. It was a supersession of the *natural* element of private command over and belonging to a religiously and socially infused world. Such natural roots and attachments differentiated and produced particularized forms of individualism, which inhibited contractual relations among different peoples in an expanding empire. Thus, the simplification of citizenship and the rise of universal legal personality were accompanied by the simplification of the concept of private property, the expansion of the domain of worldly things subject to ownership, and the simplification of the means by which individuals could alienate and exchange it. Previous prohibitions and complex rituals were thus eliminated and most economic exchange was thereafter carried out by simple *traditio* or contractual exchange.<sup>5</sup>

The conditions that gave rise to this ancient cosmopolitan thought are noteworthy, for they anticipate the imperial and colonialist context of Kant’s immediate predecessors and European contemporaries. That is to say, in the imperial citizen of ancient Rome and the Kantian citizen of the “universal state of mankind,” we find concrete parallels: The experience of colonization and conquest has contributed to a natural rights-based theory of trans-national order in order to support inter-national commerce. Despite the rather similar commercial pressures operating in both contexts, which, in a sense, demand more universal forms of right to facilitate them, this general commonality can only take us so far. It is not until the early modern period that the right of *ius gentium* begins to become a property of the *subject*, or what Grotius called a “moral quality of the person.” This, we will find, was a result of historical and economic conditions that necessitated new ways of establishing jurisdiction beyond the civil law of the state. The problem of establishing jurisdiction was, however, less pressing in Kant’s time and he shared the assessment of contemporary Scottish political economy that viewed colonial possessions as burdensome, rather than profitable, for the homeland.<sup>6</sup> This change of heart concerning the economic benefit of colonization was, however, the result of evolving economic structures: In short, commercial trade had become the engine of profit, as opposed to earlier (and necessary) forms of resource appropriation, or what Marx called primitive accumulation. Before drawing out this distinctively modern problem of jurisdiction and its effect on subjective right, I first briefly recount Kant’s theory of cosmopolitan right and its transcendental foundation.

## II. The Self-Authorizing Ground of Cosmopolitan Right

The transcendental subject of Kant's epistemology (as opposed to the empirical ego or self that is subject to causal forces) shares a principle of reflexivity and autonomy with the subject of his texts on morality and legality. The *experience* of objects in the world and the *form* of right are both predicated on pure reason, which provides the conditions for their possibility. The centrality of subjectivity in Kant's concepts of theoretical and practical reason was, indeed, innovative insofar as: (1) the *a priori* structure of the understanding and the pure intuitions of space and time spontaneously constitute the possibility of empirical experience (itself enabled by the unity of a transcendental subject, i.e., Kant's transcendental unity of apperception); and (2) autonomy in the domain of morality was defined as the adherence to self-legislated moral law, i.e., moral *autonomy* was the subject abiding by its own law (itself enabled by an original right to freedom).<sup>7</sup> Both represent a mode of subjectivity that transcends natural (i.e. causal) determination, fully internalizing the stoical idea of a rational and law-like world to which our will should seek attunement.

It is within this pure reason of the subject that Kant asserts that *a priori* principles, not experience of the world, tell us what *right* is and how it takes institutional form to incorporate the rights of others.<sup>8</sup> The latter institutional need is served by a political constitution (or social contract), which is an *idea of reason* and as such acts as a normative constraint on legal forms of organization, whose coercive powers are necessary to establish individual freedom. To understand how this works, we should not begin with the Categorical Imperative, which, as the supreme principle of morality, is concerned with the consistency or universalizability of the inner determinations of the will and does not contain reference to or justification of coercion. Rather, we should begin with Kant's Universal Principle of Right, which holds that "an action is right if it can coexist with everyone's freedom in accordance with a universal law, or if on its maxim the freedom of choice of each can coexist with everyone's freedom in accordance with a universal law" (1996, p. 387). Unlike the Categorical Imperative, this principle is *relational* and concerns the domain of *external* (or *rightful*) freedom, wherein the application of our will is supported by or hindered by the actions of others and vice versa. Freedom, as unconstrained independence in this domain, is the "only original right belonging to every human being by virtue of their humanity" insofar as it "can coexist with the freedom of every other in accordance with a universal law" (1996, p. 387). Such coexistence is not possible without legal institutions and thus coercion, hence the necessity of a political constitution. As Arthur Ripstein rightly notes, for Kant "both institutions and the authorization to coerce are not merely causal conditions likely to bring about the realization of the right to freedom . . . Instead, the consistent exercise of the right to freedom by a plurality of persons cannot be conceived apart from a public legal order" (2009, p. 9). Since Kant argues, echoing earlier social contract theorists, that we have a duty to enter into a political constitution and thus exit a state of nature, law and coercion are part of what Otfried Höffe calls a "duty to legal-moral self-assertion" (2006, 122).

This necessity of coercion will play an important role in interpreting Kant's remarks about forcing others (i.e., non-Europeans) into legal orders. In "Perpetual Peace," Kant writes that a state of nature (which is the absence of recognizable public right or a legal order) is a state of war and such war can only be superseded if "one neighbor gives a guarantee to the other at his request (which can happen only in a *lawful* state)." If that guarantee is not forthcoming, "the

latter may treat him as an enemy” (1991b, p.98). Lacking a recognizable lawful state, a neighboring people or an individual “robs me of any such security and injures me by virtue of this very state in which he coexists with me.” I am thus justified in taking “hostile action” against such a people even if they did not actively injure me. Indeed, I “can require him either to enter into a common lawful state along with me or to move away from my vicinity,” for “all men who can at all influence one another must adhere to some kind of civil constitution” (1991b, p. 98). I will return to this justification of coercion and expulsion after a brief discussion of cosmopolitan right.

According to Kant, there are three types of rights to which legal constitutions must conform: civil or political, international, and cosmopolitan (public) right (1991b, pp.98-99; 112). A cosmopolitan constitution (as international federation) conforms to cosmopolitan right, which is a form of *natural right* that “shall be limited to conditions of universal hospitality” (1991b, p. 105). The natural right of hospitality means “the right of stranger not to be treated with hostility when he arrives on someone else’s territory” (1991b, p. 105). This right exists “by virtue of their right to communal possession of the earth’s surface,” for “no-one *originally* has any greater right than anyone else to occupy any particular portion of the earth” (1991b, p. 106).<sup>9</sup> The apportioning of communal possession is regulated, not by the Categorical Imperative, but by the Universal Principle of Right, for the latter concerns spatial manifestations of will, most fundamentally in private property right, which can lead to potential conflict. This potential thus necessitates (legal) coordination with the freedom of others and their claims to private right. The assumption here is that the other person shares your legal order domestically (in a civil constitution) or internationally (in a cosmopolitan constitution). If the other person does not, we know that Kant would deem him or her an enemy of private right and thus of freedom.

This point is in need of some clarification, for it potentially runs counter to the view of Kant as critic of colonialism and empire; a view that has, I argue, contributed to a persistent misunderstanding of the nature of cosmopolitan right in Kant’s work. It is true that Kant criticizes the brutal conduct of European nations in their efforts to colonize, for he clearly states:

If we compare with this ultimate end the inhospitable conduct of the civilized states of our continent, especially the commercial states, the injustice which they display in visiting foreign countries and peoples (which in their case is the same as conquering them) seems appallingly great. America, the negro countries, the Spice Islands, the Cape, etc. were looked upon at the time of their discovery as ownerless territories; for the native inhabitants were counted as nothing. (1991b, p. 106)

One common interpretation of this statement is that Kant was arguing against the forceful imposition of the will of Europeans on peoples beyond Europe, as in his famous critique of the “sorry comforters.” This interpretation is mistaken, however, for as we have already learned, in the defense of one’s right to freedom others may be forcefully integrated into a legal order or banished from the surrounding territories. Kant’s problem here is thus not with force, but with the conquerors and colonialists treatment of the “native inhabitants” as “nothing,” rather than members of humanity with an innate right to freedom that itself demands public right or a legal order.<sup>10</sup> If the European conquerors force “native inhabitants” to be free insofar as they are forcefully incorporated into a recognizable legal order (rather than enslaved or murdered),

European conquest is not only justified, but necessary according to reason. And, indeed, such conquests are a part of providence, according to Kant, bringing together disparate peoples into a world community. “The end of *man* as an entire species . . .” writes Kant, “will be brought by providence to a successful issue, even although the ends of *men* as individuals run in a diametrically opposite direction” (1991a, p. 91). It is in this way that Kant finds perpetual peace to be “guaranteed by . . . Nature herself” (1991a, p. 108): It is “fate,” for nature has peopled the whole Earth by war and then “compelled them by the same means to enter into more or less legal relationships” (1991b, p. 110).

Importantly, there is also a developmental aspect to Kant’s thought here: He views certain modes of production as more reasonable than others. Thus “the agricultural way of life” is civilized, while the hunter, fisher, and shepherd live in “lawless freedom,” i.e., a state of nature. In this way, if Europeans encounter economies based on hunting, fishing, or the shepherding of livestock, it is a telltale sign of lawless freedom and thus a threat to European (reasonable) freedom. The move from lawless to reasonable freedom is a product of commercial relations: Through “trade,” nations “first entered into peaceful relations with one another, and thus achieved mutual understanding . . .” (1991b, p. 111). Nature, Kant writes, “*irresistibly* wills that right should eventually gain the upper hand” (1991b, p. 113) and “unites nations . . . by means of their mutual interest. For the *spirit of commerce* sooner or later takes hold of every people, and it cannot exist side by side with war” (1991b, p. 114).

This reading of Kant paints a complicated picture. All subjects have an innate right to freedom (the Universal Principle of Right) expressed in private rights—particularly in property and contract—but must be regulated by public right or legal institutions in order to reasonably accommodate the freedom of others. This makes subjectivity the self-authorizing ground of right, both public and private, and the authorizing power of coercion. The innovative moment here is that the seat of right—in subjectivity—is neither grounded in, nor limited to, particular territories or positive legal orders and can thus in a sense (inwardly) accompany the subject. Because the domain of public and private right is the domain of external freedom, when other subjects are in one’s proximity, yet not a part of one’s legal order, force may be used to coerce them into such an order (unless “they” are a state with a civil constitution).<sup>11</sup> This force can even take the form of conquest, when those conquered are deemed to live in “lawless” freedom. The ends here are, at the global level, an international market system based on private property rights, and at the individual level, the protection of one’s individual private rights, most often expressed in rightful ownership. The forceful incorporation of non-Europeans living in lawless freedom thus represents the protection of such rights and the expansion of international commerce, and, according to Kant, by recognizing right commerce thus mitigates war—hence the idea of perpetual peace arising from the cosmopolitan right of hospitality (or free trade).

### III. Colonialism and the Rise of International Law

In the Introduction to her book, *A Critique of Postcolonial Reason*, Gayatri Chakravorty Spivak writes of the “fabulating spirit” at the “end of the ‘German’ eighteenth century” that provides “the ‘scientific’ fabrication of new representations of self and world that would provide alibis for the domination, exploitation, and epistemic violation entailed by the establishment of colony and empire” (1999, p. 7). Yet, Spivak continues, “it is appropriate to note that Germany’s imperialist

adventures did not consolidate themselves until the latter part of the nineteenth century” (1999, p. 7). Why the chronological inversion of alibis and colonial practices? When we turn to the preceding century of colonial practices and its theories of natural law and right, which invested enormous amounts of theoretical and practical energy into constructing new subjects and new worlds, we find a clue, a foundation, a precursor of a subsequent “German” theory/alibi: We find the emergence of a new subjectivity within the interstices of nation-states and in colonial practices, as well as a new form of right, not only associated with it, but for the first time derived from it.

This, however, is to claim that the break from the natural law tradition preceding Kant—a tradition very much preoccupied with justifying colonial appropriations—was not complete; such an assertion is something of a platitude in the history of ideas, but nonetheless one that is often absent from interpretations of Kant’s philosophy of right. The culminating figure in this part of the story is John Locke and what Charles Taylor calls his self-objectifying notion of the “punctual self.”<sup>12</sup> Although the forging of this concept of the self is largely a product of epistemic forces, according to Taylor, I argue that, on the contrary, Locke’s innovative theory of right, while inextricably related to his epistemology, is only rendered sensible within the material conditions and practices of English colonialism.

Before Locke’s work on right and jurisdiction there had already been substantial work on, and debate about, the relation and nature of *dominium*—as mastery, rule, or ownership—in the rational subject. The Salamanca School in sixteenth-century Spain is particularly important here, for figures in the Thomist tradition like Francisco Vitoria were producing theological and political treatises on natural right that justified Spanish colonialism in the Americas. Vitoria’s lectures from 1539, *Relectio de Indis* [*On the American Indians*], questioned whether indigenous peoples, or barbarians as he called them, “before the arrival of the Spaniards, had true *dominium*, public or private?” In other words, the question is “whether they were true masters of their private chattels and possessions, and whether there existed among them any men who were true princes and masters of the others” (1991, 1.1 §4, p. 239). That is, whether they could be either owners of property or rulers in a polity. Vitoria answered in the affirmative, but found other arguments for continuing colonization, namely, just war. Just over a decade later—and into the Counter-Reformation—we find a famous debate between Juan Ginés de Sepúlveda, a theologian and Aristotle scholar, and Bartolomé de Las Casas, Bishop of Chiapas, on the same topic. The path these Catholic natural law theorists had to navigate was constrained by two objectives: Give no ground to the Reformation notion of individual conscience and produce some form of justification for Spanish colonialism. The path they took established universal legal personality in Catholic natural law theory, i.e., it conceptualized (proprietary and political) *dominium* as inherent to non-European subject, because those subjects had to be capable of right if their violation of it was to trigger a just war.

The rise of the Netherlands as a colonial power at the end of the sixteenth century pushed Dutch East India ships into Spanish shipping routes and attempts to justify such actions engendered the development of modern international law (beyond the Counter-Reformation). Hugo Grotius argued in *Mare Liberum* (1609), for example, that jurisdiction did not extend over the sea, because the sea could not be owned, i.e., jurisdiction could only follow from private right and no one, including the Spanish, could possibly possess it on the open sea. And unlike Vitoria’s

justification for colonization based on just war, Grotius shifted his argument from the public (or state) right to war to the private right of punishment—a harbinger of Kant’s private right to coercion—which could be exercised by anyone, even if they were not directly harmed by a violation of natural law. Locke would later and importantly take up Grotius’ argument for private punishment. Locke argued that we all originally have equal jurisdiction in a state of nature as that condition antecedent to or outside of the state. That said, the violation of natural law entails justifiable punishment and, he writes, “*in the State of Nature, every one has the Executive Power of the Law of Nature,*” (1999, §13, p. 275) thus each of us “*hath a Right to Punish the Offender*” (1999, §8, p. 272). Such punishment, while a right, did not itself produce a right to property or establish political jurisdiction. For that, Locke turned to labor—and a new concept of the laboring subject—as a vehicle for establishing right in the object world. In the second of his *Two Treatises of Government*, Locke writes: “Whatsoever then he removes out of the State of Nature hath . . . mixed his *Labour* with, and joined to it something that is his own, and thereby makes it his *Property*.” Why, because “added something to them [i.e. one’s products] more than Nature . . . so they became his private right” (1999, §28, p. 288).

This subjective right to property in a state of nature has its foundation in Locke’s epistemology. According to Locke, when an agent possesses an active power to transform the quality of some object, the change in the object—considered a passive quality—is also the quality or property of the active agent.<sup>13</sup> So the (passive) quality of wax melting is connected to the active power of the sun insofar as the ability of wax to melt *is a quality or property of the sun*. We can see, then, how the labor that transforms the qualities of an object might be considered the property of the individual whose active power did the transforming. When it comes to individuals (rather than the sun), Locke speaks of the relation of these active and passive qualities as right, thus rhetorically translating an epistemic distinction into a juridical one. Regardless of how defensible this move is—and most would agree that it is not defensible—it makes the labor of a subject in a state of nature (or beyond positive law) a *dominium*- or right-founding practical activity—a very important claim in the context of English colonialism. That is to say, despite this dubious move by Locke, the resulting theory was incredibly productive in justifying English appropriation of land in North America (if to none other than the English themselves). Such private right could then serve as a foundation for public or political right (as we saw in Grotius), solving the problem of establishing right beyond the jurisdiction of the state.

#### IV. Concluding Remarks

The development of subjective natural right—rooted in a kind of free personality originating in Roman colonialism—developed in the modern period beyond the state, beyond the nation, in a global colonial project animated by the conflicts over recognition of right, and subsequently jurisdiction. As with Kant, Locke’s notion of the self is the ground of subjective private right. Indeed, Locke is the only figure in the social contract tradition to assert a *property right* antecedent to the state and thus to law; evidence of that important initial move from rights-bearing to rights-authorizing subjectivity—a development not yet present in the stoical cosmopolitanism of the Roman Empire—unmooring right from community and consent. Just as subjective right had been internalized as a property of the subject, so too had the right to use force. In Kant, coercion is the correlate of freedom in every subject, whereas in Locke the “strange doctrine,” first found in Grotius, was a subjective or private right to punishment, and both are only operative beyond a legal order.

By Kant's time the task of (subjective) natural rights theory was no longer to address what was previously—among those sorry comforters—the most pressing problem of the colonial powers, namely, the legitimate establishment of extra-national or colonial jurisdiction. Kant was faced rather with a juridical problem that arose subsequent to seventeenth-century European expansion: His subject was tasked with the problem of justifying a moral order commensurate with inter-state commerce, not just intra-national or intra-imperial trade, which the cosmopolitanism of the Roman Stoics accommodated. As we saw in the case of Locke, right was driven inward—hence the emergence of the *self-grounding concept of modern right*—while its actualization was driven outward, serving the justificatory needs of extra-national jurisdiction and resource appropriation—or what Marx called primitive accumulation. And it was this fully universalized and internalized concept of right—initiated by the colonial problems and practices in Locke's time—that allowed Kant's self-authorizing ground of cosmopolitan right to transverse the lawless zones or interstices of nations. Thus, the provision of “alibis for the domination, exploitation, and epistemic violation entailed by the establishment of colony and empire,” that Spivak attributed to Kant were actually written into modern subjectivity more than a century earlier; a subjectivity that would eventually serve as the ground of Kant's cosmopolitan right.

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## Notes

<sup>1</sup> See Muthu (2003) for a sympathetic reading of Kant as anti-imperialist. It is perhaps important to note here that my argument does not assert that Kant's theory was not novel in some ways, a point I address momentarily. I am thus in agreement with Otfried Höffe, who writes: "Prior to Kant, natural law was developed by philosophers and jurists in such a way that it was grounded in reason, but not exclusively in pure reason. Kant here forges ahead with a methodically decisive improvement indebted to the critical turn" (2006, p. 7).

<sup>2</sup> See H. F. Jolowicz and Barry Nicholas (1972, pp. 345-52).

<sup>3</sup> By 275 B.C. Rome had conquered most of the nations of Italy and by 241 B.C. (after the first Punic war) had acquired Sicily, its first province beyond Italy. The conquest of large parts of Spain and North Africa soon followed. While Ulpian differentiated *ius naturale* from *ius gentium*, Gaius identified them, as did Cicero and Aristotle insofar as to be natural is to be common or universal. See also Aristotle (1995, Book I, Chapter 13, 1373b).

<sup>4</sup> See Hegel (1977) where he describes this moment as when "the *living* Spirits of the nation succumb through their own individuality and perish in a *universal* community, whose simple universality is soulless and dead, and is alive only in the *single* individual, *qua* single" (p.289, §475).

<sup>5</sup> *Traditio* was the most relaxed method of acquisition legitimate under natural law or *ius gentium*, for it originally applied only to unessential "objects," i.e., those things not deemed essential to the stability of the family and community. This distinction ended in the Justinian Code of the sixth century, which made all corporeal objects transferable by *traditio*.

<sup>6</sup> See Kant (1991b): "The worst (or from the point of view of moral judgments, the best) thing about all this is that the commercial states do not even benefit by their violence, for all their trading companies are on the point of collapse. The Sugar Islands, that stronghold of the cruelest and most calculated slavery, do not yield any real profit; they serve only the indirect (and not entirely laudable) purpose of training sailors for warships, thereby aiding the prosecution of wars in Europe" (p. 107).

<sup>7</sup> See J. B. Schneewind (1998) for a thorough pre-history of Kant's notion of morality as autonomy.

<sup>8</sup> See Kant (1996), where he defines right as "the sum total of those conditions within which the will of one person can be reconciled with the will of another in accordance with a universal law of freedom" (§B, p. 133).

<sup>9</sup> See also Kant (1996, §43).

<sup>10</sup> See Kant (1991b): "And the main difference between the savage nations of Europe and those of America is that while some American tribes have been entirely eaten up by their enemies, the Europeans know how to make better use of those they have defeated than merely making a meal of them. They would rather use them to increase the number of their own subjects, thereby augmenting their stock of instruments for conducting even more extensive wars" (p. 103).

<sup>11</sup> See Kant (1996), where right is said to entail "the authority to apply coercion to anyone who infringes it" (§D, p.134).

<sup>12</sup> See Taylor (1989), particularly Chapter 9.

<sup>13</sup> See Locke (1979), particularly Book II, Chapter 8, §23, pp. 140-41.

# PEACE STUDIES JOURNAL

Vol. 6, Issue 2  
March, 2013

## **Beautiful Monsters: On Love and Democracy<sup>1</sup>**

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## **BEAUTIFUL MONSTERS: ON LOVE AND DEMOCRACY (Research Note)**

### **Abstract**

Michael Hardt and Antonio Negri propose love as a fundamental political concept for global democracy. In this essay, I articulate Hardt and Negri's phenomenology and rhetoric of global transformation. The conditions for revolutionary forms of democracy and global life require what we might call a "rhetoric of monstrosity" to disfigure and destabilize hegemonic forms of control such as identity, family, property, the people, and the nation state. Love is presented as a key concept of this rhetoric of monstrosity, one that produces new forms of biopolitics. I take up the concepts of love and monstrosity in a performative register in terms of singularity, exodus, trust, and dissensus.

### **Love as Political Force.**

Michael Hardt and Antonio Negri propose love as a fundamental political concept for global democracy. Their use of "love" has nothing do with courtship, romance, or emotional bonds among friends and family. It refers, instead, to a form of relationality that is political by its very nature. Their work, particularly in *Multitude* (2004) and *Commonwealth* (2009), describes transformations (and corruptions) of several forms of human relationality that was generatively constituted during Modernity. These transformations map the terrain of political, economic, and aesthetic revolution under conditions of globalization. Revolutionary forms of democracy and

global life require what we might call a “rhetoric of monstrosity” to disfigure and destabilize hegemonic forms of control such as identity, family, property, community, corporations, the “people,” and the nation-state.

Love is presented as a key concept of the “monstrous multitude” and for the biopolitical production of the common. By “biopolitical production,” Hardt and Negri mean the endogenously produced forms of lived cultural existence that create the textures of social reality (i.e., the ordered and ordering processes of intersubjective and communal life that come from below, as it were. It is, in short, the production of subjectivity. By “the common,” they are concerned with the creative resources of this production of human life that are shared by all and are in fact constitutive of human life itself: language, communication, codes, cooperation, and our embeddedness in the natural world. Together, these form a common “wealth” from which human being and relationality emerge, and is thus considered the proper starting point for any understanding of radical democracy.

As a political concept, love is a “motor of association” (Hardt & Negri, 2009, p.189) that both constitutes the common and is the power that the common exerts. As a biopolitical event, love is the production of a common subjectivity against domination. As an ontological event, love is the production of being—not just new things and new subjectivities, but “producing a new world, a new social life” (p. 181). Love marks a rupture: an exit or exodus from what exists. It is the “creation of the new” in and as the common (p. 181). Barring corruptions and blockages of love, the production of the common builds upon itself to produce even more new being: an expansiveness of forms of social life. Love is thus an overabundant, excessive, and monstrous force of relationality.

Not only is love the power-from-below that constitutes the common and forms society; it is also “a force to combat evil.” It is “indignation, disobedience, and antagonism” against corrupt forms of the common often found in the family, the corporation, and the nation-state (p. 195). As both association and rebellion—that is, as both connection and combat—love constructs the multitude.

The multitude is a network of singularities “inherent to the biopolitical fabric of production and society” (Negri, 2008, p. 46). The term “multitude” is meant to be distinguished sharply from the modernist political notion of “the masses,” conceived as an aggregate and undifferentiated subject: a dangerous, irrational, desire-driven hoard contained and controlled only through the sovereign exceptional power of a State. The multitude is both differentiated and common, connected and singular. It is the force of a political subject that is, as Negri writes, “monstrous because it is always constituent” (Negri, p. 47). Multitude is characterized by immaterial labor, which is networked, intellectual, affective, relational, creative, linguistic, and common. Part of its monstrous character is that it transforms contemporary working conditions—mobility, flexibility, and precarity—into “positive elements of a revolution which is uncontrollable and permanent” (Negri, p. 48). The multitude is the monster that capitalism fears because it makes possible a boundless and expansive struggle for the common (the realms of common space, common powers, and common wealth on which any individual achievement is predicated). Multitude is monstrous in that it breaks with Modernity’s constructions: capital, sovereignty, and

nation. It abandons the pretenses of collective unity and identity in favor of decentralized global assemblages of singularities defined by difference.

### **Monsters.**

The monsters are everywhere in Hardt and Negri's reframing of global social relations and revolutionary politics. Terrifying, beautiful, suppressed, and misunderstood, monsters embody difference and enact transformations. Monsters are *kairotic* (opportune) conditions for Hardt and Negri's rhetoric of transformation. On the one hand, monsters populate the imagination and ideologies of modernity. Politically, monsters are figures of boundless otherness summoned to legitimate centralized power, state violence, and the containment of sovereign borders. Whether defined as the masses, the working class, or the peasantry, *large numbers* are a threat to power and the forces of domination. Colonialism expanded both the practices of dominion and the conditions for the possibility of monsters. In violent, material, and representational terms, the colonial other is rendered as savage external monsters: grotesque, godless, and cannibalistic, though still exploited for their labor. On the other hand, Modernity is populated with literary monsters of a more intimate nature. These monsters respond to internal modes of containment and control: the hierarchical structures of decorum, identity, filiation, and social order. Vampires, for example, have uncontainable appetites and desires—and they disrupt normative orders of filiation and procreation. Werewolves expose the essential animality of human being. Frankenstein, among other things, warns against strange mixtures, abominable coalitions, and the unforeseen powers of technological. In short, these monsters reveal the force of the imagination, and thereby expose the force of immaterial labor.

Though fear of the unknown can repel us, there is also exhilaration in its approach. Either way, the appearance of something monstrous provokes an encounter with difference and disrupts social order. The monstrous is an inventive force that can be directed toward projects of liberation. Hardt and Negri's rhetoric of monstrosity aims to cultivate Modernity's monsters. On the one hand, it seeks to describe corruptions of the common as monstrous products of Modernity itself. The patriarchal family, the voracious corporation, and the exclusionary nation are the chief engines and executors of biopower. Borrowed from Foucault, "biopower" for Hardt and Negri refers to the top-down and hierarchized power over the organization and living of life predicated on the sovereign State. Biopolitical production is thus its resistant "opposite". The Modern institutions of family, corporation, and nation all have their power is rooted in the common, but it is a corrupt common, turned monstrous in its production of relational, economic, and political domination. Against this negative monstrosity, Hardt and Negri seek the "positive, productive monsters of antimodernity, the monsters of liberation, [that] always exceed the domination of modernity and point toward an alternative" (Hardt & Negri, p. 97). As the conditions for forms of social life change, monstrous forms are revealed as both obstacles and opportunities.

### **Sovereignty.**

Consider sovereignty and the nation-state. Sovereignty is monstrous because it holds a monopoly on state violence and is beholden to no higher power. It is the apex of hierarchy and exclusion. But sovereignty does not exist on its own as a natural form. It had to be built. Sovereignty

captured and centralized the power of the common, and it is defined by its containments. Wendy Brown explains that “it is through the walling off of space from the common that sovereignty is born” (2010, p. 45). By first containing the spaces of its production, the power of the common can be annexed, namely the powers of relational, economic, and political production. Being contained in space also gives sovereignty control over mobilities and interactions, that is, over transportation and communication. Containing movement and connectivity keeps the common walled in. It contains the production of social life. Similarly, democracy in the modern nation-state is contained and impotent. “Representative” democracy serves an unbalanced social order, elevates capital to the *raison d’être* of life and labor, and solidifies war and policing as the chief attributes of freedom.

But now sovereignty is on the wane, and with it, its ability to contain the forces of the common. The obstacles and opportunities of globalization emerge in relation to these decontainments. In a farcical performance of sovereignty’s growing impotence, Brown argues, states erect ineffective walls everywhere. Economic production detaches itself from national boundaries, and boundless capital emerges as a global sovereign. Political production is enacted as continuous, total war. Ignorance and fear cry out against the multiplicities of relational difference. At the same time, however, mobility and communication are decontained by technological changes, enabling greater association and contact among difference. The common becomes a global site of struggle between the multitude, on the one hand, and capitalist control, fundamentalism, and total war, on the other.

### **Exodus.**

Love, then, can be better understood in this light. It produces the common over and against capital; it combats injustice and oppression, and it wages war on war. Love is a monster. It is the positive force of life expressing itself biopolitically and fleeing the negating forces of global forms of biopower. To turn to love as the production of the common is to refuse a politics dissociated from sociality. It is to place power in what is common, rather than what is scarce. Rather than trying to contain capital, religion, and war, though, the promise of love and the multitude is one of exit: it is a shift from resistance to alternation, to the creation of new forms of sociality. Exodus from this world, then, requires transforming love from a closed system to an open one, from an orientation of individuals seeking sameness (consensus) to one of singularities expressing difference while existing in common (dissensus).

I like to think of exodus as a monstrous other of the *levée en masse*. By the end of the cabinet-war era in the 1790s, sovereignty already lost its ability to contain the military logic of total destruction and annihilation. The *levée en masse*, as Wolfgang Shivelbusch describes it, is the “spontaneous self-deployment of the entire nation as the last line of defense” (2004, p. 8). In the face of immanent defeat, the entire population takes up war in a mass mobilization. As sovereignty wanes, love wages war on war, staging what we might call a *levée en multitude*, a spontaneous global deployment of networked singularities demanding democracy. This is an “exodus from the world,” understood as fleeing from a social reality dominated by ideologies of individualism, private property, and extreme social and economic inequality. This is a radical democracy constituted by way of an exodus from sovereignty itself.

## Trust.

Love is this power of exodus. Underlying and propelling it is trust. Love is a movement toward freedom, and trust is how it is performed. Trust is also monstrous. It is self-propelling and self-expansive, unmeasured and boundless. And trust is exhilarating because it presupposes the possibility of betrayal. The object of trust can only be another person, which is to say that it is a virtue of the common. To place trust in God or the Market is to misunderstand it completely. Such a move is a false trust, even a cowardly one. Trust is trust precisely because it is outside of knowledge. It is, perhaps, even *the* outside of knowledge. As Alphonso Lingis observes, “In trust one adheres to something one sees only partially or unclearly or understands only vaguely or ambiguously. One attaches to someone whose words or whose movements one does not understand, whose reasons or motives one does not see” (2004, p. 64). Trust is an exodus from fear—to dwell in a joyous sense of commonness, in common being. Trust builds upon itself, generating more trust through its enactment.

Like love and the common, trust too can be corrupted. Social inequality depends upon corrupted trust, as do populisms and ideologies. When corrupted, trust morphs into hatred and fear (which also exhibit self-generated accelerations—and which also reside outside of knowledge). Failures of trust do not themselves negate trust. Fear and hatred are not acts of exodus, but acts of refuge, producing refugees from the common clinging to the desperate solitude of a war of all against all.

Trust explodes the friend-enemy distinction essential to the logic of war. Trust does not seek distinctions, but welcomes difference. War transfers politics to images and the imagination, providing a residence for fear. It builds distances. Trust, however, breaks through representations to grasp the immediacy, proximity, and singularity of otherness, thus revealing the common.

## Ecstasy.

The revelation of the common can be ecstatic. In grasping the surpluses of sociality and love, distance dissolves. The political is revealed as proximity—and as the purview of all. As Lingis writes, “ecstasy surges from the lower depths of the psyche, the body, and society. Those who find ecstasy do so not by visiting the shrines of civilization but by trudging the swamps of human destitution and misery. [...] There is no such thing as private ecstasy. Since ecstasy is a breaking out of solitude, out of the self, since it is communication, it appears as an event in history” (2004, p. 169). Ecstasy presupposes a loss of self, which is to say the dissolution of subjectivity as identity and property. In its place is a transformed self: an irreducible singularity among others—the multitude. Yet ecstasy is also a form of communication, which is to say it is a matter of *contact*—a haptic, tactile force.

The common too is ecstatic, and this is its relation to love. It is a mileu of contact that touches everyone. In other words, the ecstasy and revelation of the common is not just an ethical relation to alterity. Nor is it only a respecification of political subjects as singularities. It is also a transformation of the political field to a model of *dissensus* that reveals its own visibility. The visibility of the common is necessary to conceive a positive political concept of a new world as a project of dissensus and love. What the common reveals is the bare presence (and thus the

political force) of those who have been rendered invisible by capital, war, and fundamentalisms: the impoverished, the vanquished, the infidels, the others. As Jacques Rancière explains, “Dissensus is not a confrontation between interests or opinions. It is the demonstration of a gap in the sensible itself. Political demonstration makes visible that which has no reason to be seen; it places one world in another” (2010, p. 38). The becoming-visible of the common is a performance of dissensus and exodus. It is the globalization of proximity. It is a staging of a monstrous democracy: the government of all by all. It is a long, ongoing struggle against war. It places one world in another as a project and a destination. It is a realm of beautiful monsters.

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## Notes

<sup>1</sup> This paper is adapted from an earlier version that was delivered at the 15th Biennial Rhetoric Society of America Conference. Philadelphia, PA May 2012. A related essay was also published in the *Peace Studies Journal*: “Four Notes for a Politics of Peace,” Vol. 4, Issue 3, Nov. 1, 2011.

# PEACE STUDIES JOURNAL

Vol. 6, Issue 2  
March, 2013

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## **The Changing Character of Military Labor and Its Effects on Public Life<sup>1</sup>**

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### **THE CHANGING CHARACTER OF MILITARY LABOR AND ITS EFFECTS ON PUBLIC LIFE (Research Note)**

#### **Abstract**

The use of private military contractors—workers who are not members of the US military, but provide security, support, and/or constructive work towards war efforts—have reached an unprecedented level during the Iraq and Afghan wars. This use of military contractors has been attributed to the reduction of army sizes after the end of the Cold War and the availability of surplus military labor. But military contractors also sit outside of customary legal regulations. Military contractors are not bound by the Uniformed Code of Military Justice or the Geneva Convention. Consequently, military contractors are less restricted in some of their combat operations, more difficult to prosecute in court, and untallied in official war causality counts. This legal grey zone relates to Carl Schmitt's notion of the “state of exception” in which governments suspend the law or create extra-legal spaces to preserve their sovereign power. These states of exception significantly reduce the public’s ability to oppose military actions by its government, either through public protest or democratic decision making.

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#### **Introduction**

The abundant use of “private military contractors” is a feature of the post 9-11 wars in Iraq and Afghanistan. The United States has used more civilian contractors than military personnel in Afghanistan, with the percentage of the work force being close to 70% (Glanz, 2009). This raises a number of questions. For legal theory, we might ask, what is and should be the status of

military contractors, especially since they are purveyors of military violence in the Middle East? For political theory, we might ask, what changed, in contemporary war that precipitated this shift to a privatized army? As a practical concern, we might ask, do military contractors help or hinder US military and diplomatic goals, especially given the high costs of the contracts and collateral damage to civilians?

This paper explores the ways in which this change in US military operation demonstrates a decline in the importance of *public life* and *democratic power* in the modern state. One of the practical benefits of using military contractors is that they are able to do jobs that military personnel cannot because of legal restrictions. This makes military security contractors a feature of Carl Schmitt's (1985) "state of exception." Schmitt's theoretical project is oriented *against* the liberal democratic project, and the state of exception is a theory *for* executive sovereign power. Theodore Agamben (2005) argues that this state of exception is made to protect sovereign power but, paradoxically, it endangers that power by creating an anomic zone.

Given this theoretical framework, I argue that this state of exception threatens the public decision-making regarding the use of the military. I believe it does so in three significant ways. First, the extra-legal character of the contractors takes away from the legal legitimacy of war efforts. Second, the use of military contractors allows the executive branch of the US government to take foreign policy actions using instrumental violence without approval from Congress. This, therefore, diminishes public discussion and the possibility of protest. And third, military companies can more readily exercise political influence for their own profit, which deepens and intensifies the military-industrial complex.

### **Historical and Factual Background**

Private contractors have been used in all US wars, mainly for aid in reconstruction and other non-violent aspects of military efforts.<sup>2</sup> But since the early 1990's, there has been a significant increase in the use of private military companies (PMCs). The recent Iraq war represents the largest number of private military personnel used by the United States to date. It's important to distinguish those involved in security and offensive actions from those involved in reconstructive and other non-violent services. As reported in 2009, the Pentagon was employing 68,197 contractors in Afghanistan, providing such services as cooking, cleaning, and security. These employees outnumbered US troops (Schwartz, 2009, p 29). Only a small percentage of them are involved in violent activities, such as providing security. However, the same is true for uniformed US troops, of which only a small percentage are used for security and offensive actions. The rest provide support, logistics, etc. "The Department of Defense (DOD) increasingly relies upon contractors to support operations in Iraq and Afghanistan, which has resulted in a DOD workforce in those countries comprising approximately an equal number of contractors (194,000) as uniformed personnel (190,000)" (Ibid pp.28-9.).

Peter W. Singer, director of the "21st Century Defense Initiative" and author of *Corporate Warriors: The Rise of the Privatized Military Industry* (2004), provides a rationale for this shift toward private contractors:

The modern private military industry emerged at the start of the 1990s, driven by three dynamics: the end of the Cold War, transformations in the nature of warfare that blurred the lines between soldiers and civilians, and a general trend toward privatization and outsourcing of government functions around the world. These three forces fed into each other. When the face-off between the United States and the Soviet Union ended, professional armies around the world were downsized. At the same time, increasing global instability created a demand for more troops. . . . [M]any governments succumbed to an ideological trend toward the privatization of many of their functions; a whole raft of former state responsibilities—including education, policing, and the operation of prisons—were turned over to the marketplace. (2005, n.p.)

The shift towards military contractors is located within larger trends of privatization of public services provided by the state including education, incarceration, healthcare, and other social/public services. However, PMCs seems particularly noteworthy because the legitimate use of violent force is often viewed as one of the most primary abilities of the State. Many official justifications for expansion of private contractors are made on the basis of cost and efficiency, which hallmark cries of privatization.<sup>3</sup> For example, it is argued that the US can maintain a smaller military force if it doesn't have to fund a full sized military at all times; that it can expand its capabilities very quickly by writing more contracts; and that costs overall can be lowered since many Iraqi or Afghani locals,<sup>4</sup> or workers from cheaper foreign labor markets, are used (Thale, 2005, n.p.). Another argument focuses on the battle-efficiency of PMCs. As Barry Yeoman of Mother Jones Magazine reports:

Pentagon officials say they rely on firms like Halliburton because the private sector works faster and cheaper than the military. When U.S. Marines distributed relief supplies in Somalia in 1992, for example, the military contracted with Brown & Root for logistical support. 'They had laborers and vehicles at the Port of Mogadishu within 11 hours after we had given them notice,' recalls Don Trautner, who runs the Army logistics program. (2003, n.p.)

While private military contractors do seem more capable of quickly “surging” and deploying than the US military, there have been no large scale studies of whether such forces are more cost effective (Schreier and Caparini, 2005, p. 83). One particular concern, expressed by Peter W. Singer, is the loss of invested social capital (training) in military members to the private market, which then profits by charging the public for military expertise that was publicly generated.

The overall process is thus brilliant from a business standpoint and self-defeating from the military's perspective. The PMF uses public funds to provide higher pay and then charges back the military at a higher rate, all for the human capital investment that the public institution originally paid for. (Singer, 2004, p. 16)

Any profit that is generated for the private market by the commodification of the soldier thus represents, in at least some respects, a decrease in cost effectiveness for the government. This is especially the case when a publicly generated resource (such as military training and experience) is privatized. The ostensibly presented reasons for the increased privatization of the military focus on efficiency and cost effectiveness. But there have not been detailed analyses of this and

there are thus substantial objections to such claims. We should therefore ask whether there are *other reasons* for privatization that remain “unofficial” because of their ethically or politically problematic nature.

Many in the military agree that private security contractors have a practical advantage in some circumstances since those contractors are able to act in a manner not legally available for uniformed personnel. For instance, contractors have guarded most diplomats and Americans abroad in Iraqi and Afghani war zones, as well as military locations such as the “Green Zone” in the Baghdad, and reconstruction locations. One of the ostensible reasons for their use in this capacity is that they have less legal injunctions against engaging with potential enemy soldiers. When facing an enemy that blends in with civilian populations, being able to engage in firefights without fear of consequences for violating the laws protecting civilians makes private military soldiers more effective at guarding diplomats, convoys, and locations with respect to the issue of restraints on violence. As Schreier and Caparini (2005) state:

A 1999 Report of the UN Commission on Human Rights concludes that mercenaries base their comparative advantage and greater efficiency on the fact that they do not regard themselves as being bound to respect human rights or the rules of International Humanitarian Law. Disdain for human dignity and greater cruelty are considered efficient instruments for winning the fight. (p. 83)

Being less worried about properly discriminating between civilians and enemies makes the private soldier more easily able to engage in firefights, which is obviously tactical advantage. Likewise, contract workers have been involved in many instances of illegal interrogation—e.g., they were a significant percentage of the workers at the Abu Ghraib prison .

This state of affairs had grave consequences in the Abu Ghraib prison abuse case. A reported 100% of the translators and 50% of the interrogators were private contractors from the Titan and CACI firms respectively. The U.S. Army found that contractors were involved in 36% of the proven abuse incidents and identified 6 PMF employees in particular that were culpable in the abuses. However, not one of these individuals has yet been indicted, prosecuted, or punished. This is despite the fact that the US Army has found the time to do so for the enlisted soldiers involved. (Singer, 2004, p. 13)

From the military’s perspective, this is another way to effectively outsource torture and potentially avoid the legal consequences (Simon, 2009, n.p.). The increased use of military contractors for practical reasons is, therefore, connected in many ways to their private status and their lack of legal restrictions. In effect, the US military has adopted a state of exception with regard to private soldiers, making use of their increased effectiveness in an unregulated sphere.

### **Anomic Zone—Lack of Legal Status**

In September of 2007, security contractors of the company then named Blackwater killed 17 civilians and injured 20 others in a shootout in Baghdad’s Nisour Square. The contractors were flown out of Iraq and back to the US by Blackwater. Although 4 of the 5 shooters (the fifth plead guilty) were eventually indicted in US federal court, the trial was dismissed in December

of 2009 due to tainted evidence (testimony induced from employees in violation of their Fifth Amendment Rights) (Savage 2009). An appeals panel of three US judges, however, renewed the charges on April 22, 2011. But as of November 20, 2012, no decisions had been reached (Risen, 2011, n.p.; Deveraux, 2012, n.p.)

This incident proved to be a watershed event as it highlighted the lack of legal oversight on contractors and motivated an outraged Iraqi government to renegotiate the “status of arms” agreement it held with the US with respect to military contractors. According to the “Withdrawal Agreement” (Elsea, 2010, p. 12) this resulted in contractors officially losing their immunity on January 1st, 2009. However, there have still been almost no prosecutions of contractor criminal activity. Up until the start of 2011, there still had been no prosecutions of contract workers in Iraq. On February 28th, 2011 a British contractor was given a 20 year sentence for killing two of his co-workers. This was the first time a Westerner had been sentenced in Iraq since Saddam Hussein had been in power (Schmidt, 2011, n.p.). “Imagine a town of 100,000 people, and there hasn’t been a prosecution in three years, how do you justify that?”<sup>5</sup>

Private security contractors involved in the Iraq war have existed in a status of de-facto legal immunity. Their legitimacy is granted through their hiring by the US government (Pentagon or State Department), however, they are also often hired by NGO’s and in some cases proto-governments and revolutionary organizations (with State Department approval). There are a number of legal structures that contractors could fall under. Official military personnel fall under the Uniform Code of Military Justice (UCMJ). The UCMJ applies to all uniformed soldiers (Army, Navy, Marines, etc.) and sets forth laws and legal procedures for the military. In 2005, amendments were made to the UCMJ to make prosecution of contractors possible, but the legal community remains reluctant to try civilians in military courts. Many express worries that such an extension could put reporters and other civilians who are acting in war zone under military control due to the broad language in the extension. Military contractors have therefore *not* fallen under the UCMJ. Contractors are not under a chain of command from the military, as are uniformed soldiers. Their legal relationship to the military is contractual, and punitive measures take the economic form of having contracts revoked.

Under the Protocol 1 Addition to the Geneva Convention, added in 1977 though never ratified by the US, military contractors who engage in fighting are considered unlawful combatants and do not have access to prisoner of war status. They would be considered criminals, for instance, if they violated laws in Iraq. Former Defense Secretary Donald Rumsfeld (2005) has also expressed the position that contractors are subject to local law.

Of course we've got to begin with the fact that, as you point out, they're not subject to the Uniform Code of Military Justice. We understand that. . . . There is an issue that is current as to the extent to which they can or cannot carry weapons, and that's an issue. It's also an issue, of course, with the Iraqis. But if you think about it, Iraq's a sovereign country. They have their laws and they're going to govern, the UN resolution and the Iraqi laws, as well as U.S. procedures and laws govern behavior in that country depending on who the individual is and what he's doing.<sup>6</sup>

Despite Rumsfeld's comments, Iraqis were unable to prosecute military contractors for the same reasons that they had no legal authority over members of the US Military. But that changed on January 1st, 2009, when immunity for contractors was ended by a new status of forces agreement (Risen, 2008). In 2007, the Coalition Provisional Authority, the transitional government in Iraq, under the administration of Paul Bremmer, enacted Order 17, which stated that "Contractors shall not be subject to Iraqi laws or regulations in matters relating to the terms and conditions of their Contracts." Until outrage over the Nisour Square shootings motivated the Iraqi government to demand an end to contractor immunity in 2009, it had no authority over foreign contractors. Since 2009, prosecution has been minimal and the Obama administration began an effort to renew immunity for contractors in 2011 in response to the forthcoming removal of US troops by the end of that year (Slavin, 2011).

Under US federal law it is possible for contractors to be prosecuted under the Military Extraterritorial Jurisdiction Act (MEJA). In 2004, the MEJA was revised to include personnel working for the US State Department, and in fact, the five Blackwater shooters involved in killing seventeen Iraqi civilians in 2007 were charged in the US under the MEJA, though the trial was dismissed and, since renewed as mentioned above. Despite this, many critics have argued that the MEJA does not actually *function as law* for military contractors because they are charged by prosecutors from within the US, which presents significant practical barriers to carrying out the legal procedure. First, the US must send US investigators to the location of incident—necessarily long after the fact—to conduct their own investigations. Second, trials in federal courts have strict evidence requirements. A solid chain of custody over the evidence must be established to determine guilt, along with other requirements that are difficult to obtain in such a long distance legal procedure. For instance, concerning the investigation of the 2007 Blackwater shooting:

Although investigators are confident of their overall findings, they have been frustrated by problems with evidence that hampered their inquiry. Investigators who arrived more than two weeks after the shooting could not reconstruct the crime scene, a routine step in shooting inquiries in the United States. Even the total number of fatalities remains uncertain because of the difficulty of piecing together what happened in a chaotic half-hour in a busy square. (Johnston and Broder, 2007)

And likewise:

However, trying a criminal case in federal court requires guarantees that no one has tampered with the evidence. Because a defendant has the right to cross-examine witnesses, foreign witnesses would have to be transported to the United States. (Rubin and Zielbauer, 2007)

Jeremy Scahill, an investigative journalist who had conducted extensive research on Blackwater, has highlighted some of the legal maneuvers that the company has taken in response to lawsuits:

. . . Blackwater has argued in its legal briefings that it can't be sued in civilian courts and that it's entitled to the same immunity enjoyed by the military from civilian litigation inside of the United States. And the reason that Blackwater says this, or among the top

reasons, is that Donald Rumsfeld in February of 2006 classified contractors as an official part of the US total force, making up an effective part of the US war machine. So Blackwater has turned around and taken Rumsfeld's designation of their company as an official part of the US total force and said, 'This means we're part of the US military, and you can't sue us.' At the same time, Blackwater, since 2004, has been lobbying against having its forces placed under the Uniform Code of Military Justice, commonly known as the court-martial system. So Blackwater is essentially saying, 'We're above the law. We can't be prosecuted in military courts. We can't be sued in civilian courts. (2007)

Given these issues, it is obvious that the shift to military contractors has diminished accountability to the public. As of 2010 there had only been six prosecutions of contract workers in Iraq and Afghanistan under the MEJA, most for murders of coworkers and only two for the crimes against Iraqi civilians (see Elsea, 2010, p. 24). Workers of private military contractors are not obligated to a country, state, or government; instead, they are only obligated to their companies and shareholders. This is a significant loss of State power over military workers. Some have theorized that private military firms (PMFs) constitute an industry that exists outside of the law (see, for instance, Singer 2005). If nothing else, PMFs certainly seem to be much more regulated by concerns for profit (as any private business would) rather than State regulations or international law.

### **Schmitt, Agamben, and the State of Exception**

The state of exception is an idea initially presented in Carl Schmitt's *Dictatorship* (1921) and further elaborated on in his work, *Political Theology* (1922). It refers to actions taken by a government in order to preserve that government (or the institution of democracy) in a time of emergency when that institution is threatened. Because a government is threatened with being destroyed, it must sometimes resort to extra legal actions that supersede the legal powers of the government and the restrictions upon it. This is justified through the idea of necessity.

A recurrent opinion posits the concept of necessity as the foundation of the state of exception. According to a tenaciously repeated Latin adage, *necessitas legem non habet*, 'necessity has no law,' which is interpreted in two opposing ways: 'necessity does not recognize any law' and 'necessity creates its own law.' (Agamben, 2005, p. 25)

For Schmitt, this is a theory of sovereign power. Sovereignty does not come from legislating or enforcing laws, but from the ability to act outside of them. One is sovereign to the extent that one can create a state of exception and suspend the law. "Sovereign is he who decides on the exception. . . . The sovereign stands outside of the normally valid juridical order, and yet belongs to it, for it is he who is responsible for deciding whether the constitution can be suspended *in toto*" (Schmitt, 1985, pp. 5-6).

There is an interesting paradox in the state of exception and how it should be politically classified. On the one hand, Schmitt thinks it does not make sense to inscribe such executive powers within a binding constitution, and that is because the decision to enact a state of exception remains up to the judgment of the sovereign. "It is a paradoxical articulation, for what must be inscribed within the law is something that is essentially exterior to it, that is, nothing less

than the suspension of the juridical order itself” (Agamben, 2005 p. 33). On the other hand, Schmitt does not consider the state of exception to be a lawless or anarchical condition. “Because the state of exception is always something different from anarchy and chaos, in a juridical sense, an order still exists in it, even if it is not a juridical order” (Schmitt, 1985, p. 12). Agamben describes this regime of law as a place where decrees that are outside of the law carry the “force of law,” an anomic situation in which the law attempts to incorporate anomy into itself. “How should we understand such a mystical element, one by which the law survives its own effacement and acts as pure force in the state of emergency?” (Agamben, 2002). The state of exception is a place where the legal order has created a region of lawlessness. As Agamben has pointed out, the state of exception is also, paradoxically, not an “exception” in the last century, but has rather been a standard operating procedure for many governments since World War I.

Indeed the state of exception has today reached its maximum worldwide deployment. The normative aspect of law can thus be obliterated and contradicted with impunity by a governmental violence that—while ignoring international law externally and producing a permanent state of exception internally—nevertheless still claims to be applying the law. (Agamben, 2005, p. 87)

Many of the actions of George W. Bush's administration (and now, of Barack Obama's administration) reflect this type of executive action. Consider, for instance, the following actions: domestic surveillance under the Patriot Act; the authorization of the use of torture alongside the extradition of combatants to “Black Sites” (secret prisons); the classification of enemy combatants in a lawless zone between criminal and POW; the use of drones to carry out assassinations; and the killing of Osama Bin Laden on foreign soil. These are clear representations of actions taken in exception to domestic and international law. Likewise with military contractors, when the most egregious instance of civilian killing is unpunished and almost unprosecutable, these actions are taking place in an anomic state. It's also apparent that these kinds of actions are seen as *necessary* for the US to fight insurgents who blend in with local civilians. The tactics of non-uniformed guerillas are one of the instrumental justifications for the deregulation of force against civilians through contractors, as well increased interrogation techniques in a state of exception. However, because this situation does not represent the classic “government under siege” that is the Roman justification for a state of exception, it should instead be understood as a strategy that attempts to preserve the efficacy of violent military force as well as one that allows a traditional institutional structure to persevere despite its ineffectiveness in the face of modern insurgencies. What's important from the perspective of public life and power, as Agamben has noted, is that a government will paradoxically move outside of the law to preserve the law. Analogously, our current military has resorted to making *half* of its force private and non-uniformed in an effort to preserve its traditional functionality. The logic is that the laws must be relaxed in order to fight an enemy that is globalized and that does not confront us directly. But as Agamben and others have noted, that which is done to preserve democratic institutions can also destroy it (Ibid., p. 8). Similarly, the switch to equal uses of government and private military force may destroy its functioning and the legitimacy that comes with it.

## Loss of Public Oversight on the Use of Military Force

The creation of anomic zone in which private military companies can function has not only freed the contractors with respect to the activities they can engage in, but has also freed the government from some of the *public-relationship constraints* it has historically been held to in using the military. The state of exception functions in this way mainly to mask or launder government use of military force.

For instance, the number of casualties generated during a war is always a serious public relations risk. Those casualties can quickly mobilize political opposition to the war. The use of contractors in the case of the Iraq war allowed the government to report official casualties that are much lower than the actual number of US citizens hurt or killed in the conflict. As Singer (2004) states:

By September 2004, private military contractors had suffered an estimated 150 in Iraq. More than 700 are thought to have been wounded. Again, such numbers exceed those for the rest of the coalition combined and are higher than those for any single U.S. Army division. (p. 4)

The American media made a major news story in the late summer of 2004 that casualties had passed the 1000 killed in action mark, thus putting a great deal of pressure on the Bush Administration. However, they missed the fact that such a figure had long been passed, when one counted the contractor deaths. (p. 10)

Given the fact that the number of contractors in Iraq and Afghanistan have equaled or even exceeded the number of uniformed military, it's clear that the number of US casualties has far exceeded the official reports.

It should be noted, too, that the public's ability to protect military personnel from harm's way is greatly reduced. Once soldiers enter the *public* military, they have no private ability to refuse to serve in particular conflicts. This creates the need for the public to protect conscientious objectors. But personnel serving in *private military companies* are purely economic actors who can take or refuse contracts. On the one hand, this may be beneficial for those private employees. But other the other hand, it negates the ability for the public to protest the war. The public cannot complain that the government is "sending our sons and daughters to die" with the same type of political force. The public's ability to "participate" in, or to at least voice an opinion about, the war effort is diminished. These factors, therefore, reduce the government's need to be accountable to the public. According to Schreier and Caparini (2005):

[C]ontracting out ensures that Western governments do not have to risk incurring the political costs associated with sending their armed forces into situations that are little understood or supported domestically. Moreover, casualties among PMC employees would not cause the same political problems that the deaths of a country's armed forces do. (p. 81)

Mobilizing military force through private channels also allows the government to "unofficially" engage in military operations without a public declaration or approval. For instance, in 1998, the

US government convinced the Croatian government to use a private company—Military Professional Resources, Inc. (MPRI)—for military training. This allowed the US to promote its foreign policy goals without being “official involvement.” That private company trained the Croatian military that attacked the Serbs in Operation Storm. Over 150,000 Serbs were uprooted in an act that many critics called ethnic cleansing. But the US government can deny accountability since its military was not officially involved.<sup>7</sup>

Likewise, in South and Central America, the US remains involved in the drug wars through private companies, since public involvement is illegal. As Yeoman reports:

Federal law bans U.S. soldiers from participating in Colombia's war against left-wing rebels and from training army units with ties to right-wing paramilitaries infamous for torture and political killings. There are no such restrictions on for-profit companies, though, and since the late 1990s, the United States has paid private military companies an estimated \$1.2 billion, both to eradicate coca crops and to help the Colombian army put down rebels who use the drug trade to finance their insurgency. (2003, n.p.)

These examples demonstrate how public funding can be used for military expenditure without running into traditional issues public debate and protest. Using military force without the approval of Congress establishes the executive branch as the sovereign power and removes the public from foreign policy issues. There are no official avenues for public opposition to these actions. The public cannot hold its Congressional members responsible for such decisions since Congress has no say.

The private military industry provides the new possibility of seeking public policy ends through private military means. This allows governments to carry out actions that generally would not gain legislative or public approval. This can be an advantage in meeting unrecognized or unsupported strategic needs, but can disconnect the public from its own foreign policies. (Singer, 2005, p.10)

PMCs not only diminish public control, but PMCs also *gain control* over foreign policy. There are at least a few significant documented cases of a PMC changing US foreign policy and, collectively, seventeen of the largest military contracting companies contributed over \$12.4 million to political campaigns between 1999 and 2003 (Yeoman, 2003). In 1998, MPRI wanted to provide contracting services that were requested by Equatorial Guinea, but the request was denied by the US State Department in light of significant human rights concerns about that regime. Equatorial Guinea has a history of torturing and murdering politics dissidents, which led to State Department sanctions against relations with the country. But this did not stop MPRI from mobilizing a private political campaign to change this decision.

MPRI launched a full-scale blitz to overturn the decision, quietly dispatching company officials to work the hallways of the Pentagon, State Department, and the Capitol. ‘This is the kind of lobbying that’s surgically executed,’ says Rep. Schakowsky. ‘This is not something they want a wide discussion on in Congress.’ MPRI’s executives argued that the United States should be engaging Equatorial Guinea, both to improve its record on human rights and to ensure access to its oil reserves. It didn’t hurt that the company

could effectively pull rank, citing its extensive military experience. ‘Remember, these are high-level four-star generals, who can really make an argument that this is consistent with foreign policy,’ says Deborah Avant, an international-affairs expert at George Washington University. (Ibid., n.p.)

The end result of this action was that the US state Department reversed its decision in 2000, giving MPRI approval to do contract work for Equatorial Guinea. The details of this contract remain private.

The workforce of PMC workers, which tends to involve retired and former uniformed military workers, also displays a transfer of government power into private industry. Conversely, many administrators in the Department of Defense and the executive branch of the US government are former leaders from PMCs (Donald Rumsfeld and Dick Cheney, for example). Just as the line between private and uniformed soldiers has blurred, so, too, has the line between private and uniformed military managers. This situation has been called the “revolving door” phenomenon by Schreier and Caparini (2005), who cite how former government officials move to the private sector and use their connections to lobby and consult the government (p. 90). Former generals are also hired by PMC’s, and former PMC executives often become State officials leading to situations where “it’s difficult to determine where government stops and the private sector begins” (Ibid., p. 90).

## **Conclusion**

The move to the market for the military, therefore, has not only made soldiers less restricted and more instrumentally useful, but has allowed the executive government power and new forms of corporate power to make significant encroachments into something formerly more regulated by the public sphere. Democratic decision making, while never strongly influential over the use of violence, is further alienated when private military force can be deployed without public knowledge or the possibility for public political resistance. Even more concerning is the way that PMC’s act politically to maintain and reproduce their extra legal status (lobbying against being controlled by legal regulations) and their economic power by promoting their own involvement in violent conflicts. The freedoms and motivations of the market are clearly antithetical to liberal democratic ideals about the use of military force. The blending of civilians and uniformed soldiers in this case seems to have a serious potential economic and legal potential for both generating and extending violent conflicts.

This reciprocal relationship between the needs of executive political power and the needs of corporations makes sense in light of Schmitt’s own anti liberal-democratic position. Both executive government power and economic power have self-organized through a state of exception to begin removing military power from the public sphere. No longer governed by democratic opinion or restricted by global legal norms surrounding war, both the soldiers themselves and the decision-making ability of military administrators have become more flexible. Rather than allowing democratic processes to evaluate the goals of foreign policy, an executive branch can enact the goals of powerful economic actors who then enable and promote executive military action. The triumph of instrumental, economic reasoning over democratic and enlightenment safeguards is represented both in the extra-legal status of the private security

soldier and the in efficiency-based argument for political decisions to use private military force. If you are a fan of executive government power (as Schmitt was) and the efficiency and freedom of the market, this transformation of the military makes sense. However, as a result, the use of violence to pursue military goals quickly loses any semblance of legitimacy; military violence becomes a privatized enterprise existing outside of democratic and legal bounds.

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## Notes

<sup>1</sup> It should be noted that this is a work in progress. An earlier version of this paper was presented at the 7th Global Conference: War and Peace (2010, April 30 to May 2), Prague, Czech Republic, and then published as part of the

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conference proceedings in *M. Forough (Ed.), At War and Peace* (2010), [www.inter-disciplinary.net/wp-content/uploads/2010/09/WaP7ever1020910.pdf](http://www.inter-disciplinary.net/wp-content/uploads/2010/09/WaP7ever1020910.pdf).

<sup>2</sup>“The United States utilized some 700,000 contractors in the Second World War, 80,000 in Vietnam, and more contractors than soldiers during the major Balkan operations in the 1990s” (Brooks and Rathgeber, 2008).

<sup>3</sup> See, for instance, Schreier and Caparini (2005, p. 80).

<sup>4</sup> “Armed or not, contractors are predominantly locals and always considered civilians under international law. Companies will generally utilize as many locals as they are allowed to under their contracts, and only when they have no choice will they reach out to other nationalities that are inevitably more expensive and require substantial in-theater support. For example, more than 120,000 of the estimated 180,000 contractors supporting the coalition mission in Iraq are Iraqis with even higher proportions of locals to foreign nationals in Afghanistan” (Brooks and Rathgeber, 2008).

<sup>5</sup> Scott Horton, specialist in Military Law at Columbia University, as quoted by Rubin and Von Zielbauer, (2007). Although this statement was from 2007, it is an apt response to the overall situation.

<sup>6</sup> Response to question after Rumsfeld’s lecture, “The Future of Iraq,” given December 5, 2005 at Johns Hopkins Paul H. Nitze School of Advanced International Studies.

<sup>7</sup> See Shearer (1998) for further explanation of this issue, particularly p. 62.

# PEACE STUDIES JOURNAL

Vol. 6, Issue 2  
March, 2013

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## **Towards An Understanding of Social and Cultural Distance in the US**

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## **Towards An Understanding of Social and Cultural Distance in the US**

### **Abstract**

One of the most widely used measures in the social sciences is the Bogardus Social Distance Scale. Its original and most widely used application measures US college students' degree of acceptance of various nationality groups. The results, which form a rank order among nationalities, have been described as xenophobia, prejudice, and/or a product of nationalism. However, a measure of the value differences between national cultures introduces another method to assess perceptions of social distance. If perceived social distance is the result of perceived cultural differences, then social distance evaluation can be changed through information about cultural differences. Steps toward mutual understanding can be taken to replace a rank order of nations with recognition of degrees of cultural similarity and difference.

The ranking of nationalities by US college students over 50 years is stable. I find the social rankings are highly correlated with cultural differences, as measured by a cultural distance scale I have calculated from international values data. Actual differences likely to cause miscommunication and misunderstanding can be managed, but a ranking presupposes a position of superiority with the ranker (the US college student) as the arbiter of correct cultural values. Moving beyond the ranking principle allows more open communication among nations and nationalities within nations.

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## 1. Introduction

Since Simmel's classic essay on the stranger (1971), social scientists have recognized the apparent discontinuity between physical and social distance. A stranger is someone from far away, representing an unknown and possibly troublesome distant outside world, yet the person is physically close. Simmel recognized both positive and negative social qualities to the stranger, from an impartial judge or mediator to a dangerous agitator or spy. Simmel's concept was applied to the United States by Park (1924) who found the social distance concept to be useful in explaining race relations. The concept was taken further by Bogardus (1928, 1959) who applied it to all intergroup relations, particularly attitudes towards people of other national origins in the US.

So the sociological study of attitudes towards different nationalities in the US has made use of Simmel's theoretical perspective by incorporating it into a scale of one's acceptance of strangers from different countries. The Bogardus Social Distance Scale has become one of the most widely used survey techniques around the world, but in this paper I will focus on its use in the US. When Bogardus developed the SDS, he united physical and social distance by asking how closely a stranger from another nation would be accepted by the respondent in each of seven different social relationships that also imply physical proximity, such as a tourist or personal friend. Bogardus' choices ranged from "not allowed in my country" to "a close family member." The college students given the Scale rated some 30 different nationalities over decades, from 1926 to 1977 (Owen, Eisner, and McFaul, 1977; Smith and Dempsey, 1983).

The meaning of these rankings has proved controversial. They are understood to be subjective, a reflection of stereotypes and unpleasant cross-cultural experiences. But they also could reflect an objective social difference, based on distinctive cultural values. That is, a subjective ranking might well be rejected by the members of the group being ranked subjectively. However, if an objective measure of cultural values finds a difference between two groups, their members would be expected to agree on that difference, and then could take steps to communicate better, deal constructively with their differences and manage them without conflict (Kriesberg, 1998). However, this has not been the case with the Bogardus studies. This paper seeks to change their use and interpretation by presenting an alternative application and a parallel, objective measure of cultural distance.

The Bogardus rankings drawn have variously been considered to be *prejudice* (Smith and Dempsey, 1983; Hadler, 2012; Enyedi, Fábíán, and Sik, 2004), *nationalism* (Gijssberts, Hagendoorn and Scheepers, 2004), and *xenophobia* (IHRPEX, 2011). Social distance has been equated with ethnocentrism, racism, even sexism (McDonald, Navarrete, and Sidanius, 2011). However, ethnicities, nationalities and cultures vary considerably across the world (Hall, 1976; Hofstede, 1981). The assumption that we can communicate well with people who follow different values is taken at great peril. The alternative appears to be no better, resulting in comparisons that place the ranker at the center of a personal universe. The human tendency to create social rankings can be very problematic, for they appear to be based on the in-group and out-group definitional process that supports feelings of collective superiority and promotes social conflict (Coser, 1956). The near universal rejection of the Bogardus rankings as evidence of

stereotyping and prejudice reflect one side of their origins and applications, but ignores the potential in rankings to promote communication and explore value differences.

## 2. Are All Nationalities the Same?

One of the most widely supported and enduring findings of intergroup relationships is that people are most accepting and trusting of others who are very like themselves: “homophilia” (Schmid, 2000; Ruef, Aldrich, and Carter, 2003; DiPrete, 2011). Early attempts to mitigate inter-group conflict by bringing the two sides together for open communication didn’t work well when the participants realized that they did not really share much in common (Coser, 1956; Kreisberg, 1998). This problem of inter-group value differences has been widely studied, particularly by Hofstede (1981; Hofstede, Hofstede and Minkov, 2010) who has developed a set of cultural dimensions that explain about 50 percent of the variance among national populations. Others have attempted to derive similar cultural dimensions (Schwartz, 2004; Hadler, 2012) or to develop other analysis by reinterpreting Hofstede’s work (Metcalf and Bird, 2004).

I have calculated a measure of cultural distance using Hofstede’s data (Johnson, 1991). Not only are nations quite different on the individual cultural dimensions as found by Hofstede, but they differ considerably on the aggregate, with three levels of value overlap. First, many pairs of national cultures are basically similar, so that their values are generally in agreement a large majority of the time, with up to one standard deviation (SD) separating the cultural means of the two. Nations are found to group according to similar values, such as the English speaking countries of the US, Canada, Great Britain, Australia and New Zealand. The Scandinavian nations are another distinctive group. One SD of cultural difference found on calculation represents 62 percent overlap in cultural values for the two nations under comparison. The implication of this kind of relationship between the two nations’ cultural values is that, since small differences can lead to misinterpretation and distrust, they can be clarified so that they don’t lead to distrust and conflict.

Second, there are pairs that are independent in cultural values, where their differences range from over one SD up to one and one-half SD, so that they are in agreement only about half the time. A SD of 1.32 represents a 50 percent overlap in cultural values. Examples would be the US and India, or the US and Japan. The implication for this kind of relationship is that much work has to be done on value explanation and clarification so that the two sides in contact can come to understand each other.

Thirdly, and this is the part that was unexpected, there are many cases of nations with cultural values in opposition to one another, so that what is considered good in one country is considered bad in the other (more than 1.5 SD). An example would be the US and Mexico or US and Turkey. This is the kind of relationship in which closer contact will lead to more conflict, as the essential differences are revealed. Here, communication other than that directly concerned with the matters being negotiated, and assumptions about “human nature,” only get in the way of successful negotiation.

### 3. The Application to US Immigrant Nationalities

Throughout the twentieth century, as before, immigration was a widespread, worldwide phenomenon (McKeown, 2010), as was concern over the “Americanization” of different nationalities for US immigrants and their acceptance in the country (Bogardus, 1928; Bogardus, 1959). Bogardus studies of the social ranking of different immigrant groups were common. Here I present the results of the Bogardus studies over decades (Smith, 1998), and incorporate the cultural distance data for comparison. On one hand, the Bogardus Social Distance Scale is subjective, measuring the perceived acceptance (closeness) a US college student feels to someone of a second nationality. On the other hand, the cultural distance is calculated from the social values that are described by each nationality in describing themselves. A difference in values revealed by comparing them is an objective measure of distance in the relationship. So as shown by Table 1, there is a high correlation over time among the decades of Bogardus studies. There also are ups and downs in ranking for individual countries that are hidden within the larger pattern of similarity.

A second comparison is shown in the last column, for the cultural distance rankings with the Bogardus rankings. Overall the cultural distance rankings are similar to the Bogardus scale rankings. The correlations among the rankings are displayed in Table 2, where the correlation between the 1977 Bogardus ranking and the Hofstede data’s ranking (data gathered in 1967 and 1972) is a remarkable .80 between a subjective measure and an objective measure. In other decades the correlations diminish, and the farther away in time the judgments are made, the lower their correlations.

The numerical form of cultural distance allows direct comparison with social rankings, and exposes discrepancies among them. For example, we find that Swedes are consistently ranked in the upper 6 most accepted people by US college students, while their culture is ranked below the mean in distance. Thus, the Swedes are “over accepted” beyond their cultural dissimilarity. On the other hand, people from India are in the upper half of nationalities in cultural distance, while they are consistently ranked near the bottom in social distance. I suggest that cultural distance, the objective measure of actual differences in cultural values, is the correct term, and social distance is the evaluation that is distorted by stereotypes such as physical appearance, skin tone, assumed wealth, religion, accents and the like. If so, then we have a simple relationship that can be expressed mathematically:  $CD = SD + E$ , where CD is culture distance, SD is social distance, and E is an error term representing the under or overevaluation of nationality affinity. Thus, prejudice can be an error in wrongly assessing another’s nationality unfavorably (the case of India), but also assessing overly favorably (the case of Sweden).

### 4. Discussion

Relations among the world’s peoples have an unfortunate history of conflict and mutual hostility. Many attempts have been made to reduce international tensions, build mutual respect, and foster cross-cultural interaction. One process that has not worked is to ignore cultural differences and make assumptions that “we are all the same.” This approach is well meaning, but superficial.

However, it alerts us to the nature of the occult problem—that people do not communicate well when their cultural values orient them to perceive means and goals differently.

When individuals encounter negative experiences in cross-cultural interactions they likely respond by blaming the other party as untrustworthy and even deviant. The substitution of cultural distance for the commonly used social distance helps to alleviate this perception by orienting the actors to focus on the interaction itself as the cause of the problem, not to the other person's interpretations and actions. Both parties to a troubled interaction can be included in its management after problems are encountered. Cultural distance has the advantage of mirroring social distance while substituting another interpretive frame to the result: misunderstanding, confusion, and the discovery that apparent agreement has not actually been achieved. Aside from the advantages in its heuristic use in expressing communication difficulties in numerical form, we have cultural distance as a measure useful in cross-cultural research.

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**TABLE 1**  
**SOCIAL DISTANCE AND CULTURAL DISTANCE RANKINGS AMONG 24**  
**NATIONALITIES**

Country	RANK of B1926	RANK of B1946	RANK of B1956	RANK of B1966	RANK of B1977	RANK of DIFFUSA
CANADA	3.0	2.0	2.0	3.0	3.0	3.0
China	22.0	18.0	20.0	18.0	17.0	18.0
Czech	15.0	11.0	16.0	16.0	16.0	8.0
FINLAND	11.0	10.0	10.0	11.0	12.0	9.0
FRANCE	5.0	5.0	4.0	4.0	4.0	13.0
G BRITAIN	1.0	3.0	3.0	2.0	2.0	2.0
GERMANY	6.0	9.0	7.0	9.5	9.0	5.0
GREECE	17.0	16.0	14.0	12.0	14.0	20.0
INDIA	24.0	23.0	23.0	24.0	21.5	10.0
IRELAND	4.0	4.0	5.0	5.0	7.0	4.0
ISRAEL	16.0	17.0	15.0	14.0	13.0	14.0
ITALY	13.0	15.0	11.0	8.0	5.0	6.0
JAPAN	19.0	24.0	21.0	20.0	19.0	21.0
KOREA	23.0	22.0	24.0	22.0	24.0	23.0
MEXICO	18.0	20.5	22.0	23.0	20.0	22.0
NETERLAN	8.0	7.0	8.0	9.5	8.0	7.0
NORWAY	9.0	6.0	9.0	7.0	10.0	11.0
PHILLIPN	20.0	19.0	17.0	17.0	18.0	15.0
Poland	14.0	13.0	12.0	15.0	15.0	12.0
Russia	12.0	12.0	19.0	19.0	23.0	24.0
SPAIN	10.0	14.0	13.0	13.0	11.0	17.0
SWEDEN	7.0	8.0	6.0	6.0	6.0	16.0
TURKEY	21.0	20.5	18.0	21.0	21.5	19.0
USA	2.0	1.0	1.0	1.0	1.0	1.0

Note: The Bogardus surveys asked about Jews, not Israel, but the cultural data from Hofstede were from Israel. The USA was assumed to be culturally identical with itself in the Hofstede rankings and in Bogardus studies when it was not included. The Capitalized nations were included among Hofstede's original 40 nations and areas; the small cap nations were added to the Hofstede database later and may not be fully comparable with earlier data. See Hofstede (1981) for a discussion.

**TABLE 2**  
**CORRELATIONS FOR DIFFERENT BOGARDUS SCALE ADMINISTRATIONS AND**  
**WITH CULTURAL DIFFERENCE RANK**

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	1926	1946	1956	1966	1977
1926	---				
1946	.921	---			
1956	.905	.903	---		
1966	.898	.886	.987	---	
1977	.859	.809	.954	.970	---
DiffUSA	.608	.611	.784	.770	.800

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Note: DiffUSA is the rank on cultural distance from the USA. The other correlations are between different Bogardus administration results, by year.

# PEACE STUDIES JOURNAL

Vol. 6, Issue 2  
March, 2013

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## **“Occupying” the Classroom: Fostering Conflict Resolution Skills through Contextual Role Plays**

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## **“OCCUPYING” THE CLASSROOM: FOSTERING CONFLICT RESOLUTION SKILLS THROUGH CONTEXTUAL ROLE PLAYS (Pedagogy/Assignment)**

### **Abstract**

This article details a role play activity that took place during Fall, 2011 semester in an introductory peace studies course. Designed during the peak of the occupy movement, the role play attempts to combine existing community dynamics with the larger ideological differences that are illuminated by the movement. Ultimately, the article suggests that creating more contextualized role plays can help attract students to our discipline of study and hopefully create concrete conflict resolution skills that students can apply to their immediate environments.

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### **Introduction**

The Peace and Conflict Studies Minor at my institution (Fort Lewis College) is very fortunate to have great community support. When it came time to construct the semester’s role plays for the conflict resolution portion of our introductory course, it was fairly easy to assemble an energetic group of mediators and attorneys who were interested in not only designing the role play, but also providing guest presentations, mentoring students for their assigned roles, observing the role plays, and debriefing students on their performances. It was also fairly easy to choose a topic. While discussing our goals, we wanted to design a role play scenario that was relevant, that students could relate to, and that could hopefully provide them practice for situations in which they might find themselves. For those reasons, we found the Occupy movement to be a perfect

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fit. We considered the challenges that the ongoing protests and discussions could bring to our particular students in our particular community. We then attempted to create a mediation role play that would hopefully bring some of these issues to the table, providing a real-world simulation in which disputants could feel connected to their roles and learn from different viewpoints. Our role play (detailed in its entirety in the appendices), therefore, created a scenario where different people from different backgrounds needed to engage each other to better understand their differences, something that could help strengthen our community.

## Contextual Background

Ideas for peace studies at our institution began in the late 1990's and early 2000's, yet many trace its inception to our common reading experience/one book selection of *Folding Paper Cranes* (2005)—a book that most entering students were assigned to read. Following the continued conversations about nuclear proliferation that the text created and the dedication of an on-campus open space as our “peace park,” our minor started taking shape in the 2008-09 academic year. Following a year of research and development (including consultations, faculty discussions, and numerous meetings) and a year of planning and curriculum discussions within our faculty governance structure, a minor first appeared in our course catalogue in AY 2010-11.

The minor currently consists of three core courses—two exclusive to the minor and one belonging to either Anthropology or Political Science and three elective courses chosen from three different categories. Those courses include PEAC 101: Introduction to Peace and War; Political Science 221: Introduction to International Relations; and PEAC 401: Conflict Resolution Strategies. In addition to these three courses, students must take three elective courses, one from each of the following categories: Social Justice, Environmental Ethics, and International Relations.

Our primary focus is conflict resolution (which is also the basis of our capstone course). We have created a program of study that presents students with both academic and practical application of peace studies. Attempting to align with our institution's hands-on learning commitment and active student body, and reflecting on my positive experiences with role plays in mediation training courses, we created several opportunities for students to experience conflict situations. The hope is to have students develop practical skills for applying what they learn in the classroom. Moreover, as our institution continually develops its service-learning and experiential education focus, we want to embed such practices in our academic program to better align with our core mission. In PEAC 401, role plays are much more frequent and specialized. Following a first unit on advanced strategies in mediation and negotiation, students are confronted with numerous role plays, affording everyone the opportunity to be both a transformative and problem-solving mediator. Moreover, the cases are much more nuanced as our goal is to expose students to specific challenges possibly occurring in disputes: cultural and religious differences, ideological challenges, intractable conflicts, etc.

Whereas role plays in our capstone course are well-developed, the role play in our introductory course (PEAC 101) deserves the most mention, as it attempts to show students the immediate application of alternative dispute resolution; it was also designed to involve our immediate community. At the time of our brainstorming sessions (October and November of 2011), the

Occupy movement was in full swing, and we felt it appropriate to revolve our scenarios on fictional protests taking place in our community (there were ongoing occupations of area parks and weekly meetings on campus to mobilize and inform people). We believed that our PEAC 101 students would not only be interested in the movement (many were participating in sit-ins and several had even taken leadership roles), but that they would also benefit from encountering the conflicting viewpoints that exist in our small community. By doing so, we hoped to demonstrate how negotiation and mediation can be used in realistic scenarios and, through the varied characters in our role plays, we hoped to add depth to the cultural narratives of our community.<sup>1</sup>

### **Logistics of Setting up the Role Play**

For a class of forty students (a majority of which are underclass status), it is not necessarily easy to facilitate a smooth process, even with great community support. We broke the class into 5 groups of eight students, including 2 mediators, 4 disputants, and 2 observers (one student and one community member). For each group, we assigned a separate physical space, offering a variety of different choices. I am fortunate to be able to reserve several different meeting spaces, including a formal room (our campus's Senate Chambers), several traditional meeting rooms, a "living room"-type atmosphere (Beer and Stief 1998), including a fireplace and leather couches, and a large space for the entire class to reconvene for our debriefing.

During the weeks leading up to the role plays, students read a variety of texts on conflict resolution, including *Getting to Yes* (1991) and *The Mediator's Handbook* (1998), and listened to numerous speakers with a wide range of conflict resolution experience. Students learned about different approaches to alternative dispute resolution, especially mediation. Class lessons focused on both problem-solving and transformative mediation, providing videos detailing the mediation process as well as stories from community volunteers. At the beginning of the week of the role play, students were assigned roles and given a general information sheet (Appendix A) that was read by everyone. Different roles received different information sheets (Appendix B) as well as specific instructions for each role. Each mediation was co-mediated by two students specializing in either problem-solving or transformative mediation. After students studied their roles for homework and met with individuals sharing their roles (mediators, "a" disputants, "b" disputants, etc.), they stayed in their assigned groups and had breakout sessions with community volunteers. Student observers were able to visit all breakout sessions in order to have a better handle on the conflict scenario. (Having one student observer versed in all areas provided insurance in case a student was unexpectedly unable to attend the actual role play session.)

### **Observations and Reflections**

As I watched all five groups perform, I witnessed students who were both interested and involved. It was evident that students had taken to their roles as they became passionate and dedicated, some even insisting on providing material evidence of their hardships and throwing in their own stories to customize the dispute at hand. Student mediators handled the extra wrinkles thrown at them with grace and worked hard at following protocol and facilitating the disputes. In the end, some mediation groups reached resolution while some did not; however, resolution

was never the goal. Our intention was to provide students with a realistic conflict scenario that enables them to communicate with others and to learn of the many complex narratives that people bring to a dispute—for that purpose, we feel as though we were successful.

The debriefing immediately following the role plays was very telling. Student observers began reporting on their observations (identifying directive and facilitative moves, problem-solving and transformative mediation processes, data collection strategies, the role of venting emotions, etc.). Community observers followed and provided more specialized observations, identifying practical suggestions to the student mediators. Finally, the role players (mediators and disputants) had a chance to discuss their experiences, highlighting what they found most difficult and most rewarding. Overall, students enjoyed the experience: some suggested that our institution should have a course dedicated entirely to role plays, while some confirmed their interest in conflict resolution and peace studies. For the final exam, students had the opportunity to reflect on their experiences and align them to the more theoretical principles from our readings and discussions. Many of their responses described concrete examples of conflict situations and explained sound means to facilitate said conflicts.

Future role plays in PEAC 101 will undoubtedly attempt to link students with relevant issues such as the Occupy movement (other movements, for instance, or current events, etc.). Compared to standard role plays involving disputes between roommates, teachers and students, and even landlords and tenants, the Occupy simulation invoked overwhelming enthusiasm and engagement. Consequently, it appears as though more contextualized role plays have the potential to create environments where our students can feel comfortable and are knowledgeable. They can utilize topics that catch students' interest and possibly help them better understand the importance of conflict resolution skills in their daily interactions. As we seek to expand the reaches of our discipline within academe, such pedagogical strategies are a great place to start.

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## Appendix A

### “Small Town Trouble” Case Overview—*information for all participants*

Even though “Smallville,” CO is a small mountain town located in SW Colorado, it has felt the impact of a national discussion on the economic crises and the “great recession” of 2008 that has been felt in numerous cities across the country. Many of the town’s residents have felt the impact of the recession and there is a general sense of malaise in the air; however, not everyone has been significantly impacted from the crisis, and the town seems relatively divided. Moreover, it is an election year and the airwaves and television are filled with political *rhetrickery* and “hate ads,” adding to the general discontent.

In a movement dubbed the “American Autumn,” protestors (also known as “the 99%”) around the country have “occupied” various public spaces in order to let their dissatisfaction with forces contributing to the recession be known. In Smallville, numerous protestors have “occupied” a small city park in a residential neighborhood and have pretty much taken it over. Local residents are feeling the impact of their park being taken over, and the Smallville city council is also frustrated as they do not have the resources or infrastructure to accommodate such protests. Whereas the protest has remained peaceful and relatively orderly, some residents want the protestors out of the park for the sake of their neighborhood community. However, the protestors want to stay (legally, the protestors have access to public spaces and don’t want to lose their momentum).

Everything was fairly smooth until the park became a little disorderly and one particular protest rally got out of hand. There was trash left in neighboring yards, property damage, traffic issues, and a lot of noise that went past the park’s quiet time (a time that appears to be fairly unclear). The morning after the raucous protest, a minor altercation occurred between residents and protestors. Basically, residents asked protestors to leave the park, but the protestors took this as a challenge to their freedoms and immediately assumed the residents that they were part of “the 1%.” Following a rather heated engagement in the park that involved the police, one member of the Occupy movement (A disputants) asked the two most vocal neighborhood residents (B disputants) to meet with them in an informal mediation to try and work out their differences. The police supported the decision and have not pressed any charges . . . yet. They would rather not have the issue come to court as the city’s rules are very unclear with the protest.

### Participants

Each mediation will include the following 8 participants.

### Mediators

1. M1 problem solving mediator
2. M2 transformative mediator

### “A” Disputants (occupy Smallville protestors)

3. A1 Janie Yazzie (FLC student and pacifist)

4. A2 Tom Jones (laid-off worker)

**“B” Disputants (neighborhood residents)**

5. B1 Jo Rodriguez (neighborhood resident)
6. B2 Pat McGlamery (neighborhood resident)

**Observers**

7. Community Observer
8. Student Observer/back-up mediator

**Process**

**Class day 1:** meet with peers assigned to similar roles (student observers attend mediator groups)

**Class day 2:** discuss case in groups with community partners

**Class day 3:** mediate in assigned rooms then meet in large room for debrief

## Appendix B

### “A” Disputants (Occupy Smallville Protestors)—*information for AI only*

*(AI) Janie Yazzie (student and pacifist)*

Because you are a human rights activist and have always fought for equal rights, you are a perfect fit for the Occupy movement, especially because of its nonviolent approach. Because of this, you have established yourself as a central figure of the protest movement in the park. You were the first to intervene with the neighborhood residents when they approached the protestors asking them to leave.

Your Navajo tradition values physical, social, and spiritual well-being over material “wealth” and you are frustrated with the disproportionate ratio of wealth that is even evidenced in Smallville: e.g., housing and rent costs are incredibly high, and the cost of living is about 125% of the national average. In addition, you are opposed to the corporate wealth structure as you have witnessed the negative health impacts of coal mining and power plants on the Navajo Nation and think these are just a couple examples of how corporations ignore human rights. For you, the time is now to protest economic inequality, corporate greed, and the current political environment.

You believe you have a right to be in the park. In your opinion, the park is an excellent place to protest especially because it is one of the most affluent parts of town, and many of the houses surrounding the park are very nice. At the same time, you feel as though the residents are probably right that the raucous rally probably was in violation of the park rules and the city ordinances. You really want the residents to be happy as you need the park for the movement because it is the only public place that works for the rally. You also really want mediation to work because you feel as though it is a people-driven process that challenges the existing legal system—a system that you see rewards people with money (if you can afford a good lawyer, you can probably win any case). Maybe this mediation is a chance for you to unite the community and strengthen the movement?

**“A” Disputants (Occupy Smallville Protestors)—*information for A2 only***

*(A2) Tom Jones*

You are currently unemployed and have recently been laid off by your employer, Barton snowmobiles, a prosperous company that you worked for the past 20 years. Barton was a factory in town that paid you well and treated you with respect. At this job, you were a jack of all trades—working with public relations, manufacturing, construction, and repairs.

In a financial transaction that occurred somewhere far away, the snowboard company was sold to a corporate owner who decided to outsource the manufacturing overseas. Because of a loophole created by the most recent legislative trickery (most likely created by corporate stockbrokers), you lost your entire retirement package as your stock options were made irrelevant through the corporate takeover. Even though your former employer says it is a done deal, you are convinced you might be able to get your stocks back—something that is necessary if you are to ever retire. For you the occupy movement is the only real way to let the world know about how unfairly you were treated. You don't want to leave the park as it has been the most significant way for you to express your dissatisfaction and share your story. At the same time, you care about relationships and have been very invested in your community—this was something you learned from your previous job. You respect the people in the neighborhood and would like to see things work out amicably. You are also in desperate need of work and are a little worried that your participation in the movement might tarnish your reputation in Smallville. Who knows, maybe one of the residents could end up hiring you someday?

**“B” Disputants (the Neighborhood Residents)—information for B1 only***(B1) Jo Rodriguez*

You are currently very successful (6 figure income) at the corporate stock brokerage you work for. But your success has come at a cost—you have made many sacrifices along the way, including putting off having a family (you know how challenging being a mother and stock broker can be and you have chosen your job for now). As you have pulled yourself up from your bootstraps and you believe in meritocracy, i.e., the belief that people’s worth comes from their hard work accomplishments.

You are also a firm believer in the role of corporations in America: they provide people opportunities to “climb the corporate ladder” and they provide jobs. Being the first member of your family to go to college, you are not going to let anyone devalue your hard work and criticize your income.

Finally, one of your current clients manages the park and is currently losing money because s/he is unable to work on the grounds (recently the city government found it to be more efficient to outsource maintenance to a corporate grounds crew—a move that was rather unpopular with residents). You would prefer if no one knew your job or that you are representing that company, but you are not ashamed of what you do.

You don’t really see a need to change the current financial system as it has rewarded you for your hard work. Whereas you care for your community, you would prefer the protestors left the park because they could be bad for business and they appear to be a bunch of hooligans. Sometimes you bring clients over to your house for business meetings and social gatherings. However, as your job depends on the community, you don’t want to appear to be completely inflexible—this would be bad for business. In fact, it might even make your company look good if you tried to help out the community. Maybe this dispute is an opportunity for you to help the community?

**“B” Disputants (the Neighborhood Residents)—*information for B2 only****(B2) Pat McGlamery*

Because your house is closest to the park, you have been very inconvenienced. Besides the trash that is always in your yard, you found some damage to your car one morning as someone attending the rally backed into your car and dented it—something that most likely happened because of the traffic congestion in the neighborhood from all of the cars attending the rallies. Prior to the most recent rally, you were willing to ignore the dent, but now you want someone to fix it because you are fed up with the occupation.

Moreover, the noise from the protests is keeping you up at night. You work several odd jobs and often find yourself working late shifts and needing to sleep during the day—something that has never been that easy living next to the park. You have kindly asked protestors to be quiet, but they have ignored your requests. It is especially challenging your parenting. It seems as though on days you get to see your daughter (which is somewhat erratic due to your ex-wife’s work schedule), the protests are the noisiest. Because of the protests, your daughter never sleeps well at your house. In addition, prior to the occupation, you and your daughter would spend a lot of time in the park (it almost served as a babysitter for you when you were tired), but now since the occupation, she does not hang out there as much, making your time at home more challenging as you have less free time. You understand the protestors’ purpose, but you do not want them in your park, at least not as the movement is currently structured.

As a recently divorced single parent, and worker of numerous jobs, you have had a rough time. You are working odd jobs and at one point worked for the city doing park maintenance; it bothers you to see the park in such disarray.

You are also somewhat skeptical of the mediation process and would rather see the case go to court—as your divorce did. You think a judge might know what is best for everyone, especially regarding who can pay for your repairing your car because you do not have much disposable income.

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**Notes**

<sup>1</sup> For more information on using role plays in conflict resolution, see Smith and Fairman (2005).

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Vol. 6, Issue 2  
March, 2013

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## **The Day that Mychal Judge Taught My English Class (and Other Reflections on Peacemaking)**

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## **The Day that Mychal Judge Taught My English Class (and Other Reflections on Peacemaking) (Assignment/Teaching Reflection)**

### **Abstract**

In an attempt to connect my freshman writing students with issues that would challenge and inspire them, I assigned a final research project that presented several lesser-known peacemakers for scholarly analysis. An unexpected classroom encounter with the iconic photograph<sup>1</sup> of Mychal Judge<sup>2</sup> being carried from the rubble of the World Trade Center on September 11 created a transformative moment. Many students shed their passive, uninterested demeanors and became engaged in the project. This experience was a great reminder of the power of visuals to connect this generation of college students with meaning and purpose beyond a simple grade.

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The silence—and lack of enthusiasm—were unmistakable. I had just passed out the requirements for a final research project for my freshman English class, and my students were less than enthused. After a few moments, one raised his hand.

“Um . . . I have no idea who any of these people are,” he complained sourly.

“Marvelous!” I thought, borrowing a favorite phrase from the late Father Mychal Judge. “That’s the point,” I explained. “This is a research paper, and now you can conduct research to learn more.”

The scowl I received was priceless.

I had assigned my students the task of conducting scholarly research into the life of several lesser-known peacemakers and activists; they were to choose one, and identify the factors that led to their activism and, ultimately, their deaths. These extraordinary people, who gave all in service of others, represented some of the qualities that I wanted my students to study. Already, I had woven a theme of social justice into their writing assignments; now, with the final research paper, I asked them to immerse themselves in an uncomfortable connection with practical holiness. There are some peacemakers about whom they would have preferred to write, I knew, but these people are considered somewhat remote from the typical suburban college student's everyday experiences. In addition, their near-celebrity status can create layers of separation between saint and student. Peacemaking and activism are not activities for other people, in other parts of the world, for those with more time and energy; these are excuses I frequently hear from my freshmen. And, frankly, they probably already knew something about Mother Teresa and Gandhi.

The actual assignment read, in part, "Write a research paper which explores the political, historical, and cultural events which impacted the life and death of your subject. Synthesize scholarly research regarding the immediate and long term impact that this person's life choices created. And what of faith? What do religious scholars say about your subject? What do psychologists say about our ability and/or willingness to risk our lives for a cause we believe in? Do not simply write an expository essay about your subject; conduct academic research to join a conversation about the impact and legacy of his or her life and death."

Taking such a holistic approach to writing in our advanced academic research/writing course provided many benefits.

- My students were forced to engage their critical thinking skills. Here, it is not adequate to simply research a topic; each must find his or her voice and enter into a greater societal discussion about his or her peacemaking subject—and that is the heart of synthesis.
- My students were required to engage their critical reading skills. Radical peacemakers will naturally engender controversy. Some of what my students unearthed through research made them weigh the perspectives and agendas of the writers, ultimately deciding what was valid and worthy of study.
- Understandably, students are always drawn to write about something that affects their own lives. Therefore, selecting subjects who offered a broad range of life experiences ensured that each student forged a personal connection.
- As freshmen, my students learned that approaching an unfamiliar topic, while perhaps initially uncomfortable, can reveal personal truths. There is honor in their struggle to complete what they perceive as a difficult assignment. They just might remember that the unfamiliar and uncomfortable are not to be feared, but studied—and, often, honored.

Indeed, I believe that this assignment could be applied in a variety of ways beyond an English classroom. Asking students to perform a visual analysis on a portfolio of photographs illustrating homelessness, for example, could elicit some great conversation and engagement in different disciplines. Or asking them to gather several photographs or images of artistic works

that demonstrate a cry for equality, and then work in teams to present the findings, can open a lively discussion. The writing technique of synthesis—conducting thorough research and then formulating your own voice as part of a greater scholarly conversation—requires the utilization of those vital critical thinking skills.

To prevent the mass revolt that was brewing in my classroom, I launched into a brief review of the life and work of the three individuals while providing a glimpse of the circumstances of their deaths. Mychal Judge, one of the three, had lived a life of radical outreach to many who were considered, at the time, on the fringes of society. Judge was among the first clergy to publicly embrace—physically and spiritually—New Yorkers with HIV/AIDS. He fed, clothed, and *listened respectfully* to the city's homeless. "Is there so much love in the world," he once asked, "that we can afford to discriminate against any kind of love?" Judge became a victim on September 11, 2001, when he was killed while ministering to fallen firefighters and other casualties at the World Trade Center. When my students learned that their papers might include subject areas such as these, in addition to issues like environmentalism and political justice, interest began to pick up.

And then one student who sat in the front of the classroom opened his laptop. As I was talking about Mychal Judge's commitment to caring for the firefighters and victims of the terrorist attacks on September 11th in New York City, this student's eyes got wide. He slowly turned around and pointed his laptop so the other students could see it. There, in full-screen, was the iconic Reuters news photo of a dead Mychal Judge being carried out of the ghastly rubble in a chair by his FDNY colleagues. There was a stunned silence.

The mood of the classroom changed instantly; that powerful photograph broke through the wall of student passivity. Hands went up. How did he die? Why was he at the World Trade Center that day? They wanted me to tell them his life's story.

I did not. It was time for Judge to tell his own story, through the many books, articles, and documentaries that are available for my student writers. But the striking image displayed on a laptop that day ignited a transformative moment in my classroom. It was as if Judge had reached out and touched my students' hearts in the silence of visual storytelling. I realized that even after his death, Judge could still meet my students where they stood. And isn't that the hallmark of a peacemaker: a willingness to accept others in the place where they are? Even some surly, uncooperative young scholars were opened to this message in that moment.

Over the next few weeks, as the students developed their thesis statements and prepared annotated bibliographies, several students seemed almost mystically drawn to Mychal Judge. Some had family members who were firefighters. Some had experienced the effects of alcoholism or family dysfunction. Regardless, the students who studied Mychal Judge seemed to almost relish the final research paper—a very rare occurrence for my overworked, stressed-out freshmen.

No, not every student earned an A on this paper. But something unexpected happened later.

At the end of the semester, students were asked to evaluate the class and my performance as their instructor. I was struck by how many students specifically mentioned this final research paper. They hated the project at first, they said. They did not want to have to research someone they

had never heard of. They thought this would be a very boring and pointless assignment. But, they expressed, something changed as they learned more about Mychal Judge. One student wrote that he was forever changed by reading about Judge's life. Another said that he would never look at life the same way again. Several mentioned feeling inspired to become better people.

Connecting my students with real-life, contemporary peacemakers and activists was not an easy task and met great resistance. Perhaps it was the availability of stunning and story-telling photographs and documentaries about Judge that caught my students' attention—after all, they are a visual generation. Perhaps his compelling life story of loss and love, abuse and compassion, pain and triumphant sacrifice, forged the connections between Judge and so many of my freshmen.

Regardless of the reasons, I learned through their evaluations that those connections were made. In the future, I will remember the power of visual storytelling when trying to overcome their resistance to scholarship and critical thinking. And I will always wonder what will become of these young people after their encounter with Mychal Judge that day. I suspect that in the years to come they will remember Judge's life story when confronted with challenges and obstacles.

Marvelous! Truly marvelous.

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### *Notes*

<sup>1</sup>Reuters photographer Shannon Stapleton snapped the shot that appeared in newspapers around the world:  
<http://shannonstapleton.com/#/911/sept4>

<sup>2</sup> For a brief overview of the circumstances surrounding the photograph, view this link:  
<http://m.npr.org/story/140293993>

# PEACE STUDIES JOURNAL

Vol. 6, Issue 2  
March, 2013

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## **The “Greenwashing” of Rio + 20: A Stolen Agenda and a Threat to Global Peace and Security**

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## **THE “GREENWASHING” OF RIO + 20: A STOLEN AGENDA AND A THREAT TO GLOBAL PEACE AND SECURITY (Commentary)**

### **Abstract**

The recent Rio + 20 Conference, twenty years after the 1992 Rio Declaration on Environment and Development, offered an opportunity to strengthen the world’s attention to cultural sustainability and protection as cornerstones of global peace and security. The authors, an anthropologist and environmentalist who have developed a simple indicator for enforcing the Rio standards, note how the United Nations and other international agents used the Conference to divert attention from clear principles and simple legal enforcement. Many development agencies and the press were co-opted for various reasons. The result is greater risk to the planet and to its diverse human cultures.

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### **Introduction.**

In our view, the cornerstone of global peace and security is the sustainability of the world’s cultures in their resource bases to eliminate the potential for conflict, including those conflicts resulting from environmental disasters spurred by human-induced changes in the climate. The United Nations system, founded after World War II, began to recognize those objectives in 1948

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and then highlighted them again in 1972 in a Declaration on the Human Environment, and then more boldly, in 1992 in the first “Earth Summit” in Rio De Janeiro. That Summit generated what is known as the Rio Declaration on Environment and Development.

Some 255 governments participated in the 1992 Earth Summit, including 144 heads of State or government. They signed a number of agreements, including the Rio Declaration, with a list of some 27 basic principles on human relations to the environment and ideas of “sustainable development” that referenced concepts of environmental science, cultural protections, peace, law, rights and responsibilities. While it was not legally binding or enforceable, it seemed to indicate a consensus on shared responsibilities for protecting the planet in order to avoid almost certain disasters and conflicts that would otherwise result.

If the 1992 Rio Declaration was a beacon of light for humanity and hopes for cultural diversity, sustainability, peace, and security, then the meeting marking its 20 year anniversary can better be described as a charade—something stage-managed by many of the same people who have done everything to undermine the Declaration while pretending to implement it. The hopes of 1992 for a new, post-Cold War world of diversity, sustainability, and peace now seem stillborn. Actions by the U.N., development organizations, and political and economic authorities have inhibited enforcement of the principles and the possibility for progress and peace.

The beauty of the Rio Declaration was its affirmation of clear, simple principles, and its links to existing international laws. Yet, the very international organizations and country signatories that agreed to this Declaration and other international laws have forgone any long-term planning solutions for peace, diversity, and stability; instead, they have promoted short-term “growth” through consumption. This is an affront to the entire purpose of the Rio Declaration.

Two decades after the 1992 Earth Summit, the organizations that were supposed to champion the principles of the Summit spent funds to cover up what they had done—or really, what they had *not* done, which is implement sustainability plans. It should have been an accounting of their failures, a codification of legal responsibilities, a call to action against the wrongdoers, and an acknowledgement of increasing environmental threats and insecurities. There were representatives from 192 countries. But conspicuously absent were heads of some of the major consuming and military powers from the U.S. and Europe. The agenda for the 10 day meeting was pre-set toward failure. They assured that the 20th anniversary would work to divert attention away from the two decades of non-compliance.

The result of the 2012 Conference on Sustainable Development was a non-binding document called “The Future We Want” and a reaffirmation of the previous principles. The Conference avoided replacing the United Nations “Millennium Development Goals” (MDGs) that failed to establish sustainable cultures and measures as the real basis of long-term poverty reduction (for information on the MDGs, see U.N. Millennium Declaration, 2000). Instead, the MDGs placed environmental concerns only as an afterthought to short-term production and consumption increases. Now, months after the conference, it is clear that nothing has changed.

Anyone familiar with the Declaration and the concepts of sustainable development would expect this anniversary to have focused on (1) creating accountability indicators for the international

organizations that are failing; (2) passing sanctions against those who have replaced the agenda of cultural protections and sustainability with watered down goals of short-term “poverty reduction through growth”; and (3) trying to restructure the institutions and oversight mechanisms to assure transparency and accountability. But the push for such an agenda can come only from the outside since the wrongdoers themselves actively manipulated the Conference. Most of those who were in a leadership role capable of calling for accountability became part of the charade.

### **The Principles are Simple but Evaded.**

It would be easy for the U.N., global development banks, and aid agencies to follow the Rio Declaration and international law as promised. All they have to do is replace colonial era “development” plans with sustainable development plans for each nation and conjoining culture. Instead of short-term income generation or quick-fix treatment of poverty symptoms that transfer problems to the future, they could promote long-term plans to reduce poverty by balancing consumption with resources. But two decades later, there is not a single sustainable development plan in the works.

More than 50 years ago Paul Ehrlich presented the simple “IPAT” (Impact = Population x Affluence x Technology) equation for balancing consumption and production. This became embedded as Principle 8 of the Rio Declaration and was supposed to be the basis for all development planning (Ehrlich and Holdren, 1971).

According to Principle 8, sustainability is a long-term balance of consumption and production that involves four simple variables: On the consumption side, population and per capita consumption; and on the production side, resources (a country’s assets, including the environment) and productivity per unit of resources (U.N. Conference, 1992). These can be put into an equation that has to balance over time (for two generations or more, for planning purposes):

$$\text{Population} \times \text{Consumption} = \text{Resources} \times \text{Productivity/Resource}$$

For a country (or culture) that wants to develop (increase per capita consumption or productivity, or both) and stay sustainable, productivity has to continually increase in proportion to consumption and population since resources are fixed or decreasing.

And more than 70 years ago, the international community agreed to a genocide treaty, which also contained the basis for sustainable development and protection (U.N. Convention, 1948; Lempert, 2010). That international criminal law promoted human diversity and choice of consumption patterns over forced globalization, homogenization, and high consumption. This was embedded in Principles 4 and 22 of the Declaration, with the potential for criminal enforcement.

Principle 4 of the Declaration seeks to stop overall negative impacts on the globe and to assure that resources are used in ways that protect the quality of the globe’s resources.

Principle 22 of the Rio Declaration requires support for the “identity, culture, and interests” of both indigenous peoples and communities in the achievement of sustainable development in ways that link the enforceable criminal law of the U.N. Convention on the Prevention and Punishment of the Crime of Genocide to the Declaration.

### **Those with the Responsibility are the Biggest Violators.**

The lack of any sustainable development planning by organizations that originally committed to doing so is itself a violation of the Declaration and of international law. But, in order to be more objective, we decided to put organizations to the test to verify our critique (Lempert and Nguyen, 2008). We published an indicator that could measure whether organizations were actually doing sustainable development in line with the most basic of the Rio Declaration’s Principles and with the U.N.’s commitment to “sustainable human development” that UNDP head James Speth announced after Rio (Speth, 1995 and 2008). We created a simple nine point scoring system. We began by reviewing the principles that were agreed to at Rio as well as other international laws and principles that they referenced and that are recognized by experts. We then consolidated those into 9 key elements. Organizations were scored on whether they complied with these 9 consolidated principles. An organization would receive a point for compliance and no points for non-compliance.

The UNDP and its Millennium Development Goals (MDGs) earned at best 4 out of 9 points, meaning that the U.N. itself failed to comply with 5 of the 9 key principles it had agreed to promote. This is pitiful for an organization that claims to follow international law and sustainability. Other international organizations were even worse, with the United Nations Children’s Fund (UNICEF) earning only 2 points and the World Bank/International Monetary Fund only 1.

These failing scores are underscored by a numerous practices by the world’s leading organizations and institutions. For instance, the U.N. and the World Bank have replaced sustainable development planning with a list of mostly short term measures (the MDGs) that marginalize sustainability as simply one concern—a kind of checklist of items. The MDGs help reinforce earlier colonial agendas by creating coalitions for short-term productivity and increased consumption to “reduce poverty” in ways that drive most of the globe’s 6,000 cultures to extinction as part of a policy of globalization and wealth extraction. “Development” planning and agendas by these organizations offer no measure of natural or cultural wealth and no per capita wealth protection since their goal is simply to generate income in the global marketplace. Sustainability, global security, and protection of peoples are all but forgotten. The goal is now to promote trade and income generation—and by extension of such a profit motive, exploitation of people and resources—rather than sustainability planning.

The U.N. system has essentially become a lobbying organization for donors with special interests and a government-to-government patronage system for unaccountable use of global resources. There is no attention to its actual mission and no screening for compliance with Declarations or international law. Rather than plans for sustainable development, there are only interventions that promote growth through high consumption patterns and Band-Aid solutions for a myriad of diverse problems.

### **The Lead-Up to the Event was Stacked to Divert Attention from the Wrong-Doing.**

It was obvious from the beginning that the Rio + 20 Conference would be a sham. According to the agenda posted on the Conference website, the focus would be on the very approaches that have *undermined* the Rio Declaration such as free trade, unregulated donor activities in weaker nations, and promotion of measures that *override* sustainable development: e.g., the MDGs and other short-term poverty eradication approaches, productivity and consumption growth, suppression of cultural differences, and freedom to choose lower consumption patterns ( U.N. Conference, 2012).

Co-option was in full-swing. The United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP), the United Nations Environment Programme (UNEP), and the Asian Development Bank, for example, sponsored the U.N. Women to prepare a lobbying agenda for Rio + 20 that transformed the discussion of enforcement of the Rio Declaration into “the theme of green economy in the context of sustainable development and poverty eradication.” This agenda required that the selected delegates have “experience engaging in advocacy on gender issues.” Excluded from the U.N.’s gender agenda were militarism, security, the problems of high consumption, and eco-feminism. In many ways, these exclusions pervert basic feminist goals of peace, equality, and self-determination.

In Southeast Asia, where we are currently working on cultural and environmental protection issues, the UNDP’s local representative, Minh H. Pham, an American, and Michel Goffin of the European Union, wrote an article in the *Vientiane Times* that also distorted the agenda. Instead of promoting the mandate for sustainability and protection, it promoted an agenda of growth that has disrupted cultural survival and sustainability in the region. The piece sought to convince government and the development community that, “A new emphasis on sustainability can offer a ‘triple bottom line’—job-rich, green and equitable economic growth coupled with environmental protection and social inclusion. As such, Rio + 20 focuses on the ‘green economy’ linked to poverty alleviation” (Pham, 2012). This couldn’t be further from the truth.

We work with the Lao government and other neighboring governments as well as the many minority peoples who rely on those governments to protect their cultures and their aspirations for sustainable development. At the heart of those concerns is their need for security of their resources and lives against the international community (Lempert and Nguyen, 2011). But rather than a presentation of this reality and other related international goals, the U.N. substituted and advocated for another agenda in the press. Pham’s piece falsely claims that, “The Lao PDR already knows the future it wants . . . to be a middle income country” and to meet the U.N.’s Millennium Development Goals (Pham, 2012). The resource insecurities and vulnerabilities of peoples in globalization that are necessarily linked to sustainable development and are also central to the U.N.’s mission were taken off of the agenda and de-linked from sustainability concerns.

We read numerous articles in progressive magazines that seemed to be written on faith as if leaders would somehow listen to pleas or if some magic force would intervene for progress. Indeed, we also sought to join the debate with an earlier version of this piece that would draw the

attention to standards and laws that already existed. We wrote to 20 popular journals on environmental and cultural issues, including two that we had previously published in. It was as if the debate on standards had already been closed.

What appeared on the agenda were simply new bureaucracies that would funnel more money to new agencies to do what the previous organizations were supposed to do but had not done. The head of the European Union in Lao used Pham's article to note "[o]ne key proposal supported by the European Union is to establish a new specialized international agency as the global authority on the environment."

An article by U.N. Secretary General Ban Ky Moon appeared on June 14 leading up to the Rio meetings. Moon asked that a new set of bureaucratic goals be implemented with more international funds, which he termed as the SDGs (Sustainable Development Goals). But he had yet to call on the U.N. to actually do sustainable development planning and to follow the already established development equation. Why call for new goals when you haven't even tried the old goals? This game of hide-and-seek is an example of the Rio + 20 failures.

### **Concluding Thoughts.**

Secretary General Moon talks about the environment and restructuring the U.N., but his actions belie the rhetoric. He needs to be confronted and held responsible for following international law and the declarations. On the flip side, we must also prepare for the possible consequences of these deceptions and inactions. The current structure of the global system cannot last forever. If it were to collapse, which is not unlikely, then the survivors will have to rebuild a system of law and accountability. We already have a set of excellent principles as drafted by the 1992 Rio Declaration on Environment and Development, but these were abandoned by those who seem to have an interest in only the short term. Nothing short of humanity, peace, and civilization are at stake in this debate.

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# PEACE STUDIES JOURNAL

Vol. 6, Issue 2  
March, 2013

**Book Review. Forced Marriage: Introducing a Social Justice and Human Rights Perspective. 2011. Edited by Aisha K. Gill and Sundari Anitha. London & New York: Zed Books.**

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**FORCED MARRIAGE: INTRODUCING A SOCIAL JUSTICE AND HUMAN RIGHTS PERSPECTIVE. EDITED BY AISHA K. GILL and SUNDARI ANITHA. (Book Review)**

*Forced Marriage: Introducing a Social Justice and Human Rights Perspective* is comprised of two parts, and each part is comprised of five chapters each. Part One unpacks and interrogates the concept of forced marriage by locating it within theoretical debates on violence against women, human rights, social justice, multiculturalism, and assimilative models. Part Two focus on particular contexts, policies, aspects of legislation, and implementations to consider both the problems with, and the promise of, current approaches to forced marriage in the United Kingdom, wider Europe, and beyond.

Gangoli, Chantler, Hester and Singleton in Chapter One discuss their 2006-07 empirical research on forced marriage in the UK as a basis for interrogating current definitions and conceptualizations of forced marriage. The purpose is to facilitate a deeper understanding of the complexities of the problem and assess the benefits and limitations of these perspectives (p. 38). The authors also examine human rights debates, the issues posed by multiculturalism and the violence against women movement, and the feminist framing of forced marriage (p. 25). They argue further that the range of communities and structural conditions in which forced marriage occurs is much wider than generally supposed. In conclusion, they contrast these assumptions with the lived experiences of their research participants in order to question and destabilize

assumptions about the connections between forced marriage and age, gender, nationality, and immigration status.

In Chapter Two, Anitha and Gill examine how existing conceptualizations of coercion shape the binary discourse on forced and arranged marriage, and how this, in turn, impacts the development of measures to combat forced marriage. They examine the implications of current understandings of coercion for the theory and practice of justice between the genders. The authors make the case for a gendered understanding of forced marriage that takes account of the fact that consent and coercion must be conceptualized as occupying opposing poles on a continuum in order more effectively to capture women's experiences and their location within a matrix of inequalities (p. 60). The authors conclude with a number of recommendations aimed at improving practical measures and policy initiatives: e.g., tackling the problem in a more unified, holistic way and drawing on the theory of intersectionality would allow for greater recognition of the complexity of forced marriage (p. 58).

Choudhry, in Chapter Three, explores the contribution of human rights discourses to the work of feminist activists, jurists, and researchers that focus on violence against women and forced marriage. The concept of human rights has been enthusiastically adopted by women's movements in developing countries, and has recently gained prominence in the developed world. As they note, this is due, at least in part, to the United Nations and the Council of Europe adopting policies on violence against women and forced marriage that are rooted in human rights discourses (p. 67). Choudhry also outlines the potential of human rights discourse in arriving at a more nuanced understanding of forced marriage, and in developing and implementing concrete means of legal redress at the national and international levels (p. 68).

In Chapter Four, Bredal explores how forced marriage is discursively constituted in Europe through immigration law and policy. On this basis, she offers practical suggestions for addressing the difficulties inherent in framing forced marriage as an immigration problem (p. 127). Bredal's empirical focus on Norway, Denmark and Sweden allows her to compare and contrast Scandinavian public debates on, and policy approaches to, violence against women, forced marriage and honor-related violence, though she also touches on the debates and policies of other European countries (p. 92).

To sum up Part One, Anitha and Gill in Chapter Five consider how forced marriage is constructed in media and policy debates in the UK, and how these constructions define notions of the "self" and the "other" in relation to these abuses. The authors examine how the culturalist discourses employed within media and policy debates obscure the gendered nature of the violence enacted against women when this violence occurs within black and minority ethnic communities (pp. 152-53).

Part Two begins with a discussion by Gill and Anitha of legal responses to forced marriage in the UK, focusing on the background, provisions, and implications (for victims, prosecutors, and the development of criminal law in general) of the 2007 Forced Marriage (Civil Protection) Act (pp. 160). In exploring the tensions inherent in the creation of civil versus criminal legislation aimed at tackling forced marriage, they discuss the limits of a legalistic approach to forced marriage and examine the possibilities of extra-legal initiatives.

In Chapter Seven, Gupta and Sapnara draw upon their experience as legal practitioners to examine the provisions of the Forced Marriage (Civil Protection) Act and other legislation, including nullity proceedings and special provisions for children that have been utilized in forced marriage cases. The authors offer a critique of the Forced Marriage (Civil Protection) Act in relation to its aims and ambitions, exploring both its advantages over other avenues of legal redress and its shortcomings from the perspective of barristers and victims. Bano also provides a critical reflection on how the problem of forced marriage is tackled by the Muslim Arbitration Tribunal, which, since its establishment in the UK in June 2007 (p. 244) has worked to settle civil disputes in accordance with sharia law. In exploring the experiences of Muslim women who have utilized this dispute resolution process, Bano examines (a) the ways in which Muslim women engage in the practice of law making, (b) the advantages (especially from women's perspectives) of utilizing this dialogue-focused, non-adversarial system, and (c) whether and to what extent women are able to modify and transform ethno-cultural norms in their communities via engagement with the Muslim Arbitration Tribunal.

In Chapter Nine, Balzani draws on cases involving women of Pakistani origin who sought asylum in Britain from 2005 to 2010 on the basis of actual or threatened forced marriage. Through these case studies, Balzani examines the role that culture plays in the construction of stereotypes of forced marriage victims. Balzani highlights the connections between forced marriage, religious differences, economic advantage and disadvantage, and immigration strategies within family and clan networks, to argue that forced marriages do not take place in isolation from other forms of inequality, domination, and subordination. Indeed, Balzani argues that forced marriage is often employed to curtail women's attempts to exercise agency within this range of constraints.

In the final chapter, Hossain analyses the use of the protective writ of habeas corpus in Bangladesh. Cases typically arise when parents claim that a woman or girl has been the victim of abduction but the "victim" offers a very different counter-narrative. Judgments in favor of "release" are littered across the law reports of the courts of Bangladesh, India, and Pakistan (p. 228). However, there has been an increase in the number of cases in which women have utilized the writ to assert their right to be free from forced marriage. Hossain examines both how the writ of habeas corpus was utilized in the recent case of Dr. Humayra Abedin, and how Dr. Abedin pursued legal redress in the British courts under the Forced Marriage (Civil Protection) Act (p. 151). Hossain argues that this case exemplifies effective cross-border judicial cooperation to secure women's rights and, thus, sets a precedent for future attempts to provide cross-jurisdictional redress for victims (p.247).

Given that a range of ideological debates concerning multiculturalism, assimilative models, and immigration control have shaped current understanding of forced marriage in Europe, research in the field is fraught with the dangers of appropriation and misinterpretation. The underlying goal of all the contributors to this volume is to encourage debate and discussion about forced marriage, to shed new light on recent legal, practical and procedural developments, and to explore women's activism on violence against women.

There are several limitations in the scope and focus of this collection, most of which reflect the limitations in the scope of current research. For instance, the experiences of sexual minorities

have not been explored in this collection, which is problematic given the increasing recognition that forced marriage impacts the lives of lesbian, gay, bisexual, and transgender individuals in specific ways. But, unfortunately, there has been little research on this subject to date. Despite such limitation, the book is a must read for academics and practitioners dealing with forced marriage issues, not only in Europe but worldwide. For those with interest in forced marriage and human rights, they will find the book quite informative. The book has a number of strengths: e.g., it maintained a sophisticated level of objectivity; it is widely researched through the use of multiple sources; and both the authors are experts in the area. Importantly, the book is an excellent reference source for those interested in understanding force marriage in relation to social justice and human rights.

# PEACE STUDIES JOURNAL

Vol. 6, Issue 2  
March, 2013

**Book Review. Taking Local Control: Immigration and Policy Activism in U.S. Cities and States. 2010. Edited by Monica Varsanyi. Stanford, CA: Stanford University Press.**

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## **TAKING LOCAL CONTROL: IMMIGRATION AND POLICY ACTIVISM IN U.S. CITIES AND STATES. EDITED BY MONICA VARSANYI. (Book Review)**

In April of 2010, Arizona governor Jan Brewer signed into law the United States' harshest anti-immigration bill, known as Arizona SB 1070. Though ostensibly designed to crack down solely on illegal immigration, critics argued that the bill encouraged racial profiling and targeting of immigrant communities in general. The surrounding firestorm of controversy attracted the attention of many citizens who, previously, may not have given immigration much thought. The same year saw the publication of Monica Varsanyi's edited book *Taking Local Control: Immigration Policy Activism in U.S. Cities and States*.

Comprising fourteen chapters (including an introductory overview written by the editor), the book provides an interdisciplinary approach to the complex topic of immigration federalism in the United States. The book is focused for the most part on the first decade of the twenty-first century, although historical trends are accounted for by individual authors. The contributors to the book provide detailed accounts of movements and events in recent immigration policy and politics. It is of note that they manage to do so without once using the terms "illegal alien" or "illegal immigrant"—aside from Varsanyi who uses these terms in self-consciously ironic quotation marks in chapter seven. Instead, the various authors tiptoe around this problematic terminology, opting for euphemisms such as "undocumented immigrants" or "unauthorized immigrants." The avoidance of a politically and emotionally charged term such as "illegal alien" is understandable, even commendable, but one wishes that Varsanyi would have addressed this decision in her introduction. As it is, we are left to question the objectivity of the work as a whole, particularly given Varsanyi's later use of the term. The picture on the front of the book—

a woman holding up a sign reading NO HUMAN BEING IS ILLEGAL—indicates a decided social justice slant to the work, though this aspect is not treated explicitly in the text.

Omission of such discussion aside, however, the work is straightforward. Varsanyi organizes her book into four sections. Section one provides a national overview; section two offers an examination of devolution versus grassroots approaches to immigration enforcement; section three traces the evolution of local policy creation; and section four is devoted to examining tensions at the local scale. While the section titles seem clearly differentiated, an examination of the actual chapter titles, and a close reading of the chapters themselves, reveal some of the section assignments to be rather arbitrary. For example, in chapter fourteen, written by Hinda Seif, offers an analysis of restrictionist discourse regarding proposed drivers' license bills in California—legislation which is passed at the state, not local, level. Thus, while an adequate defense can be mounted for Varsanyi's choice of categorization (one could point out that the specific data analyzed originated at the district level), more particular readers may experience a vague feeling of dissatisfaction with the manner in which sections have been titled and chapters classified.

Section one, composed of three chapters, approaches state and local immigration policy creation and enforcement from a broader perspective than later sections. The chapters here take on underlying themes at issue in the attempts (and successes) at crafting and passing such regulation. The first chapter in this section, entitled “Legal Limits on Immigration Federalism,” begins by asking what precisely it means to “regulate immigration.” At issue here is the constitutionality of emerging local policies designed as exclusionary measures directed at immigrants.<sup>1</sup> The authors of this chapter, Rodríguez, Chishti, and Nortman, note that some state and local immigration ordinances may threaten a variety of individual rights and protections under the constitution (including due process, free speech, and equal protection). They also zero in on the possible preemption by federal law of state and local legislation regarding employer sanctions and civil immigration enforcement. These authors, all legal scholars, provide a clear and concise contribution, offering an excellent overview of the civil rights issues at hand and providing a solid foundation for the rest of the book.

The following chapter, penned by two sociologists, provides an overview of integration-oriented policies—policies that are, in fact, far more prevalent than exclusionary policies. The authors, Mitnik and Halpern-Finnerty, systematically evaluate a wide range of such measures, such as limited cooperation ordinances (“sanctuary” ordinances) as well as policies designed to regulate employment conditions, wages, and access to healthcare. The authors observe that the success of many of these measures may be due in part to the fact that while in certain areas they disproportionately benefit immigrants, they are not explicitly directed at immigrants.

Political scientists Ramakrishnan and Wong find, in the book's fourth chapter, that contrary to the arguments of many who study immigration policy (including other authors in this book), demographic change is not the best predictor for local-level efforts to regulate or benefit immigrant populations. Rather, the proportion of Democrats to Republicans in a particular county (local political partisanship) has more explanatory power. The analysis provided in this chapter is especially compelling as it includes both anti-immigrant measures and pro-immigrant policies.

Overall, section one is the most satisfying in the book. Following Varsanyi's useful introduction, it provides an excellent foundation for the rest of the work. The focus on broad themes supplies even an inexperienced reader with a solid base of knowledge regarding immigration federalism and the social justice issues at stake. These chapters succeed in tackling both perspectives that are common in the media (anti-immigration ordinances and their questionable constitutionality) and those that are less common (pro-immigration policy activism and the possibility that rapid demographic change is not a causal factor in anti-immigrant legislation).

Section two, which illuminates the spectrum of state and local immigration policy approaches, is somewhat disappointing in comparison. The range of policy activism investigated includes measures resulting from laws passed in 1996 (and the ensuing devolution of immigration enforcement authority); grassroots policies; and policies that, while not explicitly focused on immigration, disproportionately affect the immigrant population. The three chapters in this section are all written by political scientists.

Michele Waslin's chapter, "Immigration Enforcement by State and Local Police: The Impact on the Enforcers and Their Communities," explores the consequences of the devolution of immigration policing power from the federal government to state and local governments. She focuses in particular on the effect that 287(g) agreements (which provide state and local agencies with the power to enforce federal immigration statutes) have on both the police and immigrant communities.<sup>2</sup> While 287(g) agreements provide state and local government with training, the federal government does not compensate local forces for time spent training, or for many of the additional costs that accompany local enforcement of federal laws. Additionally, she finds that the association between local police and Immigration and Customs Enforcement (ICE) erodes trust between police and immigrant populations.

Chapter six, "The Public Policy Implications of State-Level Worksite Migration Enforcement: The Experiences of Arizona, Mississippi, and Illinois," turns the focus to grassroots immigration policies. The authors, Rosenblum and Gorman, investigate what Varsanyi (2010, 15) refers to as "one of the most controversial" of local policies: "state-level employer sanction and worksite enforcement laws." This is the first chapter that focuses on the federal government's E-Verify program—an electronic database created so that employers could verify the immigration status of their employees. Many of the authors in this volume point out that E-Verify is riddled with problems, including false negatives. Of great concern to civil rights activists is that when E-Verify fails to identify an employee as a legal citizen, employers may choose to fire the employee without investigating his/her legal status through other channels.

Varsanyi herself authors the next chapter, "City Ordinances as 'Immigration Policing by Proxy': Local Governments and the Regulation of Undocumented Day Laborers." Her focus is explicating local ordinances that indirectly impact the lives of undocumented immigrants, but which at face value are not about policing immigration. Varsanyi focuses in particular on land use and public space ordinances directed at day laborers and their gathering sites. Her examination of approaches taken by city governments in Arizona is informative. However, this chapter suffers, as do all the chapters in this section, from a lack of substantive analysis. While the section provides an excellent empirical description of local immigration enforcement, no

theoretical framework(s) are provided. Given that the authors of all three chapters in this section are political scientists, the theoretical omission is particularly noteworthy. This likely contributes to the reader's sense of a lack of synthesis of information in the section, and, indeed, in the book as a whole.

Much of section three suffers from the same lack of theory as section two. It is devoted to the politics of immigration in four places that have recently undergone rapid demographic change. This section is particularly interesting in that its authors all stress the importance of such recent, rapid demographic change—and they all fail to address the findings of Ramakrishnan and Wong in chapter four, mentioned above, which demonstrate the potential problems with relying on demographic change as a predictor for grassroots immigration regulation efforts. This omission aside, the chapters in this section are very interesting. Each of the chapters in this section stress that particular local actors, especially the business and government elite, receive disproportionate benefit from economic development and population growth. Other local residents, who benefit less or are whose interests are harmed, emphasize the costs (real and perceived) of an influx of immigrants.

The most original contribution in this section, in terms of framing the immigration policy debate, comes in chapter eight. Authors Fleury-Steiner and Longazel, both sociologists, examine the neoliberal economic policies that drew Latino immigrants to Hazleton, PA in greater and greater numbers over the past twenty years. The actions taken by the city's community development organization in particular have contributed to the building of large factories near Hazleton which use low-wage (commonly undocumented immigrant) labor. This chapter is notable for its success in tying the Hazleton case study to broader development theory. Indeed, parts of the chapter are reminiscent of "race to the bottom" literature, though the authors themselves avoid drawing that connection. Unfortunately, this chapter stands alone in the book as a proper example of how useful theory can be in explaining the types of puzzles presented by the immigration dilemma.

Chapters nine and ten examine the cases of Charlotte, NC, and its environs, and Prince William County, VA (a suburb of Washington, DC). These chapters return the focus of the book to demographic shifts. The most notable contribution of chapter nine is the emphasis on the dichotomy between immigration policy in Charlotte and immigration policy in its surrounding Mecklenberg County. For instance, the Sheriff of Mecklenberg County opted to join the ICE 287(g) program, in which local law enforcement is authorized to detain unlawful immigrants; the Charlotte-Mecklenberg Police Department, however, did not. The authors of chapter ten contribute the observation that rapid population growth, demographic change, and economic development can have a similar effect in suburban districts to the effect it has had in urban areas for some time now.

This section closes with a chapter by political scientist and lawyer Doris Marie Provine. The chapter provides an excellent comparison of the policies and issues at play in Phoenix, AZ and Vancouver, BC. Provine succeeds in developing a convincing explanation for the differences in policy between these two cities. The chapter is well-written and quite interesting. However, after reading the chapter, one is left wondering precisely what purpose this chapter serves. Multiple other chapters in the book address issues in Phoenix, so this seems a bit repetitive.

Additionally, Vancouver is not even in the United States. Provine's chapter would have been improved by a stronger defense of why she chose Vancouver instead of a U.S. city.

The final section of the book explores the nitty-gritty of immigration politics at the local level. The authors in this part of the work utilize discursive and qualitative methodology to analyze how local level anti-immigrant ordinances have passed in some particularly high-profile cases. While Varsanyi (2010, 17) argues that "[a]nalysis of these cases is crucial," and she may be right, the analyses offered of the cases in this work fall flat. The conclusions drawn in these final chapters fail to impress the reader; instead, the findings merely seem like common sense. The research questions of the authors appear either vague and uncertain (chapter twelve) or the answers to the questions come across as self-evident (chapters thirteen and fourteen). While the chapters are interesting in terms of solid empiricism, and the use of less common methodological approaches, the authors fail to connect them to the larger picture of U.S. immigration federalism. This section provided a disappointing finale to the rest of the book. One way to compensate for this would have been for Varsanyi to contribute a conclusion, tying all the chapters together, instead of simply allowing the work to trail off indecisively with Seif's discourse analysis of letters to a Californian senator. Given that the individual sections fail to cohere, let alone the work overall, the lack of conclusion in this book is particularly noticeable.

Writing a conclusion also could have permitted Varsanyi to compensate for the lack of substantive policy suggestions throughout the book—a weakness which affected the work overall. It is further interesting to note that Varsanyi, in her introduction, claims to be filling a gap in the literature—yet she manages to list twelve “notable exceptions” that address the phenomenon of state and local immigration policy activism, as well as an additional twelve works on the issue in the legal literature. Varsanyi ought to have explained precisely what this volume contributes that is new and original, aside from more recent available data. In fact, given the absence of theoretical framework and the lack of substantive policy proposals, one wonders precisely to whom Varsanyi and the authors were directing their efforts. Clarification of intended audience, as well as greater theoretical grounding and useful policy recommendations would have made the difference between *Taking Local Control: Immigration and Policy Activism in U.S. Cities and States* being a good book and being a great book. Flaws aside, though, this is an informative work on an important subject. The June 2012 Supreme Court decision upholding the controversial “show me your papers” provision of Arizona SB 1070 was accompanied by a warning that the implementation of the law would be watched by the courts. Immigration and social justice activists appear motivated to make sure that the public does not lose interest in this issue in the coming year.

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## Notes

<sup>1</sup> While such measures are introduced ostensibly as targeting only unlawful or undocumented immigrants, research reveals that the broader immigrant population suffers—both economically and as a result of racial profiling (see, for example, Fleruy-Steiner and Longazel in this book; they detail how legitimate Latino businesses in Hazleton, PA have suffered).

<sup>2</sup> The “g” refers to the section of the act that these agreements stem from. Section 287(g) was added to the Immigration and Nationality Act by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. It permits local law enforcement officers to enforce immigration law if they have received proper training and operate under the direction (broadly) of Immigration and Customs Enforcement officers.