

# International Journal of Conflict and Violence

## Vol. 8 (1) 2014

### Focus Section: Violence, Justice, and the Work of Memory

#### Editorial (p. 3)

**Introduction: Violence, Justice and the Work of Memory** Klaus Neumann / Dan Anderson (pp. 4 -15)

**Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda** Laura Eramian (pp. 16 - 29)

**“The Country that Doesn’t Want to Heal Itself”: The Burden of History, Affect and Women’s Memories in Post-Dictatorial Argentina** Jill Stockwell (pp. 30 - 44)

**Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the “Years of Lead” in Morocco** Laura Menin (pp. 45 - 60)

**From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights** Maria Campisi (pp. 61 - 74)

**Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case** Francesca Lessa (pp. 75 - 90)

**“What Will You Do with Our Stories?” Truth and Reconciliation in the Solomon Islands**  
Louise Vella (pp. 91 - 103)

**Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal**  
Simon Robins (pp.104 - 118)

### Open Section

**Postwar Violence in Guatemala – A Mirror of the Relationship between Youth and Adult Society**  
Sabine Kurtenbach (pp. 119 - 133)

**Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?** Lieven Pauwels / Maarten De Waele (pp. 134 - 153)

**Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia** Pietro Castelli Gattinara / Caterina Froio (pp. 154 - 170)

**Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors**  
Selina Helmke / Pia-Renée Kobusch / Jonas H. Rees / Thierry Meyer / Gerd Bohner (pp. 171 - 186)

**International Journal of Conflict and Violence – IJCv**

The International Journal of Conflict and Violence (IJCv) is a peer-reviewed periodical for scientific exchange and public dissemination of the latest academic research on conflict and violence. It was included in the Social Sciences Citation Index (SSCI) in March 2011. The subjects on which the IJCv concentrates have always been the subject of interest in many different areas of academic life. Consequently, the journal encompasses contributions from a wide range of disciplines including sociology, political science, education, social psychology, criminology, ethnology, history, political philosophy, urban studies, economics, and the study of religions. The IJCv is open-access: All text of the IJCv is subject to the terms of the Creative Commons Attribution-NoDerivatives License. The IJCv is published twice a year, in spring and in fall. Each issue will focus on one specific topic while also including articles on other issues.

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# Editorial

## Letter from the Editors

Dear Reader,

Wilhelm Heitmeyer, founder of *IJCV* and its editor-in-chief for eight years, retired from the post in April this year. We are very grateful for his outstanding initiative to bring a peer-reviewed tracked international and interdisciplinary journal on conflict and violence into life. Wilhelm's expertise as senior professor will help us to maintain the excellence of *IJCV*, but with great respect we accept his retirement as editor-in-chief.

During the past eight years the International Journal of Conflict and Violence has been established as a renowned and internationally visible scientific forum – this would not have been possible without the generous support, sage advice, and valuable contributions by Douglas S. Massey, James Sidanius, and Michel Wieviorka. Sincere thanks to them for their engagement.

His appointed successor Andreas Zick joins forces with a renewed editorial board to take on a now established and widely respected publication – and perhaps challenge the status quo.

We are pleased that the issue 8 (1) has now been finalized. Klaus Neumann and Dan Anderson introduce us to the topic of violence, justice, and the work of memory. We are grateful for their impressive collection of pieces from all around the world, which lend valuable insights into the issues involved in the aftermath of intrastate conflict.

The open section again features an interesting collection of articles on a range of subjects, starting with a reflection on postwar youth in Guatemala. Why adolescents become involved in violence at all is the central question in the second article, while the third examines CasaPound as an example for a far-right group from a qualitative perspective. The open section closes with a social psychological examination of the controversy surrounding the Strauss-Kahn case, which attracted so much media attention in 2013.

The next issue focuses on extremely violent societies and will again be released slightly delayed.

Enjoy reading and stay in touch with *IJCV*!

September 2014

Andreas Zick

Steven F. Messner

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# Introduction: Violence, Justice and the Work of Memory

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Dan Anderson, Macquarie University, Sydney, Australia

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# Introduction: Violence, Justice and the Work of Memory

Klaus Neumann, Swinburne University of Technology, Melbourne, Australia

Dan Anderson, Macquarie University, Sydney, Australia

The search for historical justice has become one of the defining features of the late twentieth and early twenty-first centuries. So has the consensus about the need to remember the violence of past injustices and its victims. The search for justice is closely related to a focus on remembrance: the striving for justice relies on memories of injustices, and the public remembering of past wrongs is increasingly considered one crucial means of redressing such wrongs. This focus section brings together authors from a variety of disciplinary backgrounds in the humanities and social sciences, ranging from anthropology to law, and from cultural studies to political science. Focusing on post-conflict societies in Africa (Morocco, Rwanda), Asia (Nepal), Latin America (Argentina, Peru, Uruguay) and the Pacific (Solomon Islands), the papers explore aspects of the work of memory in attempts to redress past wrongs and make the present inhabitable. This introduction also extends some of the themes that connect the seven individual papers.

How do the survivors of human rights violations, and the families of victims, remember those disappeared or murdered? What is the relationship between individual memories and public memorialisation and forgetting? How are memories mobilised in attempts to redress past wrongs? These are among the central questions addressed in this focus section. They are important not least because the search for historical justice – for the retrospective righting of past wrongs – has become one of the defining features of our age.

On 23 April 2014, Turkish prime minister Recep Tayyip Erdoğan issued a statement in which he acknowledged the suffering of Armenians in the course of what he called “the events of 1915”. According to an “unofficial translation” published by the Turkish Ministry of Foreign Affairs, Erdoğan said: “[W]e wish that the Armenians who lost their lives in the context of the early twentieth century rest

in peace, and we convey our condolences to their grandchildren.” (Republic of Turkey 2014) The statement was released on the eve of the ninety-ninth anniversary of the first day of mass killings of Armenians in the Ottoman Empire. Between 1915 and 1923, up to one and a half million Armenians lost their lives in what is, outside of Turkey, referred to as the Armenian genocide; most of the surviving Armenian population was deported from their ancestral homelands in Asia Minor.

Erdoğan’s statement was welcomed as a step in the right direction by the United States government, but met with criticism both in neighbouring Armenia and by Armenian organisations around the world. That was hardly surprising, as it fell well short of an official apology, did not mention the word “genocide”, and implied that the suffering of Armenians was no greater than that of other ethnic groups in the dying days of the Ottoman Empire, including Turks, Arabs

The idea for this focus section was conceived at the “Historical Justice and Memory” emerging scholars workshop held at the Swinburne Institute for Social Research, Swinburne University of Technology, in 2012. We thank the workshop’s participants for their

contributions, and Swinburne University and the Australian Research Council for funding it. We also thank all those whose papers were shortlisted for this section for commenting on the work of other prospective contributors. Finally, we would like to

acknowledge the guidance of the twenty-seven reviewers who generously refereed papers for us, and thank the two anonymous reviewers of this introduction for their observations and suggestions.

and Kurds. According to Armenia's president Serzh Sarkisian, the statement reflected Turkey's "policy of utter denial". He claimed that not only is Turkey the successor of the Ottoman Empire, but the "denial of a crime constitutes the direct continuation of that very crime" (*Guardian*, 24 April 2014).

At the time of writing this introduction, Erdoğan's condolences and the attention they garnered were merely the latest of many recent instances in which attempts to provide redress for past injustices attracted significant international attention. Ninety-nine years after the beginning of the Armenian genocide, calls for symbolic and material redress for the injustices perpetrated against Armenians are increasing, rather than decreasing in volume, and the international support for such calls is growing. These and many similar calls suggest that the – already formidable – movement for historical justice is only gaining in strength.

Already there is hardly a government that could afford to ignore demands for historical justice, be it because of domestic or because of international pressure. Politicians also increasingly feel compelled to take a stance in relation to historic wrongs that happened elsewhere. Thus, governments and national and state parliaments around the world have officially recognised that the "events of 1915" constituted a genocide. For example, in 1997, the Australian state parliament of New South Wales passed a motion in which it condemned the genocide and designated "24 April in every year hereafter throughout New South Wales as a day of remembrance of the 1.5 million Armenians who fell victim to the first genocide of this century" (Parliament of New South Wales 1997, 7739). Erdoğan was obviously conscious of the international dimensions of his statement, since it was published in nine languages. In fact, it could be argued that his statement was directed neither towards Armenians nor intended for a domestic audience, but was targeted at Europe and constituted a blatant attempt to

address reservations about Turkey's bid to join the European Union.

Most of the historic wrongs that prompt calls for justice took place within living memory; but there are increasingly others which, like the Armenian genocide, happened several generations ago. The time lag hardly diminishes the potency of their legacy. At the other end of the spectrum, there are calls for historical justice in instances in which conflicts and associated human rights violations are ongoing. For example, at a time when an end to the civil war in Syria does not seem imminent, international organisations are already positioning themselves to advise a post-Assad government on how best to provide redress for injustices committed since the beginning of the hostilities.<sup>1</sup> Current international discussions about human rights violations in Syria seem to focus as much on how to hold perpetrators to account after the end of the conflict as on how to alleviate the suffering of its victims now.

Today's movement for historical justice has its origins in the aftermath of the Second World War, with the war crimes trials in Nuremberg and Tokyo being the most visible examples of attempts in the second half of the 1940s to hold the perpetrators of historic wrongs accountable, but it did not gain momentum until the early 1980s.<sup>2</sup> It was only from the late 1990s that the movement for historical justice attracted sustained attention from scholars, particularly in political science, law and moral philosophy, with Martha Minow (1998), Elazar Barkan (2000), Gary Bass (2000), Ruti Teitel (2000), Lawrence Douglas (2001), Priscilla Hayner (2002) and Janna Thompson (2002) being the most influential pioneers in the English-speaking world.

The acceleration of the movement for historical justice in the early 1980s was partly due to a growing consensus to publicly remember historical injustices and its victims.

<sup>1</sup> As early as March 2012, the Public International Law and Policy Group released a report to "provide recommendations for measures that an interim Syrian government could take in the days immediately following President Bashar al-Assad's departure" (2012, 1). Similarly, in 2013 the International Center for Transitional Justice released a briefing

paper by its vice president, Paul Seils, in which he argues for the creation of a "nationally owned and respected process that embraces and promotes the possibility of engendering a rights-respecting society through truth, justice, reparations, and reform" (Seils 2013, 3–4).

<sup>2</sup> In the following, we provide a necessarily potted history of historical justice and the public remembrance of historic wrongs. For detailed accounts, see, for example, Elster 2004; Hazan 2010; Méndez 2011; Sikkink 2011; and Teitel 2011; see also Neumann 2014.

This consensus also had its origins in the second half of the 1940s, and it also slowly developed in stops and starts, before gaining significant momentum in the late 1970s. The insistence that the victims of mass violence and other injustices needed to be remembered soon went hand in hand with demands that perpetrators needed to be held accountable and that victims were entitled to reparations.

In the tradition of the postwar war crimes trials, historical justice was initially synonymous with retributive justice. From the 1980s, however, the focus shifted from the perpetrators to the victims, and from retribution to repair. Governments and civil society actors demanding historical justice also became increasingly concerned to bring at least some of the perpetrators, and, more importantly, the majority of their supporters, back into the fold, as it were, and aimed for reconciliation as well as accountability.

Perpetrators who deny their crimes and refuse to repent could still be prosecuted and convicted, but they cannot be part of a successful process of reconciliation. Reconciliation is premised on an acknowledgment of wrongs. Such an acknowledgment in turn requires ready access to knowledge about the exact nature and extent of the wrong in question. Thus the reparative turn of the movement for historical justice was accompanied by the recognition that the victims of historic wrongs, as well as society at large, have the right to learn the truth about these wrongs. Knowledge of the truth on its own, however, was not considered sufficient either to satisfy the demand for justice or to prevent a recurrence of injustices. Rather, certain aspects of the truth – in particular, the names of the victims and details of their suffering – needed to be permanently, or at least regularly, publicly acknowledged. Commemorations, memorials and museums are means to ensure that a post-conflict rapprochement is underpinned by a lasting acknowledgment of the human cost of the violence. In fact, such an acknowledgment is now widely regarded to be an integral part of the act of repair in post-conflict situations.

Erdoğan's statement was quickly dismissed because he suggested it was possible to separate truth from justice and remembrance, claiming that: "In today's world, deriving enmity from history and creating new antagonisms are

neither acceptable nor useful for building a common future" (Republic of Turkey 2014). His statement reflects an anachronistic understanding of the conditions of peace, which had remained largely uncontested until the early twentieth century. In his *De Jure Belli ac Pacis*, Hugo Grotius, one of the fathers of international law, had advised the parties to a conflict to make peace without seeking reparations and dwelling on the roots of the conflict, and by aiming to forget historical enmities: "And the most latent and remote causes are supposed to be included in the most general terms, in treaties of peace, whereby they are sunk in oblivion." (Grotius 2001, 349) However, for Turkish overtures to be accepted by Armenians, they need to be accompanied by reparations (however symbolic these may be) and by a willingness to remember the nature of the violence of 1915. This is not least because Armenians themselves have remembered the "events of 1915" as a genocide, and they have done so publicly. Each year, the anniversary on 24 April is a day of remembrance in Armenia, and the occasion of public events in the Armenian diaspora, including marches and ceremonies in places such as Ottawa, Los Angeles and Paris. According to the online Armenian Genocide Memorials Database (<http://www.armenian-genocide.org/memorials.html>), today there are 166 memorials to the genocide, which are spread over thirty-one countries.

In public discussions about historical justice and memory, the latter is usually associated with official acknowledgements, commemorative rituals, museums, memorials, documentaries and feature films, and artistic and literary representations of the past. Much less attention is paid to how injustices are being remembered individually – by those most directly affected by them, but also by others. Erdoğan's message was ostensibly directed at the grandchildren of Armenians alive in 1915. How do they remember the violence of ninety-nine years ago? Their memories may not so much focus on the unimaginable figure of one and a half million dead, but on a great-aunt who can be named, or on a village community that now only exists in the diasporic imagination.

The authors of the following seven papers are mainly concerned with the impact of violence on individuals, and with

the work of memory performed by them, while at the same time acknowledging that their search for justice and their attempts to remember the dead have to be seen in the context of larger, public discourses. In the next section we give an overview of the themes canvassed in this focus section.

### 1. Contributions to this Focus Section

Our belonging to and with others determines who we are. Relationships allow us to recognise ourselves, and to be recognised. Whenever a relative, neighbour or friend dies, we reconstitute, however slightly, our selves. Survivors of a genocide, having lost scores of people close to them, face a particularly daunting challenge: not only do the dead have a claim on them – namely to be remembered – but they have lost those upon whom they could ground their claims for recognition and identity. In many ways, this is at the heart of the moral injury experienced by survivors: they lose themselves because they have lost the tacit assumptions about who they are in relation to those around them.

In her contribution to this focus section, *Laura Eramian* (2014) writes about Tutsi survivors of the genocide in the Rwandan town of Butare, who are confronted by a radical devastation of the social economy within which individuals locate their identity. She identifies two means by which survivors respond to that injury: an economy of exchange with the dead based on traditional practices and beliefs about the obligations of the living toward those who have died; and an informal conversational practice of recalling the details of the lost to other members of the community. Both practices buttress socially-constituted identity: the exchange practices through maintaining a limited form of lost identity-constitutive relations; the recall of those lost to others as a means of locating the speaker's belonging to the broader community through a demonstrated competency in plotting its social networks.

Eramian's work differs from that of authors who have studied the politics of memory in post-conflict contexts to account for the role of narratives of the past in the formation of national identity and in peace building. In Rwandan society the political stakes of memory are high. As Eramian notes, the individual self-making practices of a

Butare resident cannot be divorced from the politics of coming to terms with the violent past. However, the memory practices carried out through exchange rituals and the conversational impulse to recount losses are not oriented towards a proximate political goal. Rather, they are compensatory practices aimed at maintaining personhood. By contrast, psycho-social approaches to memory in post-conflict situations focus on the role of therapeutic practices, such as truth-telling, in healing the ongoing effects of mass violence at both an individual and a community level. While the memory practices that Eramian outlines are compensatory and reparative, they differ from therapeutic practices in that they do not aim for catharsis, or a restoration to normal functioning before the moral injury. They are directed at the maintenance or reconstitution of personhood rather than at the healing of injury.

*Jill Stockwell* (2014), too, is concerned with the effects of violence on those who have lost loved ones. Her article engages with the oral testimonies of two communities of women who remember experiences of violence in the 1970s and 1980s in Argentina. While one group of women has been affected by the state terrorism perpetrated under the military dictatorship (1976–1983), members of the other group mourn loved ones who were killed by leftist guerrillas before the military junta came to power.

Argentina pioneered transitional justice mechanisms, including those intended to facilitate reparative memory work. Yet, according to Stockwell, there is little evidence that these mechanisms have fostered national reconciliation or even consensus regarding a narrative of Argentina's violent past. Despite the claims that public memorialisation and the sharing of victims' oral testimony will produce psycho-social healing and political transformation, the two groups of women studied by Stockwell remain, decades after the putative end of the conflict in Argentina, deeply divided and hostile towards one another. Stockwell argues that in Argentina political divisions have become entrenched around different ways of remembering the violent past so that, rather than being reparative, memorial practices are often feeding further conflict. She argues that this failure is the result of inadequate attention to the pre-political dynamics at work in the production, trans-

mission and endurance of memories within different memory communities, and to the role that emotion and affect play in the shaping of shared memory.

For the women in Stockwell's study, the continuing effects of trauma manifest themselves as "deep memory"; a memory triggered by powerful associations with particular sensations. The smell of blood or the accidental sight of an old wedding photo is capable of unpredictably breaking in upon the thought world of a survivor and causing them to relive past suffering. The result is an ongoing instability and vulnerability of the survivors' reconstructed sense of themselves. These deep memories resist the closure proffered by truth-telling: they appear to take the victim back to the experience of the original wrong and therefore prevent the therapeutic effect of re-narration in a new context, which allows for a reversal of the moral import of the injury. Stockwell argues that for survivors of mass violence who live with the continuing trauma of deep memory, the psycho-social emphasis on healing the trauma might inappropriately over-estimate the extent to which closure is possible.

This has crucial implications for the project of reparative memory work in Argentina. Shared affectual relations towards past events (and opposition to alternative ways of remembering) function as pivots around which a communal identity is organised. The groups studied by Stockwell share a particular emotional orientation towards the past and strong negative emotions towards rival communities of memory. Stockwell also identifies a process of affective transmission: emotional orientations are transmitted between members of a community in the process of recalling and sharing their memories.

While Eramian and Stockwell are concerned with the memories and coping strategies of people who have lost loved ones through acts of communal, terrorist or state-sanctioned violence, *Laura Menin* (2014) writes about survivors who try to make sense of and communicate experiences of victimisation – although she also engages with the issue of how political violence affects those close to its direct victims. She focuses on two individuals, Nour-eddine Saoudi and Fatna El Bouih, former political

prisoners during the so-called Years of Lead in Morocco. Saoudi and El Bouih both experienced forced disappearance and detention in the 1970s and 1980s, and both wrote memoirs about their time in prison. Their texts form part of an emerging "prison literature" in Morocco that attempts to challenge official accounts of the period of oppression during the reign of Morocco's autocratic ruler, Hassan II.

Menin's research shows that for Saoudi and El Bouih the movement from a personal memory of violence to a public testimony has been part of the reassertion of their identities, not least as political activists. Both speak of the pedagogical intent of their memoirs. This intent is clearly not distinct from its therapeutic effect. The process of re-narration invests the experiences with a new meaning, allowing the fresh articulation of memories to also function as a mode of re-asserting their own subjectivity and undoing the effects of attempts to "erase" them in prison (Slyomovics 2005, 132).

Menin interweaves a textual analysis of the prison memoirs with conversations and interviews with Saoudi and El Bouih in order to detect instances in which silence shrouds aspects of their experience. The cultural expectations of masculinity and femininity, and the notions of shame, decency and modesty, modulate the articulation of their memories in ways that can have significant implications for the pursuit of therapeutic or political reparation. These dynamics, particularly in relation to gender and sexual violence, remain submerged but nevertheless lend form to the transformation of memory from perceptual experience to public testimony. In the cases of Saoudi and El Bouih we once again uncover a pursuit of reconstructed identity at the individual level, shaped of course by social norms, but in turn significantly shaping the content and the practice of shared memory carried out at the social and political level.

While the first three papers are concerned with the memory practices of individuals – albeit often in response to public memories or operating within the "social frames" (Halbwachs 1925) of memory – the next two contributions are about the politics of memory at a national or supra-national level. *Maria Chiara Campisi's* (2014) article exam-

ines the jurisprudence underpinning the use of commemoration and memorialisation initiatives in reparation orders imposed under international human rights law. In the past, narrowly targeted forms of reparation focused largely on restitution or the financial compensation of individuals. According to Campisi, in response to therapeutic and community-oriented paradigms, a shift in international human rights jurisprudence has seen the emergence of legal remedies based on practices developed within the field of transitional justice, including court-ordered commemorations and memorialisations.

This shift has been pioneered by two international institutions: the United Nations Commission on Human Rights, whose special rapporteurs Theo van Boven and Mahmoud Cherif Bassiouni championed the adoption of a document setting out a right to the truth, the so-called Van Boven-Bassiouni Principles, by the United Nations General Assembly in 2005 (United Nations 2006; see also Bassiouni 2006 and van Boven 2010); and the Inter-American Court of Human Rights, which has imposed commemoration initiatives as part of reparation orders based on an interpretation of the reparative model set out in that document. Campisi suggests that the Inter-American Court has been moving beyond judicial arbitration and sees itself as a catalyst for more widespread reparative memory work.

Campisi pays particular attention to an order the court made in 2006, which required the Peruvian government to publicly acknowledge responsibility for human rights violations perpetrated by its agents against inmates of the Miguel Castro-Castro prison in 1992. Many of the victims were associated with the paramilitary armed group Partido Comunista del Perú (Sendero Luminoso), who were responsible for much of the violence that gripped Peru between 1980 and 2000 and subsequently became the subject of an investigation by a truth and reconciliation commission. The court ordered Peru to commemorate prison inmates killed by the security forces in 1992 by including their names on a monument in Lima, Lika Mutal's El Ojo que Lloro ("The Eye that Cries"). This order prompted strong reactions, including a vandalising of the monument. Campisi suggests that the court was somewhat naïve in reasoning that since the prisoners were the victims of state-

sanctioned violence, they too ought to be remembered by inscribing their names on the memorial. As a result, according to Campisi, the court's initiative exacerbated political conflict instead of contributing to social repair.

The details of the Miguel Castro-Castro case and the effects within Peruvian society produced by the court-ordered commemoration have parallels in *Francesca Lessa's* (2014) study of another public acknowledgement ordered by the Inter-American Court of Human Rights: the 2012 Public Act of Acknowledgment of International Responsibility and Recovery of the Memory of María Claudia García de Gelman in Uruguay. Lessa's article bypasses the question of the legal basis or propriety of the court order and focuses instead on the details of the Public Act and its impact on Uruguayan narratives of the violent past.

The case that formed the basis for the court's order to the Uruguayan government began with the forced disappearance of María Claudia García and her husband Marcelo Gelman in 1976. For two decades, Marcelo's father Juan Gelman sought information concerning their fate. His search revealed that María Claudia had given birth while in military detention; that María Claudia and Marcelo Gelman died while imprisoned; and that the baby girl had been given to the family of a police chief. The girl (known as Macarena) was eventually located in Montevideo. Subsequently Macarena and her grandfather Juan Gelman pursued the Uruguayan government for further information about the fate of María Claudia and Marcelo and the location of any remains. When these efforts failed, they took their concerns to the Inter-American Court of Human Rights.

The Gelmans' story is powerfully entwined with that of a country attempting to come to terms with political violence in its recent past. The Gelman case unsettled official accounts of the nature of the military dictatorship, and a seemingly consensual decision not to hold state actors accountable for human rights violations perpetrated at the time. It brought unresolved memory contests between contemporary actors in Uruguayan society to the surface, ultimately provoking a reconfiguration of the narratives circulating in Uruguay to explain the violent past.

Although the Gelman case was triggered by the attempt of two individuals to appropriately remember close relations and to “reconstitute their personhood”, to use the vocabulary employed by Eramian, it resulted in changes to the “social frames” that shape individual memories.

The last two papers take us back to individual coping mechanisms. They address the issue of the interplay between larger national or supra-national projects to bring about historical justice, on the one hand, and the attempts of individuals affected by historical injustices to make their world inhabitable, on the other. *Louise Vella* (2014) provides a critical analysis of the work of the Solomon Islands Truth and Reconciliation Commission (TRC). She argues that practices of reconciliation in Solomon Islands are shaped by *kastom*, a postcolonial reaffirmation of supposedly traditional cultural practices that is common to contemporary Melanesian societies (see, for example, Forsyth 2009). *Kastom* defines what counts as socially destructive behaviour, the correct mechanisms for social repair, and what can and cannot be said about past violence.

The Solomon Islands TRC was established to deal with the aftermath of a conflict known locally as the Tensions, which pitted people from the island of Guadalcanal against those from Malaita, with state actors also playing a role in the violence. The TRC was set up to promote nation-building and a consensual memory of the events of the Tensions. “Pre-packaged solutions are ill-advised”, the United Nations Secretary-General found in 2004 in a report about transitional justice. “Instead, experiences from other places should simply be used as a starting point for local debates and decisions” (United Nations 2004, 7). Vella’s work suggests that, at least in Solomon Islands, the Secretary-General’s advice was not heeded. Her central contention is that the effectiveness of the TRC was seriously compromised by a failure to adequately adapt seemingly generic transitional justice practices to the local context and to recognise the effects of ideas of *kastom*-based reparative justice on the TRC’s work. Vella argues

that the TRC uncritically adopted the assumption (based on global transitional justice discourse) that truth-telling is in itself and on its own reparative and failed to recognise that this assumption does not hold in the context of local reparative justice practice.

The political work of memory in the Solomon Islands, the idea that reparative justice at the national level can be furthered by a consensual memory, and that reparations at the psycho-social level can be furthered by providing victims with an opportunity to tell their stories, is complicated in the Solomon Islands by the expectations of a system of reparative justice in which truth-telling is not seen as beneficial per se. Vella’s interviews reveal that the documenting of local memories of violence was perceived as part of a symbolic exchange between local communities and the government. Memories were not offered as contributions to a national peace-building project, or to heal individual or collective trauma, but as tokens in an exchange process. Solomon Islanders perceived the government’s failure to release the TRC’s final report, and then – when it was leaked – to respond to its recommendations, as a betrayal of the terms of that exchange.

We conclude this focus section with a contribution which once more focuses on the impact violence has on the web of relationships that constitute us as persons. *Simon Robins’s* (2014) paper about the work of memory in rural Nepal explores a question also asked by Vella, among others: to what extent are the transitional justice models promoted by international organisations appropriate in culturally specific local contexts? Like Vella, Robins insists that post-conflict justice must be local and attentive to the needs of survivors and victims’ families.<sup>3</sup>

Robins’s research uncovers a tangle of competing social and political pressures generated by the forced disappearances that took place during Nepal’s Maoist insurgency. His study is based on an intervention by the International Committee of the Red Cross in 2010–11, which was

<sup>3</sup> This argument resonates with a growing consensus among scholars writing about redress (see, for example, Vinck and Pham 2014).

designed to promote victim-centred approaches to post-conflict reparation. During the consultations with families of the disappeared about what they would regard as appropriate forms of reparation, it became clear that in the absence of knowing the truth about the fate of their relatives, families wanted the missing to be publicly memorialised. The forms of commemoration chosen by families included the construction of objects in public places that were useful to the community but were also inscribed with the names of people who had been disappeared, and prayer ceremonies involving spiritual, social and political leaders and the local community. These objects and practices record the fact of the disappearance and the ambiguity of the fate of the victim, and they reassert the value of the missing person and their family, thereby undoing some of the moral injury done by the act of disappearance.

The loss of the relationships in which we give and receive our identities becomes particularly difficult to navigate when the nature of that loss is itself ambiguous. In a case of forced disappearances, it is often unknown whether the disappeared is still alive. Is his surviving spouse a widow or a wife? For the surviving relatives, seeking an answer to such a question is part of the challenge of reconstructing a relationally defined identity when the nature of the lost relationship is unclear; the inability to determine the nature of the loss creates an ongoing instability around their identities and social standing.

A society engaged in distancing itself from a period of conflict and violence has a strong interest in settling identities. Reparations, for example, require clearly identifiable victims. In the Nepalese context, the Maoist party has sought to resolve the ambiguity of the fate of the missing by identifying them collectively as martyrs for the Maoist struggle. However, this identification has had two implications for the surviving relatives: first, it has required them to accept the missing person as dead, usually in the absence of tangible evidence or any account of how and when they died; second, this acceptance has led to a redefinition of their social identities within the local community – for a woman, this might mean the change of status from “wife” to “widow” along with significant changes to her living arrangements, autonomy and social standing.

Robins’s study highlights the way in which these memorialisations have provided foci for the families of victims to assert their identities in the face of pressures to adopt particular locally or nationally prescribed social roles. In the absence of the victim of forced disappearance, the memorial becomes a substitute presence in the network of social relations, maintaining a testimony to the identity of the missing person within the local community and thus validating the survivors’ claims to an identity derived from their relation to the missing. The memorial thus functions as a limited proxy for the personhood of the missing person, a signifier that takes up some of the function of the presence of the person in the trade of social recognition, and helps stabilise the identity of the family of the missing.

## 2. Outlook

Several conclusions can be drawn from the papers assembled in this focus section. The contributions by Eramian, Stockwell, Menin, Vella and Robins highlight the need to be attentive to the memories – and memory practices – of people directly or indirectly affected by historical injustices. In public debates about historical justice, we too easily assume that local communities, ethnic or religious groups, even states, are actors who remember, as if the fact that individual memories are refracted socially meant that social entities themselves remember. This is of course true in a metaphorical sense, but claims such as that “Turkey” refuses to label “the events of 1915” a genocide, and that “Armenia” and “the Armenian diaspora” demand the recognition and commemoration of the suffering of Armenians massacred in 1915, can easily conceal more than they reveal. Thus in order to understand the legacy of the Armenian genocide, we need to pay closer attention to how particular narratives are mobilised in the service of collective identity formation (for example, Anderson Paul 2000), and how narratives resonate within families: how individuals with relatives who were murdered in 1915 or who were among the killers, respond to the past (for example, Naguib 2008; Azarian-Ceccato 2010; Üngör 2014).

Such attention to individual responses ought to take into account how violence severs relationships and thereby affects the selves of people who lost neighbours, friends and kin and as a result are forced to redefine their place in

the world and thus their personhood. Here, the work of memory plays a crucial role – but not just, as Eramian’s contribution reminds us, in the sense that the living strive to retain an albeit tenuous link to the dead by remembering and commemorating them.

The idea that historical injustices need to be redressed and that wrongs and their victims ought to be remembered, has become a *doxa* in Pierre Bourdieu’s (1977) sense. Campisi criticises the Inter-American Court of Human Rights for naïvely ignoring the political implications of its decision to order Peru to add the names of victims who were members of Sendero Luminoso to a memorial in Lima. We would like to suggest that naïvety underpinned the court’s ruling in a more fundamental sense: in its recent focus on commemoration as a form of reparation, the court has failed to question assumptions about memory’s role and efficacy as an antidote that prevents the recurrence of injustice. In their motion condemning the Armenian genocide, the New South Wales parliamentarians recognised “the importance of remembering and learning from such dark chapters in human history to ensure that such crimes against humanity are not allowed to be repeated” (Parliament of New South Wales 1997, 7738). The confidence with which this and numerous similar statements are made is not supported by convincing evidence. In fact the history of the past seventy years strongly suggests that notwithstanding the global effort to remember the Holocaust, state and non-state actors have kept committing atrocities that bear some resemblance to the genocide of the early 1940s. The perpetration of genocides after the Holocaust does not prove that public remembrance is ineffectual, but it should make us wary of the refrain that societies learn from the past by commemorating its injustices.<sup>4</sup>

The papers draw attention to the selectivity of memories of injustice. The perspectives of articulate survivors who are able to frame their testimonies didactically (as Saoudi and El Bouih have done in Morocco) tend to have a dispropor-

tionately large bearing on public memories. Elie Wiesel and Primo Levi, for example, have had a significant influence on how the experience of the Holocaust is understood. Similarly, the disappearance of the Gelmans has shaped the discourse on the military dictatorship in Uruguay not because their case is typical, but because it is exceptional. The families of other *desaparecidos* may have been as persistent in their attempts to establish the truth as Juan Gelman, but they were not able to take their case to the Inter-American Court of Human Rights.

In 2014, the Turkish prime minister tried to relativise the Armenian genocide by “pay[ing] tribute, with compassion and respect, to all Ottoman citizens who lost their lives in the same period and under similar conditions” (Republic of Turkey 2014). It could perhaps also be argued, however, that the injustices perpetrated against Assyrians, who were also subject to genocidal practices in the Ottoman Empire during the First World War (Gaunt 2006), have been overshadowed by the Armenian genocide. As Stockwell’s paper suggests, a consensus about historical justice in relation to particular aspects of a nation’s past may stymie the efforts of other victims to be recognised. However, here we quickly enter slippery terrain. Is there a moral obligation to seek historical justice for – and publicly remember – victims of political violence, irrespective of who they were, when they died and whether or not they were victims of state-sponsored crimes? Do Armenians have a more deserving case because there were about five times as many Armenian genocide victims, as there were Assyrian genocide victims? There are no easy answers to these questions. Scholars working with communities who experienced gross human rights violations will, however, need to be aware that their work can be seen to validate the experiences of some over those of others, and that it is usually impossible to remain a neutral observer whose empathies are evenly divided between Hutu and Tutsi, between the victims of leftist terrorists and the victims of state terrorism, or between people from Guadalcanal and

<sup>4</sup> We may also want to stop taking statements about the purpose of memorials, and the motivation to create them, at face value; Laurie Beth Clark has made the compelling argument that “we will con-

tinue to build memory sites to past atrocities exactly because we still have ‘unrepresentable’ ongoing violence” (2011, 69).

Malaitans. We would also like to suggest, however, that the focus on the experiences of individuals, which are often instrumentalised in the interest of sectarian, politically divisive or nationalistic narratives, provides a comparatively secure footing when scholars venture onto such slippery terrain.

In conclusion, we would like to emphasise the value of empirically-grounded studies that engage with the attempts of individuals to make their world habitable after they and their families and communities suffered violence<sup>5</sup> – without, however, wanting to deny the importance of studies that help us understand the broader social and political frameworks within which individual memories operate. Often the work of memory performed by individuals cannot be easily accounted for in narratives that focus on social and public memories, or privilege discourses over experience and affects. Sometimes that work also defies attempts to arrive at generalisations; what is true for Solomon Islands may not be true for Nepal, and conclusions drawn on the basis of research in Rwanda may not help us to understand the dynamics of remembrance and redress in Morocco.<sup>6</sup> Similarly, theoretical models that work well in one, historically and culturally specific, context may have little explanatory value elsewhere. However, we believe the projects featured in this focus section demonstrate how much we can learn from attending closely to the interplay between individual memories and affects, the search for justice, and the politics of the past at a national or international scale.

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<sup>5</sup> For a recent exemplary study, see Theidon 2013.

<sup>6</sup> This point has been convincingly made in relation to the practices of transitional justice (Shaw and Waldorf 2010; see also Mani 2002, chapter 4).

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# Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda

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## Vol. 8 (1) 2014

### Focus Section: Violence, Justice, and the Work of Memory

#### Editorial (p. 3)

**Introduction: Violence, Justice and the Work of Memory** Klaus Neumann / Dan Anderson (pp. 4 -15)

► **Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda** Laura Eramian (pp. 16 - 29)

**“The Country that Doesn’t Want to Heal Itself”: The Burden of History, Affect and Women’s Memories in Post-Dictatorial Argentina** Jill Stockwell (pp. 30 - 44)

**Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the “Years of Lead” in Morocco** Laura Menin (pp. 45 - 60)

**From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights** Maria Campisi (pp. 61 - 74)

**Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case** Francesca Lessa (pp. 75 - 90)

**“What Will You Do with Our Stories?” Truth and Reconciliation in the Solomon Islands**  
Louise Vella (pp. 91 - 103)

**Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal**  
Simon Robins (pp.104 - 118)

### Open Section

**Postwar Violence in Guatemala – A Mirror of the Relationship between Youth and Adult Society**  
Sabine Kurtenbach (pp. 119 - 133)

**Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?** Lieven Pauwels / Maarten De Waele (pp. 134 - 153)

**Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia** Pietro Castelli Gattinara / Caterina Froio (pp. 154 - 170)

**Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors**  
Selina Helmke / Pia-Renée Kobusch / Jonas H. Rees / Thierry Meyer / Gerd Bohner (pp. 171 - 186)



# Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda

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Why do Rwandan genocide survivors informally remember not only the kin they lost in the 1994 genocide, but also losses suffered by friends and acquaintances? Drawing on one year of ethnographic fieldwork in the Rwandan university town of Butare, I argue that survivors are at pains to reconstitute their personhood in the absence of relations, and informal memory practices are a form of moral work by which they struggle to do so. I show that survivors maintain limited exchange relations with the dead by thinking of them regularly in return for protection and guidance, and that they use their knowledge of others' losses to stake moral claims to still being "of" Butare. I theorise these narratives using anthropological perspectives on the constitution of personhood through memory and social relationships. The moral demands of remembering the dead give rise to complex predicaments with which survivors of violence must contend as they navigate what it means to dwell in a present that is marred by the absence of significant others.

It was tax season in Rwanda, and Pauline,<sup>1</sup> a widowed genocide survivor, and small business owner in her fifties, was worried about not being able to make her payments before the 31 March deadline. We had been discussing these and other challenges she faces in running her business when her thoughts took a seemingly unexpected turn:

You know, a survivor I know came to see me the other day. She lost all of her family in 1994 except for an uncle and a sister-in-law. I have the impression that she isn't well. It seems that some of her family's remains were recently found not far from here. What's a person to do when they hear that kind of news?<sup>2</sup>

(March 2009, Butare)

During my fieldwork in the Rwandan university town of Butare in 2008–2009, narratives like Pauline's that attest to losses in the 1994 genocide arose in the course of

everyday conversation with Tutsi survivors. These informal practices of remembering, which I witnessed several times a week and sometimes several times in a day, were typically directed at establishing how many and what kinds of relations people had lost or the circumstances of their deaths. Accounts were more like short interludes in conversations than formal memorial practices symbolically demarcated from the everyday as in official commemorations. Sometimes seeing a person or place or object seemed to precipitate these testimonials; at other times, I had no idea what brought them on. Even though these interjections went by quickly, I contend that their duration is not indicative of their significance. Strikingly, survivors spoke less often about their own losses than of the numbers and categories of kin lost by other town residents, many of whom were no more than acquaintances.

I would like to thank Klaus Neumann, Dan Anderson, Simon Robins, Lindsay DuBois, Peter Mallory, Borislava Manojlovic, and three anonymous reviewers for their comments on this article. I also thank Malcolm Blincow, Carlota McAllister, Paul Antze, Dan Yon, and Christina Clark-Kazak for their

comments on earlier drafts. This research was funded by the Social Sciences and Humanities Research Council of Canada.

<sup>1</sup> All names used here are pseudonyms, and some details of people's lives have been changed to further protect their identities.

<sup>2</sup> All interviews and conversations cited in this article took place in French. All translations are mine.

In this article, I use anthropological perspectives on remembering as a moral practice tied to personhood to understand what survivors are doing when they recount who lost whom in 1994. I argue that genocide survivors in Butare undertake a crucial form of moral work when they informally – yet habitually – attest to their own and others' losses in the genocide. I call this “work” because of the *effort* undertaken to reckon with the violent past – work that is moral because it constitutes a “continuous practical judgment in the living of a moral life,” a life composed of both “speaking the future and speaking the past” (Lambek 2006, 213). Indeed, remembering is a moral practice because memory is itself a function of social relationships (Lambek 1996), which encompasses an understanding of obligations concerning what is owed to others, including the dead. Through informal remembering, survivors lay bare concerns about personhood and their place in the world that remain peripheral in prominent frameworks on memory and violence. The argument is predicated, first, on the anthropological view that one's social relationships, especially kinship and exchange of shared substances like food or drink, are constitutive of one's personhood (Geertz 1973; Mauss 1967 [1925] and 1985 [1938]; Strathern 1988), and second, on the challenges that genocide survivors – especially educated ones – face in claiming to be fully “of” Butare. It is in the context of a devastating history of violence in which persons have lost so many relations that these dimensions of remembering come into particularly sharp relief. The dead are by no means absent from the world of the living, but their presence is a terribly partial one that survivors struggle to maintain.

During my fieldwork, I investigated not only memory practices around the genocide, but also their intersection with socially charged relationships of work, friendship, neighbourliness, and clientship. It was in conversations on these and other topics that informal remembering of genocide victims arose. Interviews and conversations took place in private homes, at the National University, at people's workplaces, at local *cabarets* [bars], and on walks around the town and its surroundings. Given my interest in how town residents navigate unequal social relationships, I worked with many affluent people (such as university professors, NGO workers, clergy, and small business owners) in addi-

tion to low-income residents like motel cleaners, waitstaff, and the unemployed. The voices of the affluent are disproportionately represented here because most of the lower income residents I spoke with were migrant workers, a category characterised by high turnover, who knew relatively little about other Butareans. The urban survivors with whom I did my fieldwork – roughly even numbers of male and female – all had at least some secondary education and spoke French fluently. They had lived in town between ten and forty years, but all of them had a rural upbringing and all faced the daunting task of rebuilding their livelihoods after the devastation of the genocide – two points that they emphasised when wishing to express commonality with the rural majority. I am mindful that educated urban dwellers are not representative of all Rwandans or even all Butare residents, but the post-genocide sense of social dislocation that my research participants express is by no means restricted to persons of their social position; Claudine Vidal (2001, 6) has noted similar findings among survivors in other towns and in rural areas. Thus, while educated residents might be especially at pains to articulate their knowledge of what happened and to whom in 1994, all genocide survivors must contend with the problem of how to manage the absence of relations. I focus on this subset of Butareans because the moral demands of remembering and the post-1994 difficulties of claiming belonging are especially visible among a mobile elite with strong affective ties to the local.

Informal narratives of loss were often recounted to me alone in private settings, but similar talk between Butareans suggested that these were not accounts solely for filling in outsiders on what happened in 1994. However, a researcher's presence affects the social situation and what is said or not in ways that cannot be easily ascertained, and so the content of the conversations I present here may differ from ordinary discourse between town residents. For instance, people's knowledge of my interest in memory practices may have elevated the frequency of these narratives. There is also a broader post-1994 moral imperative not to make too much of one's own problems because everyone is suffering the effects of violence. This tendency may have shaped conversations with me and could account for why others' losses were emphasised over one's own.

The argument unfolds in four parts. First, I outline two prominent approaches to understanding the relationship between memory and violence in Rwanda and in other cases of political conflict. I suggest that neither one exhausts the question of how personhood is transformed by violence. Second, I situate my research participants' memory practices in anthropological perspectives on personhood. In the last two sections, I detail two key ethnographic findings: first, that survivors maintain limited relations with the dead based on long-standing precepts as to what the living owe the deceased and second, that informal memory practices do the moral work of locating the speaker in the social space of Butare.

One might ask why I focus on the memory practices of Tutsi survivors when it is well recognised that scores of Hutu also lost family in the genocide and its aftermath. Since I worked with both Hutu and Tutsi town residents over the course of my fieldwork, to focus only on Tutsi losses seems to uncritically reproduce the Rwandan government's denial of Hutu victimhood in the genocide and of crimes perpetrated by the Rwandan Patriotic Front (RPF) against Hutu throughout the civil war of the 1990s and after the RPF took power in July 1994. However, recollections of Hutu loss of life remained less accessible to me since they were raised only very rarely, in private settings with trusted interlocutors. Rwandans who speak openly of Hutu deaths open themselves to accusations of "revisionism" and of spreading the "double-genocide" thesis, a dangerous crime because it undermines the narrative of Tutsi victimhood that is central to the government's political legitimacy.<sup>3</sup> Indeed, while struggles for official acknowledgement of subaltern or marginalised memory are common in other postcolonial settings (e.g. Werbner 1998), the current political moment explains why we do not find substantial studies on the subject in Rwanda. Nonetheless, this fraught situation raises a compelling question: if my research participants' informal recollections are not attempts to set the record straight against a national nar-

rative that denies their victimhood, why are survivors at pains to articulate them?

### 1. Beyond Memory, Nation, and Psychosocial Healing

Two sets of approaches are prominent in pursuit of questions about remembering, and by extension, forgetting, the violent past in the Rwandan context. The first considers the politics of memory and nation building and how narratives of the past are implicated in forging national identifications, reconciliation or forms of exclusion. In Rwanda, the political uses of memory raise the question of what a "just allotment" (Ricoeur 2004, xv) of memory and forgetting might be in terms of the nation's capacity to forge unifying forms of belonging. On the one hand, scholars ask whether national memory politics are reproducing the ethnicised fault lines of the 1990s. Many researchers express concern that even as the government frames public remembering of genocide victims in terms of promoting unity, it risks reproducing the opposition between reified groups: Tutsi-victim versus Hutu-perpetrator. These concerns are linked to the state restriction of victimhood to Tutsi at official commemorations of the genocide and the suppression of open dialogue about the past (Burnet 2009; Hintjens 2008; Vidal 2004). On the other hand, some scholars suggest that remembering violence on a public level might provide the means to overcome past conflicts by forging national unity and reconciliation and thereby prevent future violence or denial of genocide (Staub 2003). Many scholars have focused directly on this tension between remembering violence as obstacle versus pathway to peace and take up these questions vis-à-vis commemorative events and judicial processes (Buckley-Zistel 2006; Longman and Rutagengwa 2006; Rettig 2008).

A second set of approaches focuses on the relationship between memory and the psychosocial injuries of political violence. Some Rwanda scholars have characterised remembered violence – or the inability (or refusal) to narrate it – as a form of suffering to be addressed through

3 Scholars have noted a veritable "conspiracy of silence" by the Rwandan government when it comes to Hutu victimisation (Richters 2010, 177; Vidal 2001, 45). The exception to the public denial of

Hutu suffering and loss of life is the demarcation of the "Hutu moderates" category of genocide victims. As Nigel Eltringham (2004, 75–76) notes, however, this category is only used retrospectively to refer to

Hutu killed in the 1990s for their opposition to the genocide. The troubling implication is that all "moderate" Hutu are dead and that those still alive supported the campaign of violence.

therapeutic interventions for individual or social healing (Staub 2003, Steward 2008). These approaches engage with the issue of post-traumatic stress disorder (PTSD), its degree of cross-cultural universality and long-standing debates around the nature of traumatic memory, its relationship to “normal” memory, recovery from psychosocial wounds, and intergenerational transmission of trauma (Argenti and Schramm 2010, Herman 1992; Young 1995). Here, the normative question of how much to remember or forget arises again, although the concern is as much with the psychological wellbeing of the individual as it is with collective cohesion (and it is worth remembering that the analogy between the individual and collective healing from the effects of violence is not uncontroversial [Young 1993]). In terms of Rwanda, central questions revolve around what healing interventions ought to look like, especially whether truth telling by victims and perpetrators and remembering violence is, indeed, cathartic (Brouneus 2010).

We could theorise informal memory practices using either of these approaches. We could read survivors’ attestations to loss as ongoing preoccupations with the past and evidence that ethnic schisms persist in the face of government reconciliation and de-ethnicisation policies. We might theorise that a compulsion to recount one’s own or others’ losses indicates ongoing psychosocial suffering from experiences of violence. Perhaps people speak more often of others’ losses because it is less painful to communicate what happened to others in 1994 than to talk about one’s own absent relations. There were certainly times during my fieldwork when people showed concern for the question of what individual or collective “healing” entails or what the national political stakes of remembering violence might be. Nonetheless, I found that the significance of informal memory practices in Butare exceeds these approaches. While I am cautious of drawing too sharp a line between different “levels” of belonging, for the purposes of understanding what people are doing in their everyday memory practices, I find it useful to analytically distinguish between belonging at the “imagined” (Anderson 1991) level of the nation and belonging in one’s immediate social world of face-to-face relationships. By focusing primarily on the latter (but without losing sight of the former), I show how informal memory reaches into a complex repertoire of

modes by which persons claim belonging in their social worlds and engage in moral practices vis-à-vis the dead.

## 2. Personhood at the Nexus of Collective and Individual Remembering

Two perspectives on the relationship between personhood and remembering violence frame this analysis. First, some may argue that attestations to other town residents’ losses are not “memories” at all in the sense that they may not concern what the speaker saw first hand. However, if we take remembering as an active process that transmits knowledge of the past between persons (Connerton 1989), then such practices are not outside the realm of “memory.” My research participants do not claim vicarious memory of events they never witnessed; they are instead remembering the fact of others’ losses and that there were once persons with them who are now gone. Informal remembering thus functions as a form of collective memory in the sense of a shared body of knowledge (Wertsch and Roediger 2008) – in this case, about who lost whom in the genocide. This is not to say that this body of knowledge is uncontested, static or unchanging, but since Butare’s genocide survivors are remarkably knowledgeable about how many and what kinds of relations others lost, I heard little debate over these facts.

Second, if remembering and personhood are mutually constitutive, then any strict dichotomy between individual and collective memory obscures the fundamentally social nature of the person. In order to focus on the social constitution of personhood through these practices of remembering, we must, as Jeffrey Olick (1999, 346) suggests, overcome our common tendency to treat individuals and collectivities as strictly separate kinds of entities. Among the survivors with whom I worked, memory is a practice through which the shared body of knowledge of who lost whom in 1994 is deployed to make moral claims about social relationships and their absence. Indeed, a shared body of knowledge on losses incurred in 1994 is built through intersubjective remembering that is inseparable from the processes by which they struggle to reconstitute personhood in the absence of significant others.

Personhood is a cornerstone of the anthropological analysis of social life. It deals with how people respond to the question: “Who are you?” Personhood is the basis on

which one becomes a recognised member of one's social world and understands one's location in social relationships. Anthropologists underscore that the "egocentric person" – the classic Western model of a bounded, autonomous individual and bearer of a unique identity – is by no means a universal view of the person and may not even properly capture Westerners' experiences of selfhood.<sup>4</sup> A relational or "socio-centric" notion of personhood in which persons do not "have" relations but are rather constituted by them is common to many an African context (Riesman 1986) and beyond (Geertz 1973; Strathern 1988). Taylor (1992, 2005) has underscored the relational nature of the Rwandan social person, which is never complete and is always being built out of relations with others. Exchange of social fluids like beer and milk create and maintain relationships that constitute persons, and the exchange of sexual fluids through the fusion of each parent's "gift of self" explains how a child is produced (Taylor 1992). Danielle De Lame (1996), in her ethnography of the rural hill of Murundi, has demonstrated how the nuanced practice of beer sharing and other exchange relations are central to the forging of belonging and recognition among co-residents. While rural survivors stress the economic hardships of having lost key relations in 1994 (Buckley-Zistel 2006, 139) more so than educated urban dwellers, this relational conception of personhood that bridges urban and rural contexts helps to grasp why authors like Vidal (2001) found forms of social dislocation among rural survivors not unlike those expressed by educated Butareans.

During my fieldwork, I noted a relational configuration of the person in Butare residents' tendency to refer to others by kinship status more often than by their names. Such practices indicate that personhood and "who one is" are deeply connected to the question of to whom one is related and how.<sup>5</sup> A friend or acquaintance with children is called *la maman* or *le papa* more often than by name, and modifiers for age or other characteristics are used to distinguish people from each other (e.g. *le vieux papa*). Teknonymy, a

practice by which parents are referred to by the names of their children, is also prominent in Butare. For example, friends and family of a married couple, Ferdinand and Josephine, usually called them by the teknonyms they acquired after the birth of their son, Kalisa: Mama-Kalisa and Papa-Kalisa. While kinship relations are by no means the only way in which personhood is configured in Butare (clientship and friendship are notable, too), I restrict my discussion to them because they are the central foci of informal attestations to loss and exchanges with the dead.

The question is, how do people who suddenly, and moreover violently, lost many or even most of their relations in the 1994 genocide locate themselves in the absence of these relations? There are many possible approaches to this question, but I look here to memory, the temporal axis of personhood (Antze and Lambek 1996, xxv). To draw on Paul Antze's (1996) felicitous phrase, albeit in a very different ethnographic context, by *telling stories* – even very short ones interjected into other lines of conversation – survivors are *making selves* in the absence of relations that constitute the person. Indeed, echoing the way Janet Carsten (2000) has shown that relatedness is forged through shared substance, sentiment or space, in Butare shared experience and *knowledge* of one another's loss and dislocation also constitute grounds on which people engender belonging.

### 3. The Moral Economy of Exchange with the Dead

Genocide victims are not inert or absent from the world of the living. The notion that the dead are still involved in the affairs of the living is not a new, post-1994 phenomenon in Rwanda. In Rwandan cosmology, ancestor spirits can make malevolent interventions in the lives of the living, but thinking of them and making symbolic gestures of exchange maintains good relations (see also Taylor 1992). The duty to think of the dead has become all the more pressing vis-à-vis those who died so violently in 1994 and whose memorialisation is bound up with broader political questions of doing justice, forging peace, or condemning

<sup>4</sup> See Hollan (1992) for a critique of the egocentric view of the Western self and its strict opposition to a non-Western socio-centric view of the person.

<sup>5</sup> Butare residents also explain this reluctance to use proper names as a symptom of mistrust and secretiveness. It is not unusual for a new acquaintance to avoid giving her or his name upon meeting.

Residents who have lived in Euro-American contexts where first names are freely disclosed sometimes joke about how "Rwandan" it is not to introduce oneself by name.

the absence of international action to stop the genocide (Vidal 2001). However, in the wake of the violence of 1994, relations of exchange with those who die “normal” deaths due to illness or old age seem to be declining in importance. Catherine Coquio (2004, 158) has described the post-1994 banalisation of “natural” death in which the death of elderly family members is no longer considered tragic when juxtaposed to the deaths of the genocide. Virtually without exception, those I spoke to treated “natural” death as something unremarkable that one must accept. “*C’est comme ça, la vie,*” was the phrase I heard used repeatedly when someone’s family member fell severely ill or passed away.

Simbi is a university graduate who, at the time of my fieldwork, was in his mid-thirties and working on a temporary contract at a local NGO. As an RPF soldier during the civil war, he is not a civilian “survivor” as many of my other research participants were. Still, as a post-1994 Tutsi returnee to Rwanda, he faces similar problems to other survivors in forging belonging. To assert his rootedness and authority on matters historical, Simbi routinely drew on his elderly father’s recollections of the colonial period and customary socio-cultural practices in southern Rwanda. He emphasised to me that, historically in Rwanda, it was not the body of a dead person that was treated with care, but the memory or the name of the person:

In our tradition, the body was not important. In fact, Rwandans can’t stand being near corpses – we always disposed of them quickly. So people would wrap the body in a mat, they would make their way into the forest, and they would abandon the body. Then they would run – as fast as they could – because they were afraid of the body but also because they were afraid of the animals who would come and eat the remains!

(May 2008, Butare)

Scholarly accounts of precolonial burial practices (Vidal 2001, 2004) mirror Simbi’s description in many ways, but they also reveal a greater diversity. Rwandan funerary practices have historically varied considerably by region and even from family to family (van’t Spijker 1990, 39). Bodies were not always abandoned in uncultivated areas, and interment of deceased relatives within the enclosure of the *rugo* (rural homestead) was also common (van’t Spijker

1990, 91, 98). Pauline confirmed Simbi’s assertion that burial sites were historically insignificant for Rwandan memory practices, but she underscored the importance of the practice of *guterekera*. *Guterekera* is a form of ancestor worship predicated on the notion that the dead continue to concern themselves with the affairs of the living and that the living can invoke the ancestors’ assistance by making offerings to them. In *guterekera*, beer, meat or whatever the deceased used to enjoy is shared between the living and the dead by sprinkling some on the ground (Taylor 1992, 142; van’t Spijker 1990, 18). Pauline explained:

If the dead person liked to drink, then everyone would drink. If he was known for giving to the poor, then everyone would do that. But it wasn’t just to honour the memory of the dead person. It’s also because people were afraid. Afraid that the dead would come back and say that people aren’t doing anything for them! They may come back and do harm to people; they can be nasty spirits, so each time someone dies, the living retain their relations with these people.

(May 2008, Butare)

While many urban dwellers today tend to denigrate “traditional” beliefs about the dangers posed by the dead (someone who accidentally spills beer or food on the ground might be teased for “sharing with the ancestors”, for instance), educated Butareans by no means live in a completely disenchanted world. For them, the dead can still be helpful forces if treated with due care and respect. Indeed, Marcel Mauss famously saw reciprocal exchange as a “moral transaction, bringing about and maintaining human, personal relationships between individuals and groups” (Evans-Pritchard 1967, ix), and in this case, death does not sever exchange obligations completely. Views vary on how these exchanges should be practiced and the degree to which not only thinking of the dead, but also visiting burial sites is important in maintaining relations with the deceased. Some survivors express a desire to restore dignity to victims whose bodies were haphazardly tossed into mass graves or simply left to decompose; hence the post-1994 emphasis on formal public commemorations, elaborate monuments, and the re-interment of bodies (Vidal 2001, 16–17; 2004, 279). Memorials are most often visited during the annual genocide commemorations; then, crowds of Butare residents participate in walks to memorials around town, and the Association des Étudiants et Élèves Rescapés

du Génocide holds all-night vigils at the National University memorial. For some, however, being near the dead is an important part of keeping their memory close no matter the time of year. Thomas, a university student at the time of my fieldwork, who was proud of his ancestral ties to the precolonial royal court at Nyanza, talked about going to memorials when he needed to reflect on an important decision. As he explained: “I survived, so I want to bring value to my life. So I go and pray to the spirits of the dead to help me do good things with my life” (June 2008, Butare). On the few occasions when I saw people visiting memorial sites outside the annual week of mourning, the formality of the occasion was made evident by their impeccable dress and solemn demeanour. However, the majority of those I spoke with underscored why it is not compulsory to attend official commemorations or visit sites. As Rose, a small business owner, put it: “You think of those you lost every day. I don’t need a ceremony to remember” (February 2009, Butare). Similarly, Pauline expressed horror at the idea of visiting memorials and told me that she regretted once having accompanied a Belgian friend to the Murambi memorial in Gikongoro because it disturbed her sleep for weeks. Some of her family members are buried at the Ngoma memorial in Butare, but she refuses to visit and declined to collect items of clothing that belonged to them. “I try so hard to remember them alive,” she explained. “Why would I want clothing to remind me of how they died?” (March 2009, Butare).

Whether one places importance on visiting burial sites or not, exchanges with the dead still involve thinking of them in exchange for assistance or protection. Pauline, sitting with me in the peaceful surroundings of her place of business, described how her husband and children whom she lost in the genocide still help her to overcome major challenges. As she remarked one day after she had just dealt with a rather delicate problem concerning a business partner who was behind on his taxes and utility bill payments: “I know it’s they who are helping me. It’s my husband and children – not God or Jesus! If I didn’t still feel them here with me, if I didn’t believe they were always close, I wouldn’t even be able to walk” (February 2008, Butare). Some survivors expressed guilt if they went too long without thinking of certain victims. “I think of the

closest family I lost all the time,” Rose said in reference to her husband and children. “But then sometimes I realise that several weeks have passed since I thought of an aunt or cousin or brother, and I feel guilty [*coupable*]” (July 2008, Butare).

While thinking and speaking about genocide victims is a way of maintaining good relations with them, it is moreover a way for survivors to remain connected to the relations that constitute their personhood. As Pauline once said, “You feel like pieces of them [kin; friends] are still here somewhere, even though you cannot know exactly. If I left Rwanda for good, I would feel guilty” (March 2009, Gisenyi). The dead are active agents in the present, not only because, controversially, some of their bodies have been left exposed at memorial sites as reminders of the scale of devastation in 1994, but also because of the moral duty to maintain relations and the claims to (erstwhile) belonging in one’s social world that they make possible.

These limited exchange practices with the dead raise perceptions of injustice among Rwandan genocide survivors that remain peripheral in approaches focused primarily on national memory politics or healing from trauma. Survivors express anger not only for what perpetrators of violence took from them, but also, crucially, for what accused or convicted perpetrators still have. Survivors who are at pains to maintain limited forms of exchange with the dead resent that many perpetrators still have relations and support networks. Since prisoners must rely on their families rather than the state for provisions, once or twice a week a stream of women can be seen making their way to the Butare prison and carrying food, small amounts of money, or other items requested by inmates. While prisoners are not permitted to see their family members on these occasions, they have people to whom they can return home when they are released. Moreover, because prisoners in Rwanda are required to build infrastructure like roads and drainage ditches, they are to a limited extent permitted out in public. In Butare, they also run an auto repair garage and build furniture to sell to the public. From these points of contact with the general population, they maintain relationships of exchange and commerce with their family members and other townspeople.

Meanwhile, genocide survivors like Pauline express a sense of dislocation in the absence of relations, and resentment of those accused of genocide crimes who do not suffer in the same way survivors do. She does not “know who she is anymore” in the absence of her pre-1994 relations, while those who are released from prison have families to whom they return. For her, this injustice is something she faces on a daily basis since victims and perpetrators released from prison share the same public space:

Now I walk around Butare, I go to Uganda on the bus. Am I really living? Yes, I have my projects, I know how to use money, but when I get into bed at night, I don't know who I am anymore. I'm tired so I'll sleep, I sleep for a second, then I feel myself wake with a start – ok, I can't stay awake anymore so I sleep. [...] I've been forced to conclude that we have no country. We have victims who suffer injustice and we have killers who come and live with us. And the killers? They walk around, free and happy, they drink with their friends in the *cabarets*, they build houses, they have sex with their wives, they take the bus to Kigali with us. Can you imagine?

(February 2008, Butare)

Although many ex-prisoners did lose family members or do not easily resume their relationships upon returning home, for those who lost the majority of their kin in 1994, there is nonetheless resentment towards perpetrators who have people with whom to rebuild relations at all. Concerns like these should not be read simply as evidence that Tutsi survivors harbour resentment towards the blanket category of Hutu perpetrators. Rather, they speak to a different scale of injustice, namely the everyday anguish of living with absence and no longer knowing oneself. The significance of having relationships and the hardship and disconnect that comes from their absence is perhaps best captured in something that Pauline reported *génocidaires* having sometimes said to those Tutsi whom they spared during the genocide: rather than dying right then, the survivor would instead die a slow “death of sadness” in the absence of everyone to whom she or he was related.

#### 4. Personhood in the Absence of Relations

While exchange with the dead is an important moral practice for educated Butare residents who have lost many of their relations, these exchanges do not sufficiently compensate for the losses of the relations that constitute personhood. The social context of attestations to loss in everyday conversation is what demands attention and what suggests that these narratives are meaningful practices deployed to make particular kinds of claims about the self.

Affluent town residents place importance on the moral dimensions of being embedded in local networks, on being “of” the town. For educated and relatively wealthy genocide survivors, there are particular challenges associated with this, which are common among postcolonial urbanites who seem to have one foot in the world of the local and the other in the world of the former coloniser or the global north more generally (Cohn 1996). To be called or treated as a stranger carries a particular sting for affluent Butareans – not just those of Tutsi descent.<sup>6</sup> It connotes an accusation of being more interested in forging ties to the resources, knowledge and power of Westerners. To ally oneself too much with Westerners can lead to accusations of having become a *muzungu* (white person) or no longer being able to understand the problems of “ordinary Rwandans.” On four occasions that I am aware of, such accusations were levelled at friends of mine for having been seen with me. Because of their wealth and modern Western dress, many Butareans complain of being charged the “*muzungu* price” at the market. And after visiting a Canadian friend in Ottawa in 2008, Pauline returned home to discover that a neighbour had been spreading the rumour that she had left for good and no longer cared about Rwanda and its people. This rumour had necessitated weeks of damage control during which Pauline had to correct the assumption that she was no longer living in Butare. Indeed, for no one is the moral importance of remaining “of” Butare more significant than for the affluent town residents I knew – those

<sup>6</sup> However, since the anti-Tutsi propaganda of the 1990s famously represented them as “foreigners” or interlopers in the “Hutu nation”, affluent Tutsi in Butare perhaps still possess particularly strong sensitivities to accusations of being a foreigner.

who travel internationally for conferences and consultancies, study or pleasure, and who speak the colonial language of French (or, increasingly, English<sup>7</sup>) effortlessly. The claim to belong takes on particular significance in light of a postcolonial political economy that makes intellectuals, small business owners, and other affluent Butare residents symbolically and materially distant from “ordinary Rwandans”. While I often heard low-income town residents complain that it is as though local professionals and entrepreneurs “live in another world”, claims by materially privileged residents to knowing about others’ losses and having suffered together in 1994 are a form of moral agency that might mitigate such accusations. Educated Butareans no doubt faced similar challenges in claiming belonging due to class differences prior to 1994, but they perceive a sharp contrast between how they fit into their social worlds before and after the genocide. Some may idealise the degree to which they were thought to belong before, but it is perhaps all the more significant if they do: to remember pre-genocide modes of belonging as relatively unproblematic lays bare how the absence of robust kinship networks compounds affluent urban dwellers’ sensitivity to social divisions between themselves and the low income majority.

Concerns over being treated or perceived as a stranger are evident in survivors’ anxieties about where they fit in today. Many lament how few people they still know in Butare. Hélène, a survivor in her forties who works for a local HIV/AIDS NGO, revealed one day:

I was born on this hill, but since 1994 I’ve lived all over. Brussels, the United States, Japan, Kenya, and now I am back. But it hardly feels like my home [...] everyone I know is gone. They were all killed, so I don’t know anyone anymore. The only people I know now are the prisoners who work on the roads around here who greet me when I pass. Can you imagine?

(February 2009, Butare)

On another occasion, Pauline and I had been walking all over town. I crossed paths with her again the next day, and

she looked sullen. She explained that our walk had reminded her of the absences of those she used to know:

Everyone I know is gone, and the new neighbours look at me like I don’t even belong when I’ve lived here all my life! Can you believe that we walked around the entire town yesterday and I only ran into three people I know? Three! Everyone I knew is gone. I don’t even want to know the new neighbours. I thought I was the one who was watching them, but I couldn’t believe it when I realised that they’re watching me like I’m a foreigner, too!

(February 2009, Butare)

It is in this space of loss and absence that the significance of survivors’ informal practices of remembering is located. Below, I recount a series of these narratives. I selected them not because they stand out as remarkable, but for their representativeness of the accounts one is likely to hear in informal conversation. Regardless of their precipitating factors, all assert a claim to knowing what happened in Butare and to whom.

#### 4.1. A Suffering Friend

One afternoon in March 2009, Daniel, a National University graduate, and I were with Hélène at her home in Butare. We had been discussing the improvements in local police responses to incidents of domestic violence when for reasons unknown to me, a younger sibling brought out an envelope of photos and handed it to her. “That’s me there,” she said, pointing to a picture of herself and several other young female family members taken some years ago before the genocide. “Almost everyone in this photo is gone now. We were so close back then.” She reflected on the impunity of the perpetrators of the genocide, and then spoke about the losses of a female friend of hers:

You know, I have a friend who only just found out at gacaca [local level genocide tribunal] that it was her own husband who was responsible for killing her whole family – her mother and father, her siblings, all her relations. Can you imagine? Her own husband. He never even told her. He just went out one day, killed them all and never said a word. And the craziest part? She

7 In 2008, the government of Rwanda declared that the language of instruction in schools would be changed from French, the Belgian colonial language, to English. Explanations for the change tend to

assert that it was a strategic politico-economic move as part of Rwanda’s bid to join the British Commonwealth and the East African Community, but observers also contend that it was a political move

and rejection of the former Francophone colonisers on whom the current government blames the ethnic schisms at the base of the 1994 genocide.

stayed with him after that! I said to her, you have to leave him after what he did. But she said she couldn't because he's the only one [husband] she's ever known.

(March 2009, Butare)

#### 4.2. The Loss of a Sister

On a long hike in the rural areas around Butare, Simbi had been quizzing me about my knowledge of local agricultural crops – knowledge deemed crucial for anyone who claims to “know” Rwanda. All of a sudden, we were passed by somebody he knew from when they were both at university, who was careening down the hill on his motorcycle, hands and feet in the air while waving to Simbi. As he disappeared around the corner, Simbi, laughing at his antics, explained:

*Il est fou, ce type* [This guy's crazy]! You know, he survived the genocide, but he lost his mind after what happened. It's true, they killed his whole family – parents, uncles, aunts, everyone. But what really did him in was that they killed his twin sister. He's never been the same since then, although he has calmed down a bit since they found her body. Before that, he used to talk of nothing but revenge, but now he's mostly harmless. But before, I used to see him in the *cabarets* and he would always be looking for a fight. I had to stop him myself a few times.

(July 2008, Southern Province)

#### 4.3. Enumerating Acquaintances' Losses

On another occasion in June 2008, Simbi and I ran into a prominent local official and small business owner who had been attempting to help Simbi secure a stable job as a favour to Simbi's brother-in-law. After we had parted company, Simbi explained, “He lost his wife and three children in the genocide. He suffers every day without them.” Shortly thereafter we crossed paths with a middle-aged woman Simbi knew from the now defunct University Club gym. As is typical, we paused, exchanged greetings, and they shared news for a few moments before we moved on. As we began to walk again, Simbi told me, “She is a [genocide] survivor and she lost all seven of her children – can you imagine?”

#### 4.4. Knowing the Private Lives of Others

One afternoon in May 2008, I was at the university chatting with a recent graduate, Emmanuel. We had been talking about his job prospects and the possibility of his pursuing

graduate study when, for reasons I was unable to discern, he began to recount the tragic losses suffered during the genocide by a mutual acquaintance, Florence, who works at the National University. Emmanuel, a genocide survivor himself, explained the complications that Florence has had to face in her family relationships since 1994.

The first problem is that it was some of her in-laws who killed her husband and four of her five children. Can you imagine? But more than that, she told me once that she feels it is her fault that only she and her youngest child survived. Before the genocide, her husband had told her that he thought four children were enough, but she wanted more. Her husband was angry when he found out she was pregnant, and he told her that meant that the first four children were for him, but the last one was for her. Now, because he and the four oldest were killed, she thinks that the others died because he had claimed the oldest children as his and left the youngest to her.

(June 2008, Butare)

#### 4.5. The Loss of a Husband

Often I would accompany Pauline on errands, and she would narrate to me what had happened to other survivors as we passed by their homes, places of business, or a burial site. As we passed by a quiet neighbourhood bar one afternoon in March 2009, she told me what had happened to the Tutsi survivor who now owns and operates it:

You know this place? It's a woman who owns it now, a survivor. Back in '94, her husband had the foresight to take her and their four boys to Burundi after the genocide started in Kigali.<sup>8</sup> But he came back after he left them there. He thought it wasn't dangerous here in Butare because the killing hadn't started here yet. He thought, “oh, if I come back, maybe I could recover a few of our belongings.” But he was killed at their home and she never saw him again.

(March 2009, Butare)

What is striking about these accounts is that everyone knew everyone else's details: how many family members died in the genocide, what types of relations they were, and even how and where they were killed. In a small town like Butare, perhaps this should be expected, and yet it is remarkable given how often it emerged that affluent residents did *not* know each other or that they know very little

8 Violence did not befall Butare province until roughly two weeks after it had begun elsewhere.

about each other beyond their stories of loss in 1994. Moreover, to keep straight the details of so many people's hardships requires a level of care that is unusual between people who are not particularly close. It would be easy to dismiss these narratives as little more than the routine gossip that characterises social relationships in small towns. I see these more as memorial practices than gossip since the latter tends to thrive when the facts are uncertain (Merry 1997, 51); but even if we do read gossip into how Butare's survivors speak of others losses, it is nonetheless noteworthy as a central way of demonstrating one's belonging and "insider knowledge" of the lives of fellow town residents. By asserting knowledge of others' losses, survivors evoke the absence of the relationships that constitute their own personhood and that of other survivors. Therefore, to speak about the genocide and what happened to people is not just evidence that national reconciliation policies are failing or that people are unable to heal from the trauma of violence. Informal memorial practices, when situated in their social contexts and in webs of social relationships, are complex in their meanings, and while they may tell us something about the state of ethnic schisms and psychosocial "healing," they cannot be reduced to them.

What is central is that these narratives and reflections are doing moral work; they are among the few ways left by which these town residents can stake a claim to having had the relationships constitutive of personhood and rootedness in Butare. When people can no longer actively live their relationships with family and other relations, they invoke those absences, as well as what happened to other survivors as a way of saying, "I have knowledge of this town and its residents, and I am still 'of' this place." These claims to belonging are speech acts in Austin's (1962) sense: by deploying them, survivors are "doing things" with words, and they are deeply aware of the potential for infelicities should their claims to belonging not be received as intended. Indeed, it is crucial that survivors track out these relationships beyond their own families because to know about the losses of even distant acquaintances is what does some of the most important work of grounding survivors as members of their social worlds. This is in no way to say that survivors disingenuously instrumentalise their own and others' losses to make strategic claims about belong-

ing. Claims to the absence (and therefore, erstwhile presence) of the relationships that constitute personhood are directed as much inward to assuaging doubts about one's selfhood as towards making claims about one's moral status and connection to Rwanda. Indeed, seen from the perspective of relational personhood in which the self is always being built out of relations with others, to lose those relations is to lose a part of one's own person. Paradoxically, then, the violence is what severed survivors' relationships, their connections to "here", and what permits them to continue to show how they fit in with others in their social worlds through memory practices. *Tracking out* the networks in which they used to be embedded, coupled with exchange relations maintained with the dead, is what stands in for *living out* the relationships that used to constitute their personhood. Indeed, these attestations to loss are never just about the past, but are always also about how that past paradoxically connects persons to and disconnects them from their social worlds. Since it goes without saying in Butare that everyone has had terrible problems since 1994, to have suffered with others is a way that mobile town residents often accused of becoming strangers or *bazungu* [pl. form of *muzungu*] stake claims to ongoing locatedness and attachments to local people and places.

## 5. Conclusion

I have shown that informal talk about the 1994 genocide and its victims is a practice that speaks to the ruptures in relationships constitutive of survivors' personhood and the ways in which the violent past enters into everyday practices of making selves and forging relationships. That educated survivors are at pains to assure themselves and others that their claims to "hereness" are legitimate demonstrates that there is no contradiction between having ties to power on the one hand and being devastated by loss and dislocation on the other. What their informal memory practices reveal is that people now navigate complex predicaments of what it means to dwell in a present that is marred by the absence of friends, family and neighbours with whom they once socialised and with whom they were engaged in relations of mutual dependency – a problem that is by no means restricted to educated survivors in Butare. Indeed, it is the challenges that these Butareans face in claiming locatedness that put the effects of the sudden

and widespread loss of kin on relational persons into particularly sharp focus.

A focus on personhood and its diverse cross-cultural configurations can enrich current perspectives on memory and violence. Indeed, the effects of violence on relational selves are not easily apprehended through national reconciliation or trauma-focused frameworks that implicitly or explicitly take persons as discrete individuals who “have” relations. Recovery from violence as conceptualised in these frameworks means that the cohesive, integrated, bounded person and relations between such persons should be restored – although debates abound on the techniques through which to effect those changes, be they judicial, political, retribu-

tive or restorative. But if one is one’s relations, if in losing one’s relations one loses parts of one’s own person, can frameworks based on “healing” or “reconciliation” communicate the texture of how violence affects the self? An ethnographic perspective on the relationship between personhood, memory and violence suggests that memory practices are located not just against the “background” of a violent past, but within broader patterns of everyday social relationships and precepts for the living of a moral life. The concept of personhood – situated at the nexus of the individual and the collective and bound up with questions about one’s place in the world – is a strong conceptual tool for investigating these dimensions of how remembered violence matters.

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# “The Country that Doesn’t Want to Heal Itself”: The Burden of History, Affect and Women’s Memories in Post-Dictatorial Argentina

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## Vol. 8 (1) 2014

### Focus Section: Violence, Justice, and the Work of Memory

#### Editorial (p. 3)

**Introduction: Violence, Justice and the Work of Memory** Klaus Neumann / Dan Anderson (pp. 4 -15)

**Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda** Laura Eramian (pp. 16 - 29)

► **“The Country that Doesn’t Want to Heal Itself”: The Burden of History, Affect and Women’s Memories in Post-Dictatorial Argentina** Jill Stockwell (pp. 30 - 44)

**Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the “Years of Lead” in Morocco** Laura Menin (pp. 45 - 60)

**From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights** Maria Campisi (pp. 61 - 74)

**Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case** Francesca Lessa (pp. 75 - 90)

**“What Will You Do with Our Stories?” Truth and Reconciliation in the Solomon Islands**  
Louise Vella (pp. 91 - 103)

**Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal**  
Simon Robins (pp.104 - 118)

### Open Section

**Postwar Violence in Guatemala – A Mirror of the Relationship between Youth and Adult Society**  
Sabine Kurtenbach (pp. 119 - 133)

**Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?** Lieven Pauwels / Maarten De Waele (pp. 134 - 153)

**Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia** Pietro Castelli Gattinara / Caterina Froio (pp. 154 - 170)

**Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors**  
Selina Helmke / Pia-Renée Kobusch / Jonas H. Rees / Thierry Meyer / Gerd Bohner (pp. 171 - 186)



# “The Country that Doesn’t Want to Heal Itself”: The Burden of History, Affect and Women’s Memories in Post-Dictatorial Argentina

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I draw on first-hand oral testimonies taken from two groups of Argentine women who represent two antithetical versions of the recent Argentine past: those affected by military repression and those affected by armed guerrilla violence. I contend that we need to look beyond political and ideological contestations and engage in a deeper analysis of how memorial cultures are formed and sustained. I argue that we cannot account for the politics of memory in modern-day Argentina without acknowledging and exploring the role played by individual emotions and affects in generating and shaping collective emotions and affects. In direct contrast to the nominally objective and universalist sensibility that traditionally has driven transitional justice endeavours, I look at how affective memories of trauma are a potentially disruptive power within the reconciliation paradigm, and thus need to be taken into account.

When I interviewed Maria in 2009, she had just given her oral testimony at the Tribunal Oral Federal 6, a court located in the Argentine capital of Buenos Aires. Her testimony described the torture she suffered at Campo de Mayo, a clandestine detention centre in Buenos Aires during the 1976–83 military dictatorship. An eyewitness to the military’s human rights abuses, Maria told me how unsafe she feels living in a society such as Argentina, where those responsible for gross human rights violations during the years of military rule continue to live with impunity. Maria told me:

It angers me that justice in this country is not used in a way that finishes with this business, because the longer this goes on, the sicker Argentina becomes as a society. It’s thirty-three years ago!

Can you believe it? A country that doesn’t want to heal itself; that doesn’t want to begin anew.<sup>1</sup>

Maria confided that she had lost her unborn baby as a result of the torture she endured at the hands of one of the dictatorship’s worst known perpetrators of kidnap and torture. She encountered this man again many years later in a downtown Buenos Aires café. After he made a flirtatious remark to her, Maria screamed at him, “Don’t you know me? You don’t have the right to say anything to me.” The offender replied, “Be grateful. You were one of the lucky ones.”

Argentina is a society where an estimated thirty thousand individuals were disappeared between 1976 and 1983 (whose bodies have often never been recovered),<sup>2</sup> where up

1 Interview with Maria del Socorro Alonso, Buenos Aires, 4 May 2009. The research for this paper is based on twenty oral testimonies I collected in 2009 in Argentina as part of my PhD research with two groups of women: those whose family members were kidnapped and murdered by the armed political groups between 1973 and 1976; and those whose family members were kidnapped, disappeared or murdered by the military government between 1976 and 1983. I made contact with the women through three local human rights organisations based in Buenos Aires. A call for individuals willing to par-

ticipate in this study was made and the interviewees were then able to contact me to arrange an interview. Each in-depth interview was conducted in Spanish, and lasted between one and a half and three and a half hours. The interviewees emphasised their preference for disclosing both their names and the identities of their missing/killed family members. All translations of the women’s quotes are my own.

2 The total number of disappeared is contested. While the official Comisión Nacional sobre la Desaparición de Personas (CONADEP) report docu-

mented 8,960 cases of disappeared individuals, the figure is likely to be higher due to factors that prevented individuals from testifying to the CONADEP taskforce, including aggravated threats made to witnesses and fear of reprisals for offering information (CONADEP 1986, 5). Argentina’s Under Secretariat for Human Rights has confirmed about 3,000 new cases, bringing the official number up to 12,000 (Barahona de Brito et al. 2001, 121). Thirty thousand is considered a symbolic figure used by the majority of Argentine human rights organisations.

to five hundred children who were taken from their kidnapped mothers and given to families with close military ties are still unaware of their real identities, and where victims continue to encounter their torturers. The relatives of the *desaparecidos*<sup>3</sup> are concerned that the violence that pervaded Argentine society in the 1970s and 1980s is not finished; they fear a future in which their children will experience the same terror.

I went to Argentina in 2008, seeking to interview women like Maria who were living with traumatic memories of violence and loss. More than three decades since the completion of a transitional process of truth and justice was declared in Argentina, I wished to analyse women’s memories of violence in light of their subsequent experiences and, with temporal distance, to understand any reinterpretations or new meanings they may have made. In the process of speaking to the women, I began to think there was a lot to be learnt from Maria’s insightful observation that Argentine society did not want to begin anew.

Towards the end of my year-long stay in Argentina, I discovered that there was another group of women giving oral testimony in the public sphere in memory of their loved ones: those who were murdered by the armed guerrilla movement, predominantly in the democratic period leading up to the start of the 1976 military dictatorship. This group also fears a return to past violence and demands legal redress against those individuals within the armed guerrilla movement suspected of human rights abuses. Since 2010, while legal trials have ensued for those in the military, no member of the armed guerrilla movement has been prosecuted. As a result, this group of women similarly feels compelled to live in a society that has failed to prosecute perpetrators of past violence.

While I had initially thought to focus exclusively on women whose lives were directly affected by the military

dictatorship, the need to widen my focus and to explore the personal memories of the two different groups of Argentine women (namely those affected by military repression and those affected by armed guerrilla violence) became increasingly apparent. Members of both groups are engaged in mourning and remembering, yet they are understood to occupy radically different positions in Argentina’s memorial culture and to belong to the opposing ends of the political and ideological spectrum.<sup>4</sup> Indeed, the women’s memories of loss and violence have been shaped by the fissure of ongoing deep-seated social and political animosity. Both groups of women carry memories of enduring personal trauma that are commonly perceived as unable to coexist in a shared mnemonic space.

Argentina is a very divided society in which there are different groups of victims resulting from the period of violence between 1973 and 1983. The different forms of violence used by the military (disappearance) and armed guerrilla groups (kidnapping and murder) have produced different forms of grievance among the two groups of women. In particular, the families of the *desaparecidos* have had to endure impossible, irresolvable and protracted mourning as a result of the military’s systematic use of disappearance. As there could be no burials, thousands of families have had great difficulty in mourning their loved ones. However, the women from both groups continue to suffer the effects of trauma from this period and both groups’ traumatic memories endure in the public sphere. By considering the lived experiences of those who belong to different social groups affected by this period of violence, it is possible to provide new insights into the way this decades-old conflict is remembered.

Since the return to democratic rule in 1983, competing claims about how the period of political violence and state terrorism of the 1970s and 1980s should be collectively remembered by the nation have caused deep political and

<sup>3</sup> Coined by the military as a way of denying the kidnap, torture and murder of its citizens, the word *desaparecer*, “to disappear”, began to be used as a transitive verb from the time of the military coup, 24 March 1976 (Feitlowitz 1998, xi). Those who were disappeared by the military are referred to in Argentina

as *los desaparecidos*. The majority of these individuals were abducted by the security forces and taken to clandestine detention centres, where they were tortured and later murdered (CONADEP 1986, 10).

<sup>4</sup> In Argentina, the two different groups fall into two political/ideological camps. More broadly, and

in a complicated and not entirely satisfying way, individuals affected by military repression are commonly referred to as the political “left”, and individuals affected by armed guerrilla violence are referred to as the political “right”.

societal divisions. Argentine scholar Elizabeth Jelin (2003) suggests that, whenever Argentina has experienced political change, debates have surfaced over how to memorialise the period of state terror and political violence of the 1970s and 1980s. Various actors who have taken part in these debates have linked their political orientations towards the future with the memories of a violent past (Jelin 2003, 3). As a result, the two different groups of victims view the public sphere in which they articulate their memories of trauma as a “scarce resource” (Rothberg 2009, 3). It appears as though different memories compete for political, social and legal recognition in which (again) there are only winners and losers (Rothberg 2009, 3). As Barbara, whose father, José Miguel, was killed by the armed guerrilla movement in 1976, told me:

I’m tired of it all. If they think they’re the “goodies” and I’m not, how am I ever going to be able to talk with them [human rights organisations, the government]? I don’t understand. What kind of communication could there ever be because we’re never going to understand each other? [...] There is no such thing as “goodies” and “baddies”. There is no left and right. There are all sorts of people and we all, both left and right, make up a society. There’s us and then there are the politicians. They’re meant to represent us but they don’t represent me [...] I am discriminated against and segregated [within society] [...] Argentina is like a jigsaw puzzle and my story has to be a part of this puzzle.<sup>5</sup>

Political actors have advocated that certain groups of victims be publicly remembered, and others be sidelined. Within Argentina’s collective memorial culture, contentious discussions about how to remember the violence and terror of the 1970s and 1980s within society have intensified. These discussions have resulted in the polarisation of groups that struggle to overcome the additional sense of injustice generated by the contest for public recognition over whose history and political culture should ultimately be recognised and validated. This dynamic has created a sense of enmity between two groups of victims struggling for justice, and for the memory of their loved ones to be recognised in the public domain. These competitive ideological battles have had major consequences for the make-up of the public sphere in which individual

memories circulate in the present day; they have also had crucial implications for the shaping of Argentine collective memorial culture and identity. With an increasing need for collective identity amidst social and political conflicts over how to account for human rights violations experienced during this traumatic past, Argentina has developed into a society of memory groups, with each claiming recognition and the legitimacy of its voices and demands.

Reparation mechanisms, such as truth commissions, have been adopted since the end of the Cold War as a way of achieving acknowledgement of human rights violations and national reconciliation, and of healing psychosocial trauma in post-conflict societies at both an individual and a collective level. It is still commonly accepted within the current truth commission literature and conflict resolution theory that psychological issues – whether individual or collective – can be healed through mnemonic performances of oral testimony or storytelling (Millar 2010). Little evidence is available to prove this assumption, however, and over time it has become clear that the psychological benefits from participating in these mechanisms of “reparative remembering” (Dawson 2007, 315) may be overstated (Hayner 2011, 149).

Indeed, as Rigney (2012, 252) acknowledges, reconciliation efforts in post-conflict contexts have more often than not yielded a “‘thin’ form of mere co-existence” rather than the “‘thicker’ form of social integration and solidarity invoked by redemptive narratives of ‘national reconciliation’”. This has been certainly true for Argentina, where the public performance of witnesses’, victims’ and perpetrators’ stories of violence has not been the catalyst for the collective psychological or socio-emotional reconciliation that has been sought in other transitional contexts. Talking about their traumatic memories in the form of oral testimony has not played any such role in helping the women deal with their painful memories. Silvia, whose father, Roberto, was kidnapped in 1974 and later killed by the armed guerrilla movement, told me:

I haven’t felt any sense of relief [from talking about her father’s memory] [...] no [...] I haven’t felt any sense of relief [...] It [talking about her traumatic experience] hasn’t relieved me

<sup>5</sup> Interview with Barbara Tarquini, Buenos Aires, 17 July 2009.

internally in any way. It’s not like I go around talking about it and a weight is lifted off me, no, no.<sup>6</sup>

In this paper, I wish to understand how, despite the passage of time, the divisions between the two groups of women are self-perpetuating and growing only deeper; and why, despite pioneering those mechanisms designed (in the transitional justice speak) to “deal with”, “work through” or “come to terms with” the past in transitioning democracies, Argentine memorial cultures appear beholden to the entrenched political and ideological divisions of old.<sup>7</sup> There are many evolving and complex historical, political, social, legal and cultural factors that have shaped the cultures of remembrance in post-dictatorial Argentina. However, in the story of remembering and forgetting, these factors – though essential – are not sufficient to account for the animosity pervading Argentine memorial cultures.

I argue that we cannot account for the politics of memory in modern-day Argentina without acknowledging and exploring the role played by individual emotions and affects in generating and shaping collective emotions and affects (Hutchison and Bleiker 2008, 385).<sup>8</sup> Affect may be a pre-political and pre-social force, but it has major consequences for the perpetuation of fault-lines running across particular memorial cultures. Thus, rather than simply rendering a factual narrative of the past, this paper engages with emotions and affects as a way of exploring how these may

become the source of a different kind of understanding of existing societal antagonisms in contemporary Argentina.

### 1. Politics of Remembering

Having pledged to investigate and legally address the abuses of the military regime following the country’s return to democratic rule in 1983, President Raúl Alfonsín created the Comisión Nacional sobre la Desaparición de Personas (National Commission on the Disappearance of Persons; CONADEP), an independent commission set up to investigate the disappearances of individuals carried out under the direction of the military dictatorship in the years 1976–83. CONADEP’s brief was to receive depositions and gather other forms of evidence, and to pass this information on to the courts where responsibility for crimes committed would be determined (CONADEP 1986, 449). The first-hand narratives of human rights violations experienced under military rule 1976–83 were published under the title of *Nunca Más* (never again) (CONADEP 1986). *Nunca Más* became the authoritative text on human rights violations committed by the military junta and succeeded in constructing a “new public truth” (Crenzel 2008, 173) about individuals’ disappearances and the abuses that occurred in some of the 560 secret detention centres scattered across Argentina. It established a clear distinction between insurgent violence and the disappearance of individuals, and thereby highlighted the responsibility of the dictatorship for the latter (Crenzel 2011, 1065).<sup>9</sup> CON-

6 Interview with Silvia Ibarzábal, Buenos Aires, 28 July 2009.

7 A number of such terms have emerged within the field of transitional justice to describe strategies and initiatives used to achieve justice and to build trust among adversarial communities. Discourse around national reconciliation has more recently relied upon a therapeutic model, which seeks to heal wounds in connection with past violence and focuses on recognition of the victims of violence to recover sovereignty (Humphrey 2005, 211).

8 Affect can be used as a broad term to refer to emotions, feelings, and affects in the narrower sense. Though they are often used interchangeably, it is important to define the difference between the three. Feelings are personal and biographical, emotions are social and affects are pre-personal (Shouse 2005, para. 2). Displays of emotion can be genuine or feigned; when we relay our emotions publicly, they may be an expression of our internal state or they

may be contrived in order to fulfil social expectations (Shouse 2005, para. 4). Meanwhile, affects are more abstract than emotions because they cannot always be fully realised in language. They are non-conscious and unformed, and refer to the body’s way of preparing itself for action in a given circumstance with an added dimension of intensity (Shouse 2005, para. 5).

9 In the mid-1990s, *Nunca Más* was no longer regarded as a legal instrument, after the impunity laws passed by President Menem blocked any further trials. Instead, the report became seen as a vehicle for the transmission of memory (Crenzel 2011, 1072). In 2006, at the urging of Nestor Kirchner’s administration, a new official interpretation of the report was published, with the addition of a new prologue written by the National Secretary of Human Rights (Crenzel 2011, 1072). It was critical of the explanation given for the political violence in the original report, stating that it was “unacceptable to attempt to justify State terrorism like a sort of

game of counteracting violences, as if it were possible to look for a justifying symmetry in the action of individuals faced with the Nation and the State’s estrangement from their proper goals” (CONADEP 2006, 8–9, own translation). As Crenzel explains, the new prologue failed to place the political violence in its historical context, and did not establish civil and political responsibilities for the violence. Taking on a social justice tone, the report excluded any mention of guerrilla and political activity from the lives of the disappeared, and talked instead of the human rights movement’s thirty-year struggle for “truth, justice, and memory” (Crenzel 2011, 1072). The new prologue was met with criticism by former members of CONADEP, including journalist Magdalena Ruiz Guinazu: “It is a grave historical mistake to think that the report was an apology for the theory of the two demons” (cited in Galak 2006, para. 6).

ADEP and *Nunca Más* were of great international and historical significance. The efforts of the commission succeeded in radically influencing the course of international transitional justice.

Since the end of military rule, there have been political attempts to have the magnitude of the issue of the *desaparecidos* recognised in Argentina. Only under the consecutive governments of Néstor Kirchner (2003–2007) and Cristina Fernández Kirchner (since 2007), however, have the *desaparecidos* been officially recognised. For the first time since the early days of the return to democratic rule, the Kirchner administrations endorsed new cultural models of collective remembrance and commemoration. The Kirchners also issued a number of presidential decrees that declared laws limiting prosecutions under the Alfonsín administration, and other policies of impunity pursued by the Menem government, null and void. As a result, by August 2013 a total of 381 sets of criminal proceedings in relation to state terrorism were in process, in which 2,071 armed forces personnel, security officials and civilians are facing charges linked to state terrorism during the military dictatorship of 1976–83 (CELS 2012).

However, despite this relatively new-found public and official recognition for survivors and the families there are a number of unresolved traumatic legacies of this violent past. First, questions about the fate and the whereabouts of thousands of missing individuals remain unanswered by those responsible in the armed forces. Exactly what happened to each individual following their abduction by members of the security forces remains a complete mystery for most families. The families of the disappeared – many of whom had already been traumatised by the abduction and permanent disappearance of their children or partners – have had their trauma compounded by an inability to bury their loved ones’ bodies.

Second, while the organisation Las Abuelas de Plaza de Mayo (Grandmothers of the Plaza de Mayo) has challenged the military’s endemic silence and denial over what hap-

pened to illegally appropriated babies and children, many individuals remain unaware of the truth about their past.<sup>10</sup> Third, while legal proceedings in relation to state terrorism are currently in process in Argentina, many of the women with whom I spoke were concerned that political and judicial gains to bring those accused of human rights abuses to trial could be lost with a change of government. Many also spoke about their lack of faith in a justice system that previously had failed them, and that continued to accommodate corrupt and biased judges.

On the other side of the ideological divide, while the testimonial narrative of *Nunca Más* and the testimony heard at the trials of the ex-commanders established what had happened during the years 1976–83, it also sent a clear message about what should be left behind or forgotten. Significantly, victims of the armed political movement during the 1973–76 period were not included in the CONADEP report. The right-wing sectors of society therefore challenged the report, alleging that it did not make mention of these crimes (Vezzetti 2002, 125). CONADEP leader Ernesto Sabato was forced to respond to accusations of partiality – of denouncing only one side of the events while remaining silent about the “terrorism” that occurred prior to the military takeover in 1976 (CONADEP 1986, 6).

While it was not the commission’s central role to investigate the violent activities of the armed guerrilla groups during the period 1973–76, the omission of the testimonials of their victims meant that certain groups’ experiences were not included in what was a new democratic chapter of Argentine history (Crenzel 2011, 1072). According to Argentine author Hugo Vezzetti (2002, 28), the *Nunca Más* report stood as the first institutional representation of the Alfonsín government’s new approach to justice. However, because the report has been so influential and foundational to the creation of a “new public truth” within society (Crenzel 2008, 173), and has subsequently been used as the principal reference point for memory issues in Argentina, the omission of some groups’ experiences has had serious implications for the entrenchment of

10 As of August 2013, 109 of an estimated 500 children taken from their mothers after birth while

held in one of the military’s clandestine detention centres have been recovered with the assistance of

Las Abuelas de la Plaza de Mayo (Grandmothers of the Plaza de Mayo) ([www.abuelas.org](http://www.abuelas.org)).

ideological divisions within cultures of memory. While the report repudiates the political violence in the lead-up to the military coup, it is confined to the prologue, and as such ignores this period of Argentina’s past (Crenzel 2008).

In recent times the families of victims of the armed guerrilla movement have rallied together to fight against perceived moves by the current government to remember one side of history while forgetting another. The families of victims of the armed guerrilla movement told me that their feelings of victimisation had been reignited since the first Kirchner government took office. In their view, the Kirchner administrations made the memories of loss and violence of the families of the *desaparecidos* more politically relevant than those of the families of the victims of the armed guerrilla movement. Vittoria Villaruel from the advocacy group El Centro de Estudios Legales Sobre El Terrorismo y sus Víctimas (Centre for Legal Studies of Terrorism and its Victims; CELTYV) stressed that the organisation had initiated thousands of lawsuits over recent years. However, the families of the victims of the armed guerrilla movement contend that the Kirchners have played a powerful role in the shaping of judicial memory work by deciding what constitutes a crime, whose injuries will be recognised and how individuals’ suffering should be addressed. In 2011, the National Chamber of Criminal Appeal declared that crimes committed by armed guerrilla organisations during the dictatorship did not qualify as crimes against humanity, citing that “what distinguishes crimes against humanity is a crime committed by a government or quasi-governmental organisation against groups of civilians under its jurisdiction and control” (*Página 12*, 25 March 2011).

I have briefly explored some of the historical, political, social, legal and cultural factors that frame the way in which Argentina’s recent history has been generally articulated and understood. However, in the story of remembering and forgetting, these factors – though essential – are not sufficient to account for the animosity pervading Argentine memorial cultures. In the second half of this

paper, I extend my analysis by exploring this phenomenon through a different lens which foregrounds the many varied legacies and traces of individual and collective trauma. What sort of account of memory cultures in post-authoritarian Argentina could be created if trauma became our starting point?

## 2. Deep Memories of Trauma

Veena Das (2001, 67) suggests that a traumatic experience does not just alter one’s inner world; it changes it profoundly. The Argentine women I interviewed described various ways in which the traumatic events they lived through had permanently altered their lives.<sup>11</sup> For example, Barbara, who was a young girl when her father was murdered by the armed guerrilla movement in 1974, told me that the trauma resulting from this event had outweighed any happy memories of her childhood. Barbara told me of her struggles to support her mother who suffered mentally and physically through many difficult years as a result of the violence. “It was an operation with the aim of assassinating my family; and they managed to,” Barbara told me.<sup>12</sup>

Holocaust survivor Charlotte Delbo wrote extensively about living with trauma and the challenges of envisioning a future in the midst of the destruction of one’s emotional and cognitive capacities. Delbo communicates to us, through her exploration of deep memory, the complex ways in which the past continuously and unexpectedly ruptures trauma survivors’ reconstructed realities. Delbo (2001, 3) uses the term “deep memory” to refer to those memories that record the physical imprint of a traumatic event within the individual. She describes deep memory as different from common or intellectual memory in that it preserves sensations – it is the memory of the senses.

Maria’s physical and psychological pain acts as a constant reminder of the torture she endured in one of the military’s clandestine detention centres. Maria told me that she will frequently enter into the grip of deep memory when recalling what she endured. This experience can last for days at a time. Maria’s deep memories plunge her back into

11 On the psychological effects of state terror in Argentina, see Kordon, Edelman and Equipo de

asistencia psicológica de Madres de Plaza de Mayo (2007), and Puget and Kaes (1991).

12 Interview with Barbara Tarquini, Buenos Aires, 17 July 2009.

reliving the past in a way similar to Delbo’s (2001, 2), who was fearful lest “the camp get hold of me again”. Maria told me about how anxious she can become, as she suffers physically from the injuries she sustained from torture. Maria told me that the smell of blood from her daughter’s cut finger can transport her instantly back into the darkness of those violent days:

[...] the smell of blood, the smell of dried blood, because there was blood everywhere. And as I was paralysed, I had to drag myself to the bathroom. I had to drag myself across [other inmates’] blood.<sup>13</sup>

For Maria, in reliving the horror and trauma of her experience, “the sensory memory that is deep memory replaces the sensation itself and re-replaces the survivor in the death space” (Grunebaum and Henri 2003, 107). Maria is made to recall her vulnerability during torture as she smells the blood from her own daughter’s wound. By virtue of her deep memories, Maria is continuously faced with the possibility of being plunged again and again back into the physical horror of the clandestine camp in which she was held. These sorts of memories never fade or lose their initial integrity for Maria. The physical pain she feels is all too similar to the pain she endured at the hands of the repressors. In these moments, she is unsure whether she will survive, as she once again feels “death fasten” on her (Delbo 1995, xiii).

“They broke my neck,” Maria told me. As a result of the torture she experienced, Maria suffers from a degenerative spinal condition and feels like her body continuously fails her. As Maria relives the horror of torture, we are reminded by Parveen Adams (1998, 63) that although a scar may be healed, “it nevertheless opens you up continuously to the previous time of the open wound, a continuous reopening of the wound”. Maria’s reaction to smelling the blood from her daughter’s wound tells us about the difficult process she must face on a daily basis in dealing with the unconscious and unpredictable nature of deep memory. When I asked Maria how she was affected psychologically by these memories as they arose in the present, she replied:

And so, I get through the days like this [...] always [...] I get panic attacks when I feel the [physical] pain come on [...] I get very panicked when these moments arise. And in those moments, I’m very fearful because I never know how I’m going to get out of it.

Following a traumatic episode, Maria slowly pieces herself back together and re-enters her “normal”, everyday life. However, as Jean Améry writes (1995, 136): “Whoever has succumbed to torture can no longer feel at home in the world”; the experience of torture leaves survivors like Maria with few bearings by which to navigate their lives. She predicts the long-term impact her violent experiences will have on the rest of her life:

[...] I believe I will suffer until the end of my days. So it’s impossible for me to forget [the torture]. That’s the truth.

The Argentine women’s oral testimonies tell us much about what continues to dominate their lives as survivors of violence. To call oneself a survivor, according to Elizabeth Lira (1997, 227), is to recognise that there was a risk of or closeness to death, often leaving those who survived with the “taste of death”. Watching a loved one being violently kidnapped or disappeared has had long-lasting effects for many of the women I spoke with. For example, Silvia, whose father was kidnapped and who herself survived a violent attack by an armed guerrilla group, explained how she has lived with her memories of violence:

I feel like I was also kidnapped, as if I also couldn’t speak, I couldn’t say anything [...] I was young but for so many years I dealt with other things that in reality I didn’t feel like I was living on earth.<sup>14</sup>

Silvia’s comment attests to the way those affected by political and state violence in Argentina have become “a symptom of history that they cannot entirely possess” (Caruth 1995, 4–5). Silvia’s body has become a site and focus for her memories of trauma, which remain ever-vulnerable to revival. This raises an important issue about the long-term consequences of living with deep memories that are too painful to acknowledge in a person’s everyday reality and identity.

13 Interview with Maria del Socorro Alonso, Buenos Aires, 4 July 2009.

14 Interview with Silvia Ibarzábal, Buenos Aires, 28 July 2009.

Silvia told me there was no way to avoid remembering the violence she and her family lived through. She said that she was constantly and unexpectedly faced with feeling deep pain in the most subtle of ways:

You know what happened? This last week, I was working on my computer and my husband was looking for some papers beside me [...] he was opening boxes and at that moment a photo fell from one of the boxes right next to my computer. And it was a photo of my father. And so, I looked at the photo of my father, well, it was of my mother and father's wedding; it was a photo that was taken of them kissing, with the cake beside them [...] a typical wedding photo. And I was filled with so much sadness because I thought about the fact that he missed out on raising his kids [...] he didn't know his own children, he didn't get to know his grandchildren.

When I asked her how she feels when remembering, Silvia told me:

Abominable. Even though I'm not a person of faith, I have never felt hatred [...] it's a feeling I've never experienced, but instead I feel a deep pain [...] So you ask me how I feel [...] abominable [...] in this moment I feel so much pain, so much anxiety and here I am sitting here telling you this thirty-five years later.

Silvia's story is an example of just how difficult it is for the women interviewed to cope on a daily basis, when their existence has been so disfigured by the violent wrenching away of a loved one. In witnessing the recall of such deep memory, it becomes clear that no amount of public truth-telling can ease the pain of the women's deep memories that persist outside the parameters of closure (Langer 1995, 15). Silvia told me that even when she saw on television that the man held responsible for the killing of her father had died, it did nothing to ease her painful memories:

Clearly the pain and the traumatic experience I lived through, or, the awful memories – this never changes. So, he [her father's murderer] was imprisoned for three years, was pardoned and was freed. This man had the opportunity to form a political party, which never amounted to anything because he became sick and died. And even then I didn't feel anything when he

died, not happiness or sadness, not even the feeling that he deserved it [...] nothing.

Silvia's narrative shows how the locus of pain remains with the individual long after experiencing the original trauma. Her deep memories are a clear sign that her life will not be one of renewal, but will continue to be one of endurance. Her pain does not just magically dissipate with this man's death. Though she perhaps would have thought she would feel a sense of peace or relief, or perhaps even justice, if such a thing were to happen, she admits that she feels nothing.

The women's testimonies reveal how deep memory can inhibit the sense of relief and finality that the concepts of truth and justice are supposed to deliver. Their deep memories will never leave them, will never fade with time, and will never cease to be a burden on their lives. While we, as listeners, might wish to intrude on the women's memories, hoping that closure and certainty is possible amidst such devastation, it is revealing how deep memory defies closure or indeed any type of certainty.<sup>15</sup> This is particularly true for families of the disappeared for whom the effects of the loss of a cherished family member are compounded because they have never recovered their loved ones' bodies. The absence of bodily remains and a lack of knowledge about the fate of loved ones are an open wound that constantly triggers the memories of family members. Graciela told me she has never been able to go fully through a process of grieving:

Now, what happens [...] you can't put the past behind you, you keep doing things, but you can't put the past behind you [...] the pain doesn't leave, it doesn't hurt because you've never seen a body [...] pain comes with death [...] different cultures [deal with burying the dead] in different ways, whether that's burning a body, I don't know [...] burying it. But we were never able to do this, so we live with this uncertainty until death [...] it's that we've never had the luck to identify remains.<sup>16</sup>

Eliana, whose sister was disappeared by the military in 1976, goes through the process of submitting her DNA in the hope of finding the remains of her sister. However she

15 See Grunebaum and Henri (2003) for a discussion on how survivors of traumatic violence can experience further disembodiment when their per-

sonal memories of violence are silenced and edited out of public memory in the name of nation-building.

16 Interview with Graciela Lois, Buenos Aires, 23 June 2009.

questions whether her actions will really deliver what she seeks:

I believe that even if they returned the bodies, even if we found the remains and held ceremonies with their ashes and everything, the pain would still be there [...] because those who give their DNA, [in order] to have a chance of greater certainty can never take away [the pain] of disappearance [...] And you think, “what would I do if I found the remains?”<sup>17</sup>

Eliana finds herself contemplating an unbearable future predicament. Though she wants to feel relief from knowing with certainty where the remains of her sister are, Eliana admits that this knowledge may not in fact provide her with the relief she hopes for.

In critically analysing the way in which deep memory plays out in survivors’ everyday lives, we are given insight into why oft-repeated formulas such as a “past that refuses to go away” or “an unmastered past” remain relevant to the Argentine context today (see Donghi 1998, 3). Exploring deep memory shows us that even when survivors of violence successfully obtain justice, the psychic and physical pain provoked by deep memory will continue to be a part of their lives, insofar as traumatic memories of violence continue to exist. Exploring deep memory allows us to engage with the various complex layers of memory through which a traumatic experience is viscerally experienced by survivors, so we can enter the realms of the traumatic experience on its own terms (Langer 1995, 7). Only then can we acknowledge just how histories live on undiminished, their substance unaltered, in the present day and beyond.<sup>18</sup>

### 3. Affective Transmission

I argue that it is also important to consider the interpersonal pathways of traumatic histories and memories with regard to how and why they can stir individuals and collectives to such an extent that the past continues to operate as a source of social and political division. Powerful collective memories about the period of state and political

violence of the 1970s and 1980s have heightened political and social tensions in contemporary Argentina. In turn, strong bonds have been formed between individuals situated within adversarial memorial cultures, resulting in highly specific collective memories. Much of the power of these collective memories, I argue, has in part been derived from the strong emotions that they provoke. For memory belongs in the “intermediary realm” between individuals; it develops and grows out of the interplay of interpersonal relations, and as such the emotions play an important role in this process (Assmann 2006, 3).

The women’s emotional investment in the recalling and retelling of their traumatic experiences is strong. However, this investment can reinforce their fixation on a past that keeps in place, and possibly deepens, their already traumatised state (Jelin 2003, 5). Raquel, whose son and daughter-in-law were disappeared by the military and who searches daily for the grandchild she suspects was born in captivity, reflected on what motivated her personally to emotionally invest in the retelling of her traumatic past:

We’re sometimes preoccupied by what’s happening politically because we are living a moment in which we’ve had a lot of luck with the opening of many things. We’ve reclaimed clandestine centres; we’ve reclaimed places where they tortured our children. We’re very afraid that we would lose all this if another government comes to power and they’d leave us with nothing; like has happened before. This is our worry.<sup>19</sup>

Raquel is fearful that the recent hard-fought gains for the families of the *desaparecidos* could be lost with a change in government. This happened before: Alfonsín’s successor, Carlos Menem, adopted a policy of forgetting the past when, on taking power in 1989, he extended pardons to military personnel who had been convicted of human rights crimes.

Empirical evidence suggests that emotions tend to be socially shared (Rimé and Christophe 1997, 133). As Raquel repeatedly and openly relates the emotional story of the disappearance of her son and daughter-in-law by the military,

17 Interview with Eliana Carreira, Buenos Aires, 8 June 2009.

18 For further discussion on the physical and psychological manifestations of Argentine women’s deep memories of trauma, see Stockwell (Forthcoming).

19 Interview with Raquel Marizcurrena, Buenos Aires, 17 June 2009.

and her feelings and reactions to others, her private emotional experience “feeds” into collective memory through an important social psychological process called the “social sharing of emotions” (Rimé and Christophe 1997, 133). While scholars previously considered emotions as merely a short-lived and intrapersonal phenomenon, more recent research on emotions has delivered convincing evidence that emotions are essentially interpersonal communicative acts, which instead involve long-term social processes: the more individuals are upset, the more likely they are to share their story with others and to elicit vivid, precise and long-lasting memories of the event (Rimé and Christophe 1997, 144). This process can influence the way an historical experience is organised in memory and perhaps recalled in the future (Pennebaker and Banasik 1997, 7).

Oral testimony has played a crucial role in how events have collectively been assimilated and remembered in Argentina. The significance of the political and state violence of the 1970s and 1980s has been orally transmitted within Argentina’s memorial cultures, and individuals’ perceptions and understanding of the events have been shaped by those giving oral testimony. In regularly speaking publicly about their traumatic memories and relating their emotional experiences in the form of oral testimony, the women I interviewed have thus played a significant role in socially sharing their emotions. However, I suggest that this process has contributed significantly to the ongoing polarisation between the right and the left. I argue that the process of telling and retelling individuals’ memories never “exhausts” the violence that was inflicted during the period of political and state violence, but instead symbolises and even evokes it. The fear and terror associated with past violence are strongly communicated by the women in their narratives, and this in turn can engender strong feelings in those listening.

Empirical evidence suggests that exposure to the emotional narrative of another can induce considerable emotional changes in the individual listening (Rimé and Christophe

1997, 137). In fact, Rimé and Christophe’s study showed that the more the survivors revealed their in-depth emotions when talking about their experiences, the more emotionally affected were the listeners (1997, 137). We can see this process clearly at work when Gladys, whose military husband was killed by the armed guerrilla movement in 1976, reiterated revisionist claims that she had received through others within her memorial group about the “real” fate of the *desaparecidos*:

The children that they [human rights organisations/families of the disappeared] say are disappeared [...] you can’t believe that it’s true. Some friends of mine went to see the names listed on the posters [of Las Madres] in the Plaza de Mayo and they know for a fact that they are alive. So it’s not certain [...] it’s not certain.<sup>20</sup>

As Gladys circulates this type of negationist claim that serves to create doubt about the fate of the *desaparecidos*, her emotional experience also circulates and spreads throughout her social group. Kent Harber originally developed the idea that communicated emotional experiences can “feed” social knowledge of emotion, using the term “the human broadcaster” (Rimé and Christophe 1997, 143). Harber proposed that individuals’ inclination to communicate an emotional experience served both an intrapersonal need, in the sense of gaining perspective, as well as an interpersonal need for news (cited in Rimé and Christophe 1997, 143). Therefore, as individuals repeatedly relate their emotional experiences to others, the social group gradually assimilates those experiences and, as a result, is furnished with new emotional knowledge (Rimé and Christophe 1997, 144).

In going beyond the women’s standard narratives of trauma and violence, and in exploring the transmission of their emotions, we can see how the women have “an ability to affect and be affected” (Massumi 1987, xvi) when they talk about their shared pasts. I argue that the women’s emotions are an enduring social force that remains at work

<sup>20</sup> Interview with Gladys Echegoyen, Buenos Aires, 22 July 2009. While some women within the political right made negationist claims about the fate of the disappeared, others clearly condemned the human

rights abuses of the military. For example, Victoria Paz of CELTYV told me, “I am in complete solidarity with the pain of the families [of the disappeared], of the persons who died because of the

actions of the military.” Interview with Victoria Paz, Buenos Aires, 12 July 2009.

in the public sphere long after they have shared their experiences with others. I suggest that the women’s emotions leave an affective residue, or what Melissa Gregg and Gregory Seigworth (2010, 9) call a “bloom-space”. These emotions are a central part of unseen forces that mark the “passages of intensities” between individuals, and determine the relationship between ourselves and others (Gregg and Seigworth 2010, 13). This residue has what Anna Gibbs (2010, 187) describes as an “energetic dimension” or “capacity”. I suggest that this capacity contributes toward a sense of the continuance of animosity and resentment over time. The affective residue helps to sustain and preserve the connections between those ideas, thoughts, values and habits that act as an affective charge within a politics of remembering in contemporary Argentine society.

Exploring how emotions can both circulate between bodies and shape subjectivities is crucial to our understanding of how affect can form and mobilise individuals or groups in different ways over a period of time. In this way, the circulation of the women’s narratives and the accompanying affects result in the shaping of the contours of the public space they inhabit (Rothberg 2009, 221). Their public testimonies fill this space with “the psychic and physical losses that cannot be transcended” (Rothberg 2009, 219). If we come to understand how affect works to align individuals with communities, we can also explore the crucial role it plays in the materialisation of collective bodies, including the “body of a nation” (Ahmed 2004, 25).

#### 4. Affective Transmission and Perception

A number of scholars (e.g. Brennan 2004; Gibbs 2001; Probyn 2005) suggest that affects can be contagious. Teresa Brennan’s work on the transmission of affect (2004) develops this idea in her model of connectedness and transmission of affects. In *The Transmission of Affect* (2004), she asks: “is there anyone who has not, at least once, walked into a room and ‘felt the atmosphere?’” (2004, 1) Brennan’s idea also forms part of the intellectual history of crowd psychology and the sociology of emotion, and explains that we are not self-contained in terms of our energies; there is no clear boundary separating individuals and their environment. I suggest that we look to theories of affect contagion as a way of understanding the role affects

may play in the constitution of a relationship between individuals, groups and communities (Ahmed 2004, 9).

Indeed Sara Ahmed argues that affect plays a crucial role in the “surfacing” of individual and collective bodies: how we feel about others is what aligns us with a collective. According to Ahmed (2004, 27), one’s perception of another involves a form of “contact” between the individual and the other that is shaped by longer histories of contact. It is the “moment of contact”, shaped and informed by past histories, that allows the proximity of the other to thus be perceived as threatening (Ahmed 2004, 31). So, for example, when the group Las Abuelas de la Plaza de Mayo (The Grandmothers of the Plaza de Mayo) was nominated to receive the Nobel Peace Prize, an email petition was circulated by CELTYV in protest at the nomination of Las Abuelas. The petition stated that Las Abuelas had never spoken out in support of the victims of the armed guerrilla movement, and was in fact associated with those guerrillas who had killed the petitioners’ family members.

Such a narrative produces a polarisation between the two groups of victims, and sets up an “us” versus “them” dichotomy that blames Las Abuelas, who have pursued a discourse of human rights to locate abducted babies and children, for destroying any future possibility for peace in Argentina. The online petition reveals the existence of a perceived injury: the refusal of Las Abuelas to condemn the violence committed by the armed guerrilla movement is constituted as the cause of CELTYV members’ ongoing feelings of pain.

The violence experienced during the 1970s and 1980s was not just inflicted on the bodies of those individuals who personally lived through the terror, but was also inflicted on the body of Argentine society; society itself was torn apart by the disappearance and murder of thousands of its citizens. This has resulted in a collective trauma that has involved “a blow to the basic tissues of social life that damages the bonds attaching people together and impairs the prevailing sense of communality” (Erikson 1995, 187). While trauma can engender a sense of community between individuals and groups, it can also damage the fabric of a community (Erikson 1995, 187). Dori Laub and Nanette

Auerhahn (1989, 397) write that the link between individuals is predicated on the possibility and expectation of empathy. However, when individuals’ vital needs either go unheeded or are ignored by others, they lose the expectation that their needs will in some way be met (Laub and Auerhahn 1989, 379). For example, as Barbara, whose father was killed by an armed guerrilla group, told me:

I went to the human rights organisations to demand my rights as a victim of the military government because my father was a victim. They told me no, that my father was a fascist, that he didn’t belong [to human rights organisations] [...] How could they say this to me?

In Argentina, considerable social damage has been done by the significant absence of empathy for the grief of others. This has denied both groups of women what they desire: the acknowledgement and empathic engagement with their suffering by those individuals instrumental and directly responsible for causing their emotional pain. When the women believe their memories have not been given the moral, social, cultural and legal recognition they feel they deserve within the public sphere of collective remembrance, affective alignment fails; this failure of affective alignment perpetuates the stalemate between members of antagonistic memorial cultures (Ahmed 2004, 26).

For the women I interviewed this means that the failure of empathy for the other group’s grief destroys the possibility of communication between adversarial memorial cultures. The women’s ideologically charged projections result in certain fixations “that project onto others or deposit into others negative affects”; in turn, these can create the illusion of affects being “located” in other individuals of ideologically opposed groups (Schwab 2010, 112). The circulation of negative affects can radically disturb people’s understanding of themselves, as well as their relations with others and the past (Probyn 2010, 86). What is then produced is a lack of what Ahmed (2004, 36) calls “fellow feeling”: the women’s pain cannot be shared through empathy with others in different memory groups.

## 5. Conclusion

In direct contrast to the nominally objective and universalist sensibility that has traditionally driven transitional jus-

tice endeavours, I have sought to understand the ways in which the affect generated by shared memories of trauma acts as an invisible yet potent cultural force – at times disruptive, but always generative – challenging the “reconciliation paradigm” and subtly recasting public conversations about the nation’s past and present. While the traumatization of individuals and groups has been the central premise for national reconciliation projects, which seek to heal the wounds of the past and promote peace within fractured societies, my research findings considerably complicate the notion that the process of enacting justice is automatically commensurate with the alleviation of individual trauma.

An attention to affect, and particularly to the ways in which its rhythms and timings come to mark the passages of intensities within and between individuals, compels us to rethink the impetus for survivors of violence and trauma to reconcile with their traumatic memories as quickly as possible – or even at all. As Judith Butler tells us, grief is a slow process “by which we develop a point of identification with suffering itself” (2003, 30). In other words, it takes time for survivors to move from a state of mourning into new understandings and consideration of the vulnerability of others (Butler 2003, 19).

When we consider the time it could take for new understandings of the vulnerability of others to emerge between antagonistic memorial cultures, it may be fruitful to wonder what it would be like if we let go of the idea that history needed to be settled. What would it mean for transitioning democracies to let go of the mantras of “coming to terms with the past” and “moving on”? What if we shifted our attention to individuals’ narratives, and really listened to what was being said, rather than skirting over the voices of individuals in the name of peace-building projects?

After all, affective memories can – and do – take their time to emerge into consciousness, both individual and collective. When so much pain exists that may be as yet unready to be seen or narrated, and when we set limits on how long survivors can grieve because they become obstructions to our march towards reconciliation, are we not at risk of

plunging them, again, back into the original trauma? Susan Brison (1999) reflects on the difficulties of living with her own traumatic memories of sexual violence while being part of a society that deals with the “unbearable” by pressuring those who have been traumatised to forget what happened to them. She contends that as individuals and as cultures, we impose “arbitrary term limits on memory and on recovery from trauma” (Brison 1999, 49). Telling survivors of violence to “put the past behind them” does not make their deep memories go away, however; it only makes memories more likely to be driven underground (Brison 1999). The thinking of cultural historian Maria Tumarkin echoes Brison’s experience when she asks: “How long will it take for experiences of violence and injustice to be lived through and absorbed, for the forgiveness to emerge, not to be forced out? We don’t know. It will take *as long as it takes*.” (Tumarkin 2011, 143)

It is perhaps wise to follow Sara Ahmed’s suggestion that we should respond to injustice in a way that highlights the complexity of the relation between violence, power and affect. For Ahmed (2004, 38), struggles against memories of injustice are not about “moving on”; rather, they are about how one is moved by feelings into a different relation to the norms that one is contesting and how this movement within an individual leads to the creation of different kinds of attachment to others, and thus to new kinds of interpersonal encounters and relationships. Of course, affect can – and does – result in negative attachment to others. Yet, I contend, it is by following the trails of affect that we can find new relational possibilities and new, non-reductive ways of thinking about memory in a society recovering from violence and trauma.

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# Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the “Years of Lead” in Morocco

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## Vol. 8 (1) 2014

### Focus Section: Violence, Justice, and the Work of Memory

#### Editorial (p. 3)

**Introduction: Violence, Justice and the Work of Memory** Klaus Neumann / Dan Anderson (pp. 4 -15)

**Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda** Laura Eramian (pp. 16 - 29)

**“The Country that Doesn’t Want to Heal Itself”: The Burden of History, Affect and Women’s Memories in Post-Dictatorial Argentina** Jill Stockwell (pp. 30 - 44)

► **Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the “Years of Lead” in Morocco** Laura Menin (pp. 45 - 60)

**From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights** Maria Campisi (pp. 61 - 74)

**Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case** Francesca Lessa (pp. 75 - 90)

**“What Will You Do with Our Stories?” Truth and Reconciliation in the Solomon Islands**  
Louise Vella (pp. 91 - 103)

**Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal**  
Simon Robins (pp.104 - 118)

### Open Section

**Postwar Violence in Guatemala – A Mirror of the Relationship between Youth and Adult Society**  
Sabine Kurtenbach (pp. 119 - 133)

**Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?** Lieven Pauwels / Maarten De Waele (pp. 134 - 153)

**Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia** Pietro Castelli Gattinara / Caterina Froio (pp. 154 - 170)

**Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors**  
Selina Helmke / Pia-Renée Kobusch / Jonas H. Rees / Thierry Meyer / Gerd Bohner (pp. 171 - 186)



# Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the “Years of Lead” in Morocco

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Prison literature (*littérature carcérale* or *adab al-sujun*) has shed light on censored dimensions of Moroccan postcolonial history. By sharing their personal memories, former political prisoners have triggered a debate on state violence under Hassan II (1961–1999). This exploration of the gendered and relational dimensions of violence and testimony draws on the published memoirs and interviews of Nour-Eddine Saoudi and Fatna El Bouih, two former Marxist-Leninist political prisoners. Specifically, it identifies the means by which Saoudi and El Bouih theorised their personal experience to denounce the system of repression in Morocco. Their testimonies illustrate the role of memory as a transformative site of agency and political imagination, exhibiting hope for a different future by encouraging Moroccans to engage with their dark past.

Especially in the last fifteen years, prison literature (in French, *littérature carcérale*; in Arabic, *adab al-sujun*) has shed light on memories and histories silenced in the official historiography of postcolonial Morocco. The testimony of former political prisoners has triggered a debate on past state violence and encouraged the rewriting of a chapter of Moroccan history that was marked by the institutionalised repression of the political opponents of Hassan II (1961–1999). This period, 1961 to 1991, has come to be known in Arabic as *sanawat ar-rasas* (“the years of lead bullets”) and in French as *les années de plomb* (“the years of lead”). In the wake of the political liberalisation initiated by Hassan II in the 1990s and continued since 1999 by his son and successor Mohammed VI, cultural production and civic activism persuaded the new king in 2004 to establish an equity and reconciliation commission, the Instance Équité et Réconciliation (IER), to investigate state crimes and compensate its victims (Slyomovics 2005a, 2009; Vairel 2008).

This paper explores the gendered and relational dimensions of violence and testimony by engaging with the spoken and written words of Nour-Eddine Saoudi and Fatna El Bouih, two former political prisoners who had been activists in the student movement in Casablanca during the late 1960s and 1970s.<sup>1</sup> Specifically, I explore how they experienced and narrated state violence as a process embedded in the intimacy of their bodies and selfhood and in their affective and social worlds. My intention is to draw attention to the complex ways in which both violence and testimony implicate social constructions of femininity and masculinity that contribute to shaping how violence is lived and publicly narrated.

The personal and political trajectories of Saoudi and El Bouih intersect. Close friends since they were students, they both became involved in the Marxist-Leninist movement. As a result of their political views and activism, they

The research for this paper was generously supported by the Deutsche Forschungsgemeinschaft. I am grateful to Klaus Neumann, Dan Anderson, Jill Stockwell, Saadi Nikro, Sonja Hegasy and three anonymous reviewers for their insightful comments on earlier versions. I express my deepest gratitude to

Nour-Eddine Saoudi and Fatna El Bouih for having shared their time and thoughts with me.

<sup>1</sup> The analysis draws on interviews in French with Saoudi and El Bouih and on ethnographic research (October–November 2012 and April–May 2013) on cultural production, violence and the memory of

the Years of Lead, which was carried out mainly in the Rabat-Casablanca conurbation as part of the ZMO project “Transforming Memories: Cultural Production and Personal/Public Memory in Lebanon and Morocco”.

were disappeared in the secret detention centre Derb Moulay Chérif in Casablanca and then imprisoned for years in civilian prisons in Morocco. In 2001, El Bouih published *Hadith al-‘atama*, a memoir in which she recounts the experience of torture and detention in what she calls a “feminine voice” (2008, v). Her book was translated into French as *Une femme nommée Rachid* (published in 2002) and into English as *Talk of Darkness* (2008). In *Atlassiate* (2006), El Bouih collected testimonies from women in the Middle Atlas Mountains of Central Morocco who suffered state violence in the aftermath of the 1973 uprising against the regime. Nour-Eddine Saoudi edited *Femmes-Prison: Parcours croisés* (2005), a collection of oral and written testimonies by the female relatives of political activists documenting the traumatic consequences of the activists’ disappearance and detention for their female relatives, as well as these women’s courage and civic activism. Saoudi first published brief prison accounts abroad in the early 1980s; he published his memoir, *Voyage: Au-delà des nuits de plomb*, which he had begun writing in prison, in 2007 in Morocco.

Scholars have drawn attention to the active role of women in the struggle against Hassan II’s regime and have analysed El Bouih’s memoir to understand the gender dynamics of sexualised violence against female activists during the Years of Lead (Slyomovics 2005a; Slyomovics 2005b, 132–64; Guessous 2007; Orlando 2009, 48, 71–96; Orlando 2010). Women activists doubly challenged the *makhzen* (government, administration, authority, system): as political opponents and as women who transgressed the dominant gendered norms that prevented them from entering the male sphere of politics. By telling their personal stories, these women named forms of sexualised violence that touched intimate dimensions of their sense of self and remained surrounded by silence, shame and social stigma. In other words, scholarly attention to women’s voices has shown not only that political violence is gendered, but also that the passage from pain to public speech is laden with gendered and relational implications (Slyomovics 2005a, 2005b, 2012; see also Hegasy and Dennerlein 2012; Das 2008). In contrast, the gendered implications of men’s experiences of violence and testimony remain largely unexplored.

My paper seeks to explore the intricate relationship between violence, gender and voice in the interviews and published memoirs of Saoudi and El Bouih. The juxtaposition of the two authors provides further insights into the sexualised and gendered dimensions of repression in Morocco and into gendered notions of honour, silence and shame when appearing in public. The inevitable slippages between “what happened” and “the representation of what happened” make it hard to distinguish the violence they actually experienced and their public testimony about it. Nevertheless, the ways Saoudi and El Bouih exposed or veiled particular aspects of their experiences enable me to examine the tensions between voice and silence as a gendered discourse on pain.

Saoudi and El Bouih have used the autobiographical genre as a form of activism to theorise their personal experience and denounce the system of repression in Morocco. Their memoirs detail how the regime used physical and symbolic violence to shatter their voice, sense of selfhood and political agency through the *unmaking* of their subjectivity and everyday worlds. Elaine Scarry (1985, 35) has argued that physical pain has no voice and visibility because it cannot be articulated verbally. For Scarry, pain not only resists language, it also destroys it because it unmakes the world through the annihilation of a person’s self and voice. The insight that violence shatters the everyday world captures important dimensions of the lived experience of Saoudi and El Bouih. Nevertheless, my analysis extends Scarry’s argument by showing how they have struggled to resist annihilation and articulate in words, images and silences the unsayable experiences of pain and subjection. Veena Das and others (Das 2003, 2006; Das et al. 2000, 2001) have shown how people strive to make their ordinary worlds liveable again in the aftermath of conflict and war. These studies contend that violence not only destroys, but also works to produce certain types of agency and subjectivity. Following their lead, I explore the everyday practices through which Saoudi and El Bouih sought to remake their ordinary worlds during and after detention, thereby making them inhabitable and meaningful again.

My approach interweaves a textual analysis of their prison memoirs with conversations and interviews conducted in

2012 and 2013, when we discussed their prison memoirs and their motivations to write, the difficulty of remaking a life after prison, their visions of the present, and their current civic engagement. The consistency of their oral and written memories arguably suggests that writing and testimony contributed to shaping a narrative about past events. Their oral statements provide further insights into the delicate process through which they sought to piece themselves back together and re-socialise the embodied memories of violence in the aftermath of their traumatic experience.

Since the creation of the Instance Équité et Réconciliation, cultural production from the Years of Lead has become one focus of the monarchy's project to rewrite and remember the country's postcolonial history. Saoudi's and El Bouih's oral and written testimonies reveal a pedagogical aim of transmitting to younger generations marginalised memories of the past as a means to better understand the present and its ambiguities. They invite us to think of memory as a transformative site of agency and political imagination, which reveals their hope of contributing to a different future by promoting Moroccans' engagement with their dark past.

### 1. The New Left and the *Makhzen*

Morocco gained its independence from France in 1956. After an initial struggle for power between the royal palace and the political and military forces that had fought for national liberation (mainly the Istiqlal and the Armée de Libération Nationale), Sultan Mohammed V was able to establish an authoritarian regime and in 1957 took the title of king. His successor Hassan II (1961–1999) entrenched the king's constitutional position by co-opting some of his potential opponents while crushing opposition parties with repression and mass trials (Vermeren 2006, 19–30; Pennel 2000, 297–316; Saoudi 2004, 261–89).

In 1965, two events deeply affected social and political developments. First, the government enacted measures to restrict access to secondary education, which was crucial for upward social mobility; after the French left, having a high school education enabled Moroccans to enter the civil service. In the context of a political and economic crisis, students, unemployed youths and slum dwellers rioted in

Casablanca in protest against this reform. On 23 March, the regime suppressed the riots; hundreds of protesters were injured, killed or disappeared. Hassan II imposed a state of emergency to suspend all political and trade union activities, which remained in place until 1970. In 1970, he promulgated a new constitution that further entrenched his power. Second, the leader of the left-wing Union National des Forces Populaires, Mehdi Ben Barka, was abducted, tortured and killed in Paris.

El Bouih and Saoudi belong to a generation that was deeply influenced by these events and, in the early 1970s, they joined the clandestine Marxist-Leninist movement as the revolutionary alternative to the existing left-wing parties. Against the global backdrop of political and student movements that culminated in the May 1968 student uprisings in France and the Chinese Cultural Revolution, the dream of social, cultural and political change animated young Moroccans (Rollinde 2002, chap. 7). In the late 1960s, the “New Left” (*al-yasir al-jadid*) emerged from the radical wings of the Union National des Étudiants Marocains, the Union National des Forces Populaires and the Parti du Libération et du Socialisme. Three clandestine Marxist-Leninist organisations – 23 Mars (named after the Casablanca uprising), En Avant and later Servir le peuple – emerged out of the university and high-school milieu (Rollinde 2002, 142–48; Saoudi 2007, 58–60; Vermeren 2006, 49–50).

In 1971 and 1972, two military coups unsuccessfully sought to oust the monarchy, and fifty-eight officials and soldiers who were accused of being involved in the coup and sentenced in a mass trial in 1973 were disappeared in the secret prison of Tazmamart, where they suffered inhumane conditions for eighteen years (see, for instance, the memoirs of Tazmamart survivors Ahmed Marzouki [2000] and Mohammed Raiss [2002]). In a climate of political turmoil and radicalisation, thousands of students and activists were arbitrarily arrested and disappeared during the 1970s and 1980s. Between 1974 and 1976, waves of arrests targeted the Marxist-Leninist movement. Saoudi was kidnapped in 1974 and spent ten years in prison, while El Bouih was kidnapped in 1977 and detained until 1982. Like many opponents of the regime, they were tortured for

months in Derb Moulay Chérif. In 1975, Hassan II launched the Green March to seize Western Sahara, which was then under Spanish occupation, and annex it to the Kingdom of Morocco. This enabled the king to reaffirm national unity and forge an alliance with the opposition parties (Vermeren 2006, 68–69). As a consequence, the radical left-wing prisoners lost political support.

Since the early 1980s, a few prisoners have published in foreign countries their poetry, fiction and personal accounts about prison and torture.<sup>2</sup> The majority, however, published prison testimonies in Morocco after Hassan II's death.<sup>3</sup> The political transition, far from being simply a top-down process, also resulted from the struggle of human rights activists, former prisoners and their families. Beginning in the 1970s, Moroccans in France created associations to denounce state repression and abuses. In Morocco in the 1970s and the 1980s, activists founded human rights associations, including the Association Marocaine des Droits de l'Homme (Moroccan Association for Human Rights, established in 1979) and the Organisation Marocaine des Droits de l'Homme (Moroccan Organisation for Human Rights, established in 1988) (Rolinde 2002, chap. 10). In 1999, when Mohammed VI established the Commission d'Arbitrage (Indemnity Commission) to compensate the victims of state abuses, former political prisoners set up the Forum Marocain pour la Vérité et la Justice (Moroccan Forum for Truth and Justice) to contest the regime's policy of turning the page without establishing historical truth or juridical accountability (Slyomovics 2001, 2003, 2009).

In response to the former prisoners' and activists' demands for truth and justice, Mohammed VI established the Instance Équité et Réconciliation in 2004, headed by the

former Marxist political prisoner Driss Benzekri, who had been imprisoned from 1974 to 1991. The IER was charged with investigating human rights violations between 1956 and 1999, compensate the victims and prevent repetition, while making it a condition that perpetrators not be mentioned (Mohsen-Finan 2007; Labdaoui 2007; Hazan 2008; Vairel 2008; Wilcox 2009). The IER recommended that the government institute two programs to promote Moroccans' reconciliation with their violent past. The communal reparations (*jabar al-darar al-jama'i*) programme was launched in 2007 to direct resources to areas of Morocco that had been targeted by state violence or had been marginalised as the result of uprisings against the regime or due to the presence of secret detention sites. This program has also funded the creation of monuments and memorials and the transformation of secret detention centres into museums and community centres (Dennerlein 2012; Slyomovics 2012).<sup>4</sup> The second program, IER 2, provided for the creation of national archives, support for academic research on Moroccan postcolonial history and in general the preservation of memory.<sup>5</sup>

## 2. Nour-Eddine Saoudi and the Descent into the "Unknown"

Nour-Eddine Saoudi was born in 1951 in Casablanca into a lower-middle class family originally from a village in the Middle Atlas Mountains. He joined the clandestine Marxist-Leninist movement when he was a student at the Institut Supérieur de Commerce et d'Administration des Entreprises (ISCAE).

In *Voyage: Au-delà des nuits de plomb* (2007), Saoudi recounts the events that had led to his arrest in 1974, his disappearance in Derb Moulay Chérif and the farcical 1977 mass trial. He describes the process of writing, which he had begun while he was in prison, as "a painful exercise,

2 This body of literature includes the well-known prison account of Abdellatif Laabi (1982), a poet and founder of the literary review *Souffle*, the famous prison memoir of the Marxist-Leninist activist Driss Bouissef Rekab (1989) and the graphic novel on torture by Abdelaziz Mouride (2000), smuggled out of prison page by page and published in France in 1982 and then in Morocco in 2000. For an overview of Moroccan prison literature, see El Ouazzani (2004), Bartuli (2004), Zekri (2006, 199–231); Elinson (2009) and Orlando (2009, chap. 2; 2010).

3 The Conseil National des Droits de l'Homme's list of prison writings published in Arabic and French since 1956 shows that this production has intensified significantly since 1999.

4 For a detailed description of these projects, see also [http://www.ccdh.org.ma/IMG/pdf/panorama\\_des\\_projets.pdf](http://www.ccdh.org.ma/IMG/pdf/panorama_des_projets.pdf).

5 See <http://www.ccdh.org.ma/spip.php?article4396>. The Conseil National des Droits des l'Homme, the body appointed to implement the

recommendations, submitted six existing films on the Years of Lead to renewed editing and is planning to do the same with the prison literature (personal communication with Mohammed Khamlichi, November 2012).

because, in plunging me into this dark past, I somehow relived, through my memory, all the ordeal of my incarceration (abduction, torture, trials, hardship, hunger strikes ...)", but found that writing his prison memoir was like a "second liberation" (2007, 11), because it lifted the burden of memory.<sup>6</sup> During our first meeting in November 2012, however, Saoudi made it clear that he had not written his memoir for himself: "I was a teacher in high school and I realised that the young were completely unaware of the recent history of their country. I wrote the book for these young people" (interview, 15 November 2012). Saoudi was motivated by the pedagogical aim of providing the young with the tools to engage with the past as an essential condition for reflecting upon the present and imagining the future. To do so, he situated his personal memory against the backdrop of the historical events that shaped his generation's political imagination. In his view, prison testimonies often lack attention to the political, social and economic conditions under which disappearance, arbitrary arrests and torture occurred: "I tried to provide a historical explanation so that young Moroccans could get an overall idea of the social and political context that led our generation to rebel, to become politically active and then to be arrested" (interview, 15 November 2012).

In his memoir, Saoudi underlines that his political engagement had led him to question Moroccan political life, and also the dominant gendered practices shaping social and family ties: "With my political awareness, not only did my perception of society change, but also that of my family and the relationship between its members" (2007, 77). Saoudi's sensitivity towards the interplay of gendered and generational hierarchy led him to refuse the patriarchal and authoritarian masculinity that he felt his father and his generation embodied and to search for other ways of "being a man". This cemented the bond with his mother, with whom he had spent much time since his childhood, helping her weave carpets and do housework, which were considered solely women's work. His political activity was interrupted by his abduction in December 1974, when he was twenty-three years old.

At our first meeting, Saoudi emphasised the "formative dimension" of prison because this traumatic experience pushed him to examine the fundamental choices in his life, such as his political engagement, but also to reflect upon his conflict-ridden relationship with his father. While he was in prison, he translated scholarly works from French to Arabic, taught other detainees and wrote articles on economic matters for French journals; he has continued these activities since his release in 1984. Despite the suffering that he endured, he maintains that detention had provided him with "an exceptional opportunity of maturation and human, cultural, intellectual and political enrichment" (2007, 24). In his depiction of the prison universe, Saoudi explores the activists' connivance and betrayals, the naiveté of their political practices and the unexpected solidarity of the few jailers who sympathised with their situation and provided material help. Above all, Saoudi's memoir is an examination of state oppression, and a testimony of personal and collective struggle for material and moral survival under conditions of brutality and arbitrary treatment.

### 3. Horizons of Pain and the Struggle against Despair

"Like a sharp sword, an excruciating cold pierces my whole body, which is curled up on itself. Foul odours invade my nostrils, choking me. My body was a mass of pain, head to toe. [...] I had become a 'dismembered' body" (Saoudi 2007, 23). With this image, Saoudi throws the reader into the universe of the "Derb" and its rulers, the *Hajj* (the jailers and tormentors). *Hajj* is the title given to a person who has undertaken the pilgrimage to Mecca and is also used to address elderly people as a sign of respect. Besides ensuring the jailers' anonymity, forcing the prisoners to address their persecutors with this honorific title represented a form of symbolic violence. The reversal of moral values in the "Derb" reinforced the undoing of the everyday world.

On the day of his arrival, Saoudi writes, "death was desired more than life" (2007, 23). After he was brutally tortured and disfigured, he was confined in a corridor, blindfolded and manacled, for a month. Only sleep provided some res-

<sup>6</sup> All quotations from Saoudi's memoir (Saoudi 2007) translated from the French by the author.

pite. For Saoudi, torture and degradation served to extract information, but most importantly: “They intended to punish prisoners so that they would never even think of repeating what they had dared to do and, through them, to dissuade all citizens from engaging in oppositional political action and formation” (2007, 29).

On arrival at the “Derb”, detainees’ hair was shaved off and their names replaced by numbers. These practices were meant to prevent prisoners from recognising each other and to systematically shatter their subjectivity. “Our transformation into common numbers was a way to erase, deny our identity. To dehumanise, degrade and weaken us”, Saoudi writes (2007, 31). Under the surveillance of the *Hajj*, everyday life was regulated by strict rules; the prisoners were kept from speaking, seeing and moving. Sexualised verbal and physical harassment was an integral part of the violence that male prisoners endured. In his memoir, Saoudi (2007, 25) mentions the term *pé* (abbreviation of *pédé*, “fag” in English) that was used to insult and humiliate the prisoners. He does not address this aspect further in his prison memoirs, but told me that he had felt profoundly violated not only as a human being, but also as a man:

In their system of violence the macho dimension was part of their way to destabilise and break the male prisoners’ morale by addressing them with the most abject terms – “faggot”, “I will fuck you”, “son of a bitch” – and by the agony of the bottle, when prisoners were forced to sit on a bottle.

(interview, 2 May 2013)

Saoudi’s words reveal dimensions of state violence that remain silent and veiled in his memoir, but which he briefly mentions in a previous written account.<sup>7</sup> In prison, verbal harassment and sexual violation aimed to reinforce the male prisoners’ feelings of powerlessness by unsettling their sense of masculinity. In their written testimonies, other male prisoners refer to the use of bottles and electric devices for sexual torture and describes the experience of being violated (for example, Bouissif Rekab 1989, 78).

Saoudi emphasised that women activists found it painful to talk publicly about the “macho character” of the physical and verbal violence they suffered. For male prisoners too, he explained, the gendered dimension of state violence remained (and remains today), a sensitive topic because it threatens the prisoners’ image of virile masculinity, as predominantly conceived in Morocco: “According to the normative image of the dominant man in society, the masculine is virile, ‘active’ and not ‘passive’; ‘sexual passivity’ is associated with femaleness.” (interview, 2 May 2013) Saoudi’s reflections show that male prisoners experienced sexual violation and threats of rape as the violent emasculation of their gendered selfhood, but also that voice and silence about these kinds of intimate violations are contextually negotiated alongside and against social constraints and gendered imaginaries about masculinity.

Far from depicting the prisoners simply as passive victims, in his memoir Saoudi describes everyday life in the “Derb” as: “A multifaceted resistance to this degrading environment. A rejection of the degradation that they wanted to impose on us and a tenacious clinging to our humanity” (2007, 109). He documents the practices through which the prisoners beat the surveillance system. By pulling away threads from the blindfold, they could see the *Hajj* without being seen. “Because the blindfold was black, not white, the gaps in the weave were not visible to the guards. Hence, I could recognise the visages of the ‘masters’ of these sinister places” (2007, 35). Saoudi stresses that despite the jailers’ attempts to isolate the prisoners from each other and the outside world, they had worked out methods to communicate: “We had to break the ‘order of silence’ and brave the punishment to confuse the investigators, but also to preserve our humanity” (2007, 116). The deprivation of sight led the prisoners to hone their olfactory and auditory senses. This bodily transformation enabled them to recognise the *Hajj* by their smell and voices, and hence monitor their movements and anticipate their arrival. Saoudi writes that prisoners organised debates, sang, laughed and

7 Listing the various forms of torture that male prisoners endured, Saoudi mentions “the use of electricity on the sensitive parts of the body; method of the ‘bottle’” (1982, 187).

composed and recited poems. He also writes about his recurring dreams of fleeing from prison and of having sex – an oneiric search for freedom and sexual pleasure that he interprets as essential for his personal balance:

I said to myself that fortunately our torturers could not “imprison” our dreams, our imagination or our minds. Likewise, they could not prevent us from dreaming, from surfing in the imagination beyond the cells and bars of the places of detention.

(2007, 125)

Dreams, imagination and creativity were the invisible weapons with which prisoners sought to transcend the horrific world of the “Derb”.

Saoudi shows how “the politics of disappearance” (2007, 29) penetrated the prisoners’ affective and social worlds as the institutionalised strategy to punish and terrorise their families and society in general. Pointing to the relational and gendered implications of violence, he recounts his disappearance and detention through his mother’s eyes, thereby turning his autobiography into a multi-vocal narrative. When she heard about Saoudi’s abduction, his mother tried to commit suicide – an act that is formally condemned in Islam. Saoudi writes: “My abduction and my ‘disappearance’ for long and interminable months caused disruptions within my family and indelibly marked the life of each of its members [...] time stopped for them” (2007, 94). Like other families, the Saoudis were deceived and intimidated by the secret police. For instance, his father was led blindfolded through prisons in search of his son; he received false promises of his son’s release and even the request for a ransom, which prompted Saoudi’s mother to attempt suicide again. The traumatic consequences of his disappearance on his family were intensified because people in the neighbourhood shunned them. Some people regarded the radical left as anti-monarchical and dangerous, and this explains their lack of solidarity. Moreover, as Saoudi notes: “Most of them were scared of the police, of being prosecuted for the simple reason of having relationships with my family” (2007, 74). Disappearance was also a means to prevent the population from supporting the regime’s opponents.

In August 1975, Saoudi and seventy-eight other detainees were transferred to the Ghbyla, the civilian prison of Cas-

ablanca named after the cemetery, where they were subjected to an unusually restrictive “special regime”. Short family encounters were allowed in a noisy and crowded visitor’s room. The prisoners organised a hunger strike to protest against their conditions. Deprived of other means of political agency, they turned their bodies into a site of protest by inflicting pain on themselves for ten days, until they obtained permission to continue their studies and to access books. Saoudi completed his university studies at the Institut Supérieur de Commerce et d’Administration des Entreprises in 1976 and obtained another degree in history in 1985.

After the Green March, Hassan II was able to regain broad public support and restore national unity; as a consequence of the agreement between the king and the political parties, many Union National des Forces Populaires activists were released from prison, while the Marxist-Leninist activists remained in prison because they lacked political support. In response to their prolonged arbitrary detention, the prisoners initiated another hunger strike to force the state to either bring them to trial or release them.

For the first time in the history of the country: more than 244 political prisoners were on unlimited hunger strike in a political context of “national consensus” and “social peace” in which the status of political prisoner did not officially exist.

(Saudi 2007, 153)

Eventually, in January 1977, the prisoners were put on trial. Yet the trial, which the prisoners envisioned as an opportunity to inform the Moroccan public about their political position and to denounce their arbitrary detention, turned out to be a farce. The verdict was harsh: Saoudi was sentenced to twenty-two more years of imprisonment for “conspiring against the security of the state”. His mother attempted to commit suicide for the third time.

In March 1977, Saoudi and other prisoners were transferred to Kenitra Central Prison. Despite increasing tensions among the Marxist-Leninist activists, he and his companions tried to render their life in prison liveable by organising cultural, artistic and craft activities. In 1979, they initiated a third unlimited hunger strike for official recognition as political prisoners. After thirty-nine days of hunger strike, the activist and poet Saida Menebhi died.

Outside prison, male political prisoners' disappearance and detention had led their female relatives to perform novel gender roles and modes of femininity both at home and in the public sphere. Together with other female relatives, Saoudi's mother engaged in public demonstrations and sit-ins to denounce the authorities' indifference to the political prisoners' situation. Only on the forty-fifth day, did a delegation of members of parliament and prison administrators visit the prisoners and promise to intercede with the government. Although their living conditions subsequently improved, the government never officially recognised them as political prisoners.

Saoudi was released on 24 August 1984 under a royal amnesty. Making a new start in life without any institutional support was difficult, he said. With two university degrees, Saoudi concealed his past as a political prisoner and found a job as a proofreader with the right-wing newspaper *Le Messag*. He wished to be financially independent and rebuild his life, but was initially able to earn only low wages. In 1985, he began teaching in a private school of management, while continuing to work as a journalist and translator. In 1999, Saoudi helped to establish the Forum Marocain pour la Vérité et la Justice and the Observatoire Marocaine des Prisons, which monitors prison conditions. It was not until 2000, when he was granted a passport and hence the possibility to move freely, including abroad, that he felt he had regained his freedom and citizenship.

#### 4. A Perspective on the Present

For Saoudi, human rights movements and prison testimonies have helped open a debate on past state violence and challenge the prisoners' stigma as criminals, as "the scum of society" (interview, 15 November 2012). Although only a minority of Moroccans read prison literature, these books have received considerable attention in the media and in public debate. According to Saoudi: "Through our testimonies we've shown that there were people who were unjustly jailed; one shouldn't condemn everyone" (interview, 15 November 2012).

Saoudi said that many things still have to be done to improve prison life. He stressed, however, that political prisoners' hunger strikes and activism have contributed to

improving the situation of all prisoners, who now experience living conditions inconceivable in earlier decades. Prisoners can now study, go to the doctor and receive visits in a decent environment. Notwithstanding the important political changes since Hassan II's death, he said: "There are still red lines, of course, there is still the figure of the king." (interview, 15 November 2012). The term "red lines" refers to taboo topics that people feel they cannot openly discuss, such as the monarchy, Islam, sexuality and Western Sahara. Saoudi is convinced that prison testimonies can contribute to preserving the memory of the past, which is essential to the construction of a better tomorrow. He is critical of the king's desire to "turn the page" regarding past state violence: "Between history and the present there is a permanent relation. Yesterday is history, today is the present and it will be history; so it's not possible to say: let's stop, let's turn the page" (interview, 15 November 2012). In other words, both memory and history are germane to the present and the future of Moroccan society, but post-colonial history still remains to be written and the past remains to be fully investigated. Political prisoners' personal memories can provide scholars with the means to write an "objective and real history", as he put it, to correct the official version imposed by the monarchy. Even though personal memory is inevitably subjective, Saoudi said that historians and critical readers can approach objectivity by comparing various prison testimonies. Rather than "collective memory", he preferred to talk of a "plural memory" (*mémoire plurielle*), which includes multiple voices and subjective experiences within a broader historical frame (interview, 19 April 2013). He is wary of the institutional projects underway in Morocco to preserve memory:

People who defend human rights should be vigilant because those in power keep their enemies under surveillance and want to control many things, but this [the institutional project] is another opportunity for struggle that, in my view, intellectuals and people concerned with the culture of human rights must not underestimate. There isn't only the political elite, it's not mono-dimensional and one has to be engaged and vigilant at this level.

(interview, 15 November 2012)

Far from interpreting the institutional processes that commenced with the Instance Équité et Réconciliation as the final goal of the struggle, Saoudi regards them as the politi-

cal arena where former political prisoners and human rights activists should continue to call the state to account for past abuses and continue to promote democratic change. While he recognised that the IER officially opened the past to investigation, Saoudi emphasised important shortcomings: “The persecutors are still there and go on doing their job. There are still unresolved cases of disappearance” (interview, 15 November 2012). In his view, this reveals a political will to “conceal” important dimensions of the memory of the Years of Lead. For Saoudi, public memory is essential not only because it challenges the state’s narrative of Morocco’s violent past, but also because it is an “intellectual legacy” (*patrimoine mental*) that shapes people’s vision of the past and inspires their actions in the present (interview, 19 April 2013).

##### 5. Fatna El-Bouih and the Re-Gendering of the Female Voice

Fatna El Bouih was born in 1955 in Ben Ahmed in the Casablanca region. A scholarship enabled her to attend the Lycée Chawqi in Casablanca, where she became involved in the student movement. She was briefly arrested in 1974 as a leader of a high school students’ strike, and in 1977 she was disappeared in Derb Moulay Chérif due to her membership of the Marxist-Leninist group 23 Mars.

When I first met El Bouih in Casablanca in 2012, she told me that she had started writing her memoir in prison to record how female political prisoners experienced arrest and detention. “It was a way to express oneself, to commit to memory what we lived through and especially what the ordinary women inmates went through; I felt I had to do this because I observed them, I looked at them, I helped them, I taught them to read” (interview, 19 November 2012). As El Bouih explained, writing helped her to carve out a space where she could voice her feelings and relate the experiences that deeply marked her during detention. She published her memoirs only in 2001, when, encouraged by Fatema Mer-nissi, “I understood that I should publish my prison memoir, that I should speak out, that there was a female courage to be valorised” (interview, 19 November 2012).

Initially, her desire to bear witness and make her personal experience public clashed with the socially imposed silence, shame and social stigma surrounding political violence

against women. In an interview (Slyomovics 2001b), El Bouih said that a sense of *hchuma* prevented her from talking about her personal experience. The term *hchuma* translates as “shame” and “decency”, but evokes a complex set of meanings, sentiments and bodily dispositions connected with the values of female modesty, deference and propriety, especially in relation to sexuality (see Namaane-Guessous 1991, 5). Political violence against women was a taboo topic in Morocco and has remained a sensitive issue among former political prisoners. When El Bouih became involved in the feminist movement in the early 1990s, she realised that even feminists had difficulty addressing political violence: “I worked in reception centres for battered women. Violence is always assumed to be conjugal and domestic, but political, state violence is a silent violence, nobody talks about it.” To break the silence surrounding political violence against women, since 1994 El Bouih has been sharing her personal experience in newspaper articles and television interviews. She is motivated to speak out because:

In Morocco, we’ve known political detention as male. I wanted to show that political detention is female as well. Even torture: torture is always male. Men are tortured. I showed that torture is also female and how women reacted to torture.

(interview, 19 November 2012)

In El Bouih’s opinion, women activists were submitted to sexualised violence to erase their gendered subjectivity. “They didn’t want to recognise that we were women. They gave us a number and a man’s name. The woman is *haram*, is silence.” While denouncing the specific forms of gendered violence that women endured, El Bouih wanted at the same time to de-naturalise the dominant image of Moroccan women as passive or weak subjects: “I wanted to address a Moroccan public primarily to say that in Morocco there are women who contributed to the creation of democracy, to human rights; they were tortured and proved their courage” (interview, 19 November 2012). El Bouih’s search for what she calls a “feminine voice” interweaves with her desire to tell the untold history of women’s commitment to social justice in Morocco. Susan Slyomovics (2005a, 80–81) has pointed out that El Bouih situates her narrative within a literary tradition of female opposition to patriarchal oppression by evoking the figure of Scheherazade, the legendary heroine of *A Thousand and*

*One Nights* who dares to challenge male tyranny with her storytelling. El Bouih emphasised, however, that her focus was not so much on her own life. Rather, she used the autobiographical genre as a form of activism to show the systematic ways in which the state perpetrated violence against women's bodies and subjectivity. Her testimony privileges women's subjecthood over victimhood to document their everyday acts of resistance and of giving voice.

### 6. Narrating Women's Suffering

El Bouih's memoir opens with an oneiric image, the unbounded landscape surrounding the Bou Regreg River that interweaves with the embodied memory of her immersion in the *hammam*. The territories of fantasy and imagination, which connect these images of pleasure and liberty, are suddenly occupied by her nightmares as a child, when her father's storytelling about the abducted women in *A Thousand and One Nights* reappeared in her dreams. Her father reassured her that these stories happened centuries ago. As a prelude to her own kidnapping, she writes: "It never crossed his mind, God rest his soul, that they could happen again in our time" (2008, 1).

El Bouih was abducted on a quiet afternoon in 1977. A policeman who was waiting for other Marxist activists dragged her into the house while she was visiting a female friend. At the police station, she was interrogated amid a flow of insults and injuries. "[O]n that dark day I learned that I was a slut, the daughter of a slut, a prostitute, the daughter of a prostitute, a whore and the daughter of a whore" (2008, 4). The association between political activism and promiscuity reveals the extent to which women's involvement in political activity was perceived as a transgression of the socially prescribed gender roles of modest daughter, dutiful wife and devoted mother. El Bouih writes: "Morality dictates that I busy myself solely with my studies and mind my own business, they kept repeating over and over again during the interrogation" (2008, 4).

After she was interrogated, El Bouih was disappeared in the secret detention centre *Derb Moulay Chérif*. In the chilling

universe of the "Derb", El Bouih was re-gendered as "Rachid 45". The punishment for her engagement in the "male sphere" of politics was the loss of her gendered identity. In this reversed social universe of moans and screams, of nauseating odours and the blurring of day and night, El Bouih was arbitrarily detained for seven months with six other women activists.<sup>8</sup>

El Bouih's memoir is a struggle to transpose into words and images the unspeakable violence whose traces remain in the women prisoners' body and sense of selfhood. In prison, sexual violation, threats of rape, enforced nakedness and body searches were systematically used to humiliate, terrorise and intimidate women prisoners (see also Slyomovics 2005b; Guessous 2007). Rape, in itself a traumatic experience and intimate violation, was all the more shameful because the view prevailing in Morocco regards virginity as embodying honour, values and respectability not only of the girl in question, but also of her family. However, El Bouih said that women activists had suffered more from the prison's pressure to erase their gendered subjectivity than from physical violence: "In comparison, physical violence was something bearable, our struggle was mostly against moral violence" (interview, 19 November 2012). She readily conceded that physical and moral violence had profoundly violated male prisoners' sense of virility and masculinity, too; but she thought it misleading to equate women's experience with men's. "Violence against men aimed to undermine a feeling of strength; in contrast, violence against women aimed to negate the woman in society. This was something we struggled against" (interview, 19 November 2012). El Bouih never submitted to being re-gendered as a man: "I never replied when they called me Rachid. They called me Rachid, I didn't answer. My name isn't Rachid, do you understand? I wasn't a man, I was a woman. It was a struggle." (interview, 19 November 2012) Her statement indicates that silence, too, has a voice and can be a form of resistance.

In the context of a narrative of suffering and violence, El Bouih's memoir documents the everyday practices with

8 Maria Zouini, Widad Baouab, Latifa Jbabdi and Nguia Boudaa, Khadija El-Boukhari. El-Bouih's

memoir includes personal accounts by Latifa Jbabdi and Widad Bouab, which were both published pre-

viously, in 1994, in newspaper articles in the newspaper *Ittihad* Ichtiraki.

which she and the other women prisoners struggled to preserve themselves and find a voice under conditions of subjection and dispossession. Deprived of their senses and subjected to physical and symbolic violence, they still communicated by touching each other's bodies, which went unnoticed by their jailers.

After seven months in Derb Moulay Chérif, El Bouih and the other women prisoners were transferred to the Ghbyla and then to Meknes Prison. In civilian prisons, the women had a small room in which, thanks to the "privileges" that the other political prisoners before them had obtained with their hunger strikes, they could practice a resemblance of normal life by scheduling sports, debates, study groups and writing. Making life liveable in prison, however, was hard, El Bouih related.

You have the choice in your life, the freedom to live, but the worst torture is being obliged to share only a few square meters of living space with someone. One has to find ways to learn to live with others in difficult moments.

(interview, 19 November 2012)

In 1980, El Bouih and the women prisoners started a hunger strike to demand their trial or immediate liberation. In her memoir, she described the devastating effects of the hunger strike on their debilitated bodies and minds. Following the drifting trajectories of her thoughts, the narrative voice shifts from the first to the third person.

She sips her coffee and roams far and wide, thinking of the future. She will be cheerful, outgoing, make friends, forgive, make friends, love more, forgive, enjoy the whole world as nobody has ever done before, she will fall madly in love.

(2008, 30–31)

The narrative shift suggests an attempt to depart from her self and her suffering. By dislocating her pain from herself, El Bouih also seemed to discover her inner resources and envision a different future. The prison authorities left women to face the tyrannies of time; during this unbearable time of waiting, El Bouih navigated between her memories of childhood and her dreams for the future.

After her trial took place in 1980, El Bouih was sentenced to five years imprisonment for her membership of the

Marxist-Leninist group 23 Mars. She writes that the cruelty of her sentence was "The rape of a flower in full bloom. Five years for the crime of imagining a better tomorrow, a world where human rights are respected, a world for women far removed from their inferior status" (2008, 37). Despite its arbitrariness, for El Bouih the verdict was a respite from the all-consuming experience of waiting. Arbitrary treatment by institutions was not limited to the prisoners, however, but also touched the lives of their families, who made long journeys to pay visits that the guards could refuse at the last minute. Nevertheless, these moments of intimacy, even under the watchful eyes of prison guards, were essential to El Bouih's psychological and emotional survival.

In prison, El Bouih was able to scrutinise the forms of violence that women perpetrated on other women in a dehumanising institution. Her memoir details the everyday life of regular women prisoners, their work in prison and factories, their intimidation by inspections, the punishments and injury that female guards inflicted on women whom prison deprived of voice and agency. El Bouih witnessed with astonishment the search for freedom of Ilham, a little girl born in prison, who insistently pointed to the outside world she had never known. Since her mother's arrest, her family had rejected her. The day her maternal uncle came to pick her up, the little girl followed this stranger without hesitation. During our conversation, El Bouih recalled this episode, which she also relates in her memoir. "She was a baby born in prison, who had never known freedom, never seen the outside world. She grew up with us; she was bonded to us. The day someone came to pick her up, she didn't know him, but she went with him, bye-bye. I go outside." (interview, 19 November 2012) This event made El Bouih realise that she had never thought of escaping. She suddenly understood the extent to which she had internalised the unnatural condition of imprisonment. "What have they done to me?" she asked herself (interview, 6 May 2013). By retelling not only the everyday experiences of women activists, but also those of regular women prisoners, El Bouih draws attention to intimate and pervasive dimensions of violence, reminding us that violence produces subjection before fuelling resistance and voice.

### 7. A Life after Prison

In the final chapters of her memoir, El Bouih tells the story of Fatima, a woman in her sixties who had spent seventeen years in prison. The night before her release, Fatima wondered what she would find in the outside world and how to resume normal life after years of detention, violence and transfer from one prison to the next. Recalling this woman's stolen life, El Bouih reflects on the fears and uncertainties that permeated the outside world, which had already rejected this woman. And she wonders: "[W]ould she be greeted with open arms? Would release dispel her sorrows?" (2008, 75). El Bouih's memoir denounces the brutality of prison, but also the continuity of violence that women suffer outside due to the state's indifference and stigmatisation by their family and local community.

During our conversations, El Bouih explained that the transition from prison to the outside world is a very delicate time. After her release in 1982, she was able to count on love and support from her family and friends, and she started teaching Arabic in a high school in Casablanca. Yet she found it difficult to inhabit the ordinary world again: "For me, liberation was the hardest moment, not prison. I was introduced to life when I was not prepared." (interview, 19 November 2012) Neighbours approached her as if nothing had happened, talking about mundane problems. Friends and relatives took her to the seaside, to the cinema, without understanding her need to "re-apprehend" living. She recalled her difficulties responding to her family's expectations and cares, to their loving efforts to welcome her into their world. Celebrating her release, they tried to get her to dance and engage in conversation. But, she explained: "They didn't know that I couldn't, I couldn't. That was the most painful experience, the first period after my liberation was so hard" (interview, 19 November 2012). She needed years to resume her everyday life and political activity. Loving and becoming the mother of two daughters helped her to remake a life (interview, 6 May 2013). Likewise, civic commitment and public testimony enabled her to introspect and share her painful memories of violence: "I realised that every time I gave an interview, I became stronger because I said to myself 'I have to say what happened'" (interview, 12 November 2012). Despite the gendered implications of public testimony, speaking out released her from the sense of shame and vulnerability.

Prison testimonies fight back against the regime's policies of silence, and have thereby played a vital role in opening up a debate on the Moroccan past. As El Bouih emphasised: "One should consider that part of this history hasn't been written because there was only one history, state history, produced by the monarchy's historians – they are called *mu'arrikh al-malik* – but there are other histories to relate" (interview, 19 November 2012). She regards both oral and written accounts of the past as essential sources for writing Morocco's postcolonial history.

For El Bouih, remembering the past has important implications for the present and future of Morocco; it not only means bearing witness, but also entails active engagement in society. Her personal experiences motivated her, like other former political prisoners, to become involved in the Observatoire Marocain des Prisons and to establish in 2005 Relais Prison-Société, an association devoted to rehabilitating ex-prisoners and integrating them in society.

For a few years now, El Bouih has also been working on a project that aims to turn Derb Moulay Chérif into a museum and a community centre, which is part of the IER's communal reparations program (see above). By being part of this institutional project of reparation, El Bouih hopes to obtain state funding, which is indispensable for getting experts involved in the project. On the other hand, she thinks that collaborating with Moroccan institutions may hedge in her freedom of expression and action with "red lines" and taboos. In her view, former political prisoners and activists should cooperate with the state, but maintain their independence and cross these red lines. During our last meeting in May 2013, though, El Bouih expressed her frustration that the communal reparations project in which she was involved had not started yet. "Without a museum in Derb Moulay Chérif, there won't be any reconciliation!" (interview, 6 May 2013)

### 8. Conclusion

After Hassan II's death, prison literature has been a critical site where fragmented and painful experiences of the violent past are transformed into a multi-vocal memory. Even though prison literature is important to historically redressing the Years of Lead, my interest in personal nar-

ratives is not restricted to what they tell us about the past. Rather, I have explored the work that personal memory, in becoming an act of testimony (and hence public), has done and can do in the present and future. By making personal memories public, former political prisoners have raised awareness about and encouraged a historical review of past state violence. In particular, my analysis has shed light on the gendered and relational dimensions of violence and testimony by discussing the prison experiences and the political imagination animating Nour-Eddine Saoudi and Fatna El Bouih. From different perspectives, their personal accounts show how the *makhzen* used physical and symbolic violence to shatter their voice and political agency, by unmaking their subjectivity as well as their affective and social worlds. Furthermore, they have drawn attention to their struggle to find a voice during and after the experience of torture and detention.

Viewing their words and prison memoirs from this twofold perspective, I focused on the intricate relationship between violence, gender and voice. Both El Bouih and Saoudi endured overlapping forms of violence. Sexual torture and gendered violations were integral to their experience of political violence during the Years of Lead. Despite the specifics of physical and moral violence that Saoudi and El Bouih endured, the “feminisation” of male prisoners and the “masculinisation” of female prisoners reveal the gendered dynamics of power and domination whereby the regime tried to shatter their political agency and symbolically reaffirm the social order they had dared to challenge. These forms of victimisation have remained difficult to voice because they touched on intimate dimensions of the prisoners’ sense of self and gendered subjectivity. By engaging the traumatic layers of their embodied memories in the act of testimony, Saoudi and El Bouih move between voice and silence in the face of the challenge of saying the unsayable. While the act of writing and speaking about their experiences of torture and subjection has had therapeutic effects, descending into the memory of the Years of Lead has remained a painful endeavour.

Their public testimony does not escape the ambivalence of language and its gendered cultural norms. By asserting a “feminine voice”, El Bouih explores the specificity of

female prisoners’ experiences of political violence, as well as the dehumanising effects of prison on non-political women inmates. She endeavours to transpose into words the untold memories that reside in the violated bodies of women, by navigating the depths and absences of language and bringing it to the point where words become screams, silence and images. Her narrative voice, with its shifts from the first to the third person, often slips into a metaphorical and dreamlike language, because there are unsayable pains that cannot be described, but only screamed or evoked.

In contrast, Saoudi’s memoir about male prisoners does not focus on gendered violence. While his narrative remains focused on torture and human rights violations without reference to gender, his oral testimony discloses how the sexualised dimensions of the psychological and physical violence that male prisoners suffered are still a sensitive issue because even talking about them reflects on the victims’ masculine image, as predominantly conceived in Moroccan society.

Saoudi’s memoir describes the effects of his disappearance and incarceration on his family members and on his mother in particular. Political violence, arbitrary treatment and suffering during the Years of Lead were not limited to people who were politically active, but profoundly affected family and social networks. Saoudi reminds us that disappearances were an integral part of the politics of terror with which the regime sought to prevent people from engaging in politics.

By narrating their sufferings, both El Bouih and Saoudi have publicly shared their personal experiences and illuminated the structure of oppression and violence under Hassan II. Notwithstanding the unprecedented violence that generations of political activists and their families witnessed and suffered during the Years of Lead, Saoudi and El Bouih do not define themselves simply as victims. Rather, they construct themselves as collective subjects who have struggled to preserve their subjectivity under conditions of torture, dispossession and subjection. They call attention to the collective strategies that enabled them to preserve their political agency and humanity. Imagination, creativity, acts of solidarity, storytelling and autobiographical writing are

some of the means they have tried to use to make the world liveable and meaningful again. Beyond the threshold of prison, El Bouih and Saoudi had to find ways to remain in the present and resume their violated lives against the backdrop of intimidation and historical amnesia.

El Bouih and Saoudi emphasise the processes of change that characterise Morocco today. Yet they also draw attention to the persisting official silence surrounding the names of the persecutors, the limits to freedom of expression on

sensitive issues and the ambiguities of the institutional processes through which Morocco rethinks its history and preserves the memory of the Years of Lead. Saoudi and El Bouih are animated by the pedagogical aim of transmitting a memory of the past to the next generations. Their motivations, though, transcend a merely *preservative* vision of memory. By offering a personal glimpse into institutionalised violence, they also aspire to provide the young with the means to better understand the mechanisms of oppression in the present and to imagine a different future.

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# From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights

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## Vol. 8 (1) 2014

**Focus Section:  
Violence, Justice, and  
the Work of Memory**

**Editorial** (p. 3)

**Introduction: Violence, Justice and the Work of Memory** Klaus Neumann / Dan Anderson (pp. 4 -15)

**Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda** Laura Eramian (pp. 16 - 29)

**“The Country that Doesn’t Want to Heal Itself”: The Burden of History, Affect and Women’s Memories in Post-Dictatorial Argentina** Jill Stockwell (pp. 30 - 44)

**Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the “Years of Lead” in Morocco** Laura Menin (pp. 45 - 60)

► **From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights** Maria Campisi (pp. 61 - 74)

**Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case** Francesca Lessa (pp. 75 - 90)

**“What Will You Do with Our Stories?” Truth and Reconciliation in the Solomon Islands**  
Louise Vella (pp. 91 - 103)

**Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal**  
Simon Robins (pp.104 - 118)

**Open Section**

**Postwar Violence in Guatemala – A Mirror of the Relationship between Youth and Adult Society**  
Sabine Kurtenbach (pp. 119 - 133)

**Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?** Lieven Pauwels / Maarten De Waele (pp. 134 - 153)

**Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia** Pietro Castelli Gattinara / Caterina Froio (pp. 154 - 170)

**Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors**  
Selina Helmke / Pia-Renée Kobusch / Jonas H. Rees / Thierry Meyer / Gerd Bohner (pp. 171 - 186)



# From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights

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Commemorations and reparations are central elements of the transitional justice agenda. The inclusion of memory-related measures among the steps that states are expected to take along the transitional process has been progressively translated from the transitional justice domain to the language of international law. Judicial and quasi-judicial human rights instances have required states to make and undertake memorials, commemorations and public acts of remembrance, both as an instrument of reparation for the individual victim and as a mechanism to warn against the repetition of the same abuses in the future. As a result of this trend, memory-related measures have progressively become part of the state obligation to provide reparations to victims. The inclusion of memory-related measures in the scope of the international obligation to repair, however, raises some thorny issues. This review of the jurisprudence of the Inter-American Court of Human Rights in relation to memory-related orders and analysis of the case of the memorial *El Ojo que Llora* in Peru critically assesses the emerging trend of using memory-related initiatives as measures of reparation determined by judicial organs.

Acts of reparation in response to the suffering of people whose human rights have been abused are essential in processes of democratic transition and reconstruction as states emerge from situations of pervasive and systematic violence. In cases of the most serious and large-scale abuses of human dignity, however, the very concept of reparation is problematic. The classical system of reparations under international law focuses on instruments of restitution and monetary compensation. However, scholars and practitioners in the transitional justice field agree that these forms of reparations are both unsustainable and insufficient to redress the unspeakable suffering that victims of massive human rights abuses experience (Antkowiak 2008, 355; De Greiff 2006, 452 ff.; Shelton 2005, 389–91). In response, models and theories of

transitional justice have suggested alternative forms of redress that have progressively entered into human rights fora.

This article sheds light on the use of commemoration and memorialisation initiatives as reparatory practices under international human rights law in contexts of transition from internal conflicts and authoritarian regimes. In these contexts, memory-related measures have been used both as an instrument to provide satisfaction to victims and as a means for the responsible government to assure the injured society and the international community of its commitment to preventing similar atrocities from happening again.<sup>1</sup> I argue in the article that these measures, directed to preserving the memory of the past, may serve the task of meeting

This article was produced in the context of the Historical Justice and Memory Conference, hosted by the Swinburne Institute, Melbourne, 14–17 February 2012. As such, the analysis concludes at that date, and it has not been substantially updated since its acceptance and peer review for publication in this journal.

I wish to express my sincere appreciation to the focus section editors, Dan Anderson and Klaus

Neumann, for their constant assistance, guidance and support throughout the preparation and publication process. I extend my thanks also to the reviewers for helpful comments on earlier version and to the participants at the Emerging Scholars Workshop at the Historical Justice and Memory Conference (Melbourne 2012) for the fruitful discussion of the topic addressed in this article. I am particularly grateful to Louise Vella and Hermann

Ruiz for their contribution to some of the thoughts developed in the paper.

<sup>1</sup> Throughout the paper the term “memory-related measures” is used to refer to material and symbolic acts or processes of memorialisation and commemoration.

the victims' needs of redress more accurately when taken together with the other forms of reparations. The adoption of these measures by judicial and quasi-judicial bodies, hence, can be viewed as an attempt to adjust the human rights framework to provide better forms of redress for human suffering. Furthermore, to include memory-related initiatives in the framework of reparations suggests that, in the aftermath of massive violence, any viable construction of the future has to pass through a thorough recognition and knowledge of the past. In this way, reparative memorial practices progressively move from the transitional justice field to find a place within the system of reparation for human rights violations. Practices of memory become components of the international legal obligation to repair.

This paper sets out to elucidate aspects of this dialogue between instruments of human rights law and those of transitional justice. First, it sketches the legal regime of the state's obligation to provide victims with reparations under international human rights law. From this perspective, the paper shows the need for the classical framework of reparations to adjust to situations of massive and systematic violations of human rights and introduces the role of memory-related initiatives in such a renovated system. The second section critically analyses how memory-related initiatives have been concretely interpreted and adopted as remedial measures in the case law of the Inter-American Court of Human Rights (IACtHR or the Court). In the final section, the paper presents the Peruvian case study of the memorial "El Ojo que Lloro", in Lima, in order to reflect upon possible implications and problems of including memory-related initiatives in reparation orders issued by supranational bodies.

Aware of the complex issues that this analysis raises, the paper offers an example of the broader processes of sub-

suming transitional justice forms into legal institutions. At the same time, however, the contribution identifies the problems involved, pointing out hurdles and risks of using memory-related initiatives in legal settings, especially when the mediation of supranational institutions with binding powers on states comes to interfere with the sensitive and often painful process of social negotiation and interpretation of the past.

## 1. Memory-related Initiatives as Instruments of Reparation

### 1.1. Rethinking the Framework of Reparations under International Human Rights Law

The right to reparation for victims of human rights abuses is now a well-established principle of law. Most of the international and regional instruments of human rights protection expect states to provide reparations in the case of violations committed by their agents against individuals, and establish secondary norms that include both substantial and procedural remedies.<sup>2</sup> While these instruments rarely name specific measures and actions that states should undertake in order to fulfil their obligation to provide redress, they require remedies to be "effective" (Antkowiak 2008, 356). Human rights bodies have also contributed to the establishment of the victims' right to reparation and clarified its content and features. The Human Rights Committee, for instance, has on many occasions acknowledged that reparations are a central element of the system of human rights protection and pointed out that – "where appropriate" – the obligation to repair may involve a broad set of measures other than compensation, including measures of satisfaction, such as public apologies, public memorials or guarantees of non-repetition.<sup>3</sup> In general, however, these bodies let states decide which kind of reparation measures to adopt, while establishing general parameters of adequacy and effectiveness.<sup>4</sup>

2 Within the human rights discourse, the right to reparation is often understood as incorporating the substantial dimension of the right to a remedy. As Dinah Shelton argues, the right to a remedy includes "both the procedural right of effective access to a fair hearing and the substantive right to a remedy" (2005, 114). The latter expresses itself in the obligation to provide victims with reparation.

3 HRC, General comment no. 31 [80], The nature of the general legal obligation imposed on states

parties to the covenant, 26 May 2004, CCPR/C/21/Rev.1/Add.13, para. 16, <http://www.unhcr.org/refworld/docid/478b26ae2.html>. See also the UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 16, Article 3. The equal right of men and women to the enjoyment of all economic, social and cultural rights, E/C.12/2005/3, 13 May 2005, paras 21, 27.

4 The Committee on the Elimination of Discrimination against Women (CEDAW), for example,

emphasized in a number of documents the state duty to "take all legal and other measures that are necessary to provide effective protection of women against gender-based violence, including [...]": (i) Effective legal measures, including penal sanctions, civil remedies and compensatory provisions to protect women against all kinds of violence [...]. CEDAW, General Recommendation no. 19, 11th session, 1992, para. 24 (t; t(i)).

International law principles governing the responsibility of states for violations of international obligations also contribute to regulating the matter of reparations.<sup>5</sup> In the aftermath of gross and systematic human rights violations, however, when huge numbers of victims seek reparations from governments often in precarious economic and administrative conditions, these principles – based on monetary compensation and restitution – prove inadequate (Shelton 2005, 389–90; Mégret 2010, 10–13; Rombouts, Sardaro and Vandeginste 2005, 352–54).<sup>6</sup> In such cases, in fact, it is not possible to expect states – as those principles do – to restore the pre-existing state of affairs before the violation was committed, simply because it is impossible to return life, health or family ties to victims. At the same time, it is not possible to provide full redress for this kind of harm through monetary compensation. Not least, because the physical and moral damage refuses financial quantification. Monetary compensation, in fact, may even be interpreted by victims as an attempt to buy their silence and, as such, be perceived as a further moral injury (Brandon 2000, 220; Roht-Arriaza 2004, 180). Furthermore, monetary compensation may fail to consider the collective dimension of massive violence. It may eventually result in isolated and limited initiatives adopted in favour of specific victims or discrete categories of victims, therefore generating tensions among victims and exacerbating divisions within the society (De Greiff 2006, 456–59). The complexity of the harm caused to individuals by serious transgressions of fundamental rights and the specificities of the contexts in which those abuses take place therefore require a different – and careful – assessment of victims’ needs.

In order to address this inadequacy in the traditional reparation system, both human rights scholars and judicial and quasi-judicial human rights institutions have embraced a more generous understanding of the obli-

gation to provide reparations to victims of grave and widespread violations. There is a broad literature about the scope and content of this obligation. Research has been conducted from within the perspectives of human rights (Van Boven 2009; Shelton 2005; Du Plexis 2007), transitional justice (De Greiff 2006; Díaz Gómez, Camilo Sánchez and Uprimny Yepes 2009), social and political studies (Guembe 2006), anthropology and psychology (Danieli 2009). These analyses all agree on the need for a complex and holistic approach to victims’ healing, which takes into consideration the specificities of the contexts of massive violence and the gravity of the abuses. As a result, new forms of reparations, mostly borrowed from the transitional justice field, have been developed.

### 1.2. UN Principles on the Right to a Remedy for Victims of Gross Violations of Human Rights

The first legal instrument at the international level that set out to conceptualise the new approach to reparations in cases of massive violence was the Basic Principles and Guidelines on the Right to a Remedy for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (hereafter Basic Principles). Adopted by consensus in Resolution 60/147 of the UN General Assembly in December 2005 (United Nations General Assembly 2006), the Basic Principles are the result of the long process of collection, study, analysis and revision of practices of and provisions on the issue of reparations for victims of massive violence, led by two UN Special Rapporteurs, Theo van Boven and M. Cherif Bassiouni (United Nations Commission on Human Rights 1993, 2000). As General Assembly resolutions generally do not impose legally binding obligations upon states, the Basic Principles, as appropriately pointed out in the text, “do not entail new international or domestic legal obligations but identify mechanisms, modalities, pro-

5 Restitution of the *status quo ante* and compensation are the two typical forms of reparations under classical international law. According to the general principles governing the responsibility of states for the violations of international obligations, in fact, the international obligation to repair is a consequence that automatically arises from the violation of international rules. The content of such obligation is defined by the principle of full repar-

ation, which implies that any damage, either moral or material, is to be fully made good. This parameter has been generally regarded as a principle of customary international law and interpreted as the state obligation “to wipe out all the consequence of the illegal act” (PCIJ, 1928), either by restoring the pre-existing state of affairs before the breach was committed, or providing full redress of the harms through monetary compensation. The principles

governing the Law of State Responsibility have been codified by the International Law Commission in the Draft Articles on Responsibility of States for Internationally Wrongful Acts (2001).

6 For an empirical study on the problematic role of monetary compensation in compensating victims for massive and systematic violence, see Guembe 2006, 37–38.

cedures and methods for the implementation of existing legal obligations” (United Nations General Assembly 2006, Preamble, 7). Despite this non-binding status, the Basic Principles have quite strongly influenced trends and behaviours of national and international bodies, including the Inter-American Court of Human Rights. While a detailed review of the Basic Principles is beyond the scope of this article, the following section provides a brief overview of the aspects that are most relevant for the present discussion. This will enable the reader to gain better insight into the reparatory system put forward by this instrument and to understand the role that memory-related measures can play within it.

In the final text, the state obligation to provide reparations is included in the broader state duty to provide victims with effective remedies, itself a part of the general obligation to respect and protect human rights (United Nations General Assembly 2006, principle 3). After drawing a parallel between the obligation to grant remedies and the corresponding right of victims to obtain “adequate, effective and prompt reparation” for losses suffered (principle 11b), the Basic Principles provide general guidance for reparation programs. In the text, the scope and content of the state obligation to repair appears broad and multifaceted (Van Boven 2009, 38). Resolution 60/147 indicates a rich set of measures that further specify the components of the victims’ right to reparation. These measures are classified into five remedial categories: *restitutio in integrum* (restitution), compensation, rehabilitation, satisfaction and guarantees of non-repetition (United Nations General Assembly 2006, principle 18). In comparison with the classical reparatory framework, thus, the Basic Principles keep the traditional measures of *restitutio in integrum* and compensation, while introducing new forms of redress – rehabilitation and guarantees of non-repetition – within the scope of the obligation to repair. Notably, among these categories, satisfaction plays a crucial role and gains a new relevance in the whole system of reparations. The category of satisfaction, in fact, becomes a box containing a variety of reparative measures – including memory-related initiatives. According to principle 18, measures of satisfaction include: (a) actions aimed at putting an end to the violations; (b) the establishment of inquiries and truth seeking

mechanisms; (c) the search and identification of the disappeared and reburial of bodies; (d) official recognition of and (e) public apologies for the violations; (f) punishment of those responsible; (g) commemorations and tributes to the victims; and (h) publicity concerning the events constituting the violations in education training and programs.

The Basic Principles, overall, seem to support the idea that when a wrongful act affects deeply personal and intimate aspects of human dignity, effective restoration of the status quo ante is unrealistic (and, under certain conditions, even undesirable), and that monetary compensation alone is an inadequate form of redress. The different forms of reparation embraced by the Basic Principles, when taken together, aim to address better the complexity of the harm in those situations of widespread and gross human rights abuses. As Dinah Shelton (2005, 149) rightly notes, their combination, together with the criterion of proportionality suggested by the text, allows (quasi-)judicial instances the necessary discretion to tailor appropriate forms of redress to specific cases. This multi-dimensional approach offers a model for shaping national reparation programs, making them more effective and accurate in responding to victims’ harm. The central role given to satisfaction, together with the inclusion of rehabilitation and guarantees of non-repetition in the list of victims’ remedies, eventually seems to suggest new standards of adequacy, which shift the traditional understanding of reparation and embrace a more casuistic and victim-oriented approach.

The formal inclusion of memory-related measures in the list of measures of satisfaction is meaningful. Frédéric Mégret (2010), in an article on the possibility and feasibility of the International Criminal Court recommending the construction of “sites of conscience”, offers an in-depth analysis of the effects of commemorative measures as transitional justice tools and, in particular, of the different functions that these initiatives can serve in the healing process for victims. Mégret highlights the expansive role which monuments – broadly understood – can play in reparation schemes aimed at addressing the aftermath of mass violence. Their functions range from the restoration “of the good name of the victims” to providing a forum of

mourning, discussion and reflection about the past; offering a path for social reconciliation; and warning future generations against the repetition of similar atrocities.

Indeed, from a theoretical point of view, memory-related measures that have an impact on individual as well as collective processes of dealing with the past and are strictly linked to the very concepts of time and identity, appear uniquely suitable to thoroughly rethink the concept of reparation. The inclusion of memory-related measures in the realm of remedies broadens the principle of full reparation so that it no longer coincides with the obligation “to wipe out all the consequences” of the violence. In the aftermath of mass atrocities, nothing can or has to be wiped out, but rather the harm must be acknowledged, brought to light and commemorated, both to restore victims’ dignity in suffering and to convey a warning to future generations.<sup>7</sup> Reparation, in this way, loses its meaning of closure and opens up a new relation among past, present and future. The inclusion of memory, as the presence of the past, in the dynamics of reparation may allow the idea of reparation to move from meaning a closure with the past, to the idea of reparation as a means of “transformative justice”, in the sense of development, progress, advancement (Mani 2005, 78–80).<sup>8</sup> Although these theoretical developments have not been fully explored yet, there is a trend in the practice of reparations for victims of massive and systematic violence clearly moving in that direction.

## 2. The Jurisprudence of the Inter-American Court of Human Rights

### 2.1. Principles of Reparation in the Jurisprudence of the Inter-American Court of Human Rights

A considerable part of the evolution of international human rights law in the field of reparation to individuals is due to the progressive jurisprudence of the Inter-American Court of Human Rights. Since its establishment, the Court

has greatly strengthened the regional system of human rights protection in the Americas, adopting a victim-friendly approach in its case law.<sup>9</sup> On the issue of reparations, since the landmark *Velásquez-Rodríguez* case, the Court has progressively moved from rigidly applying the international law principles of reparation to a more flexible approach.<sup>10</sup> Following the traditional system, the concept of reparation was initially understood by the Court mainly as monetary compensation that would provide redress for a single individual. However, in the *Aloeboetoe v. Suriname* case in 1993, the limits of this system were revealed and the Court acknowledged for the first time the intrinsic insufficiency of the pure compensatory model. The case concerned acts of violence perpetrated by soldiers against a group of young Maroons in Suriname in 1987. After the state’s recognition of its responsibility for those violations, including the extra-judicial execution of seven men of the group, the Court ordered Suriname “as an act of reparation” to reopen the school in the village of origin of the victims and to create the conditions to enable it to function.<sup>11</sup> After that decision, in the subsequent case law, in addition to compensations the Court has ordered non-pecuniary measures as part of the reparative scheme.

The Court’s case law has therefore progressively broadened the content of the state obligation to provide reparations beyond compensation and the Court has eventually embraced the reparative model set forth by the Basic Principles. In line with them, today it understands reparation to include the five components mentioned above: *restitutio in integrum*, compensation, rehabilitation, satisfaction and preventive measures.<sup>12</sup> Because of the concern that the Court has shown for non-monetary damages, it has paid particular attention to satisfaction among these categories. The category of satisfaction has been used by the Court to create a rich and flexible set of secondary obligations,

<sup>7</sup> For a discussion of the role of recognition and acknowledgment in healing victims of gross human rights violations see, inter alia, Schotsman 2005, 109–20 and Rombouts, Sardaro and Vandeginste 2005, 465–66.

<sup>8</sup> The same idea was developed further by Mani in *The Aesthetics and Ethics of Repairing Historical Injustice*, keynote speech delivered during the His-

torical Justice and Memory Conference, Melbourne, 16 February 2012.

<sup>9</sup> For an analysis of the Inter-American system of reparations for human rights violations see, among others, Pasqualucci 2013 and Shelton 2005.

<sup>10</sup> Case of *Velásquez-Rodríguez v. Honduras*. Reparations and Costs. Judgment of July 21, 1989. Series C No. 7.

<sup>11</sup> Case of *Aloeboetoe et al. v. Suriname*. Reparations and Costs. Judgment of September 10, 1993. Series C No. 15, para. 96.

<sup>12</sup> The Court referred to the Basic Principles on several occasions. See, for instance, the case of *Loayza Tamayo V. Perú*. Reparations and Costs. Judgment of November 27, 1998, Series C No. 42, para.85.

which it imposes on responsible states as a consequence of their obligation to repair. On many occasions the Court has ordered responsible states to integrate direct payment of compensation with non-pecuniary measures. States have been asked to pay for medical and psychological care and rehabilitation; to cover costs for education; and to locate human remains and to return them to families. In other cases the Court has called for preventive measures to ensure the non-repetition of further abuses, such as training programs and courses on human rights for the armed forces and the general population, as well as structural changes to domestic law.

## 2.2. The Role of Memory in the Jurisprudence of the Inter-American Court

What role do memory-related measures play in the IACTHR system of reparations? In a series of judgments issued since the end of the 1990s, the Court has ordered states to adopt memory-related initiatives as an element of reparation in the aftermath of internal conflicts or internal violence, where states severely violated the most fundamental of their citizens' rights. While prescriptions connected with preserving the remembrance of the past were initially rather sporadic and limited to naming buildings in the victims' honour, in the latest developments their application has been more frequent and they have taken more sophisticated forms.<sup>13</sup> The use of memory-related initiatives as form of reparation has resulted in different measures such as naming schools, streets and squares after victims;<sup>14</sup> erecting memorials;<sup>15</sup> installing plaques in places where the vic-

tims were killed;<sup>16</sup> publishing accounts of the violations in official gazettes or newspapers.<sup>17</sup> These measures all foster the construction and protection of a certain consciousness of the past. Setting to one side, however, this common final aim: what is the rationale on which the Court bases its memory-related orders? The legal bases used by the Court to order such measures appear quite ambiguous and the juridical argument behind them is not always explicit. However, a close reading of the Court's case law suggests two patterns. First, the Court generally distinguishes between cases where reparation is aimed at compensating a single individual and cases where the measure has to provide redress for a whole community or group. Second, from a technical point of view, the memory-related measures decided by the Court differ from each other according to the category of reparation in which they are classified; that is, some of them are issued as an instrument of satisfaction for victims, others as measures of prevention.

These two different criteria of distinction – beneficiaries and legal categories – intertwine and seem to suggest a line of reasoning in the Court's judgments. First, when memory-related initiatives are ordered as a means to provide satisfaction to the specific victim, the Court mostly relies on the right of the family or the next of kin to preserve their beloved's memory, whose legal justification is primarily linked to the right to know the truth. Some other interesting lines of reasoning have also been put forward to justify these measures. Judge Cançado Trindade, for

13 In *Radilla Pacheco*, for instance, accepting the initiative of the State, the Court ordered the publication of "a bibliographical sketch of the life of [the victim], accompanied either by the reproduction of official documents regarding this case (admissibility reports, orders, expert reports) or with oral testimonies on his trajectory [sic], gathered *in situ*, for which the State would hire an investigator." Case of *Radilla-Pacheco v. Mexico*. Preliminary Objections, Merits, Reparations, and Costs. Judgment of November 23, 2009. Series C No. 209, para. 355. Similar measures were ordered also in other cases, such as in *Myrna Mack Chang v. Guatemala*, where the Court asked the State to publicly honour the memory of the police investigator who was killed while investigating the case. Case of *Myrna Mack-Chang v. Guatemala*. Merits, Reparations and Costs. Judgment of November 25, 2003. Series C No. 101, para. 278.

14 Case of the "Street Children" (*Villagrán-Morales et al.*) v. Guatemala. Reparations and Costs. Judgment of May 26, 2001. Series C No. 77; Case of *Trujillo-Oroza v. Bolivia*. Reparations and Costs. Judgment of February 27, 2002. Series C No. 92; Case of *Servellón-García et al. v. Honduras*. Merits, Reparations and Costs. Judgment of September 21, 2006. Series C No. 152; Case of *Molina-Theissen v. Guatemala*. Reparations and Costs. Judgment of July 3, 2004. Series C No. 108; Case of the "Juvenile Reeducation Institute" v. Paraguay. Preliminary Objections, Merits, Reparations and Costs. Judgment of September 2, 2004. Series C No. 112; Case of *Vargas-Areco v. Paraguay*. Merits, Reparations and Costs. Judgment of September 26, 2006. Series C No. 155.

15 *Myrna Mack-Chang v. Guatemala* (2003); Case of the *Plan de Sánchez Massacre v. Guatemala*. Reparations and Costs. Judgment of November 19, 2004. Series C No. 116; Case of the *Moiwana Com-*

*munity v. Suriname*. Preliminary Objections, Merits, Reparations and Costs. Judgment of June 15, 2005. Series C No. 124; Case of the *Mapiripán Massacre v. Colombia*. Merits, Reparations and Costs. Judgment of September 15, 2005. Series C No. 134; Case of the *Pueblo Bello Massacre v. Colombia*. Merits, Reparations and Costs. Judgment of January 31, 2006. Series C No. 140.

16 Case of the *Ituango Massacres v. Colombia*. Preliminary Objection, Merits, Reparations and Costs. Judgment of July 1, 2006. Series C No. 148.

17 Case of the *Miguel Castro-Castro Prison v. Peru*. Merits, Reparations and Costs. Judgment of November 25, 2006. Series C No. 160; Case of the *Rochela Massacre v. Colombia*. Merits, Reparations and Costs. Judgment of May 11, 2007. Series C No. 163.

instance, in a number of separate opinions to the Court's judgments, developed the idea of a moral obligation to remember, arguing from the corresponding moral (but certainly non-legal) right of the dead victim to be remembered. In his separate opinion to the *Moiwana Community v. Suriname* judgment, he wrote: "It is incumbent upon all of us, the still living, to resist and combat oblivion, so commonplace in our post-modern, ephemeral times. The dead need our faithfulness; they are entirely dependent upon it. The duties of the living towards them [...] encompass perennial remembrance [...]".<sup>18</sup> In spite of the strong moral force of this argument, however, the remedial function of memory-related measures is the prevailing rationale in the legal reasoning of the Court in individual cases. Second, memory-related measures have also often been ordered with a preventive function, as instruments to prevent similar abuses from occurring again in the future. When this occurs, especially in cases involving whole communities, memory-related initiatives aimed at perpetuating the remembrance of the horrific violations throughout time, are seen alongside – reparation to individuals – as instruments for conveying a lesson to future generations. As such, they become components of the state's general obligation to protect human rights.<sup>19</sup>

These two different perspectives seem to imply the adoption of different forms of memorialisation. In fact, when the case related to one victim or a limited number of victims, the Court has ordered *ad hoc* prescriptions aimed at restoring the victim's memory as due satisfaction. For instance, in *Radilla Pacheco v. Mexico*, concerning the forced disappearance of a Mexican citizen at the hands of Mexican Army agents in 1974 and the subsequent lack of investigation by the judiciary, the Court ordered the state

to hold a public act of acknowledgment and to place a commemorative plaque to the victim's name in the city where the crime occurred. The Court stated that those measures were due "in satisfaction of the memory of [the victim]" and "with the objective of preserving the memory of [the victim] within the community". In addition, the Court ordered the publication of a bibliographical sketch of the life of the victim to honour his memory.

On the other hand, however, when a large number of people or a whole community was affected by the violence, the memory-related orders issued by the Court have consisted of broader memory-related projects, such as building monuments and creating sites of memory, often in addition to other preventive tools for non-repetition. These measures have frequently been ordered in cases involving massacres and violations of the rights of indigenous communities.<sup>20</sup> The *Plan de Sánchez Massacre* case offers a good example. It relates to a massacre of more than 250 persons perpetrated by a unit of the Guatemalan army in the village of Plan de Sanchez on 18 July 1982. Most of the victims, who suffered atrocious abuses before being killed, were indigenous Maya-Achì people. In the decision on reparations the Court, after requiring the state to "honour publicly the memory of those executed" during a public act of recognition, ordered Guatemala to fund maintenance and improvements to the chapel where the Maya community commemorate the victims of the Plan de Sánchez massacre. According to the Court, "this would help raise public awareness to avoid repetition of events [...] and keep alive the memory of those who died".<sup>21</sup>

The Court applied this reasoning again when, in another case of forced disappearance – the *Anzualdo Castro* case – it

18 *Moiwana Community v. Suriname* (2005). Separate Opinion of Judge A. A. Cançado Trindade. Such a fascinating interpretation had already been put forth by Cançado in his Separate Opinion to the *Street Children* case (2001). See also *Castilla del Pino* (2006). It has to be noted, however, that the individuals who are entitled to obtain reparation are only those who suffered a prejudice to their right. Where victims of abuses are dead, their next-of-kin are entitled to obtain redress for the harm they suffered for the loss.

19 *Radilla-Pacheco v. Mexico* (2009), paras. 353–56.

20 See *Moiwana Community v. Suriname* (2005), para. 218: "For those very reasons – to memorialize the events of November 29, 1986, as well as to prevent the recurrence of such dreadful actions in the future – the State shall build a monument and place it in a suitable public location." *Mapiripán Massacre v. Colombia* (2005), para. 315: "The State must build an appropriate and dignified monument in remembrance of the facts in the Mapiripán Massacre, as a

measure to prevent such grave events happening in the future." The same wording appears in *Pueblo Bello Massacre v. Colombia* (2006), para. 278. Likewise in *Ituango Massacres v. Colombia* (2006), para. 408: "In addition, the State must erect a plaque in an appropriate public place in La Granja and in El Aro, so that the new generations are aware of the events that took place in this case."

21 *Plan de Sánchez Massacre v. Guatemala* (2004), paras. 100 and 104.

rejected Peru's offer to comply with its duty to provide satisfaction to the victim by, among other things, realising the project of a "Museum of Memory".<sup>22</sup> However, whilst in the previous cases the Court had limited itself to issuing memory-related orders without further elaborating on their foundation, in *Anzualdo* it seems to highlight the rationale behind these measures. After affirming the importance of vindicating the name and dignity of the victim and his next-of-kin, the Court argued that the construction of a memorial museum could not constitute an "adequate individual measure of satisfaction", however important this would be to restore and rehabilitate the "historical memory of the society". Based on this consideration, both as a measure of individual satisfaction "in order to preserve the memory of [the victim] and as a guarantee of non-repetition", in accordance with the claims of the victims' representatives, the Court instead required the state to place a commemorative plaque in the name of the victim.

The two purposes of memory-related initiatives – satisfaction and prevention – can therefore overlap. Indeed most of these measures are ordered by the Court in order to accomplish both. In the *Radilla-Pacheco* case, for instance, it was ruled that the restoration of the victim's name was important in order to prevent future violations and that memory-recuperation initiatives serve "both for the preservation of the memory and satisfaction of the victims, and recovery and reestablishment of historical memory within a democratic society".<sup>23</sup> Thus, in the realm of reparations, the use of memory-related initiatives by the Court becomes a means to address both the individual and collective need for redress within the society. As a result, the double function of these measures reflects and adapts to the dual nature of memory, in its collective and individual dimensions.

What the Court does not seem to consider, however, are the possible tensions that may arise between these two dimensions and between the goal of commemoration and other transitional justice aims, such as reconciliation.

Admittedly, in some of the memory-related orders, the Court required the specific implementation of the memory-related initiatives to be decided by the state after consultation and in agreement with the parties involved in the case (i.e. the victims and their relatives).<sup>24</sup> However, especially in cases involving civil wars, ethnic conflict or the abuse of minority groups, the victims are in general just one of the parties involved in the pattern of violence. Judicial decisions have a limited scope, as the effects they produce are generally legally binding only for the legal parties to the case. As a consequence, ad hoc forms of commemoration ordered by judicial decision and focussed on a single victim or a specific group can leave out a number of victims and create a ranking of legitimacy among victims' narratives and memories. Moreover, the right of the victim to have his or her own individual narrative publicly commemorated, as a form of redress for his or her own suffering, can clash with the broader community's interest in overcoming social conflicts and tensions. The inclusion of memory-related initiatives in reparation schemes demands a thoughtful consideration of extra-legal aspects of the processes of coming to terms with the past.

### 3. Can the Law Impose Memory?

The IACtHR's jurisprudence has made important advances toward shaping new forms of reparation better suited to redressing the harm and suffering caused by gross and mass atrocities. Nevertheless, as suggested, the inclusion of memory-related actions as a component of a state's obligation to repair raises some thorny issues: To what extent is it desirable that judicial instances, including supranational institutions like the IACtHR, mediate the process of elaboration and reconstruction of the past? What effects do the "judicial truths" established in the decisions on reparations issued by these instances produce in the complex process of negotiation of collective memory within a society? What is the impact of these judgments on the interplay between the individual (recognition) and social (reconstruction) demands placed on memory as an instrument of reparation?

22 Case of Anzualdo Castro Prison v. Peru. Merits, Reparations and Costs. Judgment of September 22, 2009. Series C No. 202, para 200.

23 *Radilla-Pacheco v. Mexico* (2009), para. 356.

24 See *inter alia*, *Moiwana Community v. Suriname* (2006), para. 218; *Case of Goiburú et al. v. Paraguay*. Monitoring Compliance with Judgment, Order of November 19, 2009, para. 45; *Case of La*

*Cantuta v. Perú*. Monitoring Compliance with Judgment, Order of November 20, 2009, para. 18.

As the above analysis has shown, the decisions of the Inter-American Court seem to interfere with local memory dynamics, bestowing special judicial protection on certain memory practices. The Court imposes on states – and on societies – practices designed to oblige them to remember. Even more significantly, the Court requires states not only to undertake measures to remember, but also prescribes *what* and *how* to remember. However, the Court does so within the limits of its mandate, which requires it to order appropriate reparations for the harms assessed in the specific case. In spite of the advances made in the interpretation of the framework of reparations, the Court does not – and perhaps cannot – also assess these measures with regard to their broader impact on the processes of social reconciliation.

Nevertheless, because the IACtHR is a supranational court, the impact of its judgments goes far beyond individual cases. Measures of redress directed to individuals can have an impact on public policies and, thus, extended effects throughout society. The Court is aware of the external effects of its jurisprudence and has in fact used its influence to instigate reforms and structural changes in many member states of the OAS.<sup>25</sup> In the light of this awareness, the Court began to conceive its jurisprudence not only as an instrument to protect and vindicate individuals, but also as a powerful tool to orient government decisions in processes of democratic transition and in the aftermath of human rights crises. This has been the case, for instance, in the fight against impunity. The Court's rulings in cases brought on behalf of individual victims have required states to adopt legislative reforms that adapt the national criminal law systems to human rights standards.<sup>26</sup> Similarly, in a series of judgments the Court fought against the widespread practice of self-amnesty laws in cases of mass-

ive human rights abuses,<sup>27</sup> with the result that amnesties of this type have been declared unconstitutional by the constitutional courts of several Latin American countries.

These cases suggest that the IACtHR is therefore aware of the potential reach of its decisions. With regard to memory-related orders, however, the Court seems to underestimate the potential impact on the broader socio-political dynamics at the local level. In its decisions, it has limited the assessment of these measures to general statements about the importance of remembering and the relevance of memory-related actions in preventing the repetition of similar brutalities, but has failed to consider thoroughly the specific contexts in which these measures will take place. It seems to neglect the risk of tensions arising between the “memory” imposed by the supranational body and other conflicting memories that also exist in the social fabric. The official sanction of “one memory”, of “one truth”, using the language of one particular set of victims, may have the undesirable result of exacerbating the tension between the victims' demand for reparations and the need for social reconciliation. Moreover, imposing the commemoration of a “judicial truth” established by a supranational instance may alter the complex process of negotiation through which a conflict-riven society achieves a shared view of its common past.

### 3.1. The Case of the Penal Miguel Castro-Castro v. Peru

In November 2006, the Inter-American Court of Human Rights held Peru responsible for violent acts committed by its agents in May 1992 within the maximum security penitentiary Miguel Castro-Castro.<sup>28</sup> Since the case provides a useful example of the possible implications of the IACtHR's memory-related jurisprudence, it will be discussed below.

25 Organization of American States, created by the Charter of the Organization of American States, 30 April 1948, available at: <http://www.unhcr.org/refworld/docid/3ae6b3624.html>. The Inter-American Court and the Inter-American Commission are the two organs of this regional system entrusted with the promotion and protection of human rights.

26 See, for instance, Case of Molina-Theissen v. Guatemala. Reparations and Costs. Judgment of July 3, 2004. Series C No. 108, para. 91, where among

other provisions the Court ordered Guatemala to adopt domestic legislative, administrative provisions “to establish: a) an expedite procedure to allow statement of absence and presumption of death due to forced disappearance, for purposes of parentage, inheritance and reparation as well as other related civil effects; and b) a genetic information system to enable establishment and clarification of parentage of missing children and their identification”.

27 Case of Barrios Altos v. Peru. Merits. Judgment March 14, 2001. Series C No. 75, para. 42. In the

Interpretation of the Judgment on the merit of this case, the Court declared that this prohibition is general in nature and applies to all the laws that present the same criteria. Case of Barrios Altos v. Peru. Interpretation of the Judgment on the Merits. Judgment of September 3, 2001. Series C No. 83, para. 18.

28 Case of the Miguel Castro-Castro Prison v. Peru. Merits, Reparations and Costs. Judgment of November 25, 2006. Series C No. 160.

The Castro-Castro case occurred against a background of violence and violations of human rights that traumatised Peru for twenty years. During the internal conflict that paralysed the country between 1980 and 2000, about seventy thousand Peruvians were killed and more were disappeared (CVR 2003, introduction). The Peruvian Truth and Reconciliation Commission was established in 2001 by the new democratic government to shed light on violations committed during the years of the conflict. After two years of work and investigation, the Commission presented its Final Report, which was published in 2003. Members of the terrorist group Sendero Luminoso and agents of the state were held responsible for most of the violations (CVR 2003, Annex 2).<sup>29</sup> The Commission ascertained that 6,443 acts of torture and abuse had been perpetrated.

With regard to the case, the Truth and Reconciliation Commission reported that about 175 inmates of the Castro-Castro prison – mostly women – were severely abused and about 42 eventually killed in the course of the military operation “Operativo Mudanza 1” ordered by President Fujimori (CVR 2003, vol. 7, chap. 2, 67). Most of the victims were accused of, awaiting trial for or convicted of terrorism or treason offences. They were considered linked to the Partido Comunista del Perú – Sendero Luminoso.<sup>30</sup> In the judgment, after ascertaining the facts of the case, the Court accepted the partial acknowledgment of international responsibility made by Peru and ordered the state to undertake both monetary and non-monetary reparation measures. Among the latter, it required the state to carry out a public act of acknowledgment of responsibility for the violations specified in the decision “as any [sic] apology to the victims and for the satisfaction of their next of kin”<sup>31</sup> and to commemorate all the victims of the case by inscribing their names on the memorial “The Eye that Cries”.<sup>32</sup> While commemorative measures had been requested by both the Commission and the victims’ representative, their requests differed from what the Court ordered. The vic-

tims’ representative requested the construction of a specific monument or the creation of a park where the victims’ next of kin could plant trees in memory of the deceased. The state opposed those requests, arguing that “a monument (called the Eye that Cries) [had] already been erected in a public place of the capital of the Republic in favour of *all* the victims of the conflict, and that it [was] the subject of continuous memorial and commemoration acts.”<sup>33</sup> The Court therefore decided on a compromise and required the inscription of the victims’ names on the existing memorial. In doing so, however, the Court misread the history and meaning of the monument and underestimated the potential for its memory-order to evoke deeper tensions.

“The Eye that Cries” is a particularly meaningful monument for Peruvians. It was built in Lima in 2005, thanks to the initiative of Peruvian civil society groups, with the aim of paying tribute to and preserving the memory of all victims, as well as to educate about recent Peruvian history.<sup>34</sup> A trickle of water runs incessantly from a large, granite boulder at the centre of the memorial, which is surrounded by a labyrinth of concentric circles made of thirty-two thousand little stones, on which the names of some of the victims are engraved. The memorial represents Pachamama, the Andean Mother Earth, who cries for her children.<sup>35</sup>

**Figure 1: “The Eye that Cries”, Campo de Marte, Lima, Perú.**



Photo: Art Dino

<sup>29</sup> Sendero Luminoso was deemed responsible for 46 percent of the acts of violence, while state agents were considered responsible for 30 percent.

<sup>30</sup> Miguel Castro-Castro Prison v. Peru (2006), para. 197.

<sup>31</sup> Miguel Castro-Castro Prison v. Peru (2006), operative part of the judgment, point 12. In light of the meaning of the paragraph, the “any” in the quote should be considered a typographical error for “an”. This is also confirmed by the official Spanish version of the judgment.

<sup>32</sup> Ibid. para. 463

<sup>33</sup> Ibid. para. 454 (italics added)

<sup>34</sup> <http://www.elojoquellora.pe/>

<sup>35</sup> Ibid.

The inscription of the names of the victims in the *Castro-Castro* case was potentially capable of conveying a strong symbolic message to Peruvian society and offering public redress to the memory of the victims. Nevertheless, the political proximity of those individuals to terrorist groups and their potential involvement in the civil conflict framed the Court's decision in a different perspective, sparking violent reactions in the country. On the one hand, human rights activists and those who defended the ruling upheld the importance of condemning the acts of violence perpetrated by the Fujimori regime, regardless of the political past of the deceased; on the other hand, the majority of the population felt uneasy about the decision to conflate memorialisation of "innocent victims" of the conflict (that is, of those civilians whose names had been originally inscribed in the memorial), with commemoration of those who were victims according to the Court's decision, yet perceived by the public as "perpetrators". Protests, sit-ins, heated public debates and political declarations against the Court's decision, which went as far as questioning the Court's authority, took place around the country, and the monument was vandalised. These social and political tensions brought to light the reality that the Peruvian past has not yet been dealt with in society.

The Court's judgment brought to light persistent memory conflicts. Yet, in Ciurlizza's words, the decision "pours salt in the open wound". The public opinion received the decision as a "revealed truth", as an "axiom that nullifies any discussion", an insult to the suffering of the society and, paradoxically, a denial of social memory (Ciurlizza 2007). In the attempt to address the dual reparatory functions of memory as satisfaction and prevention, the Court's ruling clashed with the reconciliatory function of another memory that had been negotiated within the Peruvian social fabric and was still struggling to be accepted and accommodated in that social fabric. As a result of this clash, the intrinsic link between memory and identity, which makes memory-related measures crucial for the process of social

reconstruction in the aftermath of traumatic events, was broken, because of the interference of an external actor. This legal construction of memory, decided from above, is viewed as an external imposition and an outside element that can play no role in the social dynamics of making sense of past atrocities. From a symbol of unity and solidarity for all victims, "The Eye that Cries" became a site of contestation and division.<sup>36</sup>

**Figure 2: "The Eye that Cries" memorial following vandalism on 23 September 2007.**



Photo: APRODEH archive

#### 4. Conclusion

International human rights law has seen recent advances in the legal regime for reparations in cases of grave abuses of human rights. In particular, traditional mechanisms of the reparation system have been revised in the light of theories and practices developed in the field of transitional justice. This has resulted in the adoption of more complex and flexible reparation schemes by states and human rights bodies that better adapt to the particular features of the

<sup>36</sup> The fascinating and complex nature of the memorial – and of the history it tells – led many scholars, mostly from the memory studies field, to engage with its meaning. Especially since 2007, after

it was subjected to acts of vandalism, the monument has been in the centre of the memory debates in Peru. Scholars have used the recent history of "The Eye that Cries" as a starting point to investigate and

analyse the deeper roots and dynamics of the conflicting interpretations of the Peruvian past and memory polemic (Milton 2011; Drinot 2009; Hite 2007).

transition to democracy. This article has drawn attention to the role that memory-related initiatives have come to play in the revised system of redress in post-conflict and post-violence contexts. The Inter-American Court of Human Rights, in particular, through its jurisprudence on reparations, has used those measures as part of reparatory schemes designed to adequately redress situations where there has been widespread abuse. Memory-related measures, in the legal judgment of the Court, contribute to both satisfaction for victims and guarantees of non-repetition. The “obligation to memory”, understood in a narrow sense as the obligation to put in place acts of commemoration and remembrance for past atrocities, has thereby been progressively recognised as a component of the international obligation to provide reparation for victims. As such, according to the general principles on reparation under international law, memory-related measures used as reparation should be commensurate with the specific harms to individual victims and, at the same time, with the collective interest to prevent future abuses.

However, while the incorporation of memory-related initiatives into the framework of reparations may open the latter to their transformative potentiality, it is doubtful whether judicial decisions are the most appropriate tool to establish the specifics of how and when those measures should be used. As the Peruvian case has demonstrated, the impact of legal decisions that make use of memory-related measures may eventually lead to unforeseen and undesired negative results within broader social memory processes. Although in the *Castro-Castro* case the Court tried to strike

a balance between the different requests of the parties, it failed to consider the wider social and collective dimension of the memory-related initiatives. It failed to pay careful attention to the complex nature of memory processes within a society in transition, and instead limited its considerations to an assessment of the impact of memory-related measures on the parties to the case. This failure occurred even though the Court has demonstrated awareness and pursuit of wider social and political effects in other cases.

In spite of this negative assessment, I do believe that there is a role for the law in encouraging the elaboration of a collective memory. To do this effectively, however, courts and tribunals should pay more attention to the wider social impact of legal decisions. They should be aware of the internal struggles for identity and reconstruction within the societies in which their decision will have to be implemented; they should listen to the existing social narratives and understand their inter-relations. In doing so, courts would move from the role of memory-makers, which impose a specific and partial interpretation of the past from above, to the role of memory-facilitators, conscious of the many layers involved in the process of rethinking the past, and therefore providing a *forum* for different voices and narratives to discuss possible representations of the past. This is a difficult challenge. However, if the law wants to venture into the intricate and delicate aspects of individual and social processes of coming to terms with the past, judges and legislators must develop a much deeper level of engagement with the effort to first understand, and then speak the language of memory.

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# Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case

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## Vol. 8 (1) 2014

### Focus Section: Violence, Justice, and the Work of Memory

#### Editorial (p. 3)

**Introduction: Violence, Justice and the Work of Memory** Klaus Neumann / Dan Anderson (pp. 4 -15)

**Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda** Laura Eramian (pp. 16 - 29)

**"The Country that Doesn't Want to Heal Itself": The Burden of History, Affect and Women's Memories in Post-Dictatorial Argentina** Jill Stockwell (pp. 30 - 44)

**Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the "Years of Lead" in Morocco** Laura Menin (pp. 45 - 60)

**From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights** Maria Campisi (pp. 61 - 74)

► **Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case** Francesca Lessa (pp. 75 - 90)

**"What Will You Do with Our Stories?" Truth and Reconciliation in the Solomon Islands**  
Louise Vella (pp. 91 - 103)

**Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal**  
Simon Robins (pp.104 - 118)

### Open Section

**Postwar Violence in Guatemala - A Mirror of the Relationship between Youth and Adult Society**  
Sabine Kurtenbach (pp. 119 - 133)

**Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?** Lieven Pauwels / Maarten De Waele (pp. 134 - 153)

**Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia** Pietro Castelli Gattinara / Caterina Froio (pp. 154 - 170)

**Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors**  
Selina Helmke / Pia-Renée Kobusch / Jonas H. Rees / Thierry Meyer / Gerd Bohner (pp. 171 - 186)



# Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case

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This article examines the Public Act of Acknowledgment of International Responsibility and Recovery of the Memory of María Claudia García de Gelman held in the Uruguayan parliament on 21 March 2012 through a theoretical framework of memory narratives. The Inter-American Court of Human Rights ordered Uruguay to hold the Public Act as part of its February 2011 ruling in the *Gelman v. Uruguay* case, which condemned its failure to investigate and prosecute individuals responsible for disappearing María Claudia García de Gelman and illegally adopting her baby daughter Macarena, while denying her knowledge of her true identity for over two decades. The Public Act was a memorialising event intended as an act of reparation, which also triggered irruptions of memory in Uruguay, resurfacing memory debates and discussions about the recent past of dictatorship and violence. The Public Act exposed once again the continued antagonisms between memory narratives of violence and justice that have existed in the Uruguayan political and social landscape since 1985. While the Act was an expression of the “state terrorism” narrative, its unfolding resulted in the resurfacing of narratives of “war” and “two demons” in the social and political arenas and of new interpretations of these narratives in light of events and politics in 2012.

This place is the only physical connection with history  
It is the only place where I was with my mother [...]  
It is the only little piece of truth I have.<sup>1</sup>

Macarena Gelman uttered these words on 21 March 2012, when Uruguay publicly and officially acknowledged its responsibility for the crimes committed against her and her family: the illegal detention in 1976 and later disappearance of her Argentine mother, María Claudia García Iruretagoyena de Gelman, and the cover-up of her own fate for over twenty years. In fact, Macarena recovered her real identity only in March 2000, at the age of twenty-three, after a relentless search by her grandfather, Argentine poet Juan Gelman.

In 1973, Uruguay fell to the wave of military takeovers that had engulfed most of South America – starting in 1954 with Paraguay – and that were ideologically inspired by the national security doctrine dominant in the region at the time. The Uruguayan dictatorship remained in place until 1985. The crimes perpetrated against the Gelmans were not isolated acts, but formed part of a systematic policy of repression and human rights violations unleashed against Uruguayan citizens – targeting them even outside of the country through Operación Cóndor.<sup>2</sup> The Uruguayan dictatorship penetrated people’s public and private lives, submitting society to terror and installing a culture of fear

The author wishes to acknowledge the kind help provided by members of the NGO Madres y Familiares de Uruguayos Detenidos Desaparecidos, the helpful feedback from three anonymous reviewers and the focus section’s editors, Dan Anderson and Klaus Neumann, as well as generous financial support received from the London School of Economics (Department of International Relations) and the University of London Central Research Fund, and a Society for Latin American Studies (UK) postgraduate travel grant for fieldwork in 2007 and 2008. This publication arises from

research funded by the John Fell Oxford University Press (OUP) Research Fund grant number 122/686.

<sup>1</sup> All translations from Spanish are the author’s own unless otherwise stated. Words by Macarena Gelman cited in “Este lugar es el pedacito de verdad que me queda”, dijo Macarena Gelman”, 21 March 2012, <http://www.presidencia.gub.uy/Comunicacion/comunicacionNoticias/macarena-gelman-placa-homenaje-maria-claudia> (accessed 31 December 2013).

<sup>2</sup> Operación Cóndor (Operation Condor) was a secret transnational network of intelligence agencies and counterinsurgency operations set up in the mid-1970s by the military dictatorships of Argentina, Chile, Uruguay, Paraguay, Bolivia and Brazil to target political opponents who had sought refuge or gone into exile in neighbouring countries. For more information on Cóndor see Dinges (2004).

(Sondrol 1992). The regime used brutality and violence on a massive scale to repress the guerrilla group known as the Movimiento de Liberación Nacional-Tupamaros (MLN-T, Tupamaros National Liberation Movement) as well as all forms of social and political opposition. Repression had a very high human and social cost, with approximately two hundred people disappeared, an estimated six thousand long-term political prisoners, twenty-six extrajudicial executions, thousands of exiles, and countless instances of torture and illegal detentions (Rico 2008).

This article focuses on a recent occurrence, the 2012 Public Act of Acknowledgment of International Responsibility and Recovery of the Memory of María Claudia García de Gelman (Acto público de reconocimiento de responsabilidad internacional y recuperación de la memoria de María Claudia García, hereafter the Public Act), which was ordered by the Inter-American Court of Human Rights as part of the 2011 *Gelman* ruling. The article discusses how this act of remembrance and reparation for the victims, held in the Uruguayan parliament, triggered the resurfacing of memory debates relating to Uruguay's recent dictatorship and violent past.

Memory studies scholar Alexander Wilde identified “irruptions of memory” in Chile with “public events that break in upon [...] national consciousness, unbidden and often suddenly” and evoke a political past still very much “present in the lived experience of a major part of the population” (1999, 475). According to Wilde, these irruptions brought to the fore the existence of “an arena of deeply divided public discourse, shot through with contending and mutually exclusive collective representations of the past” (1999, 475). Wilde's notion can be applied to Uruguay where over the past three decades the memories of the country's recent past continue to be very much present and generate long-lasting societal discussions and debates. This article analyses how the Public Act caused the irruption into public discourse of latent and enduring tensions between diverse memory narratives of the dictatorship and its atrocities.

Numerous scholars have studied questions of memory in Uruguay (Achugar 2005; Allier 2010; Fried 2006; Marchesi 2002; Roniger and Sznajder 1999), analysing a range of

themes relating to the recent past including the social and cultural aspects of memory at the level of the state and civil society, the construction of the dictatorship's collective and historical memory by different social and political actors, and the debates surrounding remembrance on dates of particular significance such as 20 May or 14 April. In this article, I propose a theoretical framework based on the notion of memory narratives that enables the identification and analysis of different interpretations of violence in Uruguay from their emergence in the 1970s and through their subsequent evolution. I then apply this theoretical framework to the case study of the Public Act to demonstrate the endurance of memory debates in recent times.

Before and after the Public Act, the public arena and political discourses in Uruguay were replete with conflicting memory narratives which were actualised and (re-)articulated within the contemporary political context. Although the Public Act expressed the “state terrorism” narrative, other memory narratives of “war” and “two demons” also circulated in the public sphere, with the political opposition to the current government utilising them to reassert its own understanding of the past. The Public Act vividly recalled the pattern of crimes perpetrated in Uruguay. The Gelman case has played a particularly important role in the development of accountability in Uruguay since the late 1990s, as it deeply challenged the official state discourse of denying the atrocities by publicly exposing their real extent (including illegal detention of individuals, transfer of pregnant women and illegal adoption of their newborns). The brutality of these acts forced several reluctant Uruguayan presidents to confront the issue of past crimes. In the words of one survivor of Operación Cóndor crimes, the Gelman case was “fundamental”:

From the first moment, I could see that this case would change the history of Uruguay on these matters, because it was the case of a foreigner, of a child, and moreover of a person as famous as Juan Gelman ... I said this will change everything, and so it did.

(interview with Sara Rita Méndez, Montevideo, 8 October 2013)

### 1. Memory Narratives of Violence

During and after traumatic events such as dictatorship or violent conflict, individuals as well as social and political actors endeavour to make sense of and communicate these

distressing circumstances through narratives. There is never just “one memory, or a single vision and interpretation of the past shared throughout society” (Jelin 2003, xviii). I therefore use the term “memory narratives” to describe the numerous interpretations, understandings, and evaluations of often contested facts within a country’s past (Lessa 2013, 19). Memory narratives emerge through the conscious and sustained efforts of their creators – particular individuals, institutions and organisations such as victims’ associations, politicians, armed opposition groups or the security forces – whom Argentine academic Elizabeth Jelin has labelled “memory entrepreneurs” (Jelin 2003, 33–34). The existence of different memory narratives presupposes that social and/or political actors first enunciate and then fight for them; these agents seek social recognition and political legitimacy – if not hegemony – for their own interpretation of a contested past (Jelin 2003). Paraphrasing John Gillis, we can think of memory narratives as “things we think *with*” rather than “things we think *about*” (Gillis 1994, 5).

Memory narratives exist at the individual and collective levels; while originating from specific individuals and/or other actors, they later come to be shared by collectives and groups. These narratives acquire varying levels of legitimacy and appeal within society depending on how compellingly and convincingly they portray the past, how well they explain the often diverse and complex facets of agency and responsibility for events, and how effectively they promote a particular vision of the future. Memory narratives are extremely dynamic. While remaining true to a core of constitutive elements, they evolve flexibly and adapt to new contexts over time. These narratives generally endure across decades and generations, often as long as events remain subject to dispute. The initial portrayal of events is frequently re-examined at later moments, as the contested facts become more distant in time; moreover, memory narratives of traumatic events are likely to persist for substantial periods given their profoundly emotional connotations.

At any one time, some memory narratives may predominate while others may be confined to more marginalised positions within society; previously dominant

narratives can later find themselves relegated to outlying sectors of society, while those initially least accepted may achieve a more dominant status and even displace previously hegemonic ones. Memory narratives are often latent within society but can be reactivated as a result of specific political or societal moments such as the Gelman Public Act, which prompted the resurfacing of contestations between different narratives and exposed the endurance of societal and political debates over the recent dictatorship in Uruguay.

*War, Two Demons, or State Terrorism?*

Issues of memory in Uruguay – as in most countries confronting a contested past – cannot be simply reduced to a tension between forgetting and remembering. Instead, there is a multifaceted landscape of multiple memory narratives that coexist and share the same social and public space, offering diverse interpretations and understandings of the dictatorship and human rights violations. Elsewhere, I have identified and examined six memory narratives that claim to provide convincing interpretations of the recent past in Uruguay (Lessa 2013, chapter 6); here, I focus on the three that are most relevant in the context of the Public Act: “war”, “two demons” and “state terrorism”. These narratives originated four decades ago and have since flexibly adjusted to new political and social contexts; they have had varied and plentiful authors over this time, including the armed forces, the Tupamaros, leaders from across the political spectrum, human rights activists and victims. They are briefly described below.

The *war* narrative surfaced in the early 1970s, when some political actors perceived Uruguay as engulfed in a conflict (Marchesi 2002, 105–106). This narrative was enunciated at various moments by the armed forces, political leaders and the Tupamaros. Although the war possessed different connotations depending on who related the narrative, generally the picture was of a nation threatened by internal communist subversives – the Tupamaros guerrilla – while the military was protecting the fatherland. This narrative was commonly used throughout the Southern Cone to justify actions before, during and even after the dictatorship. In the context of the Cold War, the Uruguayan armed

forces saw themselves as the “guardians of the fatherland”, which needed to be protected against a subversive threat (Achugar 2005, 36). The military depicted the coup d’état as a consequence of armed subversion and political vacuum, pointing to the weakness of political parties and liberal democracies in responding to communism (Heinz and Frühling 1999). The war narrative contended that the armed forces had no alternative but to confront a brutal enemy in a “dirty war”. Human rights abuses were excused in this context as inevitable during conflict. This perspective has held enduring appeal for several actors. For instance, in an open letter in 1997, some Tupamaros leaders – including current President of Uruguay José Mujica – declared how they carried “with pride the wounds incurred in combat” (Allier 2010, 158). More recently, in September 2012, well-known torturer and retired colonel José Gavazzo justified his past actions in terms of safeguarding “the security of the fatherland and of his compatriots” (La República 2012a).

The *two demons* narrative was a prevalent interpretation that initially emerged in Argentina in the early 1970s to explain the events leading to the dictatorship there (Vezzetti 2002). Political violence was depicted simply as a fight between two demons – the military and the guerrillas – while society was caught in the middle and suffered the consequences of this confrontation without being an active participant. In Uruguay, this narrative appeared in the early 1980s and has been since adopted by many political and social actors (Demasi 2003, 67–74). The traditional Colorado and Blanco parties deployed the narrative strategically to evade scrutiny of their role (whether action or inaction) in the coup, presenting the political class as helpless in this violent context. Importantly, broader society also endorsed this account, since it allowed people to demonstrate their misfortune and exonerate them from any responsibility – even though many had endorsed the military takeover as a solution to disorder and social unrest. Left-wing parties championed this narrative, given the lack of alternative discourses and the fear of institutional destabilisation in the

mid-1980s. Even the Tupamaros employed it, as it elevated them to “demon” status and painted them as protagonists of important events that had actually occurred after their defeat.<sup>3</sup> The two demons narrative became the official version of the first government of President Julio María Sanguinetti (1985–1990) and was particularly instrumental in justifying the adoption of parallel amnesties for political prisoners and military officers in the mid-1980s. The government skilfully used the narrative to substantiate its approach of looking to the future, given that society “had nothing to do with the fight between two intransigent demons”.<sup>4</sup> The narrative’s appeal continues into the present, especially for the military and some political leaders, including former presidents.

Victims and human rights groups developed an alternative narrative of atrocities that interpreted political violence not as war but as *state terrorism*, that is, a systematic policy of human rights violations perpetrated by the state. This violence unsettled the victims’ world, causing the loss and/or imprisonment of loved ones, forever rupturing family relations and producing a world of fear, horror and misery, particularly for the relatives of the disappeared, but also society as a whole. The state terrorism narrative refuted in particular those discourses that presented atrocities as inevitable during war. Human rights activists drew attention instead to the harshness of repression, emphasised that armed organisations had been dismantled well before the 1973 takeover and highlighted how only a few of the victims had in fact belonged to guerrilla organisations. The state terrorism narrative was innovative in deploying the language of human rights, which was used by activists to articulate their demands and denounce atrocities inside and outside Uruguay (Markarian 2005). This narrative focused on disappearances (Perelli and Rial 1986), and stories of disappeared children, such as Macarena Gelman, whose identities had been illegally changed and who had been denied links with their biological families, had a particularly profound emotional impact on society. Since the electoral victory of the coalition of left-wing parties known

3 Interview with historian Carlos Demasi, Centro de Estudios Interdisciplinarios Uruguayos, Facultad de Humanidades y Ciencias de la Educación, Uni-

versidad de la República, Montevideo, 28 August 2008.

4 Interview with historian José Rilla, Departamento de Ciencia Política, Universidad de la República, Montevideo, 26 August 2008.

as Frente Amplio in 2004, the state terrorism narrative has also been promulgated by politicians; for example, the text of the reparations law of September 2009 acknowledges the illegitimate conduct of the state and makes explicit reference to systematic practices of torture, forced disappearance, illegal imprisonment and homicide.<sup>5</sup>

## 2. Truth, Justice, and Reparation in the Shadow of Operación Cóndor

Argentines María Claudia García and her husband Marcelo Gelman – aged nineteen and twenty – were detained at their home in Buenos Aires by Uruguayan and Argentine military officers on 24 August 1976, and subsequently held in the Automores Orletti clandestine detention centre, Operación Cóndor’s operating base in the Floresta neighbourhood of Buenos Aires. Marcelo’s remains were discovered in 1989 and identified by the Argentine Forensic Anthropology Team. In October 1976, María Claudia was secretly transferred to Uruguay in the so-called *segundo vuelo*<sup>6</sup> (second flight) in an advanced state of pregnancy and kept captive at the headquarters of the Defence Information Service in Montevideo; in late October or early November 1976, she gave birth to a baby girl in the military hospital. The fate of María Claudia remains unknown; she is likely to have been taken to another military site, the Valparaíso Base, where she was murdered and buried in a clandestine cemetery (Dutrénit Bielous 2012, 85).

Juan Gelman, Marcelo’s father, spent over two decades looking for his disappeared grandchild. Gelman followed several leads about the baby’s possible fate and location, concluding that he or she was in Montevideo. A team of Uruguayan journalists from *La República*, including Gabriel Mazzarovich, undertook a parallel investigation that led them to the same conclusion. In May 1999,<sup>7</sup> Gelman requested the cooperation of Uruguay’s government in his pursuit, meeting with Elías Bluth, the secretary of President Sanguinetti, but received no help (Demasi and Yaffé 2005). Some months later, in October 1999, Gelman

wrote an open letter to Sanguinetti asking why he was remaining silent regarding the disappeared child, while thousands of intellectuals and Nobel laureates across the globe also lobbied Sanguinetti in support of the poet’s request. Sanguinetti remained obstinate and claimed that, despite investigations by his government, there was no indication that either Gelman’s daughter-in-law or his grandchild were in Uruguay; Sanguinetti even asserted that no child had disappeared “on Uruguayan soil” (La República 2000). President Sanguinetti also accused the poet of running a campaign to portray him as “indifferent” and “insensitive” to humanitarian demands (Allier 2010, 187). In March 2000, newly elected president Jorge Batlle (2000–2005) announced that Gelman’s granddaughter Macarena had been found in Montevideo where she had been raised by the family of a police chief.<sup>8</sup> Macarena and her grandfather were finally reunited.

The Gelman case constituted a “turning point” in accountability, amounting to a “brutal first rupture in the collective imaginary of the past in Uruguay” according to journalist Mazzarovich:

The discourses of impunity and all the lies crumbled, the truth turned out to be much worse than the activists’ claims: the armed forces had even stolen babies! The logic of war was destroyed. How did the kidnapping of babies fit into the scenarios of battle depicted by the security forces?

(interview with Gabriel Mazzarovich, Montevideo, 1 October 2013)

The explosion of the Gelman case enabled further investigations into the past, especially the realisation that Uruguayan citizens previously thought to have disappeared in Buenos Aires had in fact been kidnapped by Uruguayan armed forces, illegally returned to Uruguay, and disappeared. Juan Gelman and Macarena have since focused their efforts on locating María Claudia’s remains and obtaining justice. Batlle’s government proved unsupport-

5 Ley N. 18.596 de 18 de setiembre de 2009. [http://basejuridica.cgn.gub.uy/WEBAKA/Enlaces/Ley\\_%2018596.html](http://basejuridica.cgn.gub.uy/WEBAKA/Enlaces/Ley_%2018596.html)

6 Uruguayan nationals detained in Buenos Aires were secretly transferred to Montevideo on clandestine Uruguayan Air Force flights on 24 July and 5

October 1976. While all those transferred on the first flight survived, those on the second did not.

7 Interview with journalist Gabriel Mazzarovich, Montevideo, 1 October 2013.

8 Ángel Tauriño – a high-ranking police chief – had strong links with the Colorado party and in par-

ticular with President Sanguinetti, who had nominated him as head of police of the Department of San José (R. Rodríguez 2012).

tive; in June 2002, Gelman filed a criminal case in Montevideo concerning the detention and disappearance of María Claudia, the abduction of her newborn daughter, and the illegal alteration of Macarena's identity. The case was closed in November 2003 when the executive applied the amnesty law to end proceedings.<sup>9</sup> In June 2005, Gelman's attorney attempted to reopen the investigation by providing new evidence but again this did not prosper. Despite these failed endeavours, Macarena also sought to have the criminal investigation reopened in August 2008 but, even after it eventually resumed, progress was extremely slow (Peralta 2011).

As a result of these denials of justice, Macarena and Juan Gelman lodged a petition against Uruguay with the Inter-American Commission on Human Rights in May 2006, represented by lawyers from the Center for Justice and International Law (CEJIL). The complainants deplored that their right to access to justice had been violated and emphasised the personal suffering caused to them by Uruguay's failure to investigate the facts and prosecute and punish those responsible through the systematic application of the *Ley de Caducidad*. In July 2008, the Commission recommended that Uruguay investigate and punish those responsible, pay full reparations to the victims, and render the *Ley de Caducidad* without effect. By December 2009, Uruguay had yet to comply with these recommendations, and the Commission thus referred the case to the Inter-American Court in January 2010. In line with its previous jurisprudence,<sup>10</sup> deeming amnesties for human rights violations to be incompatible with obligations under the American Convention on Human Rights, the Court in February 2011 declared the *Ley de Caducidad* invalid, because it was incompatible with the American Convention on Human Rights and the Inter-American Convention on Forced Disappearance of Persons since the law obstructed the investigation and possible sanctioning of

individuals responsible for grave human rights violations. Among the judgement's recommendations, the Inter-American Court requested Uruguay to conduct a public act of acknowledgment of international responsibility, which was to address the violations dealt with in the judgment and "take place in a public ceremony carried out by high-ranking national authorities and in the presence of the victims" (IACtHR 2011, para. 266).

### 3. The 2012 Public Act

On 21 March 2012, in the Uruguayan parliament, President José Mujica (2010–15) appeared before senators, deputies, the commanders of the armed forces, judges of the Supreme Court of Justice, government ministers, Juan and Macarena Gelman, as well as representatives from civil society and victims groups, to acknowledge Uruguay's international responsibility in the Gelman case in a public ceremony. Mujica read out a carefully worded text, drafted and agreed by the government together with Macarena and her lawyers. The Act was limited to the events of the Gelman case, in line with the judgement and as agreed between the parties (López San Miguel 2012; Mazzarovich 2012). The president, as the only speaker in a short ceremony lasting less than 20 minutes, acknowledged Uruguay's responsibility and the need for reparations for the abuses suffered by the Gelmans.

At a press conference held immediately afterwards, Uruguay's foreign minister Luis Almagro labelled the Public Act "a milestone in the history of the country", since it reaffirmed Uruguay's commitment to the full applicability of human rights and to the recovery of memory, truth, and justice.<sup>11</sup> Macarena Gelman stressed how the ceremony was neither "the beginning nor end of anything" but marked an important point from which "something better could be built". She asserted that "the path ahead" was uphill, since much remained to be done (Montevideo-Portal 2012a).

9 Law 15.848 of December 1986, *Ley de Caducidad de la Pretensión Punitiva del Estado*, ended the possibility of judicial proceedings against military and police officers accused of human rights violations during the dictatorship. For more information on the law see Lessa (2012).

10 See for instance verdicts such as those in the Case of Barrios Altos v. Peru. Interpretation of the Judgment of the Merits. Judgment of March 14, 2001. Series C No. 83 and the Case of Gomes Lund et al. ("Guerrilha do Araguaia") v. Brazil. Preliminary Objections, Merits, Reparations, and Costs. Judgment of November 24, 2010. Series C No. 219.

11 See "Esta ceremonia no marca el principio o fin de nada pero hace más fácil el camino", 21 March 2013, <http://presidencia.gub.uy/wps/wcm/connect/Presidencia/PortalPresidencia/Comunicacion/comunicacionNoticias/conferencia-prensa-macarena-gelman> (accessed 31 December 2013).

CEJIL, which had litigated the case at the Inter-American level on behalf of the Gelmans, emphasised that the Public Act constituted “a definite step forward on the path towards truth, justice and redress” not only for the Gelmans but for all the victims (CEJIL 2012). Most politicians regarded the Public Act as “correct”, with Senator Francisco Gallinal stating that it was “simple and without fuss” in addition to being “fair and necessary” (Montevideo-Portal 2012c).

The Public Act was carefully planned and organised by the government, in an attempt to bring together different political and social actors – albeit eventually unsuccessfully. The president’s speech emphasised that the Public Act was carried out to “strictly comply with the international verdict”.<sup>12</sup> Unlike the emotional delivery of President Patricio Aylwin, who asked for forgiveness for dictatorship crimes in Chile in his inaugural speech in 1990, President Mujica hardly displayed any emotion and strictly observed the agreed protocol of the event.<sup>13</sup> The “decorous, adequate, yet cautious”<sup>14</sup> act fulfilled the requirement of taking responsibility for the crimes requested by the Inter-American Court and was also a tribute to Juan Gelman’s “tireless struggle”.<sup>15</sup> The governing Frente Amplio coalition contended that, while the Public Act was directly linked to the specific case of the Gelmans, “it should be interpreted as having a broader scope”, assuming responsibility for the darkest period in Uruguay’s history and calling on people to work together “in the search for truth and justice” (Montevideo-Portal 2012b). Some scholars and human rights activists nevertheless saw in the Public Act further proof of the government’s faltering and timid policy when dealing with the crimes of the recent past.<sup>16</sup> For instance, historian Aldo Marchesi highlighted the approach of “doing less than what could be done”<sup>17</sup> that has characterised the last several years of Frente Amplio governments and their reluctance to engage with the issue of accountability for past crimes. Others underscored how the

government could have taken advantage of this opportunity to acknowledge all of the dictatorship’s human rights violations and not only the Gelman case. Civil society groups were also dissatisfied. For example, Valentín Enseñat from HIJOS Uruguay (an association of sons and daughters of the disappeared) questioned the state’s attitude of just “complying with an international obligation” and hoped for further reflections and discussions within the government and the political system. According to Enseñat, the government lacked the political will to commit to the search for truth and justice and called for a different mind-set from the executive to replace endeavours “to close down the matter as soon as possible” (Zecca 2012).

### 3.1. Acknowledgment or Forgiveness?

The Public Act triggered the resurfacing of memory debates well before the scheduled date, and speculation abounded in the media between January and March 2012. The act produced an irruption of memories in Uruguay, reactivating and re-evoking decades-old tensions and arguments about a recent political past still very much present within society. The Act related closely to a controversial period in the country’s history and provided a significant backdrop for potential memory struggles. Was it going to be – or should it be – an expression of forgiveness? Where should it be held? Were the military commanders and former presidents going to be invited? Would the Act relate to the Gelman case only or to all victims of the dictatorship?

One of the issues that attracted particular media attention and generated much discussion was whether or not the state should ask for forgiveness for the crimes committed. Some newspapers reported that Alberto Breccia, President Mujica’s secretary at the time, had raised the question of forgiveness. However, Breccia criticised the media for labelling the event “a forgiveness act” (Montevideo-Portal 2012d). In early March 2012, President Mujica made it

12 Interview with José Luis González, lawyer for the Gelman family, Montevideo, 22 March 2012.

13 Videos of the Public Act (<https://www.youtube.com/watch?v=s9osFrV2cVk>) and Aylwin’s message (<https://www.youtube.com/watch?v=V6cRI75IBBI>) are worth comparing.

14 Interview with members of the Peace and Justice Service NGO (SERPAJ), Montevideo, March 21, 2012.

15 Interview with José Luis González, see note 12.

16 Interview with Pablo Chargoña, human rights lawyer, Montevideo, 12 March 2012.

17 Interview with historian Aldo Marchesi, Centro de Estudios Interdisciplinarios Uruguayos, Facultad de Humanidades y Ciencias de la Educación, Universidad de la República, Montevideo, 14 March 2012.

clear in his typical down-to-earth style that he did not like the idea at all because forgiveness was a subjective territory of things inside people (L. Rodríguez 2012, 10). Mujica underlined how the Act was not going to mark a definitive moment, “neither a before nor after”, and that it just meant complying “in good faith” with a juridical verdict that Uruguay was obliged to obey (Cajal 2012). The Gelman family also entered this discussion with Juan Gelman noting that “no victim” had delegated to third parties “the power to forgive in their name” (Montevideo-Portal 2012a); Macarena declared that forgiveness was never contemplated in the Gelman ruling and was something mainly discussed in the media. In her opinion, forgiveness was “an individual and voluntarily matter”, and she doubted that “a top-down imposed act of forgiveness” would have any value (Mazzarovich 2012). Macarena said that “she had not seen any sign of repentance from those responsible for horrors and therefore an act of forgiveness would be meaningless” (El Observador 2012b). The lack of cooperation and provision of information about the crimes in question, she pointed out in a TV interview, clearly demonstrated the absence of the preconditions for forgiveness.<sup>18</sup> Victims’ and human rights organisations shared Macarena’s view. Valentín Enseñat asserted that forgiveness was inappropriate at that particular moment since “the state continued to perpetrate the crime of disappearance” and “some form of repentance by the material authors” was yet to be seen (La Diaria 2012, 12). The head of the National Human Rights Secretariat, Javier Miranda – the son of a disappeared person – underlined the complexity of forgiveness, especially for the victims’ relatives: “[I]t is not that we are unwilling to forgive, but it is an individual, subjective decision in each case” (L. Rodríguez 2012, 10). These statements make it clear that the Gelman family and the broader group of victims of human rights violations in Uruguay concur that the prerequisites for a genuine process of forgiveness are still lacking: the state and the direct perpetrators of atrocities have yet to show genuine remorse for their actions and, in particular, take the steps necessary to shed light on the fate of victims of enforced disappearance.

### 3.2. Enduring Memory and Justice Struggles

Several factors, relating both to the Gelman case and to broader issues of memory and accountability, created a context in which the Public Act easily reactivated memory struggles about the recent past. First, the Public Act took place in an emotionally charged context: a few days earlier the remains of a disappeared person had been found buried in a clandestine grave on the grounds of the 14th Infantry Battalion in the province of Canelones, just outside of the capital Montevideo. Such discoveries always have a profound impact on Uruguayan society. The remains were discovered within the context of ongoing investigations into María Claudia’s disappearance and were later identified as being those of Ricardo Blanco Valiente, disappeared in 1978. Furthermore, in October 2011, Judge Pedro Salazar had begun the prosecution of five policemen and military officers held responsible for María Claudia’s murder.

Second, memories of the recent dictatorship remain fresh within society despite the passing of time. For over two decades, governments attempted to silence discussion of dictatorship crimes and restrict it to the sphere of human rights activists, victims and relatives. Sanguinetti’s signature slogan “no hay que tener los ojos en la nuca” (you should not have eyes at the back of your head), exhorting people to focus on the future rather than looking back to the past, epitomised this endeavour (Lessa 2011). But the memories of state violence could not easily be suppressed and endured within society, waiting to resurface at any moment. During the 1980s and 1990s, victims’ memories were politically invisible but persisted in the intimate spaces of private homes and families (Fried 2011). Despite the absence of any space in the political and social spheres for talking about past horrors, memory narratives persevered and could easily be activated at specific instances such as the Public Act and anniversaries such as the annual march of silence on 20 May that commemorates slain Uruguayan politicians Zelmar Michelini and Héctor Gutiérrez-Ruiz as well as all victims of enforced disappearance. The

<sup>18</sup> Entrevista a Macarena Gelman, 5 March 2012, Monte Carlo TV Channel, [https://www.youtube.com/watch?v=03Hzj\\_WP0Q8](https://www.youtube.com/watch?v=03Hzj_WP0Q8)

endurance of these traumatic memories is an unintended outcome of the intrinsic features of state terrorism and the institutionalisation of fear during the dictatorship. Uruguayan psychoanalysts Marcelo and Maren Viñar have highlighted the consequences of state political terror on victims and society: the tearing apart of the social fabric and the alteration of culture, social interactions, and communities (Viñar and Viñar 1993).

Third, the Public Act took place in the aftermath of the first ruling against Uruguay by the Inter-American Court. Furthermore, the verdict came against the backdrop of an intense political situation: throughout 2010 and 2011 the government and the political establishment had been endeavouring to respond to past crimes, albeit ultimately unsuccessfully. Since the late 1990s, the question of coming to terms with dictatorship crimes had slowly begun re-emerging in Uruguay after many years of official silence and denial. Unlike Argentina or Chile, Uruguay had, after the transition to democracy in the mid-1980s, embarked on a path of impunity whose clearest embodiment was the *Ley de Caducidad* (Lessa 2013, chapter 5). Every president between 1986 and 2005 systematically applied this amnesty law to obstruct all investigations into past atrocities, including in the Gelman case. Eduardo Galeano famously labelled Uruguay “a paradise of impunity” (La República 2008). Yet a vibrant and heterogeneous coalition of civil society groups – ranging from the relatives of the disappeared to the students’ federation and the trade unions – pushed incessantly and creatively for more accountability and challenged the institutionalisation of impunity.<sup>19</sup> Eventually, in August 2000, the government of Colorado president Jorge Batlle (2000–05) established the first mechanism to investigate disappearances, a type of truth commission named the *Comisión para la Paz* (Peace Commission), which officially acknowl-

edged the perpetration of atrocities by state agents (Allier 2006).

In March 2005 the left-wing Frente Amplio coalition, which had previously championed accountability, took over the government. Civil society and victims’ groups have exploited the fact that the new government has been slightly more receptive to their demands. Important progress was achieved under the governments of Tabaré Vázquez (2005–10) and José Mujica (2010–15), including reparation policies for victims, excavations at military sites leading to the identification of four bodies of disappeared persons in 2005, 2011 and 2012; a partial opening of state archives, with information disseminated and used in criminal proceedings; a new interpretation and application of the *Ley de Caducidad* that at last allowed prosecutions for past crimes to move forward;<sup>20</sup> and the overturning of the amnesty by parliament in October 2011 (Lessa 2012). Between 2009 and 2011 debates surrounding the overturning of the *Ley de Caducidad* resulted in tense political confrontations with the opposition, but they also exposed disagreements and different perspectives on the matter within the government. The governing coalition’s fragmentations and divisions on what to do with the *Ley de Caducidad* were already evident in the 2009 plebiscite on whether or not to annul the amnesty as well as in the unsuccessful attempts between 2010 and 2011 to have parliament pass a law reinterpreting the amnesty to avoid the looming condemnatory verdict by the Inter-American Court (Lessa 2013, chapter 5).

By the time of the Public Act, the governing Frente Amplio coalition had been internally weakened and divided by this complex process of removing the *Ley de Caducidad* from the statute book. The twists and turns of efforts to overturn the amnesty law had exposed the government’s lack of a

19 These included a referendum to overturn the *Ley de Caducidad* in 1989 and a plebiscite in 2009; the 1989 *Nunca Más* report on the dictatorship’s crimes compiled by the NGO SERPA; a constitutionality appeal to the Supreme Court of Justice in 1986 (and again in 2008 and 2009); civil cases against the state for damages suffered by victims of detention and disappearance in the early 1990s; public street mobilisations since 1996 – *marchas del*

*silencio* – to commemorate the disappeared; and in 2002 the first successful criminal prosecution against a dictatorship-era foreign minister Juan Carlos Blanco (Lessa 2013, 138 ff.).

20 For up-to-date information on judicial investigations into dictatorship atrocities see the website of the Observatorio Luz Ibarburu: <http://beta.observatorioluzibarruru.org/reportes/>. Events in the early months of 2013 – the transfer by the Supreme Court

of Justice of criminal judge Mariana Mota who was investigating almost fifty cases of past crimes to a civil jurisdiction and several sentences by that same court closing down investigations applying a statute of limitations – constitute worrisome developments deeply questioning the country’s commitment to accountability (Lessa and Le-Goff 2013).

clear-cut and consistent policy on accountability. The immediate context of the Public Act was thus characterised by the aftershocks and consequences of these recent events. Moreover, the Public Act and the president's speech must be placed in a long-term context of sustained struggles against impunity by civil society groups on the one hand and an often reluctant political establishment having to respond to these pressures on the other. The Public Act quickly reignited the embers of the political and memory debates.

### 3.3. Memory Narratives and Contested Visions of the Past

The symbolism of the Public Act was inescapable and, because of that, it had the potential to trigger heated political discussions. The main speaker, President Mujica, had been a Tupamaros leader in the 1960s and 1970s; at the time of the Act, he was Uruguay's head of state and, in that capacity, also the commander of its armed forces – his old “enemies”. Mujica led the Act in an emblematic place, parliament, whose closure had signalled the start of the dictatorship on 27 June 1973, after which it remained shut for twelve years. Mujica acknowledged state responsibility for the crimes committed against the relatives of Juan Gelman, who was also a member of revolutionary armed groups in Argentina. Juan Gelman highlighted the historical paradox embodied in the Public Act, since President Mujica – himself a victim of the dictatorship – had to recognise in the name of the state the responsibility of his victimisers; Gelman underscored the president's “moral courage” (La República 2013, 7).<sup>21</sup>

President Mujica's speech at the Public Act clearly reflected the state terrorism narrative. Although he was a reluctant participant, the text he read out marked an unprecedented step when compared to the language employed by his predecessors – none of whom had used the term “state terrorism”. Mujica used this expression several times, and also cited other constitutive elements of that narrative, such as explicit mention of “enforced disappearances”, “illegal

detentions”, and “rights” (Scagliola 2012, 2). He recounted in detail the crimes perpetrated against María Claudia and Macarena and also recalled the historical context of the time, underscoring how hundreds more people were also victims of state-sponsored atrocities analogous to those suffered by the Gelmans:

[U]nder the aegis of the so-called Doctrine of National Security, a systematic policy of repression of social and political organisations, as well as the trade unions was carried out along with the persecution of its members and the control of the whole civil society, all expressions of so-called “state terrorism”.

(Mujica cited in SERPAJ 2012, 57; emphasis added)

Furthermore, the president acknowledged the existence of Operación Cóndor, which resulted in the persecution, detention, murder and disappearance of citizens of Argentina, Brazil, Chile, Bolivia, Paraguay and Uruguay even when in exile in South America. In a clear reference to the state terrorism narrative and the emblematic crime of disappearance, it was acknowledged that the whereabouts and fate of many people remained “unknown”, while their “remains were yet to be found” (SERPAJ 2012, 57).

Uruguay's failure to fulfil its obligations to investigate and punish these crimes was not limited to the authoritarian period, the president admitted, but stretched into the democratic era when impunity was consolidated in the *Ley de Caducidad*. Mujica highlighted how the interpretation and application of that law had resulted in the violation of judicial protection and judicial guarantees for the victims because of the absence of effective investigations and the lack of prosecutions of those responsible for the crimes (SERPAJ 2012, 58). In addition to recognising its international juridical and ethical responsibility, Uruguay condemned the atrocities and reaffirmed its commitment to justice and to avoiding any repetition of such events; the government vowed to continue looking for the body of Macarena's mother and to prosecute those responsible for her murder.

<sup>21</sup> Mujica was one of several Tupamaros leaders detained as hostages for over a decade by the dictatorship, remaining under constant threat of execution throughout his imprisonment.

The carefully crafted speech attempted to build a political consensus in the aftermath of very tense months in 2010 and 2011. In particular, Mujica stated that he “did not want to go a millimetre beyond” what would be bearable for those who had a different opinion (Scagliola 2012, 3). However, as the following examples illustrate, the president was unable to bring Uruguayans together and generate a consensus. Instead the Public Act produced a flurry of criticism and elicited abundant political polemics from media outlets and opposition politicians, who took advantage of this opportunity to reaffirm and rehearse their contending memory narratives of the past, especially the war and two demons narratives.

An editorial in the conservative *El País* newspaper in January 2012 called for the adoption of a complete vision, encompassing “all human rights violations perpetrated in our country both by the military and the Tupamaros” (El País 2012; emphasis added). The editorial underlined the impunity enjoyed by many guerrillas and listed crimes they committed such as robberies and kidnappings for ransom, cold-blooded executions of their enemies as well as traitors in their own ranks, illegal detentions, and use of torture by joint military and guerrilla task-forces during a phase of cooperation, labelling them “sinister episodes”. The editorial condemned state terrorism but also pointed to the responsibility of “those who sinned with impunity to impose on their compatriots a socialist Cuban-style regime” and inaugurated an “era of violence that undermined our democratic system” (El País 2012).

An editorial in the Colorado weekly *Correo de los Viernes* similarly drew on the war and demons narratives to categorise the military takeover as a “dramatic culmination of a process of political violence begun by the Tupamaros in 1963”; equating the violence perpetrated by state agents with that of non-state armed groups served to justify the existence of parallel amnesty laws covering political prisoners and guerrillas in 1985 and the *Ley de Caducidad* for military and police officers in 1986. The editorial argued that the guerrillas renounced democracy to gain power through armed struggle and warned against falsifying history by talking of “one form of violence without making reference to the other” (Correo de los Viernes 2012). Recal-

ling the (ab)use of memory and forgetting, it accused the former guerrillas of wishing to hide their “tragic conduct and their responsibility for the country’s destabilisation”, to install “a formidable historical misrepresentation involving moral hemiplegia, a dual ethic that both exposes and hides” (Correo de los Viernes 2012). In a similar vein, former ambassador Adolfo Castells Mendivil, in a note entitled “The Forgiveness’ Show”, accused the government of taking advantage of the opportunity offered by the Public Act “to misrepresent history, by ratifying the lies printed in some textbooks” and considered it “surreal” that a state whose government was composed of former guerrillas would assume responsibility for crimes of the dictatorship that they caused, without ever having acknowledged their own responsibility (Castells Mendivil 2012). An article in the weekly Blanco magazine *La Patria* likewise called on President Mujica and “his Tupamaros” to ask for forgiveness for attacking the state, “kidnapping, torturing, and murdering people to impose their ideas” (Patrón 2012).

Three former presidents (Sanguinetti, Lacalle and Batlle) turned down their invitations to attend the Public Act and went to extreme lengths to condemn it. Batlle used the war narrative to contend that “the Tupamaros guerrillas should be the ones asking for forgiveness”, arguing that “if there had been no guerrillas, there would not have been a military dictatorship” (El Observador 2012a). In an interesting twist of the two demons narrative, Batlle proclaimed a “one demon” narrative, attributing responsibility for what had happened exclusively to the Tupamaros: institutional breakdown, dictatorship and state terrorism (Guillot 2012). Former Blanco president Luis Alberto Lacalle (1990–95) employed the war interpretation to affirm that “Tupamaros authorities [...] that attacked national democracy from 1963 should ask [...] for forgiveness for the murders, kidnappings and thefts that they perpetrated” (Lacalle 2012). Former president Sanguinetti went even further, accusing the government of “witch-burning” and of being the “Inquisition”. He highlighted the existence of a partial vision of the past that condemned “the excesses of the military” but ignored “the crimes of the guerrilla”, even though the latter were responsible for plunging the country into violence and “forcing the army out of their barracks” (Sanguinetti 2012).

Colorado deputy Fernando Amado acknowledged a “terrible crime committed by state agents”, but also remarked that Mujica could contribute to reconciliation by publicly admitting his mistakes (Rodríguez and Rómboli 2012). The voice of the armed forces was also inevitably present. The president of the Military Club, Guillermo Cedrés, resorted to the war narrative to assert that the military had been following politicians’ orders and had no reason to apologise. While any “errors or crimes” perpetrated would be prosecuted, “all the actors involved” in the events should ask for forgiveness, pointing to what he labelled Mujica’s “double character, as president and former terrorist” (Ultimas Noticias 2012a). Finally, the NGO Madres y Familiares de Uruguayos Detenidos Desaparecidos (Association of Mothers and Relatives of the Disappeared) underlined the persistent lack of recognition by the army of the events that occurred during the dictatorship and criticised the way many military and political actors continued to employ the war logic and the two demons theory to interpret the past (Ultimas Noticias 2012b).

The analysis of debates surrounding the Public Act exposes continuities but also changes and reinterpretations of the three memory narratives. Regarding the state terrorism narrative, the transnational coordination of terror through Operación Cóndor occupied a central place in the Public Act’s speech. This is an important change that came about not only because the crimes perpetrated against the Gelmans occurred within that context, but also because substantial information on this terror network has been emerging over the past ten years. This information – in particular on the use of clandestine flights to return Uruguayans detained in Buenos Aires to Montevideo – clearly questions earlier accounts of Uruguayans that had been disappeared on Argentine soil by the dictatorship there, pointing instead clearly to Uruguay’s direct role in their persecution as well as its active participation in the transnational network of repression. The war and two demons narratives were also re-actualised in the current political context. In particular, there has been a move towards a

“one demon narrative”, over-emphasising the role played by the Tupamaros in the onset of the dictatorship, the attacks against democracy, and the perpetration of violent crimes. This attempt to shift the blame from the two demons to focus almost exclusively on one of them is intentional and serves political goals, since the main party within the governing coalition is the Movimiento de Participación Popular, established in 1989 by ex-Tupamaros leaders. This spotlight on the guerrillas and calls to integrate the responsibility of armed groups into the historical narrative are instrumentalised by the opposition to criticise the government and its policies in dealing with the past. Taking advantage of President Mujica’s past as a former Tupamaros leader, the opposition launched into a broader critique of the governing party’s approach to accountability, accusing it of partiality and of championing “hemiplegic visions” of the past that do not correspond to reality. This reinterpretation of the war and demons narratives purposely avoids any discussion of the difference between terror coming from the state – which is tasked with protecting human rights – and that coming from non-state armed groups. In Uruguay, thousands of guerrilla members were in fact prosecuted by military tribunals during the dictatorship and spent time in prison, while only a handful of state agents have been tried since the transition in the mid-1980s.

#### 4. Conclusion

La oveja negra  
pace en el campo negro  
sobre la nieve negra  
bajo la noche negra  
junto a la ciudad negra  
donde lloro vestido de rojo.<sup>22</sup>

(La República 2012b, 6)

Juan Gelman read this short poem, written decades earlier by his son Marcelo, at a private ceremony on the day of the Public Act during which a memorial plaque was unveiled in the Defence Information Service building in Montevideo to commemorate María Claudia and Macarena, as

22 The black sheep/grazes in the black field/on the black snow/under the dark night/next to the black city/where I cry dressed in red.

well as all others incarcerated in that clandestine detention centre during the dictatorship. Marcelo's poem sounds like a sinister foreboding of his own death and of the dreadful fate suffered by his wife and unborn baby daughter, while also forewarning events on a national and international scale, as Argentina and Uruguay both lived through "the dark night" of dictatorship and state terrorism.

The Public Act ordered by the Inter-American Court in the Gelman case symbolically commemorated the victims and constituted a form of reparation, since Uruguay officially acknowledged its responsibility for atrocities. The organisation and unfolding of the Act had reverberations and repercussions in the wider society and political landscapes. The Public Act triggered the re-emergence of latent struggles between competing memory narratives relating to the dictatorship and the human rights violations as well as their re-interpretation within the contemporary setting. The state terrorism narrative and interpretation of past events has over the past several years achieved a more dominant position within the social and political landscape. This memory narrative was expressed and reaffirmed in the speech by President Mujica during the Public Act, when he utilised some of the narrative's essential elements such as the systematic policy of violations imple-

mented by the state and the emblematic crime of enforced disappearance. In spite of its recently acquired dominant status, the state terrorism narrative did not go uncontested. Rather, the Public Act triggered numerous irruptions of memory in Uruguay, reactivating and reaffirming competing memory narratives that interpreted the years of the dictatorship as a time of war fought between the two demons. These narratives were mainly articulated by opposition leaders from the Blanco and Colorado parties; two former presidents offered a new interpretation, amounting to a "one demon" narrative, shifting the focus exclusively onto the Tupamaros guerrillas and holding them alone responsible for the dictatorship and ensuing violence.

Four decades on from the 1973 coup d'état, there still are conflicting and diverse memory narratives in Uruguay that compete to interpret and explain the violence before and during the dictatorship. The Public Act in its reparative and symbolic connotations worked as a trigger to reactivate quiescent memory narratives in Uruguay. Despite the passing of time, the dispute over the past remains very much alive and is likely to persist into the future, along with the enduring search for justice by Juan and Macarena Gelman. As William Faulkner famously asserted (1953): "The past is never dead. In fact, it's not even past."

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# “What Will You Do with Our Stories?” Truth and Reconciliation in the Solomon Islands

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## Vol. 8 (1) 2014

### Focus Section: Violence, Justice, and the Work of Memory

#### Editorial (p. 3)

**Introduction: Violence, Justice and the Work of Memory** Klaus Neumann / Dan Anderson (pp. 4 -15)

**Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda** Laura Eramian (pp. 16 - 29)

**“The Country that Doesn’t Want to Heal Itself”: The Burden of History, Affect and Women’s Memories in Post-Dictatorial Argentina** Jill Stockwell (pp. 30 - 44)

**Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the “Years of Lead” in Morocco** Laura Menin (pp. 45 - 60)

**From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights** Maria Campisi (pp. 61 - 74)

**Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case** Francesca Lessa (pp. 75 - 90)

► **“What Will You Do with Our Stories?” Truth and Reconciliation in the Solomon Islands**  
Louise Vella (pp. 91 - 103)

**Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal**  
Simon Robins (pp.104 - 118)

### Open Section

**Postwar Violence in Guatemala – A Mirror of the Relationship between Youth and Adult Society**  
Sabine Kurtenbach (pp. 119 - 133)

**Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?** Lieven Pauwels / Maarten De Waele (pp. 134 - 153)

**Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia** Pietro Castelli Gattinara / Caterina Froio (pp. 154 - 170)

**Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors**  
Selina Helmke / Pia-Renée Kobusch / Jonas H. Rees / Thierry Meyer / Gerd Bohner (pp. 171 - 186)



# “What Will You Do with Our Stories?” Truth and Reconciliation in the Solomon Islands

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The Solomon Islands Truth and Reconciliation Commission (TRC) was the first TRC in the Pacific Islands. Its goals and activities – truth-seeking, reconciliation and the production of a report with a narrative of the conflict that focused on human rights violations – reflect the normative values of global transitional justice discourses. In this paper I draw on interviews with former staff of the TRC and my own experiences of working for the TRC to explore the implications of importing international transitional justice mechanisms into the local Solomon Islands context, and to draw attention to the cultural limitations of truth-telling. I argue that in order for peacebuilding tools to be effective in Solomon Islands, a strong commitment to, and understanding of, local context is required; transitional justice mechanisms must resonate with local understandings and practices of conflict resolution and peacemaking. The TRC has the potential to play a positive role in building peace in Solomon Islands if it is viewed as a component of an ongoing *process*. Truth and memory alone will not bring about justice, reconciliation or peace; the memories and truths that are collected and produced by the TRC ought to be used for future action, addressing ongoing injustices and grievances.

In February 2012, the five-volume final report of the Solomon Islands Truth and Reconciliation Commission (TRC) was presented to Prime Minister Gordon Darcy Lilo. He congratulated the Commission on the completion of its mandate, saying that “it marks the closure of an important chapter to a long process of reconciliation and truth seeking” (Island Sun 2012). Thirteen months after receiving the report, Lilo had not yet tabled it in parliament or released it to the public, as required by Section 17 of the *Truth and Reconciliation Commission Act 2008*.<sup>1</sup> Instead he defied repeated calls for the report’s release and announced a further six-month delay. Referring to the report’s “sensitivity”, he argued: “we do not want to rush into releasing the report because we want to handle the issues in a responsible way” (Rakai 2013). In April 2013, Terry Brown, a retired Anglican bishop, Canadian national, long-time

Solomon Islands resident and editor of the report, released an electronic copy to the Solomon Islands Christian Association (SICA), the churches’ peak body which had instigated the establishment of a TRC in 2000, as well as to social and mainstream media in Solomon Islands, to international newspapers and radio stations, and to a network of researchers. An electronic copy of the report (Ata et al. 2012) also became available on the internet. Brown was highly critical of the government’s inaction:

It is not good enough to forgive the perpetrators and forget the victims, which seems to be the approach of the government. The report has not even been shared with the Ministry of National Reconciliation, Unity and Peace, which would have the primary responsibility for implementing it.

(cited in Callick 2013)

I extend my sincere thanks to the anonymous reviewers and to fellow contributors for providing valuable feedback on earlier drafts of this paper. I also thank Rebecca Spence, Helen Ware, Jack Maebuta and Joseph Foukona for insightful com-

ments. Much is owed to the editors, Dan Anderson and Klaus Neumann, for bringing this project to fruition and providing careful guidance throughout, and to Swinburne University of Technology for funding my attendance of the Historical Justice and

Memory Conference and preceding Emerging Scholars Workshop in 2012, which prompted me to write an earlier version of this paper.

<sup>1</sup> The text of the Act is available at [http://www.paclii.org/sb/legis/num\\_act/tarca2008371/](http://www.paclii.org/sb/legis/num_act/tarca2008371/).

The final report concluded over two years of research, exhumations, investigations and truth-seeking by the TRC. Along with recommendations for the Solomon Islands government about how best to address the legacy of the conflict which lasted from 1998 to 2003 (locally referred to as “the Tensions”), it includes detailed information about the antecedents of the conflict, its course, and the various parties engaged in it. The report also provides an analysis of human rights abuses, including murder, abduction, illegal detention, torture, sexual violence, property violation and forced displacement, and lists the names of two hundred people whose violent deaths were attributed to the Tensions. It draws on over 2,300 statements collected from across the country, and testimonies by victims, ex-combatants, politicians and other leaders given at eleven public and 102 closed hearings. The Commission also considered numerous submissions, a review of the relevant media coverage, academic literature and government documents and policies.

The literature on the recent Solomon Islands conflict focuses largely on the history, parties and events of the Tensions and the subsequent regional peace-keeping mission (Moore 2004; Fraenkel 2004; Allen and Dinnen 2010; Allen 2013). While various UN agencies and NGOs have produced reports on development and peacebuilding in Solomon Islands more generally (for example, UNICEF 2005; Oxfam 2006; UNDP 2004), and researchers have analysed women’s roles in the conflict and in peacebuilding (Pollard 2000; Paina 2000; Leslie and Boso 2003; Webber and Johnson 2008; Monson 2013), there is relatively little analysis of the peace process and the TRC (but see Braithwaite et al. 2010; Maebuta and Spence 2009; Jeffery 2013; Harris Rimmer 2010).

This paper illustrates the complexities of implementing a TRC in a Melanesian context and contributes to the burgeoning discourse on peacebuilding and transitional justice in Solomon Islands. In heeding the call of many scholars working on issues of transitional justice to produce scholarship that is context specific, I have relied on two sets of

data to inform my analysis and argument: First, I draw on my experiences, observations and reflections while working for the Solomon Islands TRC for one year, in 2011–2012, as a research officer assisting with the research on women’s experiences of the conflict and human rights abuses for the final report. Second, I draw on interviews with TRC staff and stakeholders.<sup>2</sup> Many of the interviewees were implementing TRC processes at the village and community level. As “translators” of human rights research and truth-seeking, they mediated between global ideas of human rights and local sociocultural understandings (Merry 2006) and therefore experienced the problems and challenges of the TRC first-hand.

The Tensions in Solomon Islands are symptomatic of a global trend since the end of the Cold War, namely, that conflicts occur increasingly within rather than between states. In many instances the relationships between the protagonists are intimate and complex. They share the same geographical territory, and are often linked through marriage and other social and economic ties. It is therefore often not feasible to separate warring parties by drawing boundaries (Assefa 2001, 339). In these circumstances, conventional conflict management strategies are inadequate and transitional justice mechanisms, including truth commissions, offer a seemingly attractive alternative. To date, there have been over forty truth commissions globally. In many cases, earlier commissions have served as templates for later iterations with the result that a set of international, globalised norms have developed around their implementation. The commissions have been driven by a number of premises: that the process of recovering the truth will result in psychological healing, that there is no justice without truth, and that without knowledge of the past human rights violations will recur (Chirwa 1997, 479). As I argue in this paper, however, the links between truth and reconciliation on the one side and justice on the other can be tenuous, particularly when these concepts have a different meaning in the cultural setting in which the truth commission operates.

2 Interviews were conducted in English, Pijin, or a combination of both. All translations by the author. Interviewees included statement takers, data entry

staff, researchers, exhumations officers, office managers, administrative officers, Commissioners, as well as United Nations and NGO personnel who

worked closely with the TRC. All interviews cited in this paper were conducted in 2012 in Honiara.

This paper discusses the friction caused by importing global ideas into local contexts, and explores the cultural limitations of truth-telling. It argues that in a Melanesian context the effectiveness of a TRC depends on whether or not it can work within local cultural practices of memory, truth, justice and reconciliation. While I contend that many elements of TRCs are incongruent with a Melanesian post-conflict context, I conclude that a TRC *can* play a positive role for building peace in Solomon Islands. To do so, it must respect local culture and *kastom*, and be viewed and operated as an ongoing *process*, where memory and truth are used for future action to address enduring injustices and grievances. These include the grievances that were the root causes of the conflict, and those that were its consequences.

### 1. The Historical and Cultural Context

Solomon Islands consists of almost one thousand islands in the southwest Pacific. Like that of neighbouring Papua New Guinea and Vanuatu, the population of Solomon Islands is predominantly Melanesian. The country is ethnically and linguistically diverse: its population of just over half a million speak around eighty languages. However, Solomon Islanders share Pijin as a lingua franca. They live across nine provinces and the capital Honiara. Approximately 85 per cent of the population reside in rural areas on customary-owned land (Allen and Dinnen 2010, 303).

The Solomon Islands became a British Protectorate in 1893, and the dual processes of colonisation and missionary work saw government, capitalism and Christianity spread across the islands, although with uneven rates of penetration and influence (Allen and Dinnen 2010, 303). While colonial boundaries have defined the Solomon Islands as a nation-state, personal identities and communal ties have remained strongest within local kinship groups, as argued by Moore:

[T]he provinces are no more “natural” to the islands than the unity imposed by the British as a protectorate in the 1890s – the “nation” is thus a collection of villages, descent groups and language groups, all of which have thoroughly local agendas.

(Moore 2004, 158)

Today the state is peripheral to the lives of most Solomon Islanders, who practice subsistence agriculture and live in rural areas (Braithwaite et al. 2010, 13). Christianity, in contrast, has had a significant unifying impact.

The social norms and local-level systems governing conflict and reconciliation in Solomon Islands are rooted in culture, Christianity and *kastom*. A recent World Bank report for the Justice Delivered Locally project found that in local-level disputes, the *kastom* system was “by far the most commonly invoked” (Allen et al. 2013, 34). *Kastom* is a Pijin term (derived from the English “custom”) that is widely used across the Solomon Islands. The term has no definition in Solomon Islands legislation and its meaning is highly subjective, as it has “taken on specific historical, political and place-based meanings” (Allen et al. 2013, 6). Broadly defined, *kastom* encompasses indigenous ideologies, relationship to and management of land, moral frameworks, dispute management, gender relations and social organisation (White 1993, 492). These ideologies and activities serve to empower indigenous traditions and practices, both within communities and vis-à-vis the state and Western institutions (Akin 2004, 300). Although often associated with the past or tradition, *kastom* is fluid and evolving, existing alongside and in interplay with formal state structures and Christianity (Brown 2008, 190; Allen et al. 2013, 34).

In Melanesia, *kastom* and community practices, entwined in social, cultural, political, economic and spiritual dimensions, play a major role in establishing boundaries for socially destructive behaviour and underpin patterns of collective identity and order (Brown 2008, 202). Clive Moore observes that: “Solomon Islanders recognise complex symbolic links between human relationships, lands, gardens, music, dance, everyday thoughts, speech, their ancestors, and now Christianity, but this cosmological balance is fragile and rather like living comfortably in the vortex of a cyclone” (2004, 216). While confrontation is usually avoided, when it does occur, “there needs to be a final ceremonial compensation and forgiveness to re-establish societal equilibrium” (219). This idea was often emphasised by my interviewees; one TRC research officer told me:

The understanding of people in the village, if they say reconciliation, there will be two parties, and there will be a symbolic exchange of maybe goods and money. Which symbolises that you're sorry and things like that. Not necessarily repaying everything [...] It symbolises understanding that a problem has happened, and we forget it. It should be addressed. And then, don't do it again [...] If there's any problem next time, it will mean it's a different problem.

These reconciliation processes usually include an exchange of traditional items of wealth, such as shell money or feather money, pigs and taro, as well as currency. Local understandings of reconciliation are centred around this primarily inter-personal, inter-familial and inter-communal process focused on restoring relationships.

## 2. The Tensions

Although often referred to as an “ethnic conflict” or “ethnic tensions”, the 1998–2003 Solomon Islands conflict has its roots in socio-economic, development and land matters rather than in an intractable divide between the groups involved (Kabutaulaka 2002, 4; Maebuta and Spence 2009, 7). The Tensions were primarily a conflict between militant groups representing people from the two largest and most populous islands, Guadalcanal and Malaita. The development of Guadalcanal and migration to the island, along with the move of the capital from the island of Tulagi to Honiara on Guadalcanal after the Second World War, fostered resentment amongst the people of Guadalcanal who came to view Malaitans as disrespectful guests on their land (Braithwaite et al. 2010, 18–19). As grievances went unaddressed, resentment grew.

In 1998, a group of Guadalcanal men formed the Guadalcanal Revolutionary Army, later called the Isatabu Freedom Movement (IFM), and began to evict and harass Malaitan settlers in rural parts of the island (Braithwaite et al. 2010, 23). Another militant group, the Malaita Eagle Force (MEF), retaliated. With the assistance of Malaitans in the police force, the MEF on 5 June 2000 captured the main police armoury and forced a change of government. Thousands of Malaitans who lived in rural Guadalcanal fled to Honiara or Malaita, and many indigenous Guadalcanal people fled the Malaitan-dominated capital to safety in their home villages. Thousands of settlers from

other islands who were resident in Honiara or Guadalcanal returned temporarily to their respective home provinces. In October 2000, representatives of the warring groups signed the Townsville Peace Agreement. However a prominent IFM leader, Harold Keke, boycotted the Townsville meeting. He and his supporters formed the Guadalcanal Liberation Front, and continued to exert violent control over the remote Weathercoast of Guadalcanal. The police, aided by some ex-MEF and ex-IFM militants, tried to capture Keke and his men, but in the process also terrorised local villagers.

During the five-year conflict, the country as a whole was affected and particular hot spots saw an escalation of crime, violence, mass displacement, heightened insecurity and the proliferation of high-powered weapons. Almost 10 per cent of the country's population, most of them from rural Guadalcanal and Honiara, were displaced as a result of the violence. Government-run essential services were severely disrupted or ceased altogether as the economy collapsed (Allen 2006, 310). A 2005 assessment by the United Nations Children's Fund UNICEF found that “it is difficult to overstate the psychosocial impact of this trauma on the people of Solomon Islands”, and that the experience of trauma was not confined to immediate victims or displaced people, but extended to Solomon Islanders throughout the country who experienced a severe undermining of their sense of personal security and their confidence in the future (2005, 19).

The unprecedented level of violence, the proliferation of high-powered weapons and the widespread participation in conflict in the affected areas provided a challenge to local conflict management and reconciliation practices. The government attempted to draw on *kastom* in its effort to bring about reconciliation, but these attempts did not garner community support or ownership, or resemble traditional customary practices “wherein the symbolic rather than the material aspect is of tantamount importance” (Pollard and Wale 2004, 589). Within an hour of a government-funded public reconciliation feast in Honiara in 1999, during which leaders dressed in traditional outfits exchanged shell money and pigs, new violence reportedly broke out on the Guadalcanal plains (Maebuta and Spence 2009, 15). A

government-funded system of compensation almost bankrupted the state, with millions paid for fraudulent claims and bribes for disarmament (Braithwaite et al. 2010, 47).

In July 2003, the Australian-led Regional Assistance Mission to the Solomon Islands (RAMSI) arrived in Honiara at the invitation of the Solomon Islands government. Supported by the Pacific Islands Forum, RAMSI was mandated to restore law and order in a mission called Operation Helpem Fren. The mission centred on three core pillars for recovery: machinery of government, economic governance, and law and justice. The mission's efforts to restore law and order included the removal of weapons, criminal prosecutions, institutional strengthening and capacity-building. Substantial resources and support for the "tension trials" resulted in a significant number of arrests and prosecutions, which made the case of the Solomon Islands unusual in comparison with other post-conflict contexts (Jeffrey 2013, 11). Matthew Allen and Sinclair Dinnen question if RAMSI's "haste to arrest, prosecute, liberalise and state-build" allowed sufficient space for indigenous methods of peace-making (2010, 323). While RAMSI has been heralded as a successful regional intervention, it did not facilitate reconciliation, and many of the root causes of the conflict remained.

### 3. The Solomon Islands Truth and Reconciliation Commission

A TRC was first proposed in 2000, at the height of the Tensions, by the SICA Peace Committee, which saw it as a potential means to "build national unity" through truth-telling, reconciliation, and justice or amnesty processes (SICA 2002, 6). At the time, SICA considered a TRC to be a possible means to halt the ongoing violence and hostilities. Although SICA conducted initial research and consultations to gauge community perceptions of a TRC, with the arrival of RAMSI and its law and order agenda, momentum for a TRC stalled. Without the backing of RAMSI, reconciliation was "crowded off" the policy agenda (Braithwaite et al. 2010, 81).

A change of government in 2006 saw reconciliation put on the policy agenda, and priority given to instruments designed to rebuild peace in the country. In 2008, parliament passed the *Truth and Reconciliation Commission Act*,

and in 2009 the Commission was officially launched by Desmond Tutu. When the TRC officially began its operations in 2010, RAMSI had been present in the country for over six years. With the tension trials mostly complete, the TRC was uniquely geared towards nation-building rather than accountability (Harris Rimmer 2010, 2); in fact, according to the Act, the Commission was not intended to affect criminal proceedings (articles 7 and 20), but its object was "to promote national unity and reconciliation" (article 5.1). Sofia Macher, the Commission's deputy chair, explained in 2009 that the TRC was above all to facilitate a "consensual collective memory" of the past (cited in Hayner 2011, 71).

Initial planning documents of the Solomon Islands TRC stressed the importance of reflecting the country's "unique situation" (MNURP 2008, 13) and of "looking into developing sensitivities to traditional and grassroots practices and build these to achieve meaningful post-conflict reconstruction that is sustainable" (14). While public consultations in anticipation of the TRC received a positive response, these were conducted in 2002–2003, prior to and just after RAMSI's arrival, while the conflict was continuing and the parties to the conflict had not yet been disarmed. The format of the TRC was not widely debated, and once it was officially introduced, its establishment and implementation were rushed. With the benefit of hindsight, there are many modifications that could have been made to its design to adapt it to local conditions. For example, the very act of asking about the conflict was largely incongruent with local *kastom*, as a statement taker explained to me:

Actually, statement taking contradicts some of our culture in Solomon Islands [...] Here, what you find is that anything in the past from a long time ago, people like to forget and don't want to talk about it. They'll say, "Oh, it's finished". In the area I worked in, I found that the statement takers always came across a challenge where the people say "what are you doing with what we tell you?" Because it's part of their tradition and culture where if you would like to talk about something which they have forgotten you have to put in place something. Traditionally you would use pigs or money, we call it a *chupu* [a form of compensation in Guadalcanal]. You must do that before you ask questions from a long time ago. So it's really contradicting our people, to go and dig and talk about something that's already past.

Indeed, while there was local demand for the TRC, the truth commission model reflected an approach to reconciliation that is incongruent with Solomon Islands cultures. The TRC was initiated locally and implemented through an act of parliament. The overwhelming majority of the staff were Solomon Islanders. Yet the transitional justice discourse from which the idea of a TRC emerged was foreign to the country. The Commission was mostly funded by international and regional organisations, namely the European Union, the United Nations Development Program (UNDP), and the Australian and New Zealand governments' foreign aid agencies, the Australian Agency for International Development (AusAID) and the New Zealand Agency for International Development (NZAID). The organisational structure and reporting systems of the TRC reflected Western forms of governance. Its agenda was underpinned by Christian and external notions of peace and reconciliation, with little more than a token commitment to *kastom* and indigenous reconciliation practices.

#### 4. Reconciliation in Local Context

In Solomon Islands *kastom*, reconciliation refers to a process whereby the ongoing ramifications of conflict, such as retribution or payback, are extinguished so that relationships can be restored. Reconciliation and compensation are inseparable when brokering peace, as compensation is aimed at stopping the conflict to allow reconciliation to occur (Maebuta and Spence 2009, 15). The payment of compensation is not an admission of guilt, nor a monetary compensation equivalent to the loss or damage done, but an acknowledgment that the aggrieved party was wronged. The person who provides the compensation may not be the wrongdoer, but could be a representative (such as a father, uncle or chief) who can help rectify the situation for the aggrieved party. Often the aggrieved party will provide something in return to indicate acceptance and reconciliation, and the gifts will be distributed within the family and community to signify a resolution.

After a matter has been dealt with in this way, the wrong usually cannot be spoken of again publicly, nor can it be used to justify any retribution or payback. While reconciliation induces public silence about the matter, this does not mean it has been forgiven or forgotten, nor that justice (as understood locally) has been neglected. It is a pragmatic approach that allows those involved in the conflict to move on, and facilitates the “restoration of balance in order to ensure the sustainability of the society” (Ginty 2008, 148). The parties involved might not necessarily become friends, but they are once more able to co-exist peacefully.<sup>3</sup>

In a local context where the term “reconciliation” refers to fairly specific processes of exchange, its use in the title of the TRC suggested to Solomon Islanders that the Commission would facilitate compensation or reconciliation processes as understood locally. Statement takers and TRC researchers frequently mentioned how communities were unaware and suspicious of the TRC's purpose, aims and mandate. In impromptu community meetings hosted on arrival of the statement takers, a common question asked was: “What will you do with our stories?” One statement taker told me:

The men ask lots of questions. What are you [the TRC] going to do after this? What is the government going to do for us? It's no good if you come and waste our time to take our stories and then you all benefit from what we've given you.

Although the TRC acted independently from the government, many Solomon Islanders perceived it as an arm of the state – which had been a party to the conflict. They felt they had been wronged by the state and were therefore entitled to compensation from the state. Many villagers expressed anger and frustration at statement takers, because they supposedly made money from collecting stories of suffering. One TRC researcher told me how one chief said to him angrily: “You, the government pays you. Us, the government doesn't pay us.” One interviewee said that the state was only interested in people's lives outside of

<sup>3</sup> I would like to thank Bishop Terry Brown for a stimulating discussion about reconciliation and compensation.

Honiara when it wanted to extract something, be it resources, knowledge or, in this case, stories.

In order to encourage Solomon Islanders to participate in the truth-seeking activities, staff explained that the TRC would compile a final report, including recommendations for future policy and reforms, and provide it to the government. Many Solomon Islanders would not have participated in the process if they had not thought that by giving statements to the TRC they were contributing to an exchange, and that they would therefore in turn be the beneficiaries of government policies that addressed the issues raised in their stories of conflict and suffering. Arguably, the legislation that created the basis for the TRC provided for such an exchange.<sup>4</sup>

##### 5. Cultural Limitations of Truth-telling

Truth-telling and truth-seeking are increasingly viewed as essential components of contemporary peacebuilding. However, whether the reliance on both components is justified is a matter of debate (Mendeloff 2004; Tepperman 2002). David Mendeloff considers the range of claims for peacebuilding made by advocates of truth-telling and concludes that they “rest far more on faith than on sound logic or empirical evidence” (2004, 356). Truth-seeking is often represented as vital for peacebuilding, through the metaphor of cleaning a wound to allow it to heal and avoid infection (Hayner 2011, 145), however “it remains unclear how significant it is” (Mendeloff 2004, 356). At the official opening of the Solomon Islands TRC, Desmond Tutu said: “to achieve lasting peace requires courage [...] what you are doing is opening old wounds and applying a new potent medicine that would heal the wound” (Solomon Times 2010). The Chair of the TRC, Father Sam Ata, echoed this sentiment many times, saying for example, “definitely it will open old wounds, it’s good to deal with those old wounds and get them healed” (Australia Network News 2010). While the imagery is effective and the deal promising, the relationship between truth-telling and

peacebuilding is elusive: the assumptions underlying the purported benefits of truth-seeking may not hold in a Melanesian context.

On the positive side, many interviewees agreed that documentation of the truth was a worthwhile outcome of the TRC. While there was no widespread policy of secrecy or suppression of information during the Tensions, the history of the conflict is not widely known. This is due to a range of factors, including the Solomon Islands’ ethnic diversity, the isolation of some of the most affected communities, the fear instilled in many victims, and cultural practices of shame and silence that may prohibit the disclosure of crimes such as sexual violence. There remains widespread confusion about how and why the conflict started, and about its root causes. Although documenting the historical narrative was considered a constructive outcome, the potential benefit it offers depends on both how the information is sourced and how it is utilised.

In contrast to this positive view of truth-seeking, statement takers frequently considered truth-telling incompatible with local *kastom*. One statement taker from Guadalcanal likened statement taking to *asimabulu*, a vernacular term that refers to talking about serious matters from the past (such as death), or literally, digging up rotten and smelly things, and implied that *kastom* must be followed if this is to be done sensitively and appropriately:

So if you want to do this *asimabulu*, you must do “red money” [shell money of traditional value often used in *kastom* and as compensation] to revive the case. For the TRC, in Guadalcanal, this is what we are doing – we are doing *asimabulu*. And people are only willing to participate because they are looking forward to the reparation [from the government].

(Interview with TRC statement taker)

Opening the wound, or digging up the past, without respecting cultural protocols risks causing offence and disturbing the tentative peace that has been achieved thus far.

<sup>4</sup> According to Article 16 of the *Truth and Reconciliation Commission Act 2008*, a report must be submitted to the prime minister once the Commission has made recommendations concerning the measures needed to achieve its object “of providing

an impartial historical record, preventing the repetition of the violations or abuses suffered, addressing impunity, responding to the needs of victims and promoting healing and reconciliation.” Article 17 stipulates that upon receiving the report, the prime

minister must table it in parliament and that it must be made available to the public. The Act obliges the government to implement the report’s recommendations “as far as practicable”.

It is important that culture is respected, *kastom* is followed, and the truth is used as a means to an end, to secure reconciliation or to provide evidence in support of the TRC's recommendations. There is little value in truth as an end in itself for the purpose of reconciliation.

Silence and testimony both carry risks in post-conflict contexts (Shaw and Waldorf 2010, 14). In post-conflict Solomon Islands, villagers often chose to avoid confrontation, maintain relationships, and ensure security and safety. Women often chose to remain silent for cultural and pragmatic reasons. Writing about women and the South African TRC, Fiona Ross explains how such silence can be a sign of courage:

In contexts in which women are often blamed for the harm they experience, especially when that harm is sexual, it ought not be surprising that many would prefer not to speak, or find themselves unable to do so, particularly when doing so incriminates not just another individual, but a set of cultural assumptions and the social forms that they shape. It takes courage both to speak of harms done and to be silent in their face and aftermath.

(Ross 2010, 81)

This sentiment was also echoed in the joint women's submission to the Solomon Islands TRC: "[F]or women, sometimes their silence is louder, stronger, and safer than anything they say out loud because of the risks involved in telling their stories" (Fangalasuu et al. 2011, 13). In Solomon Islands, strong cultural taboos limit women's ability to discuss rape or sexual experiences. Doing so would contravene cultural practices and risk further violence, shame or other repercussions. The women's submission suggests that "truth-telling often separates families, communities, and individuals. This is why so often truth is strategically concealed" (Fangalasuu et al. 2011, 13). The cultural impetus for choosing silence is heightened by the very tangible issue of physical safety and security. A report on truth commissions by the UN Office of the High Commissioner for Human Rights (OHCHR) suggests that statement taking be designed to allow victims to recount their experiences in a supportive and safe environment (2006, 17). In small and highly networked societies, such as Solomon Islands, where anonymity is virtually impossible, villages are very public spaces, and ensuring privacy and a

"supportive and safe environment" is extremely difficult. For example, along the Weathercoast of Guadalcanal, a hot spot of the conflict, villages are densely populated with houses built close to one another. Efforts to ensure privacy involved finding a private verandah or similar location, and talking in hushed tones. Even so, community members could easily identify who had spoken to the TRC.

Proponents of truth-telling draw on Western psychotherapeutic models to suggest that TRCs are cathartic for participants: "[S]imply giving victims and witnesses a chance to tell their stories to an official commission [...] can help them regain their dignity and begin to recover" (Hayner 2011, 146). As Priscilla Hayner points out, truth commissions offer victims not long-term therapy but a one-time opportunity to tell their story (2011, 147); this is a starkly different process from that involving a therapist and patient (Mendeloff 2004, 363–65). Not only are formal therapy and testifying different processes, but arguably neither is cathartic in Melanesia. The model of cathartic truth-telling is embedded in Western culture, shaped by principles of psychotherapy. Fiona Ross highlights its limitations, arguing in the South African context that "it is not necessarily a universal or transhistorical model and does not take account of the diversity of ways in which experience is articulated or otherwise made known and addressed" (2010, 82). In Solomon Islands, many statement takers encountered resistance to the cathartic understanding of truth-telling; as one noted: "This idea that people can tell their stories and then they feel free [...] I think in Melanesian culture, that doesn't really work. Unless there is some kind of compensation. Most people did not want to give their statement."

The TRC attempted to provide psychological support to those who testified at public hearings. It paid for their accommodation in Honiara for up to a month to prepare for, and debrief from, testifying, and provided a counselling service. Ongoing support was not offered, however, and counselling was only available to those who testified at public hearings. While the effort to offer counselling in a country with almost no psychological services was commendable, it was premised on a foreign understanding of psychosocial support. In Solomon Islands, formal

psychological counselling may not be culturally appropriate. Instead, as in many societies globally, the ideal source of support may be community organisations, churches, traditional healers, or extended family and friends (Hayner 2011, 157).

In Solomon Islands, personal and political spheres are intertwined, and many TRC staff members and stakeholders expressed concern that their personal reputations had been damaged. One statement taker told me:

In the community where I come from, they say the TRC is a failure, and that those of us who worked at the TRC are con men. Even now when I come across people who I met during statement taking, they ask me, “When will something happen?” And I don’t know what to tell them [...] So when I get called a con man, I don’t feel good. But it’s beyond my capacity. So if I meet a boss of the TRC on the street, I try and ask them about the progress of the TRC. And they say that the report has been submitted to parliament and they don’t know what will happen now.

Many were embarrassed or hesitant to revisit villages where they had collected testimonies for the TRC. Statement takers talked about the personal responsibility they felt towards those who provided statements in the understanding that the government would consider the final report and act on its recommendations.

#### 6. Realising the Potential of the Solomon Islands TRC

Local memory practices and culturally embedded practices of managing conflict and wrong-doings are entrenched in community life and *kastom*. The Tensions, however, provided a new challenge to dispute management, justice mechanisms and peacebuilding practices. There were some successful, localised efforts to build peace, for example by Women for Peace (Pollard 2000; Paina 2000) and local church organisations such as the Melanesian Brotherhood (Maebuta and Spence 2009, 23–29). However, attempts to formalise traditional reconciliation were corrupted and manipulated because the indigenous approach to managing conflict was inverted: compensation was offered as an incentive for peace rather than a genuine exchange for reconciliation (Maebuta and Spence 2009, 15). This led to a monetisation of the reconciliation process and fraudulent claims to, and corruption of, compensation payments (Fraenkel 2004).

Some ideas which underpin the common TRC model fit well with Melanesian cultures. These include conducting a process dedicated to reconciliation, bringing people together to share stories, and promoting healing and restoration of balance in communities. Other ideas, particularly the cathartic value of truth-telling, are not compatible, and are potentially detrimental to the goals of peacebuilding. A TRC is capable of facilitating reconciliation both at the national and the local level. At the national level, the provision of testimony in exchange for the implementation of government recommendations potentially accords with a Melanesian style of conflict management whereby symbolic restitution is made in recognition of harm suffered. Depending on how the government responds to the final report, this may still happen. At the local level, the most important context for reconciliation in Solomon Islands is individuals, families and communities. Ceremonies between political leaders or chiefs will not restore the inter-personal relationships between those who harmed each other during the conflict. On the other hand, providing spaces for victims, ex-militants, and others involved in conflict to talk about or document their experiences, and bringing people together under the banner of reconciliation, has enormous potential benefits in the Solomon Islands context.

The TRC’s use of the term “reconciliation” required clarification. Who were the intended beneficiaries of the proposed reconciliation, and who was to be reconciled? In Melanesia, reconciliation refers to an inter-personal process between individuals, families or communities involved in a dispute. The Solomon Islands TRC, however, did not initiate or host processes of inter-personal reconciliation between those involved in disputes, although in the minds of many Solomon Islanders who worked for the TRC, this was how reconciliation should have occurred. One senior TRC staff member told me:

The TRC never came up with a plan on how they could establish a process of reconciliation [...] In my view it would be based on what exists here. *Kastom* reconciliation, some ideas from there, and also the church. You could bring the two together and work something out from both.

Talking about past conflict or matters that have been reconciled is generally taboo unless it is accompanied by

certain social protocols or *kastom*. Therefore the strength of a TRC in Solomon Islands as a tool for peacebuilding on a national level does not lie in cathartic story-telling, furnishing a historical narrative of the conflict or documenting human rights abuses, but rather in the potential for sanctioning discussions under the banner of reconciliation on an inter-personal level, and the linkages with action and justice that the final report potentially offers at a national level. From the outset, those advocating for a TRC were aware that recommendations alone were not enough:

From the experiences of other transitional societies, it is critical to the long term success of the peace process that the recommendations of the Truth and Reconciliation Commission be mandatory on the government for implementation.

(SICA 2002, 4)

In Solomon Islands, reconciliation entails a commitment to action, process and symbolic restitution for the victim and their family and community. Action usually encompasses a combination of meetings, talks, feasts and the exchange of compensation. This local conception of reconciliation offers potential space for instruments such as truth commissions; as one TRC manager put it: “Truth-telling can be beneficial in certain circumstances. It can initiate a process maybe, but it depends much more on what comes after.”

## 7. Conclusion

Memory and justice practices in Solomon Islands do not allow for a sharp line to be drawn between the past and the future in the name of transitional justice or nation-building. Local memory and justice practices are instead a process of ongoing, culturally embedded memes, which may include the state, the churches or *kastom*, to satisfy the needs of all participants in the conflict. Once each rift has been healed, it earns silence; although not forgotten, the wrongdoing is not to be used to justify further retribution or payback.

With a broad and ambitious mandate to “promote national unity and reconciliation”, and a title that gestured towards both truth and reconciliation without defining either, the Solomon Islands TRC began with expectations that could never be met. Yet if, as James McAdams posits, TRCs and

transitional justice are viewed as “a *process* in which the outcome is uncertain but the undertaking is valued in itself” (2011, 312), then there is potential for peacebuilding. While sharing stories, memory and truth are key components of truth commissions and reconciliation, “healing depends to a significant extent on how we respond to those stories” (Charles Villa-Vicencio, cited in Andrews 2003, 47).

The official acknowledgement of the final report and a government commitment to implementing the TRC’s recommendations were integral to the public’s participation and its effectiveness as a peacebuilding tool. Justice and memory practices involve “reconstructing the world of the living” (Kent 2011, 444). The TRC’s programs were an opportunity for those affected by the conflict to exhibit the presence of the past in the present, and lobby for reparation and recognition of the effects of ongoing injustices.

The TRC was a means through which the government could fulfil its obligations as party to an exchange, acknowledge the stories shared with the Commission, and offer compensation to restore the pre-conflict balance in the communities. Compensation, in this regard, could take the form of reparations as recommended in the final report, exhumations, memorials, rehabilitation or institutional reforms. Not releasing the report or enacting its recommendations risks dishonouring those who have participated in the process, many of whom already feel that they suffered an injustice at the hands of the state during the conflict.

When truth commissions and transitional justice are operated as local, open-ended, indigenous processes, rather than geared towards a specific outcome, they can be congruent with Melanesian beliefs. As a process-oriented mechanism, the TRC would be judged not on whether it achieves truth or reconciliation, but whether it can create the space for this to occur in a way that is organic to the context – a dynamic, modern Pacific society with cultural traditions that involve Christianity and *kastom* as well as institutions of the state. Otherwise, the search for truth and justice will be far less satisfying than people hope and the seductive discourse of transitional justice will serve only to raise impossible expectations.

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# Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal

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## Vol. 8 (1) 2014

### Focus Section: Violence, Justice, and the Work of Memory

#### Editorial (p. 3)

**Introduction: Violence, Justice and the Work of Memory** Klaus Neumann / Dan Anderson (pp. 4 -15)

**Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda** Laura Eramian (pp. 16 - 29)

**“The Country that Doesn’t Want to Heal Itself”: The Burden of History, Affect and Women’s Memories in Post-Dictatorial Argentina** Jill Stockwell (pp. 30 - 44)

**Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the “Years of Lead” in Morocco** Laura Menin (pp. 45 - 60)

**From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights** Maria Campisi (pp. 61 - 74)

**Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case** Francesca Lessa (pp. 75 - 90)

**“What Will You Do with Our Stories?” Truth and Reconciliation in the Solomon Islands**  
Louise Vella (pp. 91 - 103)

► **Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal**  
Simon Robins (pp.104 - 118)

### Open Section

**Postwar Violence in Guatemala – A Mirror of the Relationship between Youth and Adult Society**  
Sabine Kurtenbach (pp. 119 - 133)

**Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?** Lieven Pauwels / Maarten De Waele (pp. 134 - 153)

**Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia** Pietro Castelli Gattinara / Caterina Froio (pp. 154 - 170)

**Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors**  
Selina Helmke / Pia-Renée Kobusch / Jonas H. Rees / Thierry Meyer / Gerd Bohner (pp. 171 - 186)



# Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal

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Disappearance in conflict creates challenges of identity and meaning for the families of those whose fate remains unknown: women, for example, who do not know if they are wives or widows and desperately seek to construct positive meanings from their experience. This empirical study of the families of those disappeared during Nepal's Maoist insurgency focuses on processes of local memorialisation and post-conflict politics of memory in rural areas and on how and why victims seek certain forms of recognition and memorialisation, including their psychosocial motivations. The means of memorialisation chosen by families of the missing served to confirm in a highly social way that the disappeared are missing not dead, and sought to integrate stigmatised families into communities from which they had been alienated by violations. Memorialisation can strengthen the resilience of families of the missing; as a social process, it addresses both the emotional and the social impacts of disappearance. Remembering the disappeared in ways that can aid the well-being of the families left behind demands local approaches that are contextualised in the cultural and social worlds of impacted communities: this challenges memorialisation, and transitional justice processes more broadly, that emerge exclusively from institutional processes directed by elites.

Memorialisation is increasingly recognised as an integral part of transitional justice processes. It is seen as a component of reparation that can provide recognition and acknowledgement to victims and serve to demonstrate a new regime's commitment to tell the truth about the past and to avoid repeating human rights violations. The practice of reparations is however typically elite-led, denying the agency of victims and perpetuating the disempowerment that victimhood represents. In this paper, I explore the practice of memorialisation of families of those missing in conflict. I draw on empirical research in rural Nepal where such processes have occurred locally as part of an intervention by a humanitarian organisation. My aim is to understand how a victim-centred approach to memorial activity and recognition processes interacts with transitional justice processes (Robins 2011). I seek to understand the emotional, psychological and social impacts of memorialisation (and of a failure to memorialise) on families of the missing, and contrast transitional justice processes that are metropolitan and elite-led with a memorialisation from below.

As a consequence of state-centred approaches to transitional justice and human rights more broadly, the practice of transitional justice has tended to focus on the creation of collective memory and the outcomes of institutional processes. Often the creation of truth commissions and national memorials (Jelin 2007; Hutchinson 2009) has overshadowed individual memories and processes that are enacted within families and local communities. Ethnographic approaches to traumatic pasts in a range of post-conflict contexts, including the majority world of the low income states of the global south (Ibreck 2010; Hopwood 2011; Igreja 2003), have however revealed a rich variety of local approaches to memory after violence that emerge from the everyday lives of those affected by conflict. The attention to local memory practices has led to greater prominence for victim-centred approaches to transitional justice. However, while victim-centred approaches have become routine in rhetoric, in practice, the situation in Nepal is typical of transitional contexts more broadly, where victims are also largely marginal players.

Putting victims at the centre of mechanisms to address legacies of violence ultimately means seeking to address their needs. While there is clearly a connection between a family's traumatic memory of an individual disappearance and schemes to remember the dead and the missing (Bell 2009), little has been written about how the experience of violence is transformed into formal memorialisation. Official memorialisation traditionally serves as a part of the politics of transition (Jelin 2007) and as such is rarely done on the terms of victims, other than when their interests coincide with those of the authorities. Paul Sant Cassia (2005), for example, has written powerfully about how in Cyprus memories of the missing have been manipulated by the state to reinforce narratives that directly, and very negatively, impacted upon how families perceived the fate of missing relatives. Memorials can however also promote social repair through acknowledgement (Barsalou and Baxter 2007) and – beyond official processes – can also be informally driven by communities and victims. For families of the missing who are unable to retrieve human remains, a memorial can be a space for mourning and remembrance, while physically refuting the denial that disappearance has occurred (Pollack 2003). As part of a reparative process, a memorial can give public endorsement and institutionalise the victims' narratives about the past.

### 1. The Missing and Their Families

Missing persons are “all those whose families are without news of them and/or are reported missing, on the basis of reliable information, owing to armed conflict” (ICRC 2003, 3). The needs of families of the missing are emotional, psychological, material, cultural, social and legal, mediated by the coping resources of individuals and communities (Robins 2011). To know the truth about the missing is a primary need of families; this need dominates the demands they make of the state and of transitional justice processes. Narratives around disappearance have emphasised issues of exhumation and identification, as a direct result of the “right to know” derived from international humanitarian law (Crettol and La Rosa 2006; Naqvi 2006) and the “right to truth” derived from international human rights law (Mendez 1998). However, for the vast majority of those missing in conflict globally, such processes are unimaginable due to a lack of political will and resources.

The emotional and psychological impacts of disappearance on families denied access to truth can be understood in terms of *ambiguous loss* (Boss 1999, 2004). Ambiguous loss occurs where a family member is psychologically present, but physically absent. It is the most stressful type of loss precisely because it is unresolved. Pauline Boss's studies (2004, 2006) indicate that situations of ambiguous loss predicate symptoms of depression, anxiety and family conflict. She has adopted an explicitly relational perspective, which differs from individualised trauma approaches, such as that of post-traumatic stress disorder (PTSD), because it characterises the stress as external and ongoing. In the absence of routes to truth approaches must be found for families to continue living their lives:

The goal is to find meaning in the situation despite the absence of information and persisting ambiguity. Here, resiliency means being able to live with unanswered questions. Instead of the usual epistemological question about truth, we ask, “How do people manage to live well despite not knowing?”

(Boss 2007, 106)

Memorials are purported to promote healing and reconciliation, but, however such claims are couched, empirical support for them is scant. In this article, the needs of families of the missing for memorialisation are investigated in a low-income post-conflict context, Nepal, with a view to understanding how memorials – and memory more broadly – can positively serve the families of the missing. The aim is to establish how memorialisation can best foster resilience in the face of the experience of disappearance, and explore the potential for such processes to have a positive impact on the psychosocial well-being of families of the missing. Memorialisation offers the possibility of public memory as a therapeutic intervention to address legacies of disappearance, even where the disappeared remain missing.

The literature of the “memory boom” (Winter 2006) in the humanities has discussed memory under a huge range of qualifiers (including social, cultural, political, traumatic, and communicative). As a result, the very definition of memory is highly contested. Here, I will use only one term: following Nancy Wood (1992, 2), I understand *collective memory* to be “the selective reconstruction and appropriation of aspects of the past” that serve as the “social frame-

works” (Halbwachs 1992) onto which personal recollections are woven.<sup>1</sup> As such, all collective memory emerges subject to the capacity of a social group or authority to organise representations of the past. In any context, there is no one collective memory, but a multitude of overlapping, contradicting and reinforcing memories, resulting from the range of groups and institutions in society (ibid.).

The impacts of representations of the past on families and individuals cannot be isolated from the broader politics of memory in post-conflict societies. Politics are present around the issue of disappearance after conflict as much as at the time when the disappeared were taken. Just as during conflict sovereign power demonstrates itself through the ability to let live or make die (Agamben 2005), so in a time of transition the right to memorialise is contested as the right to possess the memory of the dead and define how they will be remembered. Memory is manipulated to prolong conflict or to end it: there is a “political economy of memory” (Küchler and Melion 1991, 30) in which memory is sanctioned by power and politically deployed. The mechanisms of transitional justice are particular forms of such memory politics, with the goals of reconciling conflicting parties, producing truths around which consensus can be built, and – since they occur under the auspices of a political authority – legitimating new regimes.

## 2. Post-Conflict Nepal

Nepal’s Maoist insurgency was driven by a legacy of centuries of feudalism in a Hindu kingdom built on a codified framework of social, economic, and political exclusion that marginalised indigenous people, lower castes and women. The vast majority of the nation’s 26.5 million people live in rural areas, where feudal social relations impact upon livelihoods, with a majority of the rural population having land holdings too small for subsistence. In 1996 the Communist Party of Nepal (Maoist) (CPN-M) declared a

“people’s war” against the democratically-elected government.<sup>2</sup> The insurgency grew rapidly from its initial base in the hills of the impoverished mid-west with the Maoists successfully mobilising many of the most marginalised including women, the indigenous and other excluded minorities. As a result, many of those who became victims of the conflict are from such communities. While disappearances occurred from the start of the conflict (and even before it), the introduction of the Royal Nepal Army (RNA) into the escalating conflict in 2001 dramatically increased human rights violations (OHCHR 2012, 116). Disappearances were the defining violation of the conflict; between 2000 and 2003 Nepal was responsible for more cases of disappearance reported to the UN’s Working Group on Enforced Disappearances than any other state (Human Rights Watch 2004, 2). While disappearances were perpetrated by the Maoists, the vast majority were the responsibility of the government forces, with military commanders at different levels in the hierarchy using disappearances as a weapon. The district of Bardiya, where the intervention described here was made, lies in the plains of Nepal’s mid-west. Its inhabitants are agriculturalists. Bardiya is one of only two districts where the indigenous Tharu people comprise the majority of the population. Indicators of their exclusion can be seen in education: at 17.5 percent, Tharu literacy rates are half those among non-Tharu in Bardiya (Chhetri 2005, 25). The insurgency had a particular impact in Bardiya, where the war was linked to a conflict over land between the Tharu and high-caste hill migrants and led to a greater number of disappearances than in any other district.

The conflict ended in April 2006, with a “People’s Movement” uniting the Maoists and the constitutional parties against a king who had seized absolute power.<sup>3</sup> The conflict has left a legacy of some 13,000 dead, and more than 1,400 unaccounted for (INSEC 2010; ICRC 2012). As part of an

<sup>1</sup> Halbwachs maintains that “there are no recollections which can be said to be purely interior, that is, which can be preserved only within individual memory. Indeed, from the moment that a recollection reproduces a collective perception it can itself only be collective; it would be impossible for the individual to represent to himself anew, using

only his forces, that which he could not represent to himself previously – unless he has recourse to the thought of his group” (1992, 169).

<sup>2</sup> Following the end of the conflict, the CPN-M merged with smaller parties to become the Unified Communist Party of Nepal (Maoist) (UCPN-M); here the acronym CPN-M is used to cover both.

<sup>3</sup> This nomenclature explicitly references the People’s Movement of 1990, in which the *panchayat* system of government that accompanied absolute monarchy was brought to an end and multi-party democracy was introduced (Baral 1994). The 1990 movement was led by the political parties that went on to form the governments that fought the Maoist insurgency.

ongoing peace process the monarchy has been abolished, but seven years after the conflict and following elections in 2008 in which the CPN-M won most votes, Nepal remains in political limbo and is still awaiting a new constitution. Nepal's transitional justice process remains blocked by the political impasse that has characterised governance since the 2006 peace agreement. Coalition governments featuring prime ministers from all major parties, including the CPN-M, have come and gone, with all political progress blocked by an inability to reach a consensus. Two issues have been most responsible for this deadlock: the treatment of former Maoist combatants, which by now has been largely resolved, and the creation of a federal Nepali state on an ethnic basis, a Maoist demand rejected by the traditional political parties. While the peace agreement provided for the establishment of both a truth and reconciliation commission and a commission of inquiry into disappearances, the continuing commitment of all parties to impunity and a refusal to discuss the violations of the conflict has stalled progress on either. In the absence of a reparations program, families of the missing and other victims of the conflict have received significant payments characterised as "interim relief", but a wider acknowledgment of their victimhood has not occurred.

The scholarship on both collective memory and ambiguous loss remains predominantly driven by studies in and of the global north and it is appropriate to discuss the utility of such concepts in the Nepali context. In highly collective societies, such as those of rural Nepal, the way that memory and identity are articulated and negotiated are likely to diverge from those in cultures where the concepts underlying social theories of memory originate. In predominantly oral cultures, such as those of rural Nepal, the communities of memory that are most important are those defined by family, ethnicity and locality, with national narratives playing a smaller role, not least since the very idea of a Nepali was traditionally defined in a way that excluded most of the population. If however collective memory is understood as constitutive of culture and of its reproduction (Assman and Czaplicka 1995), then it is a concept of general relevance, even if the meanings it bestows and the way it does this are culturally contingent. Existing studies of ambiguous loss are largely restricted to a single cultural context, namely that of

Western, and largely North American, families. The data discussed here has provided one of very few empirical tests of ambiguous loss theory in a non-Western context; elsewhere (Robins 2010), I have argued that, from a psychological and emotional perspective, such theory is largely relevant to understanding the trauma of Nepalese families of the missing. All aspects of the impact of disappearance however (even those apparently most personal) have a social component that is of greater importance in the Nepalese context than in the West, and this will impact on the demands made of memory.

### 3. Methodology

The data presented here was collected over a four-year period and emerges from a long engagement with families of the missing in Nepal's Mid-West and Far West, where I worked during and after the conflict as a delegate of the International Committee of the Red Cross (ICRC), seeking to protect those taken into custody by either party to the conflict and to support those whose relatives were missing. My work since has been conducted as part of a long-term engagement with families of the missing and their organisations as a critically engaged activist researcher. My initial studies were driven by an effort to understand the broad needs of the families of the missing in order to challenge a transitional justice discourse focused on prescriptive and externally driven approaches. I used a participatory methodology that engaged associations of families over a six-month period in 2008, two years after the end of the conflict. I met 151 family members from ten of Nepal's seventy-five districts, and used semi-structured interviews and focus groups to understand needs arising from disappearance. The study sought to steer the transitional justice debate towards addressing victims' needs (ICRC 2009; Robins 2011). Disappearances discussed here took place between two and twelve years prior to the study. While a minority of the disappeared are educated and urban, most come from rural backgrounds, their families being illiterate and poor. Since the vast majority of the missing are men, the typical interviewee was a rural woman of low educational level from an indigenous ethnic group.

I used my research data to design an intervention to support families of the missing. It was implemented by the

ICRC in the district most affected by disappearances, Bardiya in the Mid-West plains, in 2010–11, as an explicit response to my assessment of the needs of affected families. The ICRC intervention, known as *Hatey Malo* (“holding hands”), was rooted in community support groups consisting of eight to fifteen women, dedicated to either wives or mothers of the missing and facilitated by trained local paraprofessionals. These met every seven to ten days with the aim of building connections between women and creating a space free of stigma, where they could construct positive meanings from their experience to challenge their isolation, create a forum for emotional sharing, and universalise their understanding of the impact of disappearance. The intervention also included referral to other organisations to address legal, administrative or mental health issues, and economic support was provided through provision of livestock to families. Community interaction programs brought together local leaders, affected families and support group facilitators, to ensure that communities were supportive, or at least that stigma was lessened. Commemoration of the missing was an explicit part of the intervention, with each support group given 10,000 Nepali rupees (about US\$150 at the time) for a memorial activity relevant to and chosen by its members. This intervention has since been duplicated in sixteen of Nepal’s seventy-five districts. I was not involved in the intervention, but evaluated it in Bardiya upon its completion, through interviews with twenty-four of the women who participated and ten focus group discussions. I met with 105 women, representing 39 per cent of all the families of the missing in Bardiya, for the evaluation. Interviews and focus groups were recorded, translated and transcribed; the texts were then iteratively coded for analysis by both frequency of topic data and for selection of relevant text segments.

#### 4. The Families of the Missing and the Politics of Memory

The experience of families of the missing in Nepal is dominated by the need for truth about the disappearance and for economic support; the latter is the result of traditional poverty and the loss of breadwinners (Robins 2011, 90). For most families, judicial processes are not a priority given that the law has traditionally been a weapon used against the marginalised, demonstrating the lack of resonance of international post-conflict discourses – traditionally domi-

nated by legal approaches – with victims’ agendas (Robins 2012, 14–21). Whilst in Nepal the commitment of all major political parties to impunity means there is unlikely to be any substantial judicial process, it remains at the centre of demands of national and international rights activists, seeking to advance a transitional justice agenda. For the families of the missing the truth-telling they seek has two goals. The first is to confirm the fate of loved ones, and this is understood by most as a demand for the return of their relatives or of human remains: the bodies of the dead permit mourning and the satisfaction of social and spiritual obligations (and creation of social meaning) through traditional death rituals such as cremation. The second goal is to see the value of both the missing and their families affirmed, through the sanctioning of families’ narratives, officially and by the community. For the families of those made missing by the Maoists, the problem is the opposite: during the conflict they were seen as innocent victims and valorised by the state, and now they perceive themselves as having been forgotten, as those responsible for their victimisation have assumed political office. Victims’ needs of memorialisation are to create positive meaning from the event of disappearance. Since meaning is found relationally through social interaction, they seek to affirm their understanding of disappearance with powerful and culturally salient meanings. Elizabeth Jelin writes:

[T]he presence of trauma is indicated by the coexistence of an impossibility of assigning meaning to past occurrences, by the inability to incorporate it in a narrative and its recurrent and persistent presence and manifestation in symptoms.

(2003, 17)

It is this link between meaning and memory that invests memorialisation with a potential therapeutic value: remembering is the collective act of accepting a particular narrative of the past as meaningful. Victims of violence are the most heavily invested in memory, precisely because their resilience in the light of their experience depends on the meaning the latter is given in their everyday lives.

Though we may not be able to build something grand as the state can do, we would like to make something on our own initiative even if the state did not do that. We want future generations to remember the contribution of [our brother] for the sake of the nation. People still remember the contributions of

martyrs who lost their lives for the sake of the country even in the distant past.

(Brother of missing man, Gorkha, 18 June 2008)

People will know about the missing family because the name will be written on the board or in some other place: we will have peace if we could make it.

(Wife of missing man, Bardiya, 9 February 2011)

According to the theory of ambiguous loss, the meanings families give to disappearance, constructed relationally through social interaction in family and community (Berger and Luckmann 1966), are crucial to their ability to cope with its impacts (Boss 2007, 105–7). Memory similarly emerges from the representations ascribed to disappearance by the community, national actors (notably political parties) and the state. Memory is the “concretion of identity” (Assmann and Czaplicka 1995, 128), and as such who and what victims are is both a product of and an input into the contestation over the meaning of the past. Whether a missing relative is a hero or a terrorist, a martyr or a victim, whether he or she is dead or their fate is unknown, determines how the disappeared and their families are perceived and how they perceive themselves. Such narrative “ceaselessly substitutes meaning for the straightforward copy of the events recounted” (Barthes 1977, 119) and thus sustains and remakes collective memory. Memory after violence concerns not only the representation of events that led to disappearance or death and construction of narratives that will determine what history will be written and spoken about the missing, but also how those most affected will live.

Victimhood does not emerge naturally from the experience of being harmed, but is constructed socially and subjectively, with individual and familial demands of collective memory being negotiated subject to power relations that marginalise many elements of victims’ narratives, not least because many survivors are disempowered on the basis of gender and ethnicity. The contestation over interpretation of the conflict between Maoists and the traditional political parties has given rise to narratives of worthy and unworthy

victims (Hutt 2006, 382–87). Each side in the conflict maintains its own rhetoric (of “terrorism” or “People’s War”), and as a result – despite the peace – no official memorialisation is ongoing beyond that of the martyrs of the 2006 People’s Movement, a victory (against the now defunct king) shared by both sides. Memorialisation, and its absence at the official level, thus reflects the political balance that exists between the parties to the conflict. In the absence of any national or international support for memorialisation efforts, the struggle over memory is fought by those most invested in it: the war’s combatants and its victims.<sup>4</sup>

At the local level memory politics is vibrant, with victims of the state constructing memorials with Maoist support, and reinforcing narratives of resistance that feed into ongoing political struggles at the national and local levels. The CPN-M claims and recognises those disappeared by the state through public and private memorialisation (see Figures 1 and 2): for the Maoist party the People’s War was fed by sacrifice; the party has encouraged a culture of martyrdom and uses memorialisation as a political tool. The Maoist movement leveraged Nepali traditions of the warrior’s sacrifice, referencing Hindu traditions of martyrs’ blood birthing new warriors (Lecomte-Tilouine 2006), and valorised the families of martyrs in meetings and publications. A 2003 Maoist publication elaborated: “The people who commemorate the martyrs have developed a new culture in which martyrs’ doors and pillars are created, martyrs’ photos are exhibited and villages, hamlets, companies, battalions and brigades are named with martyrs’ names” (cited in Lecomte-Tilouine 2006, 53).<sup>5</sup> The walls of the Kathmandu office of SOFAD, the Maoist association of families of the missing, were entirely covered with photos of the disappeared, thereby creating a secular shrine to the missing and a place where families could come together and remember collectively. Many families of victims of the state welcomed the Maoist celebration of their missing relatives: it valorised the missing and their families, and provided a community around the party that brings family members into contact with others who appreciate the

4 One rare impartial memory project that had the explicit goal of remembering the impacts of the conflict began with the production of a book of photo-

graphs of the war (Dixit 2007), became a touring exhibition and then led to the publication of ordinary Nepalis’ comments on the photographs.

5 The “doors” referred to are the gates at the entrances to villages of the type shown in Figure 2.

family's sacrifice, facilitating the construction of positive meaning as a response to the disappearance: 42 per cent of relatives of victims of the state said that they had received acknowledgement from the CPN-M: "No-one has acknowledged our pain and victimhood. It is only the [Maoist] party that has recognised our pain" (focus group participant, Gorkha, 17 June 2008). However, one result of the Maoist eulogising of martyrdom, particularly since the end of the war, has been that the CPN-M has denied the ambiguity of the fate of the missing, not least to avoid drawing attention to disappearances perpetrated by the Maoists. The missing of the conflict taken by state forces are considered martyrs by the CPN-M, having died gloriously in the struggle, to be celebrated with no ambivalence as to their fate. For families, denying that loved ones are missing blunts their most significant demands, that they be told the truth about their fate and receive their remains.

Contestation also takes place between victims and within communities. At the grassroots level, victims are polarised by their efforts to advance their own narratives and in many areas this prevents families of the missing working together across the perpetrator divide. There is a perception that a positive narrative about someone disappeared by the state requires the discrediting of the narrative of someone taken by the Maoists, and this is actively reinforced at the local level by political parties on all sides. Many communities in the districts where the People's War raged now have a "martyrs' gate", erected by the CPN-M and decorated with eulogies to the party and to the dead (see Figure 2). When asked about these, families of the missing said they did not know if the names of their missing relatives were listed, since they are illiterate. This demonstrates that this form of memorialisation is divorced from the families of those being celebrated, and instrumentalises the memory of the missing for political purposes.

Figure 1



A mounted photograph of a teenage girl from Bardiya who was disappeared by the Nepali state. The Maoist party annotation describes the girl as a "martyr" and provides the date and place of her disappearance and her function within the Party. Many families prominently display such photos.

I will not be happy [if the name of the missing husband is on the gate] since he was not a Maoist and the other thing is that he is still missing. If they write the name of my husband then I will cut it off with a knife. If he comes back again he will feel very bad to see his name on a martyrs' gate.

(Wife of missing man, Bardiya, 14 February 2011)

This woman's statement illustrates the importance to families of the identity of the missing as *not dead*, precisely because they still hope they will return alive.

Figure 2



Martyrs' gate in a Bardiya village. Almost all villages in the district have such a memorial.

In some places, families have managed to work with the CPN-M in ways that allow their own needs for memorialisation to be satisfied, while exploiting the resources of the Maoist party. In Janakpur, Dhanusa district, for example, a statue of five young men disappeared by the state during the conflict is being built at a major junction that has been renamed Martyrs' Crossroads. The project has been supported by local Maoist officials as well as by the families of the missing, and demonstrates how more educated and empowered families can co-opt politically driven narratives to serve their own purposes.

### 5. Memory, Identity and the Social Impacts of Disappearance

Identity is at the heart of victims' needs of memory, and ambiguity over identity is the source of some of the greatest impacts of disappearance on those left behind, particularly the wives of the missing. Memory and collective understandings of the nature of a disappearance construct the identity of survivors, and where such understandings diverge from family members' own understandings, consequences can be extreme. While in rural Nepal identities are primarily constructed locally in family and community, some national discourses, such as that of the Maoists, become more significant where they have local advocates. The global human rights discourse has had a marginal impact on most victims, simply because it is largely inaccessible: rural families are divorced from discussions of transitional justice, for example, and as such judicial processes remain of low priority to them (Robins 2011, 86; 2012, 15).

Collective memory is ahistorical in that it simplifies and seeks to avoid exactly the type of ambiguities which exemplify the situation of the missing and their families: communities equate the missing with the dead, denying the families' ambiguity. As such the relationship between an individual or family memory and the collective has a coercive element; as Maurice Halbwachs puts it (1992, 51): "The mind reconstructs its memories under the pressure of society." In the traditional and highly collective communities studied here, this leads to often extreme social impacts, particularly for women. Traditionally, social meanings are constructed through established rituals around death (such as, for Hindu Nepalis, the ritual of

burning the body) that help families cope with their loss and are considered communal obligations. Families of the missing are unable to perform such rituals as long as the fate of a relative remains ambiguous, which contributes to stigmatisation:

It is necessary for us to perform the rituals for my son because we are still defamed by society since we have not performed the rituals. [...] The people in the community say: "If your son was killed you must perform the ritual." But we don't believe that our son was killed, therefore, we have not performed our rituals.

(Father of missing student, Dhanusa, 9 September 2008)

Traditionally, after a husband's death, older widows take the bangles from the newly widowed woman's arms and the glass beads from her neck, and smash them on a stone. They wash the red *sindhur* powder from her forehead, which has marked her as a married woman: a woman's identity, as a widow, is socially defined at this time. Women whose husbands are missing see an acceptance of widowhood as a betrayal of the missing:

I haven't done any rituals. I still wear the symbols of marriage. I wear them because I haven't seen him dead: maybe he is alive somewhere.

(Wife of missing man, Banke, 4 August 2008)

This creates tension with community members who cannot understand why these women refuse to identify as widows. While the dependence of the making of national identity upon collective memory has been widely discussed (Smith 1996), it is seen here that how the past is represented, in terms of the fate of the missing, impacts upon the perceived identity of individual wives and families. In a society where a woman's identity is defined through her connection to a man, her identity as a wife is socially affirmed by the clothes and jewellery she wears. The wives of the missing, however, confound the categories of wife and widow, by being women without men who persist in dressing as wives. In some cases women had acknowledged that their husband was likely dead, but persisted in wearing the symbols of marriage with two aims: to establish their right in the community to wear such symbols as long as death was unproven, and to demonstrate to the authorities that they were still awaiting an answer. This appears to be a way for women to reclaim the symbols that most demon-

strate their need for closure from being used against them: a move from despair to protest using symbols of attachment to, and memory of, the disappeared, and creating very specific meanings around disappearance that advance their cause.

In most Nepali cultures wives move to their husband's home on marriage, and the ambiguity over the fate of a missing man leads to ambiguity over the wife's relationship to her in-laws. Younger women missing husbands have an ambivalent relationship to the family, and are often treated as strangers within the home. Leaving the family home or remarrying is seen as a betrayal of her in-laws' family and her husband: a wife may be trapped within a family that resents her presence, but does not want her to leave due to the ensuing social stigma. Similar issues of stigmatisation are seen in the community:

Relations with the villagers are not good. When I go to ask for something from somebody, others say that they may be having an inappropriate relationship with me and so nobody comes to help me anymore because I am still young.

(Wife of disappeared man, Siraha, 17 September 2008)

Nepali cultures have great respect for widows; the wives of the disappeared are stigmatised because they are women without men whose identity is unclear. The ambiguity over a woman's marital status and her persistence in wearing the symbols of marriage permit a perception that the wives of the disappeared are somehow predatory in their search for a new husband. The vulnerability of being a single woman combined with the perceived reputation of the wives of the disappeared has led to extreme problems in some cases, including sexual assault:

Drunks used to come at night and tried to scare, beat, and rape me. Many times I had to run away with my crying babies. Many times I went to sleep in other people's houses.

(Wife of disappeared man, Bardiya, 29 July 2008)

Such issues can be resolved by ending ambiguity through giving women answers about the fate of their husbands; but in the absence of such a resolution, memorialisation can aid the social construction of more positive identities and other meanings for women, families and communities.

## 6. Memorialisation and the Needs of Families of the Missing

Ambiguous loss refers not to a single, traumatising event of the past, but is chronic and ongoing. The anxiety expressed by families centres on the absence of the missing person, rather than the event of his or her disappearance: the impact of ambiguous loss is precisely that it cannot be put into the past, into memory.

How long should we remember the missing? It's a fact that we need to forget them, we cannot remember them forever while we are trying to live.

(Wife of missing man, Bardiya, 11 February 2011)

Truth for families of the missing is most immediately the truth about their loved ones that ends ambiguity and allows families to retrieve remains and perform rituals. It is however also a shared understanding that disappearance has indeed occurred and affirmation of the families' understanding of their experience of disappearance. In the theory and practice of transitional justice, truth is something that emerges primarily from state-sanctioned processes, such as trials and truth commissions, whereas in a rural society the truths from which collective memory emerges are necessarily constructed locally and from shared understandings. For families, remembering the disappeared is an act of resistance against perpetrators that redeems the humanity of the missing: to memorialise is to challenge invisibility. While meanings emerge largely locally, there is also a need for the state to acknowledge victims: families seek to have their understandings officially confirmed, but in ways that are accessible and useful to them, and link this to the addressing of poverty that results from the absence of breadwinners:

There should be a statue of the missing people, or our other children should receive economic support for their future and their studies. The government can give us land in our missing person's name, because a statue can be destroyed, a photo or a signboard can get old, but land will take care of us like parents.

(Mother of missing man, Bardiya, 19 July 2008)

Acknowledgement is seen as recognition of both the missing and their families, confirming that their loved one is valued and played a role in the transformation of the nation. Few families have seen any formal acknowledgement from the government. In Bardiya photographs of the

missing received from the district Maoist party (see Figure 1) are widely displayed. This implies not that all these families are necessarily Maoist supporters (although many are, not least as a result of the disappearance), but that they appreciate the only recognition they have received. Some seek an official declaration of the missing as martyrs, even while maintaining ambiguity over their fate, because such a status can be a route to financial compensation. The public sanctioning of the status of the victims demands that the government commit itself to commemorating the missing and other victims of the conflict.

The fact that dominant narratives around disappearance are locally rather than nationally driven, was reflected in demands that any memorial be accessible: 68 per cent of family members I met sought local memorialisation:

We want to build [the memorial] near the high school in the village where there are four to five thousand students. Either we can make a small building for the school or a type of *chautara* [covered resting place, typically on a path or road] where people can rest when it is hot. We could also renovate the *chautara* in front of the school and put his photo and name on the sign-board. [...] This would give us solace in our heart and soul. People would remember him in days to come. Future generations will know that this was built in memory of that person. [...] He was disappeared while working with the intention to contribute something to society, therefore, we want to build something in his name that commemorates his social nature.

(Brother of missing man, Gorkha, 16 June 2008)

The localism of memorialisation is at its most extreme where the body itself becomes a physical memorial to the missing, inscribed with the trauma of the past and making absence visible. More than a quarter of family members I met, the vast majority of them women, complained of chronic physical symptoms that they ascribed to the disappearance, most often as a result of constant tension and anxiety, and understood as somatic.

Whenever I go to have my health checked, the doctor tells me that I am suffering from *chinte rog* [my worries are my disease]. [...] My son suffers from the same disease, the disease created by worry. The doctor said that his worry was the source of his disease.

(Wife of missing man, Gorkha, 17 June 2008)

While clearly unconscious, this can be seen as demonstrating a continued attachment to the disappeared. Somatisation may also be a way for women whose pain is poorly understood to manifest the impact of disappearance in a way that renders their suffering socially meaningful.

The collective memory of violence centres on a recognition of what has happened to whom. Victims seek to use existing power relations to legitimise their own narratives, through their confirmation by authorities in ways that are accessible to their communities; this simultaneously socio-political and psychological process constructs meanings that aid well-being. Memorialisation can acknowledge the *fact* of disappearance that families seek recognised and remembered, but not the particular *truth* that is constituted from the location, retrieval and identification of remains. In Nepal, the particular truth that emerges from exhumation remains untold for most: the data suggests however that memorialisation can contribute, albeit partially, to the “restoration of personhood” (Wagner 2008, 15) of the missing, even in the absence of identified human remains. The truths that help families live with ambiguity are those that can confirm positive meanings around the disappearance.

## 7. Local Memorialisation and Ambiguous Loss

### 7.1. A Victim-driven Memorialisation

In the following, I discuss the impact of memorialisation on the psychosocial well-being of the families of the missing in the context of an intervention where groups of wives and mothers of the missing in Nepal were invited to create their own commemorations of the missing, and given modest financial support (US\$150) to do so. The most popular choice of remembrance was a physical object that would both serve as a memorial and provide a service to the community. These included *chautara* and hand-pumps; in both cases an integral component was that the names of the missing be recorded on these objects.

We will build a *chautara* in Duddha as a symbol of the missing families and write on it the names of all missing family members.

(Mother of two missing men, Bardiya, 9 February 2011)

These objects assert the importance of social recognition that those commemorated are missing, and ensure that the

missing and their families are not forgotten. The goal of such remembrance is to record the fact of disappearance, assert the ambiguity of the fate of the missing, and give the missing and their families the value that was refuted by the act of disappearance. The other remembrance activity encountered was that of a *puja*, a prayer ceremony, which brought together the whole community, including authority figures such as the Brahmin priest, traditional Tharu spiritual healers and local politicians. The *puja* sought to appease the gods and ensure the well-being of the missing, whether alive or dead.

We don't know if they are alive or dead. If we knew they were dead then we could have a funeral service according to our Tharu ritual practice. He comes in our dreams and makes noise; if we have a *puja* then maybe he won't come and ask for food.

(Wife of missing man, Bardiya, 18 February 2011)

This demonstrates how very local meanings are constructed by such ceremonies, including the addressing of manifestations in dreams of the spirit of the missing which can very powerfully influence the meaning given to disappearance. Such ritual serves the living by bringing peace to families and aids the social and individual construction of meaning and identity.

Such efforts emphasise the ambivalence about the role of such memorialisation: families seek to see loved ones honoured and indeed publicly confirmed as missing, rather than dead, but understand that this has to be done in ways that create this meaning in the broader community. These memorials and commemorations address families' psychosocial needs by confirming their identity as families of the missing, while simultaneously serving the community:

It's very important to make a *chautara* so that people can remember the missing and that they have done a great thing. Additionally, people can rest and wait for vehicles or shelter from the rain and sun.

(Wife of missing man, Bardiya, 14 February 2011)

Both the physical memorials and the *puja* ceremonies also send social messages, since the community will necessarily engage with them. Providing a service to the community enhances the social relevance of the memorial and acts to reintegrate families of the missing, challenging exclusion and stigma. The rituals create meanings and identity for families, through a very public act with social implications, affirmed by the presence of local authorities. In contrast to the instrumentalising memorials constructed by the CPN-M, victim-driven memorialisation focuses on both the missing and the community.

## 7.2. Memorialisation as Therapy to Address the Impacts of Ambiguous Loss

The choices made in terms of memorialisation by families of the missing – in particular wives and mothers – and the social and therapeutic roles they play, can be understood through the ambiguous loss model. In any context, ambiguous loss provokes anxiety about the roles of those left behind (Carroll et al. 2007), but in traditional cultures, the very strict understandings of an individual's place in family and community provoke greater challenges. The problems are not just psychological and emotional, but deeply social in nature, as illustrated by the identity challenges the women of this study faced. Identity becomes a stressor psychologically, because it is a relational concept, and like memory defined through social interaction. Public memorialisation can assert in a social context that men folk are missing not dead; it can *construct identities* that better coincide with women's own perceptions, and serves to legitimise those identities.

An important component of coping with ambiguous loss is revising attachment to the missing and learning to live with the ambiguous loss of a close attachment: one effective means is through memorials, which honour the missing without necessarily formalising the acceptance of death, “a tribute not a memorial” (Boss 2008). Jay Winter describes “normal” mourning as leading to recovery, which he sees as synonymous with forgetting.<sup>6</sup> This is one way of understanding the trauma of disappearance, since “normal grief”

<sup>6</sup> Winter (1998, 115) defines “normal” mourning in contrast to Freud's “melancholic mourning”, in which the mourner cannot “isolate the loss, and establish its limits”. The implication may be that mourning the missing is necessarily melancholic.

is interrupted and forgetting is impossible, given the need to keep the memory of the disappeared alive. Memorials and other rituals offer one way of doing this:

Ritual here is a means of forgetting, as much as of commemoration, and war memorials, with their material representation of names and losses, are there to help in the necessary art of forgetting.

(Winter 1998, 115)

Ironically, this may explain why families need to see the name of their loved ones memorialised; this is a step towards the forgetting that is a part of the normal mourning denied by disappearance. Revising attachment means learning to live with the ambiguous loss of a close attachment, avoiding an obsessive concern with the missing. Addressing the overwhelming anxiety around the missing, to the point where little else in life is of any importance, allows families to find hope.

Because ambiguity exists over the fate of the missing and the relationship of women to the family and the broader community, ambivalence can arise in attitudes toward the disappeared and in the conflicted feelings towards the wife of a missing man. Sadness and anxiety are symptoms of the stress of this ambivalence. Commemoration is an explicit effort to give meaning to the experience of having a missing relative, while acknowledging the ambiguity over their fate. The construction of commemorations and acts of tribute revise attachment to the missing and normalise the ambivalence that families and communities feel. In a culture where convention made formal death rituals impossible, memorials honour the missing while allowing hope for their return to remain. This is an effort to socially construct a positive meaning to their absence, and give value to the experience of both families and the missing themselves, in a social way, that is shared with, and ideally affirmed by, the community through their acknowledgment of and participation in commemorations.

#### **8. Transitional Justice, the Missing and Memorialisation**

This ethnographic exploration challenges many of the assumptions that underlie transitional justice processes and understandings of collective memory. While families seek the sanction of the authorities in remembering the

missing, they also want memorialisation to reshape the social spaces in which they live and in which many of the most extreme impacts of disappearance occur. This leads me to the concept of a therapeutic memorialisation, one which serves not the interests of power or a party to the conflict, but enhances the well-being of victims. Rather than an institutional process in an elite space in the capital, the most valuable memorialisation in the rural and dispersed societies of Nepal is a highly local one that can reshape local understandings of the violence to which families and communities have been subject. Memorialisation as a part of the practice of transitional justice has largely focused on national narratives consolidated through sites of memory. This study suggests that such understandings, built on perceptions of modernity peculiar to the global north, may be far less relevant in cultural contexts where collective memory serves and is sustained by *local* identities. Victims' demands of collective memory in the rural Nepali context are constructed far less from national narratives than from social understandings that emerge from everyday interactions. Communities of memory are performatively defined, emerging from practices that are enacted and re-enacted in local spaces; for an intervention to impact on collective memory it must engage with and seek to transform such practices.

Rather than approaching memory after conflict through the trope of trauma, in which truth is something provided by an institutional process, such as a truth commission, that reconciles across the divide of the conflict, victims seek to reconcile themselves to what has happened and to their community, creating positive meanings that can provide hope for the future (Robins 2012, 19–21). Memorialisation is a social process that can create meanings and reconstruct identities and, when performed locally, can collectively reconfigure the social space in which survivors live. Processes of transitional justice are decontextualised and acultural; they are created in a vacuum where the only social context is an atomised individualism that flows directly from the discourse of rights that drives it. Seeing the impact of conflict and disappearance in the highly collective society examined here demonstrates that many of the impacts arise from the social dimension of violations, and memorialisation can represent a social response to them.

Letting the therapeutic needs of the families of the missing drive processes of commemoration permits a victim-centred memorialisation that actively addresses the individual and collective impact of disappearance, and helps victims to live with the ambiguity of their loss. Much work on memorialisation in transitional justice processes neglects the power relations that drive collective memory, in the sense of who remembers and how. The intervention described here sought to explicitly enable the agency of victims, engaging with their subjectivity and identity.

Memorialisation can boost psychological and emotional resilience and well-being: commemorations and acts of tribute give a positive meaning to families' experience, affirming the value of the missing and of the family in the

light of the devaluing impact of violations, and reinforce the identity of the families as families of the missing. Memorialisation allows families to revise attachment to a missing person by valuing his or her memory while distancing the missing person from their everyday lives; it normalises the ambivalence that families feel. Learning to live with the ambiguous loss of a close attachment has a significant social element and this is addressed by the public nature of the tributes: local memorials and ceremonies engage village leaders and the community and the desire of families that memorials serve the community emphasises the importance of this integrative, social aspect. The data presented in this paper demonstrate that memorialisation can be at the heart of a therapeutic approach to the ambiguous loss of having a missing relative.

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# Postwar Violence in Guatemala: A Mirror of the Relationship between Youth and Adult Society

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## Vol. 8 (1) 2014

### Focus Section: Violence, Justice, and the Work of Memory

#### Editorial (p. 3)

**Introduction: Violence, Justice and the Work of Memory** Klaus Neumann / Dan Anderson (pp. 4 -15)

**Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda** Laura Eramian (pp. 16 - 29)

**“The Country that Doesn’t Want to Heal Itself”: The Burden of History, Affect and Women’s Memories in Post-Dictatorial Argentina** Jill Stockwell (pp. 30 - 44)

**Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the “Years of Lead” in Morocco** Laura Menin (pp. 45 - 60)

**From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights** Maria Campisi (pp. 61 - 74)

**Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case** Francesca Lessa (pp. 75 - 90)

**“What Will You Do with Our Stories?” Truth and Reconciliation in the Solomon Islands**  
Louise Vella (pp. 91 - 103)

**Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal**  
Simon Robins (pp.104 - 118)

### Open Section

► **Postwar Violence in Guatemala – A Mirror of the Relationship between Youth and Adult Society**  
Sabine Kurtenbach (pp. 119 - 133)

**Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?** Lieven Pauwels / Maarten De Waele (pp. 134 - 153)

**Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia** Pietro Castelli Gattinara / Caterina Froio (pp. 154 - 170)

**Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors**  
Selina Helmke / Pia-Renée Kobusch / Jonas H. Rees / Thierry Meyer / Gerd Bohner (pp. 171 - 186)



# Postwar Violence in Guatemala: A Mirror of the Relationship between Youth and Adult Society

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Postwar societies are high-risk contexts for youth participation in violence. However, there is great variation between and within postwar societies. The variation of youth participation in postwar violence can best be understood by focusing on the consequences of war and war termination on youth socialization and transitions into adulthood. Socialization and transitions into adulthood stand at the center of the interaction between youth and adult society and help to explain the variation in youth violence in contexts of high structural risk.

Postwar societies are high-risk contexts for youth participation in various manifestations of violence, including homicide, gang violence, armed conflict, or war recurrence. Although there are important differences regarding level of organization, patterns of mobilization, and goals, the structural risk factors discussed to explain youth participation are similar: marginalization and exclusion, destruction of primary social networks and social infrastructure, personal experience of violence, and state and society's lack of capability to provide opportunities for youth.<sup>1</sup> While these risk factors are present in the majority of postwar societies, youth participation in violence is not omnipresent but differs between as well as within postwar societies. This article argues that these differences can best be understood by focusing on the relationship between youth and adult society.

Youth is a context-specific concept, whose beginning is mostly characterized by the end of primary education, the

physical process of puberty, and growing independence from the family. The end of youth and the beginning of adulthood is more difficult to determine, as it depends on young people being accepted as adults.<sup>2</sup> The termination of war significantly changes the perspectives of society on youth participation in violence.<sup>3</sup> During war youth are mostly considered as victims even if they participate directly in violence (Machel 1996, 2001; UNICEF 2009). Outside of the context of war, on the other hand, youth participation in violence is mostly interpreted as deviant behavior (Heitmeyer and Legge 2008). These contradicting views are related to differences in the conception and framing of youth participation in violence. Young people's participation in war – either as part of a rebel group or as conscripts in the state's armed forces – is mostly seen as subordinate to adult politics and agency.<sup>4</sup> In postwar contexts violent young people are mostly seen as “trouble-makers” (McEvoy-Levy 2006) or a security problem

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Thanks for comments on earlier versions of this article go to Sebastian Huhn, Peter Peetz, and the reviewers of the Journal.

**1** On the risk factors drawing children and adolescents into armed conflict see Brett and Specht (2004), Boyden and de Berry (2004), Hart (2008), Blattman (2009), on other contexts Dowdney (2005), Hagedorn (2007, 2008), Eisner (2002).

**2** Most quantitative studies and international organizations use an age-specific definition. The United Nations World Youth Report (UN-DESA 2007) uses the 15 to 25 cohort, the World Health Organization (WHO 2002) those between 15 and 29.

**3** While there are different definitions of war (qualitative and quantitative) there is a consensus that war is a specific form of collectively organized

violence concerning political, economic, or social incompatibilities (Kurtenbach and Wulf 2012).

**4** A recent series of case studies on the participation of children and youth emphasized the options and possibilities young people acquire through participation in war and armed conflict (Richards 1996, Boyden and deBerry 2004, McEvoy-Levy 2006).

(Oetler 2011). Here they seem to act autonomously and “out of control.” These differences in perception reflect the changing relationship between youth and adult society according to different contexts (war or non-war).

This article argues that the variation of youth participation in postwar violence can best be understood by focusing on the consequences of war and war termination on youth socialization and transitions into adulthood. Socialization and transitions into adulthood stand at the center of the interaction between youth and adult society and help to explain the variation in youth violence in contexts of high structural risk. Transitions to adulthood in these contexts are difficult and challenging for young people as well as for adult society and reflect a society’s (in)ability to manage processes of societal change.

### **1. A Framework for the Analysis of Youth in Postwar Societies**

Postwar societies are shaped by a variety of interacting influences due to differences in the specific patterns of war and its termination, external actors, and the historical and cultural context. The legacies of war depend not only on its intensity (regarding the death toll) but also on the geographical distribution of violence, the patterns of victimization, the incompatibilities at stake, and last not least patterns of war termination. Until 1989 military victories were the most frequent pattern of war termination; since then the number of negotiated war terminations has increased significantly (Kreutz 2010). The form of war termination influences not only the capacities of formal state institutions to control violence but also the reconstruction, reform, or establishment of the broader set of secondary institutions of socialization (neighborhoods, communities, religious organizations). A military victory leads to comparatively stable postwar situations (victor’s peace) where one of the armed actors dominates and can establish a specific order (at least temporarily). The argument for peace agreements is that they may end war-related violence before a military victory is possible and provide the basis for consent between the warring parties. However, the resulting orders are shaped by divergent (sometimes contradicting) political, social, and economic agendas and instability (Hartzell and Hoddie 2003; Toft 2010). Regardless of their specific features, war and war termination pro-

duce winners and losers; they can provide social mobility but can also destroy social capital and infrastructure.

Research on the destructive effects of war on children and youth has been very prominent, although there is also an emerging strand of investigations into youth resilience and coping (Christiansen, Utas, and Vigh 2006). The ambiguity of the effects of war and war termination need to be taken into account in the analysis of postwar youth. Although there is a growing awareness of the existence of specific risks, youth-specific issues (or needs) do not figure prominently on national and international agendas for postwar reconstruction. While programs target former child soldiers, most policies do not feature specifically youth-oriented interventions (Kemper 2005; McEvoy-Levy 2008; Schwartz 2010).

The analysis of youth participation in postwar violence needs to focus on the main interface between youth and adult society, most of all socialization and transitions into adulthood. Here the consequences of war and the experience of violence shape adolescents’ capabilities to perform transitions as well as the capacities of state and society to reconstruct, adapt, or invent new pathways to adulthood.

#### **1.1. Socialization and Transitions**

Various institutions of socialization prepare adolescents for the transition into adulthood, introducing and familiarizing them with rules, values, and norms (Arnett and Galambos 2003; Arnett and Taber 1994; Arnett 1995; Berger and Luckmann 2009; Hurrelmann 2010). Distinctions can be made between sources of primary (family, school, peers) and secondary socialization (institutions and political processes), which are both important elements of the (re)production of social and cultural patterns of socialization. Political socialization is “the way in which youths are brought into a political society established by preceding generations” (Dawson, Prewitt, and Dawson 1973, 27). As a consequence, socialization has a certain conservative bias. However, young people are not just passive objects; socialization is an active process grounded in social practices “that may be habitual insofar as they are long lasting and become integral to one’s identity” (Youniss and Yates 1999, 8).

Across the globe the transition to adulthood is marked by three interrelated status passages: family formation, economic independence, and political citizenship. While these transitions are quite universal, their specific form and the overall relationship between youth and adult society varies according to the cultural, temporal and historical context, as well as gender, place of residence, social status, political regime, and judicial codes.<sup>5</sup> These status passages are highly interrelated, with family formation for example depending on young men's (and to a lesser degree young women's) economic independence or at least the acquisition of sufficient economic resources to establish an independent household or pay for a dowry or wedding (Mensch, Singh, and Casterlina 2005). At the same time, the economic opportunities and legal frameworks for family formation depend on patterns of political citizenship and the possibilities for participation.

Postwar adolescents have been socialized in a context shaped directly or indirectly by violence. Being a victim, a witness, or a perpetrator of violence in childhood and adolescence has consequences at the individual and collective levels; it will influence status passages, the development of identity patterns, and forms of social organization with peers. The experience of violence strongly influences primary socialization institutions (family, kin, neighborhoods), for example through the death of family members, displacement or migration, or the physical destruction of communities. As a consequence the number of dysfunctional families and single-parent households increases, and adolescents often have to take over adult responsibilities. In war-affected regions access to important social infrastructures, such as health care, is reduced or unavailable. While the experience of violence might come to an end with the termination of war, the legacy of war and violence may persist for much longer. At the individual level traumatization is a case in point; at the collective level group solidarities and identities may be shaped through

the experience of war (veterans are an example here); and last not least, formal and informal institutions of secondary socialization may have been destroyed or modified. The impact of these developments on adolescents is felt long after the end of the war, in a phenomenon first coined by Gertrude Stein as a "lost generation." At the same time, established transitions into adulthood will be difficult to make in postwar contexts and new pathways might need to be developed or accepted.<sup>6</sup> Seen from a conflict perspective, these contexts provide ample room for conflict and violence in the performance of transitions.<sup>7</sup>

### 1.2. Transitions in Postwar Societies

War and its legacies have a significant impact on the possibilities for transitions into adulthood due to the political cost and the material destruction. Transitions into adulthood are not a one-way street where a young person merely needs to have the necessary skills or educational background to enter adult society. While youth training and capacity-building stands at the heart of international youth policy approaches (World Bank 2006), these skills may not always be useful, as capacities and context need to match. In the Middle East, for example, high unemployment leading to a status of "waithood" is a major problem for university graduates, but to a much lesser degree for young people with little or no formal education (Dhillon and Yousef 2010). As a consequence the possibilities for transitions depend on both individual skills and capacities of youth and on the specific opportunities society provides. The match is difficult in most postwar societies due to the impact of war.

Most postwar societies are poor, struggling with the outcomes of war-time destruction, trying to (re-)construct material and social infrastructure. A recent UNESCO study (2011, 2) highlighted the fact that "countries affected by armed conflict are among the farthest from reaching the 'Education for All' goals." As a minimum of education is

5 Most research on these transitions focuses on young people in the industrialized countries of the North, while information on young people in the global South has only emerged recently (Brown, Larson, and Saraswathi 2002; Larsen, Brown, and Mortimer 2002; Lloyd 2005).

6 The studies on Rwandan and Burundian youth by Sommers (2012) and Uvin (2009) provide empirical evidence on the resulting problems and on possibilities for handling these. Honwana (2012) develops a similar argument for adolescents in Mozambique, South Africa, Senegal, and Tunisia.

7 Although violence can play a role in family formation, this would have to be conceptualized as domestic violence, which is not included here.

necessary to enter the labor market outside rural agriculture, this is a serious barrier to economic independence for many adolescents specifically in urban contexts. Barker (2005, 115) summarizes the resulting problem: “If work is an imperative to achieve a socially recognized version of manhood, the syllogism is that no work means no manhood.” In postwar societies the impossibility of performing the school to work transition makes family formation difficult or even impossible as a certain degree of economic independence is the central prerequisite for this. Sommers’s (2012) study on Rwandan youth shows how this leads to increasing levels of frustration.

The current debate on the negative impact of “idle young men” on violence is based on a twofold argument: (a) a pool of unemployed young men lowers the opportunity costs for recruitment into armed formations; (b) participation in violence (ranging from war to armed conflict, gangs, and homicide) provides young men opportunities for personal and/or collective enrichment and economic independence. These assumptions stand at the core of the “youth bulge” hypothesis, which portrays young men as the main group responsible for high levels of violence and a security risk for society.<sup>8</sup> Most postwar contexts feature a young population and a lack of economic opportunities. From the perspective of transitions into adulthood, participation in violence can provide opportunities for social mobility and economic independence and may thus be a rational choice. However, the functions of violence for youth have only received attention in the last decade (Brett and Specht 2004; Coulter, Persson, and Utas 2008; Peters, Richards, and Vlassenroot 2003; Richards 1996).

The main recipe for economic recovery and reconstruction in postwar societies is macro-economic growth (Collier et al. 2003, 152–57), education (for children and adolescents), and job creation (for adolescents and young adults). The

underlying assumption is that a successful transition from school to work is the main mechanism for young people’s integration into society (UN-DESA 2012). But the effects of growth on the labor market depend more on the specific development model and its need for skilled or unskilled labor, as well as on possible alternatives like migration. This has received little attention, although the drama of youth unemployment has at least been acknowledged for countries like Spain and Greece. A report by the International Labor Organization states: “It is fairly safe to argue, therefore, that the true ‘lost generation’ of youth is the poor in developing regions” (ILO 2010, 2) and warns against the dramatic consequences of failed transitions for both youth and society. Many postwar societies provide empirical evidence for this.

Transitions to citizenship are also complex. Patterns of citizenship, political participation, and civic engagement are highly dependent on the characteristics of the political regime young people grow up in. Experiences of repression, marginalization, or participation have long-enduring consequences (Youniss and Hart 2005). Longitudinal research shows that political engagement during adolescence has lasting effects on norms and values and is the most important predictor of adult political attitudes.<sup>9</sup> The political regime has been an important cause for the onset of many wars. At the same time political regimes tend to militarize during war, reinforcing hierarchical and authoritarian structures of control. After the termination of war, most contemporary postwar societies experience dramatic changes in their political regime, at least at the formal level, due to external and internal demands for democratization (Jarstad and Sisk 2008). This has important implications for transitions into adulthood, as democratization gives young people a set of rights (for example, to vote and to be elected) and formal equality with their elders. As the political sphere continues to be

8 A youth bulge is a product of demographic change that occurs when mortality fall before fertility rates; in this case, the cohort between age 15 and 24 is disproportionately large compared to the adult population. Fuller (1995), Huntington (1997), and Cincotta, Engelman, and Anastasion (2003) have popularized the “youth bulge thesis” in security

studies. While there is no linear relationship, there is some evidence that an excess of young males without prospects might increase violence or at least lead to conflict-prone environments. Urdal (2006) argues that youth bulges are related more to less organized forms of low-intensity political and intra-state violence than to large-scale wars.

9 For a similar argument see the special issue of *New Directions for Child and Adolescent Development* (Flanagan and Christens 2011), especially Flanagan et al. (2011) (Flanagan et al. 2011) with evidence from developing countries.

dominated by adults, existing patterns of youth integration or exclusion can be an important factor of tension (or even violence). Any analysis of transitions to citizenship in postwar contexts needs to include the formal possibilities of youth participation and integration as well as other patterns of civic engagement such as youth participation in civil society organizations and/or religious groups.

However, exclusion and inclusion are not caused by a single factor or set of factors; they are the product of the accumulation of risk. Economic opportunities for youth are important, but the political contextual factors that result in blocked transitions and functional equivalents to blocked transitions are seldom analyzed. While most research accepts the importance of the political regime, patterns of governance, and politics in general, the importance of these factors for youth transitions is primarily analyzed in relation to youth in the industrialized and democratic countries of the West (Youniss and Yates 1999, Youniss and Hart 2005, Youniss and Levine 2009, Sherrod, Torney-Purta, and Flanagan 2010, Sloam 2012). Here civic behavior such as voting or participation in civil society organizations is shaped by a variety of influences during adolescence: family interest and involvement, school climate and civic education, community engagement, media, religiosity, class, and race (Sherrod 2006, Hart and Lakin Gullan 2010). With respect to developing countries, research on youth activism and political engagement has tended to focus on young people's engagement in anti-colonial and independence struggles during the 1960s and 1970s (Honwana 2012, 14-15). There has been little recent research on youth civic engagement in developing countries (Kassimir and Flanagan 2010). Although the "mediating institutions" influencing youth civic engagement are context-specific, we can assume that they fulfill similar functions in different contexts. However, to date there is

little evidence about how these mediating institutions play out in the developing world.

Blocked transitions to adulthood produce high levels of insecurity and tension. Participation in violence can provide possibilities for youth to overcome exclusion and to acquire status, recognition, and resources. Research on youth participation in armed conflict and other forms of violence (gangs, crime, homicide) increasingly investigates this relationship.<sup>10</sup> But many case studies on youth transitions in high-risk environments show that even under the most difficult circumstances only a minority of young people participate in violence; most of them cope or "navigate" otherwise (Christiansen, Utas, and Vigh 2006). The following case study on postwar youth in Guatemala provides empirical evidence for the added value of the approach outlined above. The underlying hypothesis is that variations in participation of youth in postwar violence are shaped by the experiences of socialization during war and the possibilities of transitions into adulthood. Guatemala's postwar violence is mostly analyzed under the perspective of rising transnational and petty crime. Young males are seen as the main group of perpetrators (Huhn, Oettler, and Peetz 2009; Oettler 2011). However, variation of adolescents participation in violence is high and shaped by the different experiences with socialization and transitions into adulthood as the following sections will show. Evidence stems from field research 2007 and 2013, where semi-structured interviews were conducted with representatives of state and civil society organizations, youth organizations, human rights defenders, and aid agencies, as well as with local social scientists researching violence, postwar developments, and youth transitions.<sup>11</sup>

## 2. Guatemala's Youth during and after War

Guatemala is the largest country in Central America, with a long history of violent conflict. The social and political

10 Nevertheless, research on youth and violence is highly gendered. While young men are discussed as perpetrators of violence, women and children are mostly conceived as victims. More recent approaches show a more differentiated picture, where young men are not only perpetrators but also the biggest group of victims, and in some contexts girls and young women may also be perpetrators, using viol-

ence for example to break out of traditional roles or age hierarchies. On female fighters in African wars see West (2004), Coulter, Persson and Utas (2008), Specht (2006); on girls in gangs see Moore (2007).

11 Original field research on youth in postwar Guatemala was funded through a research grant from the German Peace Foundation funding for the

project "Social and Political Fractures after Wars: Youth Violence in Cambodia and Guatemala" at the Institute for Development and Peace at the University of Duisburg-Essen from 2006 to 2008. An update in the field was possible thanks to the participation in the University of Denver's (Korbel School) project on "Religion and Social Cohesion in Conflict-affected Countries."

marginalization of the poor, rural, and mostly indigenous population is the major grievance driving these conflicts.<sup>12</sup> In the second half of the twentieth century the opposition against authoritarian regimes formed various guerrilla groups. The first phase of the war was mostly restricted to the east of the country; during the second phase in the 1980s the military used a scorched earth tactics to subjugate the indigenous population in the Western Highlands. More than 200,000 people died and more than a million and a half were internally or externally displaced. However, international pressure and regional dynamics led to a political opening in 1986 and a peace process during the 1990s. The war ended formally with the signature of a comprehensive peace agreement in 1996 (CEH 1999, Jonas 2000, Kurtenbach 2008, 2010). The current youth cohort (age 15 to 29) is the first generation of Guatemalans to grow up in a formally democratic regime after the end of the most repressive and violent phase of the war.<sup>13</sup>

### 2.1. Youth and Direct Participation in War

During the twentieth century Guatemala's youth has participated in different forms in the social, political, and armed opposition (Handy 1984, 224ff.; Levinson 1988). After the first guerrilla groups were defeated at the end of the 1960s, state repression was relaxed a little. During the 1970s young people and adult regime opponents again mobilized in a variety of social movements. In the rural areas *Acción Católica* sowed the seeds for the organization of cooperatives and community programs. In Guatemala City students and professors at the public University of San Carlos were the most active. Students took to the streets to protest the suspension of constitutionally guaranteed rights and supported the demands of trade unions and reform-oriented political parties (such as the Christian Democratic Party). Students provided legal assistance for free in public places as well as in slums. Even young people

that did not go to school but had to work for their living were politically active founding trade unions. The roots of many current human rights organizations date back to these years. Young people were part of a broader opposition movement, but often the main protagonists as in the first protests against bus price increases in Guatemala City in 1978, which ended with the deaths of more than fifty protesters.

The state responded with repression and many young activists (Ladinos as well as indigenous) joined the guerrilla groups regrouping mostly in the Western Highlands. There were various reasons to join the guerrilla: to avoid military conscription (Arias 1990, 252), to struggle for social change, or as a means of everyday survival.<sup>14</sup> Although the Guatemalan guerrilla never matched the military power of its Salvadoran or Nicaraguan counterparts, state repression was fierce and directed overwhelmingly against the indigenous population, in particular young males (CEH 1999).

Ladino and indigenous youth were also involved on the government side through (voluntary and forced) recruitment into the armed forces and the paramilitary PAC (Patrullas de Autodefensa Civil). In 1981 twenty-four-month conscription for young men aged eighteen to twenty-four was introduced, and extended to thirty months shortly afterwards. This affected between 7,000 and 8,000 adolescents per year.<sup>15</sup> While in the rural areas 10 to 20 percent of an age cohort had to do their military service, youth from better off strata were able to circumvent conscription (Smith 1990, 10). At the same time young men hanging around the street corners of marginalized suburbs of Guatemala City were simply picked off the street by the military, put into uniforms, flown to the Highlands to fight (interview with youth organization, Guatemala-City, June

12 Guatemala's indigenous population consists mostly of descendants of the Mayan peoples who are divided into twenty-four language groups plus numerically small groups of Xinca and Garífuna. Although Guatemala's conflict is classified as "ethnic" in some databases such as Cederman, Buhaug, and Rød (2009) the differences between the indigenous population (40–60 percent) and the Ladinos (of both indigenous and European ancestry) are a

mostly a matter of self-identification. Using one of the Maya languages and wearing traditional clothing are the main characteristics for being perceived as indigenous. However these habits change according to different contexts (e.g. rural and urban).

13 Two excellent surveys on this age cohort inform the following empirical section (SESC 2012, PNUD 2012) together with interviews conducted during field trips, mostly in 2007 and 2013.

14 Kobrak (2003, 42–45) writes that in Huehuetenango the EGP (Ejército Guerrillero de los Pobres) did not as a rule accept members under the age of 15.

15 There was also forced recruitment into the PAC, which according to the Truth Commission also affected twenty thousand children (CEH 1999).

2007). Hence the war affected youth differently according to social status: while marginalized, socially and politically excluded adolescents had to fight, those belonging to the better-off social strata were able to just live their “normal” lives.

## 2.2. The Impact of War on Socialization and Transitions

Besides direct participation, the war had profound consequences for youth socialization and transitions to adulthood in certain geographical areas of Guatemala and during the most violent years. During the first phase of war in the 1960s the east of the country was most affected, leading to a wave of internal migration towards the capital (Poitevin 1990, 92). The second phase during the 1980s forced over one million people to leave the Western Highlands. “Migration had two negative consequences on society. It destroyed families as the primary structure of society and promoted cultural fragmentation”. Those displaced to the cities needed to hide their indigenous identity, as the government equated being indigenous with supporting the armed opposition (interview, Universidad Rafael Landivar, Guatemala City, May 2007). Only a small percentage of refugees (around 10 per cent) were able to reach camps run by the UNHCR providing basic social infrastructure. The majority had to resettle under military control or in the marginalized sectors of Guatemala City where even the most rudimentary forms of social infrastructure like water, energy, and sanitation were absent, likewise access to education.<sup>16</sup>

As a consequence the war had a strong impact on primary and secondary socialization sources in the war-affected zones:

- Families and primary social networks: Migration, displacement, and violence tore apart the nucleus of stable social relations for young people. During the second phase of the war around 50 percent of refugees were children and adolescents, and between 100,000 and

500,000 children were orphaned (CDHG 1986, 95–96). The related lack of even rudimentary forms of security affected the development of stable personalities and trust in others.

- Schools: Public resources were spent on the war rather than on education. Massive recruitment of children into the armed forces and paramilitary organisations increased educational disparities between the indigenous and nonindigenous populations, as well as between indigenous populations in war-affected and non-war-affected areas (UNESCO 2011, 136). As a consequence public schools were not able to provide even minimal formal education.
- The political regime was authoritarian during most of the war. A process of political opening began with elections to a constitutional assembly in 1985. However, most of the military’s prerogatives were preserved and civilian government and parliament (elected in 1986) had little influence. While the peace agreements included significant provisions to strengthen civilian power over the military, Guatemala’s transition remained stuck at the level of electoral democracy with high levels of political volatility and populism (Jonas 2000; Kurtenbach 2008). Young people’s political socialization is shaped by the fragmented and volatile political environment.
- Religion and identity groups: After Spanish colonization Catholicism had a religious monopoly in Guatemala. The war increased the influence of Protestant sects from the United States, which emphasize extreme forms of individualism and undermine existing forms of social control and solidarity (Gros 1999; LeBot 1999). This increased the overall fragmentation and lack of social cohesion in Guatemalan society. On the other hand, the shared experience of repression was an important driver for the establishment of a common Mayan or indigenous identity across the different linguistic groups.<sup>17</sup> Nevertheless, the war reinforced existing divisions and exclusionary patterns of social cohesion.

16 For a description of life under these circumstances see Bastos and Camus (1994, 61–93).

17 As indigenous identities in Guatemala depend mostly on self-identification, the distinction

between indigenous and nonindigenous tends to be rather fluid. While indigenous people tried to hide their “ethnic” identity during the war due to state repression, in recent years there has been a strong

revival of indigenous identities (Bastos and Cumes 2007).

These war-related influences on socialization sources are an important factor for blocked transitions into adulthood after the end of the war. In the cases of economic independence and political citizenship this is obvious.

After the end of the war Guatemala experienced a phase of impressive macro-economic growth (PNUD 2010, 321) that did not, however, translate into better opportunities for the school-to-work transition. The Latin American Opinion Survey (Azpuru 2012, 17–20) reveals the impact of place of residence and ethnic identification: Urban residents have more formal schooling (8.8. versus 5.3 years) and can translate this into higher income. The National Youth Survey (SESC 2011, 51–79) provides information on the relationship between education and labor market: Youth with only basic school education show the lowest participation in the job market (26.5 percent), while those with a university degree perform best (83.5 percent). In 1995, one year before the war ended, 35 percent of Guatemala's fifteen-year-olds were illiterate (Walter 2000, 17), while 44.5 percent had just three years of schooling. Family and personal relations remain the most important factor for entering the job market after leaving school (74.7 percent) and for survival. Around two thirds of working youth give more than half their wages to the family they live with; at the same time, wages are the primary source of income for only 36 percent of young people, while 56 percent depend on transfers from parents or spouses and are thus in a situation of economic dependency. In this situation a government program was designed to promote first employment for youth. "As it only included one thousand young people it was doomed to fail" (interview, Human Rights organization, Guatemala City, May 2007).

While deficits in public schooling are one factor, the economic development model and the related political priorities are at least as important. Poitevin and Pape (2003, 94) point out that education has not been a priority for any Guatemalan government during recent decades because it was unimportant (or even counterproductive) for the agro-export economy, which is based on cheap labor. Guatemala's elite only agreed to the peace agreement because the economic and social status quo was maintained. Although one of the peace agreements announced

moves toward more inclusive economic development, there has in fact been little change and patterns of exclusion have become even more pronounced. The few existing possibilities for upward social mobility have been curtailed as the state bureaucracy (including the armed forces) was downsized due to the end of the war (reducing the manpower of the armed forces) and the neoliberal structural adjustment policies pursued by all post-war governments. Youth employment statistics (age 15 to 29) show a seven percentage point reduction in formal employment between 1989 and 2011 (PNUD 2012, 120). But although this is a general trend, indigenous youth and young females were less affected than non-indigenous male youth. The changing patterns of Guatemala's export sector explains this in part, as textile and agro-industrial maquilas overwhelmingly employ female youth (over 60 percent are young women between age 14 and 25; PNUD 2012, 130).

To summarize, a combination of factors including the impact of war on education and the lack of job creation hamper the school-to-work transition and economic independence. As a consequence male urban Ladino youths seem to have more problems in the school-to-work transition than rural indigenous youth, as the latter survive in the remnants of subsistence agriculture. For some Ladino youth migration provides an escape. According to the Human Development Report (PNUD 2005, 356), 78.9 percent of Ladinos have family outside Guatemala (but the highest proportion in the indigenous population is in Quiche with 6.9 percent). At the same time 59.1 percent of internal migrants are Ladinos (PNUD 2005, 354).

Political participation could be an important means of change. Since the political opening a set of formal civil rights for young people are at least formally guaranteed, specifically the right to vote and to be elected (age 18 and older), as well as the right to assembly and association. But youth participation in these processes is rather limited: During the first decade of the twenty-first century 60 percent of youths (here age 18–29) did not vote although this age cohort constitutes over one third of the country's electorate (PDH 2004, 22; PNUD 2012, 142). If they organized, youth could thus gain a significant share of parliamentary seats. Participation in national political parties is even

lower and most governments have ignored youth as citizens.

However, young people do participate in other social spaces. According to the national youth survey (SESC 2011: 131–47) around 45 percent of youth (age 15 to 29) are members of youth organizations (religious, sport, community) with differences regarding gender (more males than females), geography (more urban than rural), and level of formal education. These patterns of engagement reflect confidence in the related organizations as political parties and the parliament come last in surveys of “positive” confidence (PNUD 2012, 141). Not surprisingly, young people with a higher level of education and a better economic background have most confidence in their personal future and in the government.

While Guatemalan society offers young people formal possibilities to engage in politics, the majority of youths do not make use these options. One explanation lies in the nature of Guatemala’s clientelistic political system. Personal experiences illustrate the frustration of young people. In Huehuetenango – a majority indigenous department bordering Mexico – young people active in human rights organizations advocated the rule of law and promoted civil conflict resolution. But their work was not very popular with the authorities dominated by the older generation. Members of the Commission on Children and Adolescents report that they were only able to do advocacy work when the governor was sympathetic to their proposals. Support from international development organizations enabled them to organize assemblies of children and adolescents and develop projects for the municipal development plan. But even if approved at the local level, realization of the projects depended on support from the national congress. In this process priorities formulated at the local level were changed according to clientelistic and electoral considerations (interviews, Huehuetenango, May 2007). Another interesting experience is the organization of indigenous adolescents affected by war and violence. After living in refugee camps, communities in resistance or even par-

ticipating as child soldiers, they began to organize and founded the Maya Youth Network (Red de Jóvenes Mayas, RENOJ) in 1999. However, RENOJ does not have an explicit political agenda but does mostly advocacy work regarding indigenous youth needs and international networking (interviews, Huehuetenango, May 2007).

To sum up, the new opportunities of political participation provided by – at least formal – democratization offered limited possibilities for change. However, success depends on the mobilization and organization of youth as well as on the ability (and the political will) of political actors to acknowledge and prioritize youth participation, agency, and needs. Neither the Guatemalan state nor civil society addressed youth-specific problems such as education and unemployment.

### 2.3. Youth and Postwar Violence

Guatemala’s war termination is considered a success, as there was no recurrence of war. However, Guatemala has high levels of postwar violence. Interpersonal violence (homicides per 100,000 inhabitants, UNODC 2011) declined between 1996 and 1999, but increased until 2009 and then declined again until recently. After the end of war there was some reduction in state repression but the overall level remains high according to international human rights reports, such as those by Amnesty International or the US Department of State ([www.politicalterroryscale.org](http://www.politicalterroryscale.org)). Although age-specific data on perpetrators in these manifestations of violence are not available, discourse in media and politics has been dominated by the scandalization of youth as the main perpetrators of violence, focusing mostly on gangs (*maras*).<sup>18</sup>

But while postwar Guatemala is one of the most violent countries worldwide, the amount of violence varies significantly at the sub-national level (CIEN 2002; PNUD 2007). Currently the country’s south-eastern departments bordering Honduras are the most violent exhibiting homicide rates of 79 per 100,000 inhabitants, Guatemala City comes second with 54 per 100,000, followed closely by the

18 This was a regional trend, see Huhn, Oettler, and Peetz (2009).

department of Petén bordering Mexico with 50 per 100,000.<sup>19</sup>

Young males participate in these different manifestations of violence but are neither solely responsible nor the only perpetrators; they also make up the majority of victims.<sup>20</sup> Youth gangs provide a feeling of belonging, solidarity, and identity. They have a long history in Guatemala but have changed significantly over time (Levenson-Estrada 1988, 2013; FEPAZ 2005). From the mid-1980s to 1996 they operated almost exclusively in the capital and delinquent activities were mostly related to petty theft and drug consumption. Between 1996 and 2003 these groups consolidated and expanded to other regions, increasing violence and criminality (assassinations, territorial conflicts, assaults). Since then there has been an increasing transnationalization with Salvadorian and US gangs, as well as an escalation of violence.

While blocked transitions into adult society are an important structural risk factor for participation in gangs, they seem to be more important for the transition to economic independence than for political participation, as most of Guatemala's maras have no political agenda. However, youth involvement in violent crime seems to be smaller than politicians and media assume. The only quantitative study on gangs finds that 57 percent of Guatemala's gang members work in the noncriminal economy and 45 percent of gang members need to support their families financially. At the same time they supplement low incomes with criminal activities like theft and drug dealing (Demoscopia 2007, 47–60).

The increasing levels of violence are mostly a result of the state's repression and "hard hand" approaches. Over the last decade human rights organizations report an increase in extralegal executions of marginalized youth by members of the police, private security companies, and local security councils (Flores 2013; Samayoa 2007). Like other Central

American governments, different Guatemalan governments have introduced strategies of zero tolerance and criminalized not only gangs but marginalized youths in general. Gang members are rarely jailed; instead they are the preferred victims of "social cleansing" policies (PDH 2004). These policies are not carried out officially under the auspices of the state, but instead resemble the counterinsurgency strategies of the war, when the military murdered anybody suspected of collaborating with the insurgency.

To sum up, youth violence in Guatemala seems to be a result of dysfunctional families and failed school-to-work transitions. Here urban male Ladino youth are most affected. This happens in a context where Guatemalan society is unable (and unwilling) to provide channels for social change and upward social mobility. The main sources of disconnect between youth and adult societies are closely related to processes of agency, subordination, and control. Violent adolescents serve as scapegoats supporting the continuity of repressive answers leading to "perverse patterns" of state formation (Pearce 2010). Like other places with high levels of youth violence such as El Salvador and South Africa (Heitmeyer and Legge 2008; Jones and Rodgers 2009, Marks 2001), urbanization and migration are important factors influencing the relationship between state, society, and youth producing high levels of fragmentation and the erosion of social cohesion. State and society have been unable (and/or unwilling) to replace traditional patterns of youth integration or to empower youth to accomplish the transition into adulthood without violence. In the indigenous highlands, the situation for youth has been slightly better as decentralization and indigenous empowerment seem to provide young people with more options for the future.

### 3. Postwar Violence as a Mirror of Youth–Society Relations

The impact of war and patterns of war termination shape youth socialization processes and the opportunities provided by state and society for the transition into adulthood.

19 <http://www.insightcrime.org/news-analysis/guatemala-murder-hotspots-mapping>, January 31, 2013; Moser (2001, 104) compiled a (non-representative but quite plausible) timeline showing a significant increase in violence from Friday to Sun-

day and a strong correlation with the consumption of alcohol and other drugs. On the broader relationship between drugs and violence see Eisner (2002).

20 Research on youth violence and gangs in Central America focuses mostly on the causes, micro-

level dynamics, and policy responses. See among others ERIC et al. (2001ff.); Rodgers, Muggah, and Stevenson (2009). The first and only comparative quantitative study is Demoscopia (2007).

While the personal experience of violence is important, in the case of Guatemala the main factors for blocked transitions are related to the broader structural processes in politics and economy. Despite the signing of comprehensive peace accords, provisions aiming at profound societal change were implemented either partially or not at all. Guatemala's traditional economic and political elite blocked every initiative to change the existing economic development model until today.

While the debate on risk factors for youth violence focuses on the influences of war and violence on social capital (Coletta and Cullen 2000), the impact of different patterns of war termination and reconstruction for youth socialization and transitions remains under-researched. The case study of Guatemala shows that the reconstruction or reproduction of youth integration might be feasible in those (mostly rural) contexts where the war supported processes of ethnic self-identification ("mayanization"; Bastos and Camus 2007). Youth transitions are much more difficult in urban spaces, where they are subject to rapid social change and high levels of disintegration. Here ethnic identities get lost or (in the case of Ladino youth) never existed. The spatial concentration of interpersonal violence and state repression in Guatemala's urban centers and frontiers shows how the legacy of war-related migration and the lack of legal economic opportunities merge to generate high levels of postwar violence. Focusing just on youth as the main perpetrators of postwar violence neglects the political responsibilities of other actors in state and society, namely Guatemala's economic elite and its refusal to implement a more inclusive development model. The case study on Guatemala shows that the analysis of the broader relationship between youth and adult society is a much more important explanatory factor for different levels of youth participation in postwar violence than the mere existence of risk factors at the individual and collective levels.

Experiences in other postwar societies seem to support this perspective. Nicaragua, for example, is a deviant case regarding youth violence in Central America. While some argue that gangs are an increasing problem (Rodgers 2003), the relationship between youth and society is quite different to the other countries. Nicaragua's government

and state institutions such as the police have promoted inclusive, not mainly repressive, policies towards youth (Rocha 2008). South Africa, on the other hand, is an example of a country where youth/society relations have been strained since the end of apartheid, thus leading to a high level of youth violence (Marks 2001). Cambodia exemplifies how an authoritarian regime may direct "youth violence" for its own purposes, when young demonstrators destroyed the Thai embassy in 2003 (Hensengerth 2008). Comparing Burundi and Rwanda, Sommers and Uvin (2011; Sommers 2012; Uvin 2009) observe significant differences in societal response to the problem of performing traditional status passages into adulthood. In both countries the most important prerequisite for marriage is to build a house, which is hindered by high levels of unemployment and lack of access to resources. But while Burundian society interprets existing norms in a rather flexible way, Rwanda's government policies on housing aggravate young people's problems. Although (at least until now) this has not led to mounting levels of violence, it is an important source of young people's frustration about their future perspectives.

Although these examples and the case of Guatemala only offer preliminary evidence, they point towards the necessity of a shift in focus: Academic research as well as policy approaches should analyze youth participation in postwar violence less from a perspective of deviant behavior and more as the result of youth/society relations. We need to analyze the different patterns of youth economic and civic participation beyond the use of violence. This is essential not only for understanding the challenges in intergenerational relations and the blockades in the transition towards adulthood, but also for the formulation of youth policies by governments and NGOs, as well as by external donors.

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# Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?

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## Vol. 8 (1) 2014

### Focus Section: Violence, Justice, and the Work of Memory

#### Editorial (p. 3)

**Introduction: Violence, Justice and the Work of Memory** Klaus Neumann / Dan Anderson (pp. 4 -15)

**Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda** Laura Eramian (pp. 16 - 29)

**“The Country that Doesn’t Want to Heal Itself”: The Burden of History, Affect and Women’s Memories in Post-Dictatorial Argentina** Jill Stockwell (pp. 30 - 44)

**Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the “Years of Lead” in Morocco** Laura Menin (pp. 45 - 60)

**From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights** Maria Campisi (pp. 61 - 74)

**Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case** Francesca Lessa (pp. 75 - 90)

**“What Will You Do with Our Stories?” Truth and Reconciliation in the Solomon Islands**  
Louise Vella (pp. 91 - 103)

**Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal**  
Simon Robins (pp.104 - 118)

### Open Section

**Postwar Violence in Guatemala – A Mirror of the Relationship between Youth and Adult Society**  
Sabine Kurtenbach (pp. 119 - 133)

► **Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?** Lieven Pauwels / Maarten De Waele (pp. 134 - 153)

**Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia** Pietro Castelli Gattinara / Caterina Froio (pp. 154 - 170)

**Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors**  
Selina Helmke / Pia-Renée Kobusch / Jonas H. Rees / Thierry Meyer / Gerd Bohner (pp. 171 - 186)



# Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?

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Several major theories of crime causation have been applied to the study of violence towards persons and towards property (vandalism). Less frequently, these middle-range theoretical frameworks are applied to explain individual differences in political violence. Against a background of growing concern about right-wing political violence among adolescents, the present study examines the role of a number of independent variables derived from different theoretical frameworks in a sample of 2,879 Flemish adolescents. Using blockwise regression models, the independent effects of key independent variables from social control theory, procedural justice theory, general strain theory, social learning theory, and self-control theory are assessed. The results support an integrative approach towards the explanation of political violence. The implications of our findings for future studies on violent extremism are discussed.

Contemporary political struggles like the Arab spring, the Syrian uprising, and the Euromaidan in Ukraine show that violence remains a widespread means of contesting socio-political and economic issues. These struggles for power and domination take place within an interactional context with conflicts between two different groups supervised by a third party: observers and institutions (Heitmeyer 2003). In a globalized world, society and (national) institutions are increasingly confronted with a great diversity of people with different (religious) beliefs, cultures, and identities. This ensures that standing up for one's own identity and freedom of speech becomes increasingly important. Processes of globalization that started in the late seventies had a tremendous impact on political polarization in Belgium and created new political parties on the extreme left and right.<sup>1</sup> This polarization created a breeding ground for diverse political and social conflicts within society leading to a rise of extreme-right sympathies in many European countries

(Betz 1994; Hainsworth 1992). Although religiously or politically motivated violence (referred to in the following as "political violence") and violent extremism are important issues within society, there is still limited empirical research on the individual-level correlates of violent extremism. Many scholars have demonstrated aggregate correlations between levels of right-wing extremism, extremist-related crimes, and unemployment levels (for example Falk, Kuhn, and Zweimüller 2011), while studies on individual-level pathways remain scarce (Horgan 2008). The present study contributes to the literature by empirically testing an integrated theoretical model of violent extremism, specifically interpersonal political violence and political violence towards property (political vandalism) on a large-scale sample of Flemish adolescents and young adults.

Since the September 11 attacks in 2001, a multitude of studies have been conducted on religiously and politically

<sup>1</sup> With the establishment of Agalev and Ecolo, the Flemish and Walloon green parties, in the early eighties. The same thing happened on the right with the establishment of the Flemish extreme-right Vlaams Blok in 1978 and the Walloon Front National in 1985

motivated violence, especially on the field of Islamist terrorism (Baker 2003; Vermeulen and Bovenkerk 2012; Wiktorowicz 2005). Less research focuses on adolescent involvement in political violence when controlling for moral attitudes which support right-wing extremist ideas (Björge 1997; Heitmeyer 2003; extensive literature review in De Waele 2013). One of the first authors to describe right-wing extremist attitudes among adolescents was Wilhelm Heitmeyer (1988). In the *International Handbook of Violence*, Heitmeyer indicates the variety in right-wing extremist violent activity and advocates a multi-disciplinary approach to discover causal processes of right-wing violence.<sup>2</sup> Therefore, he argues, studies of violent extremism should move beyond the risk factor approach which maps an endless list of relevant correlates of political violence and instead focus on theory to clearly differentiate between potential causes and mere symptoms.<sup>3</sup> Later, Bouhana and Wikström (2008) warned against an empiricist approach that may wrongly suggest that either “nothing” or “everything” matters in the explanation of violent extremism. Making a distinction between correlates and potential causes is a difficult task and requires theory. The present study proposes an integrated theoretical framework that explains individual differences in political violence and vandalism.

### 1. Towards an Integrated Perspective on Adolescent Participation in Religiously or Politically Motivated Violence

The present study adopts an integrated theoretical approach to the study of support for violent right-wing extremism. Criminology provides a multitude of explanations from different (sometimes competing) theories ranging from strain theory to control theory and social learning theory. Since the 1990s important attempts have been made towards developing integrated theories of offending. Regarding traditional theories of offending, Elliott, Ageton and Canter (1979) argued more than three decades ago that theoretical reliance on a single type of variable to explain criminal behaviour has resulted in the-

ories that are capable of explaining only a small percentage of the variance in crime or criminal behaviour. Bernard and Snipes (1996) have indicated that the existence of different explanations of criminal behaviour does not by definition mean that these views contradict each other. The usefulness of Hirschi’s proposal of competitive testing of two or more theories to increase knowledge about criminal behaviour has been questioned largely on the basis that this has led to a wide array of tests that yield inconclusive results (Bernard and Snipes 1996; Liska, Krohn, and Messner 1989). Instead, we argue that many theories may be viewed as complementary because crime is a multilevel multi-factorial social fact that requires an in-depth explanation from a multi-disciplinary perspective (Bernard and Snipes 1996, 340).

The present study therefore starts from a conceptually integrated approach to violence. The integrated framework proposed for studying individual differences in violence is built on the principle of end-to-end or sequential integration. End-to-end integration entails the integration of concepts in such a way that the dependent variables of contributing theories become the independent variables of the integrated theory (Pauwels, Ponsaers, and Svensson 2010). More specifically, end-to-end integration implies that causes of crime can be ordered on a continuum of proximate to more distal (Liska, Krohn, and Messner 1989). Wikström (2010), for instance, refers to the latter as the distinction between “causes” and “causes of the causes.” Causal factors affect offending through a series of intervening mechanisms that bring about the effect. While the study of mechanisms has a long and outstanding tradition in sociology ranging back to Merton, the mechanism-based approach to offending is more recent (Hedström 2005; Hedström, and Bearman 2009). Drawing on Jon Elster’s proposal to explain social action in terms of individuals’ desires, beliefs, and opportunities/constraints, we argue that an analytical sociological framework may offer an

2 Heitmeyer identifies seven different types of right-wing extremist violence: opportunity-led; sub-cultural; organized, party-political; religiously-based; Ku Klux Klan; far-right terrorist; right-wing extremist pogroms. For further information see Heitmeyer (2003).

3 Wikström (2010) indicates that most identified predictors tend to correlate with offending, but are only markers (factors correlated with causes), symptoms (factors correlated with outcome), or attributes, like sex and race (Bouhana and Wik-

ström 2008). These correlations do not possess any causal power regarding criminal activity.

organizing paradigm for the study of political violence. Pauwels, Ponsaers, and Svensson (2010) and Wikström (2012) have argued for an analytical criminology, which shows very clear links to the analytical approach in sociology in order to provide more in-depth causal explanations of crime as social action. Essentially, we propose an integrated perspective on political violence that is organized around key concepts from the strain, procedural justice, social control, and social learning theories. Our integrative explanatory model of political violence is based on the assumption that perceived strains and weak social integration may affect personal beliefs about the justification of the use of violence by right-wing extremist groups and associations with criminal and racist peers. Put differently, we assume that social integration, perceived procedural justice, and perceived discrimination may positively affect moral support for right-wing violent extremism and peer exposure and therefore be of importance in the explanation of individual differences in religiously and politically motivated violence and vandalism.

Theoretical integration has not always been embraced by criminology. Many influential scholars are not in favour of integration as it could lead to new theories that are logically inconsistent (as theories have different views about human nature, crime in general, and violence in particular). It seems that many theoretical perspectives have adopted too strict assumptions about human nature and society that are not supported by empirical facts (Agnew 2011).<sup>4</sup> One important obstacle to theoretical integration is the objection against building inconsistent theories by combining theoretical constructs from rival theories that adopt different views on human nature. The latter critique, however, seems to be futile in the light of Agnew's conclusion that all of the classic theories stressed from one-sided visions on human nature and social order, that are

only partially correct. Agnew (2011) has carefully demonstrated that none of these assumptions of the core theories is congruent with empirical findings. Empirical research shows that individuals differ in terms of social controls and motivations and that individuals are not merely selfish but also altruistic. Structural characteristics have an indirect effect on violent behaviour, through intervening mechanisms of controls and strains (Lilly, Cullen, and Ball, 2011). We believe that integration has merit as long as it is built around an internal causal logic, in other words distinguishes between proximate and distant factors and provides consistent explications. This standpoint is taken from the analytical tradition in criminology, which provides a solid basis for the refinement of integrative theories: an analytical approach is concerned with understanding why people engage in acts of violence, which can be accomplished by identifying the key social, developmental, and situational processes (mechanisms) involved in crime causation. The key message of an analytical approach to political violence is to take causation, human agency, and the person-environment interaction more seriously to advance our knowledge about (political) violence, its causes, and its prevention. This has implications for the study of political violence: it is important to gain not only insights into what are referred to as the "causes" of political violence but also to what can be referred to as "the causes of the causes of political violence" (Bouhana and Wikström 2008). Political violence is defined in this contribution as any form of verbal or physical violence for political or religious reasons. In Figure 1 we present the conceptually integrated model of moral support for violent right-wing extremism, and then offer an explanation of the concepts used to test it. Our integrated approach emphasizes social integration and perceived injustice as factors that contribute to youth involvement in political violence in several ways (as can be seen in Figure 1).<sup>5</sup>

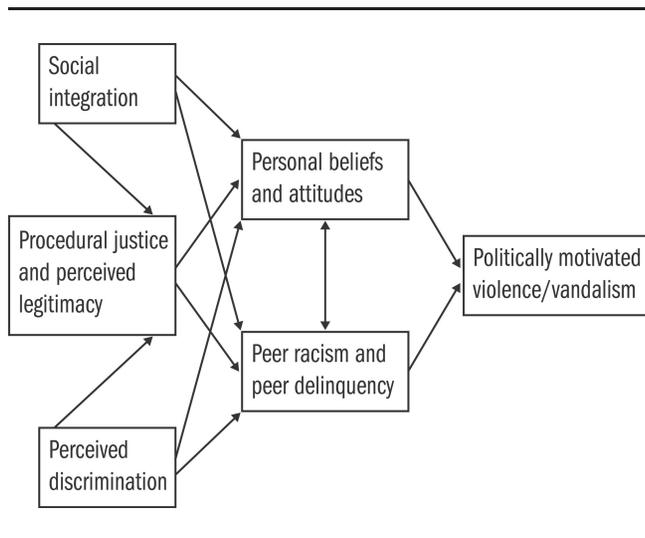
4 One of the main differences between the core etiological perspectives on the causes of offending is their different views on human nature. Control theory argued that variation in (violent) crime is caused by variation in control and not in motivation, as motivation (stress factors that lead people into violent crime) is ubiquitous. Control theory also started from the idea that criminal socialization is "a myth" because it is human nature to be moti-

vated and to seek gratification. It states that individuals, as rather egocentric beings, have agency and are capable of considering costs and benefits. Strain theory has taken a different stance: mankind is essentially good, but some people are more motivated to commit violent crime as they are pressured by extreme conditions. Strain theories are typical of positivism: strains limit individual agency. Social learning theories originally built their explanatory

models of (violent) crime around the blank slate principle and stressed that both conformity and non-conformity are learned.

5 This contribution tests the conceptualised path model by analysing the impact of the mediators and will highlight the diverse independent effects of all the concepts.

Figure 1: Conceptual model of politically motivated violence



**1.1. The Role of Social Integration**

Control theory has traditionally pointed to the importance of social bonds between individuals and society. Hirschi (1969) distinguished between attachment to parents, commitment to school, involvement, and conventional beliefs as important elements that restrain an individual from committing acts of (violent) crime. Since its publication in 1969 Hirschi’s social control theory (SCT) has been one of the most tested theories in the field of criminology. Although empirical tests have sometimes used weak measures, the meta-analysis conducted by Kempf (1993) shows that there is a large body of evidence that the elements of the social bond are inversely related to offending. Laub and Sampson (2003) redefined Hirschi’s social bonds in terms of social capital. They argue that integration in coherent social networks, built around social institutions such as family, school, or work provides individuals a means to live with critical situations. Boehnke, Hagan, and Merken (1998) have been shown that social bonds are negatively related to right-wing extremist violence. Heitmeyer and Anhut (2009) argue, from a conflict

theory perspective, that loss of societal recognition or what they call “social disintegration” has an impact on the probability and intensity of violent behaviour.<sup>6</sup> Family disintegration is thereby also seen as an element that could have a harmful effect on the socialization of children and lead to frustration, insecurity, and higher potential for conflict (Heitmeyer and Anhut 2009). In this contribution social integration is seen as an overall construct that consists of social bonds with parents, parental control, school bonds, social integration at school, school performance, family structure, and absence of family disadvantage. An accumulation of integration along these dimensions may decrease the likelihood of being involved in violence and vandalism. Laub and Sampson (2003) argued that it is not the social bonds themselves, but the social control resulting from these bonds that prevent adolescents from committing (violent) crimes. We argue that accumulation of social integration is a key condition that fosters law-abiding behaviour through several mechanisms: not only through the support of conventional beliefs, but also by shaping the individual’s trust in the police as a legitimate element of law enforcement.

**1.2. Perceived Personal and Group Discrimination as Strains**

Perceived discrimination has long been absent from empirical studies of determinants of offending. One possible explanation is the early finding of Hirschi (1969) that perceived discrimination did not lead to offending among minority youths. However, this statement seems to have been mistaken, as demonstrated by a reanalysis of the data by Unnever et al. (2009). Borrowing from Agnew’s General Strain Theory (GST), perceived injustice can be viewed as stressor that can lead to offending as a coping mechanism. General Strain Theory, as one of the leading contemporary theories on crime and delinquency, essentially argues that strain or negative treatment by others leads to negative emotions, particularly anger and frustration, which necessitate coping strategies. Agnew (2006) argues that one possible response to the pressure created by these negative

6 Heitmeyer and Anhut (2009) highlight three different kinds of integration. First, socio-structural participation in society’s material and cultural goods leading to the experience of positional recog-

niton (certain jobs, responsibilities, roles, etc.). Second, an institutional dimension of moral recognition (right to vote, participation in political discourse, etc.). Finally, the socio-emotional dimension

refers to emotional and expressive interpersonal relations generating self-realization and emotional recognition.

emotions is extreme attitudes.<sup>7</sup> As well as triggering negative emotions as a response, a situation of personal and group discrimination may also affect personal belief systems that are relevant for the explanation of violent extremism (such as moral support of right-wing extremism, authoritarianism, political powerlessness, and subjective alienation). Personal discrimination differs from structural or group discrimination in that the latter refers to the negative treatment of members of one's group (Bourguignon et al. 2006). Perceived personal discrimination increases negative emotions and has negative consequences for an array of outcomes, including depression, anxiety disorders, high blood pressure, and other mental and physical health problems (Schnittker and McLeod 2005; Williams, Neighbors, and Jackson 2003). Caldwell et al. (2004) reported that for both females and males, involvement in violence significantly increases with perceived discrimination. Previous research has also documented a positive association between perceived discrimination and offending (Gibbons et al. 2004; Martin 2005; Simons et al. 2003; Stewart and Simons 2006). Bjørgo (1997) and Van der Valk and Wagenaar (2010) have also pointed to the role of frustrations among right-wing extremist youths who experience their own situation as discriminated and unjust. There is now a small but growing body of research showing that perceived racial discrimination leads to offending among minority groups, and it is therefore likely that other kinds of discrimination and injustice affect offending and antisocial conduct in general, not only in minority groups. Taken together, these findings suggest that perceived discrimination will increase negative emotions that contribute to political violence.

### 1.3. The Role of Legitimacy on Politically Motivated Crime

According to the *procedural justice model*, trust and compliance largely depend on perceptions of fairness (Tyler 2006). *Perceived procedural justice* refers to perceived integrity and fairness of the justice system (Hough, Jackson, and Bradford 2013). It constitutes a firm and durable set of atti-

tudes toward the legitimacy of the institution (Reisig, Bratton, and Gertz 2007). Trust in police procedural justice and legitimacy has previously been identified as important factors that contribute to compliant behaviour, independent of personal moral beliefs (Hough, Jackson, and Bradford 2013). Procedural Justice Theory stresses the importance of institutions treating people fairly in contributing to the acceptance of norms. Therefore we consider trust and legitimacy to be potential mechanisms in the explanation of political violence. Several scholars have found an association between perceptions of police legitimacy on the one hand and different forms of public support for the police (such as willingness to cooperate and abiding by the law) on the other (Tyler 2006; Reisig, Bratton, and Gertz 2007; Hough, Jackson, and Bradford 2013; Murphy 2009). According to Tyler, police strategies have to centre on building public trust to be perceived as legitimate and thus achieve voluntary compliance (Hough et al. 2010). Analogous to Social Control Theory, Procedural Justice Theory examines why people obey the law, instead of asking why people are motivated to break the law. Yet, unlike Hirschi's theory of the social bond, procedural justice theory accepts that controls are weakened by structural constraints situated at the institutional level: if the police and the criminal justice system treat people unfairly, this may have consequences for the committing of (violent) crimes. The fact that procedural justice theory recognizes the importance of strains, especially strains caused by institutions of law enforcement, makes it an important candidate for theoretical integration of social bond theory and strain theory. Consequently, political violence can be seen here as a way to restore justice (Heitmeyer and Anhut 2009).

### 1.4. Individual Beliefs and Personal Characteristics in the Explanation of Politically Motivated Crime

Individual beliefs and attitudes are considered to be important mechanisms that intervene in the relationship between social bonds, perceived legitimacy, and perceived discrimination on the one hand and violence on the other

7 GST identifies three main sources of strain: 1) situations that block positively valued goals (for example, money, status, autonomy); 2) situations that remove positively valued stimuli (for example,

loss of spouse, theft of valued possessions); and 3) situations that produce negative stimuli (for example, discrimination). In response to strain, some individuals feel negative emotions (for

example, anger) and act out their aggression on people, while others engage in other types of rule-breaking (Agnew 2004).

hand. The present study highlights several belief systems and attitudes as intervening mechanisms: religious authoritarianism, low self-control, religious authoritarianism, anomia, and moral support for right-wing extremism.

In *The Authoritarian Personality*, Adorno and colleagues (1950) originally conceptualized authoritarianism as a relatively stable intrapersonal trait resulting from enduring intrapersonal conflicts rooted in childhood experience of harsh education. Adorno argued that people with an authoritarian personality perceive others (especially young people, homosexuals, and women) as weak or immoral (Adorno et al. 1950; Whitley and Ægisdóttir 2000). As the concept of authoritarianism and its operationalization were subject to many criticisms, Altemeyer (1988) tried to provide a more concise and clear definition of the concept: He conceptualized authoritarianism as a value syndrome that comprises three distinct elements: (1) conventionalism, as strong compliance with social norms; (2) an emphasis on hierarchy and submission to authority; and (3) a “law and order” mentality which legitimizes anger and aggression against those who deviate from social norms. Altemeyer rejects the idea of authoritarianism as an intrapersonal characteristic, instead, regarding authoritarianism as a set of coherent attitudes learned from peer groups and similar socializing agents (Altemeyer 1981, 1988).

Another individual-level characteristic that is related to violent behaviour in general and thus may also apply in the context of political violence is *low self-control*. Self-control is an inhibitory factor that has previously been described as the ability to resist the drive for immediate gratification. Hirschi and Gottfredson (1990) conceptualised the concept of self-control as a multidimensional trait that consists of six elements: immediate gratification, preference for simple tasks, risk-taking behaviour, volatile temper, impulsiveness, and self-centeredness. Hirschi (2004, 543) redefined the concept as the “tendency to consider the full range of potential costs of a particular act”. Pratt and Cullen’s meta-analysis has demonstrated that low self-control is consistently related to self-reported offending, including violent offending (Pratt and Cullen 2000). The present study therefore takes self-control into account. Previous qualitative studies of right-wing extremist violence have

also pointed to the importance of thrill-seeking behaviour as a key component in explaining violence committed by right-wing extremists (Bjørge 2002; Watts 2001).

Srole (1956) described the concept of “anomia” as a state of mind expressed by individuals (micro) and as a subjective feeling responding to societal dysfunctions. According to Srole this concept of anomia contains five strongly interrelated sub-dimensions (political powerlessness, social powerlessness, generalized socio-economic retrogression, normlessness and meaninglessness of institutionalized norms and values, and social isolation). Previous studies have indicated that authoritarianism and political powerlessness are strong predictors of distrust (Van de Velde, and Pauwels 2010; Scheepers, Felling, and Peters 1989) and vigilantism (Van Damme and Pauwels 2011). De Witte (1999) has also shown in his study about subtle racism that political powerlessness had a strong effect on both authoritarianism and negative attitudes towards foreigners. Hagan, Merckens, and Boenke (1995) studied risk factors related to right-wing delinquency and Boenke, Hagan, and Merckens (1998) were among the first scholars to empirically test the relationship between social bonds, anomia, and right-wing extremist acts such as vandalism. *Subjective alienation* or *anomia* owes its definition to the original concept of “anomie” as described by Merton and is an individual-level counterpart of the macro-level condition of anomie. These scholars referred to a state of society (macro) involving “the breakdown of those moral norms that limit desires and aspirations,” as anomie (Deflem 1989, 629).

*Moral support for right-wing extremist violence* refers to the individual’s positive attitude towards the use of violence by right-wing extremist groups. This concept constitutes a personal moral belief that favours the use of violence by right-wing extremist groups. A multitude of studies have found that measures of antisocial moral beliefs are significantly related to offending (Bottoms 2002; Hirschi 1969; Stams et al. 2006; Svensson, Pauwels, and Weerman 2010; Antonaccio and Tittle 2008). Cohn and Modecki (2007) found that authoritarianism was related to adolescent offending through its impact on a measure of negative attitudes towards the criminal justice system.

### 1.5. The Role of Exposure to Peer Racism and Delinquency as Situational Components

The role of peers in the aetiology of adolescent offending and violence is especially prominent in social learning theories (Akers 1998; Bruinsma 1992; Warr 2002) but highly contested in control theories (Hirschi and Gottfredson 1990; Kornhauser 1978; Hirschi 1969). Differential associations with delinquent peers remains one of the strongest predictors of offending, and therefore we expect that this also applies to the study of political violence. Differential association with racist peers and delinquent peers provides two specific contexts of exposure to settings in which the use of violence is supported either in general or for political reasons. Differential associations are not only important in social learning theory, but also in routine activities/lifestyle theory (Laub and Sampson 2003; Pauwels and Svensson 2013). From a routine activities/lifestyle perspective peers are important as they may be responsible for the situational instigation to commit an act of (political) violence. In the present study we take into account peer delinquency and peer racism as important indicators of exposure to criminogenic moral settings (Ceccato and Wikström 2012; Pauwels and Svensson 2013). Racist peers are assumed to influence violence by providing definitions and attitudes which are tolerant of political violence, and by reinforcing delinquent behaviour through group processes. Peers can provide rewards to stimulate law-violating behaviour in group processes (such as loyalty and prestige in extremist groups). *Peer racism* refers to racist ideology in the peer group. It is thought that racist attitudes of peers may affect a person's own attitudes in a similar way to peer delinquency.

### 2. Hypotheses

The aim of this exploratory study is to get an insight into the direct effects of the aforementioned theoretical concepts on politically motivated violence. The strength of these effects will be tested by adding new variables to the multiple blockwise regression. The order of introducing the variables into the equation is defined by the theoretical model. Specifically we set out to test the following hypotheses:

H1: *Social integration is negatively related to political violence/vandalism.*

H2: *Perceived personal discrimination and group discrimination are both positively related to political violence.*

H3: *Police procedural justice and police legitimacy are negatively related to political violence, independent of perceived personal and group discrimination and social integration.*

H4: *Personal beliefs/attitudes (moral support for violent extremism, religious authoritarianism, impulsiveness, thrill-seeking, and political powerlessness) are positively related to political violence/vandalism, even when controlling for social integration, perceived injustice, and personal beliefs/attitudes.*

H5: *Exposure to racist attitudes of peers and peer delinquency are positively related to political violence/vandalism, even when controlling for social bonds, perceived injustice, and personal beliefs/attitudes.*

### 3. Data

The present study is the largest self-report study of political violence conducted in Belgium. The questionnaire consists of multiple scales derived from different theories and is especially designed to test theories of violence. The study aims to produce insights into the relationship between attitudes towards violent extremism and self-reported violence among Belgian youths and young adults. Data were collected (1) through a large-scale web survey of adolescents and young adults and (2) a paper and pencil survey among youths in the third cycle of the secondary education in Antwerp and Liege. The present study is limited to analysis of the Flemish adolescents. The web survey was a self-administered questionnaire conducted online. Access was gained through a link to the survey's Facebook page. This survey mode requires almost no organization, does not cause disruption to work time, and leaves the decision to participate entirely to the students. To increase the response to the web survey, an e-mail invitation was sent to the central faculties and administration services for students with a request to circulate the link to the questionnaire Facebook page. This method proved to be very effective. Additionally youth organizations such as youth clubs were contacted with a request to distribute the survey to their members. In the largest cities in Flanders

(Antwerp and Ghent), posters and flyers were distributed in popular student pubs. Many local youth clubs, sports clubs, etc. were asked to put up posters, distribute flyers and/or distribute the survey to their members. Although web surveys seem to be increasingly popular in social science research and are considered as an important alternative to the traditional survey modes, some questions remain with regard to the systematic bias that might result from exclusive use of the internet as a sample frame. Placing the questionnaire page on Facebook meant that a large number of respondents could be reached in a very short time. The web survey was online between September and December 2012 and the response was huge, with more than 2,800 respondents in Flanders. Respondents were considered as Flemish if they lived in Flanders, held Belgian nationality, and had parents with Belgian nationality. An additional paper and pencil survey was conducted in Antwerp to reach adolescents in compulsory secondary education. A total of thirty-four schools in Antwerp were contacted. A paper-and-pencil survey was conducted in six of these; the others allowed us to distribute flyers for the online survey. The impossibility of monitoring response selection, self-selection, and under-coverage

(internet availability) are important drawbacks. It should however be mentioned that these issues (preparedness to answer survey questions, willingness to report) are central to the more traditional survey modes as well. It is probably fair to state that the web survey may contribute more to explanatory research (studies of the causes and correlates) than to prevalence studies (studies that try to gain insight into the prevalence of attitudes and behaviour). We do need to bear in mind that this approach only works if enough participants are willing to admit violent behaviour and/ or vandalism. Of the 2879 participants, 8.6 percent reported acts of vandalism (186 individuals) and 5.3 percent reported violent activity (123 individuals). These proportions allow us to make reliable statistical claims about this group.

#### 4. Measurement of Constructs

In the present study numerous scale constructs were used to assess the relationship between the independent variables and self-reported violence. Because of the extensive number of concepts that were used, we choose to present a general overview of the scale constructs and refer to Appendix 1 for a more detailed overview of scales.

**Table 1: Scale constructs and reliabilities**

Scale construct	Cronbach's alpha	Scale construct	Cronbach's alpha
Perceived procedural justice	0.84	Anomia (political powerlessness)	0.85
Perceived legitimacy	0.80	Moral support for right-wing extremism	0.89
Personal discrimination	0.89	Peer racism	0.68
Group discrimination	0.95	Peer delinquency	0.70
Religious authoritarianism	0.89	Political violence	0.87
Impulsiveness	0.63	Political vandalism	0.80
Thrill-seeking behaviour	0.73	School social bond	0.59
Parental attachment	0.84	Academic integration	0.89
Parental monitoring	0.82		

#### 4.1. Dependent Variables

Violence was measured using two scales: one that measures acts of violence towards persons and another that measures acts of violence towards property (damaging or destroying things) for political or religious reasons. Self-reported *violence towards property (vandalism)* was measured by asking if respondents had ever “written a political message or political graffiti on a wall”, “participated in a banned political action”, “thrown stones at the police during a demonstration”, “vandalised anything in the street or at a station”, “damaged someone’s property”, or “set something on fire” because of their political or religious beliefs. Cronbach’s alpha is 0.80. The scale is derived from a Belgian study of illegal political participation of youths (Gavray, Fournier, and Born 2012). The dependent variable *political vandalism* is a dichotomous variable that is coded one when respondents report at least one act of political vandalism and zero if they do not report any acts of political vandalism.

Self-reported *violence towards persons* was measured by asking the respondents if they had ever “fought with someone”, “threatened anyone on the internet”, “threatened someone in the streets”, or “hit a foreigner” because of their political or religious beliefs. Cronbach’s alpha is 0.87. The scale is translated from Swedish and was originally used in a youth survey conducted by the Swedish Council for Crime Prevention (Brottsförebyggande rådet och Säkerhetspolisen 2009). The dependent variable political violence is also dichotomous and refers to whether the participants have ever committed one of the above-mentioned acts (coded 1) or never done so (coded 0).

#### 4.2. Independent Variables

Independent variables were drawn from the integrated model outlined above. An overall *social integration scale* was constructed from subscales referring to attachment to parents (alpha: 0.84), parental monitoring (alpha: 0.82), academic orientation (alpha: 0.59), and school integration (alpha: 0.80). The original scales were used to create risk scores (1= upper risk quartile) that were then collapsed into a general scale that measures the number of risk factors. High scores refer to high levels of integration. To study the impact of variables derived from Procedural Jus-

tice Theory, the survey included items that measure trust in police procedural justice (alpha: 0.84), moral alignment (alpha: 0.77), and obedience to the police (alpha: 0.77). Police legitimacy means the right to govern and the recognition of that right by citizens. Both moral alignment (shared values between the public and the police) and obedience to the police are key dimensions of the concept of the legitimacy of the police, and were collapsed into one general legitimacy scale. These scales have previously been used in the European Social Survey (Hough, Jackson, and Bradford 2013; Jackson et al., 2012) and have been additionally tested in a large-scale student survey in Belgium (Van Damme and Pauwels 2013). The difference between police procedural justice and legitimacy is that the justice variable corresponds to the overall picture people have about how citizens are treated by the police. The variable legitimacy, on the other hand, concentrates on the extent to which people perceive the police as legitimate.

Agnew’s *General Strain Theory* argues that negative feelings may cause strain which can pressure adolescents into crime (by stimulating negative emotions and violent beliefs). *Perceived personal discrimination* refers to feelings of injustice when respondents compare their own situation with others in Belgium. Alpha is 0.89. *Perceived group discrimination*, on the other hand, refers to the feeling that the respondent’s group is treated less well than other groups in Belgium. Cronbach’s alpha is 0.95. The items were originally used in a Dutch survey of attitudes towards extremism conducted by Van den Bos, Loseman, and Doosje (2010).

In the present study a number of *attitudes/beliefs that intervene* in the relationship between perceived injustice, perceived procedural justice, and social integration are studied. These intervening mechanisms are religious authoritarianism, self-control, perceived political powerlessness, and moral support for right-wing extremism. *Religious authoritarianism* was measured by using a seven-item scale. Cronbach’s alpha is 0.89. Religious authoritarianism refers to extreme dogmatic views with regard to religion. This scale is based on Altemeyer’s authoritarianism scale (1996; see also Altemeyer and Hunsberger 2004). Two dimensions of Hirschi and Gottfredson’s (conceptualization of self-control 1990)

were used in the present study: impulsiveness (the tendency to seek immediate gratification) and thrill-seeking behaviour (the tendency to seek adventure and kicks). The items for the two scales were taken from the attitudinal self-control scale used by Grasmick, Tittle, Bursik, and Arneklev (1993). Anomia (perceived political powerlessness) is derived from Srole's (1956) study of personal alienation. Cronbach's alpha is 0.85. This scale has been frequently used in the European Social Survey. *Support for right-wing extremism* was measured using items from a scale that measures attitudes towards the use of violence by right-wing extremists for political goals. Cronbach's alpha is 0.89. The items were taken from a larger scale used in a study by Van den Bos, Loseman, and Doosje (2010). Sutherland's Differential Association Theory and Akers's social learning theory can easily be applied to the study of violence: both argue that violence is learned through differential associations with attitudes favourable to violence and racism. *Peer racism* measures racist behaviour of peers. This scale is adapted from Van den Bos, Loseman, and Doosje (2010). Cronbach's alpha is 0.68. *Peer delinquency* refers to respondents' perception of law-breaking behaviour by their best friends. This scale originates from the PADS+ study (Wikström et al. 2012). Cronbach's alpha is 0.70.

Finally some additional statistical controls were used in the multivariate analyses. *Age* is a metric variable that expressed the respondent's age in years at the time of the survey. *Gender* was coded zero for females and one for males. *Religious attendance* was measured on a four-point scale. *Importance of religion* was measured on a seven-point scale. All scale constructs were standardized before analysis, in order to make their effects comparable.

## 5. Results

Logistic regression analysis was used to gain insights into the independent effects of the available set of independent variables on the likelihood of self-reported political vandalism (Hosmer and Lemeshow 2000). We estimate the effect of a series of independent variables on the odds of having committed political vandalism versus not having committed political vandalism. The descriptive statistics can be found in Appendix 2.

**Table 2: Binomial logistic regression analyses of independent variables on politically motivated vandalism**

Dependent variable:	Model 1 Exp (B)	Model 2 Exp (B)	Model 3 Exp (B)	Model 4 Exp (B)	Model 5 Exp (B)
<b>Political vandalism</b>					
<b>Control</b>					
Gender (male)	2.977***	2.674***	2.592***	2.195***	1.931***
<b>Age (reference &gt;22)</b>					
<18j	1.205	1.144	1.024	0.673	0.601
19-22j	1.142	1.103	1.040	0.901	0.884
<b>Attending religious service (reference category "never")</b>					
≥ once per week	1.665	1.231	1.030	0.881	0.756
once per month	1.141	1.154	1.145	1.022	1.196
twice per year	0.837	0.922	0.875	0.861	0.907
once per year	0.851	0.892	0.898	0.815	0.827
<b>Importance of religion (reference category "not important")</b>					
average	1.259	1.238	1.198	1.118	1.118
high	2.417*	2.122	1.995	1.583	1.872
<b>Social vulnerability</b>					
1.418***	1.300**	1.240**	1.188*	1.120	
<b>Procedural justice</b>					
Police procedural justice		1.042	1.068	1.082	1.068
Overall police (legitimacy)		0.603***	0.636***	0.680***	0.709**
<b>Discrimination</b>					
Perceived personal discrimination			0.803	0.733*	0.715*
Perceived group discrimination			1.642***	1.667***	1.707***
<b>Intrapersonal attitudes</b>					
Religious authoritarianism				1.196*	1.142
Impulsiveness				1.136	1.125
Thrill seeking behaviour				1.394**	1.284*
Anomia				0.899	0.901
Support for RW extremism				1.137	1.116
<b>Peer influences</b>					
Positive attitudes towards racism					1.003
Peer delinquency					1.392***
<b>Model evaluation</b>					
Pseudo R <sup>2</sup> (Nagelkerke)	9.80%	13.90%	16.10%	19.40%	21.50%
-2 LL	1130.87	1090.81	1069.02	1035.72	1014.23

\* p<0.05

\*\* p<0.01

\*\*\* p<0.001

The results of the blockwise multiple logistic regression analyses of religiously or politically motivated vandalism (referred to in the following simply as “vandalism”) are presented in Table 2. We assessed to what extent different theoretical frameworks are related to self-reported political vandalism. Within this regression model we present the net effects of a series of variables: demographic background (model 1), procedural justice (model 2), perceived discrimination (model 3), intrapersonal beliefs/attitudes (model 4), and peer influences (model 5). The order in which the variables are entered is determined by the conceptual model. This procedure was chosen to gain insight into the relationship between these independent socio-psychological measures and self-reported delinquent acts, such as vandalism. In model 1 we tested the relationship between the control variables and vandalism. In order to generate reliable statements about the net effects of the different theoretical variables and the independent variables, the model needs to be controlled for certain demographic background variables. In this research, we took five control variables into account: gender, age, religious attendance, the importance of religion, and social integration. Of these control variables, both gender (odds ratio: 2.977), high importance of religion (O.R.: 2.417), and social integration (O.R.: 0.705) have independent effects on self-reported vandalism. The effect of gender cannot be seen as a specific cause, but rather as a marker that men are more likely to be involved in political violence (Bouhana and Wikström 2008). Nagelkerke pseudo R square is 9.80 percent. In *model 2* procedural justice variables (procedural justice by police and perceived legitimacy) were added as explanatory variables. Legitimacy, in contrast to police procedural justice, has a significant negative effect (O.R.: 0.603) on self-reported political vandalism. *Model 3* reveals that perceived group discrimination, in contrast to personal discrimination, has a strong positive direct effect (O.R.: 1.642) on self-reported political vandalism. It seems that

the externalization of political thoughts in vandalism occurs to a lesser extent from a feeling of perceived personal discrimination but rather from a disadvantaged and discriminated group feeling. So the way that a group is treated might be more important for political vandals than their personal treatment by others.<sup>8</sup> *Model 4* presents the intrapersonal characteristics related to delinquent behaviour. It is noticeable that religious authoritarianism (O.R.: 1.196) and thrill-seeking behaviour (O.R.: 1.394) have a significant positive direct effect on self-reported political vandalism. Impulsiveness, anomia, and support for right-wing extremism do not have an independent significant direct effect on political vandalism.

In *model 5* peer effects were studied by entering peer racism and peer delinquency into the equation. This model shows a positive significant relationship between peer delinquency and political vandalism (O.R.: 1.392). Overall we see a positive direct effect of gender (O.R.: 1.931 for males), perceived group discrimination (O.R.: 1.707), thrill-seeking behaviour (O.R.: 1.284), and peer delinquency (O.R.: 1.39). In the final model two variables suddenly appear to have negative effects on political vandalism, specifically legitimacy (O.R. 0.709) and perceived personal discrimination (O.R.: 0.715). This may be due to redundancy or suppression.

<sup>8</sup> This does not mean that personal discrimination does not matter, because personal and group discrimination are strongly correlated (0.829) (see appendix 3). In this case, the effect of group discrimination dominates the effect of personal discrimination.

**Table 3: Binomial logistic regression analyses of independent variables on politically motivated violence**

Dependent variable: Political violence	Model 1 Exp (B)	Model 2 Exp (B)	Model 3 Exp (B)	Model 4 Exp (B)	Model 5 Exp (B)
<b>Control</b>					
Gender (male)	3.820***	3.311***	3.190***	3.110***	2.759***
<b>Age (reference &gt;22)</b>					
<18j	3.369**	3.219**	2.701*	1.549	1.450
19-22j	1.484	1.430	1.265	1.090	1.063
<b>Attending religious service (reference category "never")</b>					
once per week	2.669	2.090	1.904	1.645	1.539
once per month	0.974	1.020	1.004	0.961	1.083
twice per year	0.647	0.720	0.690	0.770	0.830
once per year	1.007	1.060	1.095	0.985	1.022
<b>Importance of religion (reference category "not important")</b>					
average	1.531	1.480	1.437	1.257	1.260
high	3.892**	3.327*	2.863	2.201	2.582
<b>Social vulnerability</b>					
	1.747***	1.567***	1.464***	1.414**	1.356**
<b>Procedural justice</b>					
Police procedural justice		0.930	0.955	1.015	1.009
Overall police (legitimacy)		0.642***	0.705*	0.764*	0.782*
<b>Discrimination</b>					
Percieved personal discrimination			1.028	0.861	0.840
Percieved group discrimination			1.445*	1.426*	1.453*
<b>Intrapersonal attitudes</b>					
Religious authoritarianism				1.344**	1.285*
Impulsiveness				1.722***	1.699***
Thrill seeking behaviour				1.000	0.916
Anomia				1.016	1.023
Support for RW extremism				1.367**	1.308**
<b>Peer influences</b>					
Positive attitudes towards racism					1.136
Peer delinquency					1.246**
<b>Model evaluation</b>					
Pseudo R <sup>2</sup> (Nagelkerke)	18.50%	21.90%	24.40%	31.60%	32.80%
-2 LL	769,71	742,49	724,16	663,80	654,20

\* p<0.05  
 \*\*p<0.01  
 \*\*\*p<0.001

The results of the blockwise multiple logistic regression analyses of violence are presented in Table 3. As in the previous analysis of vandalism, model 1 tested the relationship between the control variables and violence. The same control variables were taken into account (gender, age, religious attendance, importance of religion). Social integration has a strong and negative effect on violence, independent of the statistical control variables. Compared to the analysis of vandalism, we see a slightly different picture of the relationship between background variables and violence. Gender (O.R.: 3.820), high importance of religion (O.R.: 3.892), and age under 18 (O.R.: 3.369) significantly increase the likelihood of violence. Nagelkerke R square is 18.50 percent. *Model 2* shows that both procedural justice variables (police procedural justice and police legitimacy) tend to have the same effect on political violence as they had on political vandalism. Police legitimacy strongly decreases the likelihood of political violence (O.R.: 0.642). Comparable to the effects found in the previous analysis, *Model 3* also shows a strong positive direct effect of perceived group discrimination (O.R.: 1.445). In *model 4* personal beliefs/attitudes and were added to the regression analysis. As was the case with vandalism, there is a positive effect of religious authoritarianism (O.R.: 1.344) and there is no direct effect of anomia in the multivariate analysis. It can be seen that there is no direct effect of thrill-seeking behaviour, but there is, however a positive direct effect of impulsiveness (O.R.: 1.722). *Model 5* includes the effect of peers, and shows a positive significant relationship between peer delinquency and vandalism (O.R.: 1.246). Peer racism seems to have no significant effect on political violence. Overall we see positive effects of gender (O.R.: 2.759), perceived group discrimination (O.R.: 1.453), religious authoritarianism (O.R.: 1.285), impulsiveness (O.R.: 1.699), support for right-wing extremism (O.R.: 1.308), and peer delinquency. Social integration still has a significant negative effect on the variable violence (O.R.: 0.737).

## 6. Discussion and Conclusion

The present study was built on an conceptual model that integrated elements of Social Control Theory, Procedural Justice Theory and General Strain Theory. The key message of our analyses is that both controls and motivational factors are related to the explanation of (religiously or politi-

cally motivated) violence. The finding that social integration is negatively related to violence is consistent with Social Bond Theory. The finding that police legitimacy is inversely related to violence is consistent with Procedural Justice Theory, which argues that trust in procedural justice is necessary to install legitimacy, which then becomes a mechanism of informal control and further restrains individuals from committing acts of violence. Consistent with Agnew's General Strain Theory perceived group discrimination is also related to violence. In contrast to our hypothesis, perceived personal discrimination tends to play a minor role within the expression of violence or vandalism. Legitimacy, social bonds, and perceived discrimination have strong effects on violence, independently of one another. The fact that these three different exogenous sources of individual variation in committing violence have independent effects on violence supports the idea of the complexity of the phenomenon: one theoretical framework is insufficient to provide an adequate explanation of why individuals engage in political violence.

On the level of personal beliefs/attitudes we found some very interesting results. First, it appears that religious authoritarianism is strongly related to political violence. Our findings suggest that there might even be a (hidden or neglected) layer of Christian fundamentalism in Flanders which is related to violent extremism. This finding is important as the debate on extremism seems to stress fundamentalism as a problem exclusively related to violent Islamic extremism. Second, we did not find any significant effect of political powerlessness. One possible explanation is offered by Bjørgo, Van Donselaer, and Grunenberg (2009), who argue that right-wing adolescent violence is probably not strongly guided by political powerlessness (if that can be considered an ideological motivation) but rather by thrill-seeking behaviour. Another explanation, which should be examined in path models, could be that the effect of political powerlessness is indirect. Third, the likelihood of political violence is related to lower levels of self-control. Low self-control was measured in this study by impulsiveness and thrill-seeking behaviour. The difference between the two dimensions is their relation to political offending. While thrill-seeking behaviour is positively

related to political vandalism, this is not the case with impulsiveness. On the other hand, impulsiveness is positively related to personal violence, while thrill-seeking behaviour has no direct effect on personal violence. This finding suggests that there is a difference between the two dimensions of low self-control in relation to political offending. While individuals searching for sensation or thrills merely choose to engage in violent acts against property, impulsive individuals tend to engage in violence towards persons. Finally, peer delinquency is related to both vandalism and violence. This is congruent with the idea that peers provide a social context, i.e. they shape the individuals' routines. Contrary to expectations, we found no direct effect of peer racism on violence. One must be very careful in interpreting the effect of peer delinquency, as recent research suggests that traditional measures of peer delinquency may be partially caused by the projection of own behaviour onto the behaviour of peers (Young et al. 2013). It is unclear to what extent respondents who had committed political crimes overestimated the criminal behaviour of their peers.

The present study has several limitations which must be taken into account. First of all, this theoretical framework can account for only part of the variation in youth participation in violence and is thus incomplete. We have identified direct effects of social bonds, perceived legitimacy, and perceived discrimination on violence that cannot be accounted for by exposure to peer delinquency, religious authoritarianism, or moral support for extremist violence. Future research should focus on additional mechanisms that translate social bonds, perceived legitimacy, and perceived discrimination into violence. This could be done using a social psychology approach. The model can easily be extended, however, by explicitly linking macro-structural properties to social bonds, procedural justice, and perceived discrimination. Second, we need to bear in mind that not all relevant variables were taken into account in the questionnaire. Although social learning theory was included in this research, we only included social learning processes of peers. Parental attitudes towards conservatism or extremism, for instance, were not included. Future research on this topic could examine the impact of the latter social learning process. A next logical step would

be to test this model further as a full structural equation model, allowing us to establish relationships between the independent variables. Third, our theoretical model has been applied to explain individual differences in violence committed by adolescents and young adults. Future research should investigate to what extent the model also applies to adults. It is unclear to what extent the integrated framework is able to explain all types of violence in all age groups and across all settings. Looking at our sample we see that 95 percent of our respondents are students. The question remains whether this theoretical model is also applicable to young people who quit school. Fourth, the study is cross-sectional and therefore it is not possible to determine the direction of the relationships because causes and effects are measured simultaneously. Fifth, blockwise regression does not allow the relationships between the independent variables to be uncovered. Structural equation

modelling is needed to determine the causal structure incorporating all variables. Finally, we need to take into account that our results are based on a large-scale web survey and it is unclear to what extent they are biased (through undercoverage and self-selection) by this method of data collection.

Our findings are, however, consistent with a small but growing number of studies that empirically document the importance of procedural justice and discrimination as sources of political violence. Research into the domain of violence is important not only from an aetiological point of view, but also within the framework of prevention of violence, or, as Bouhana and Wikström (2008) have argued, if we cannot properly explain why and how people come to commit acts of violent extremism, we have no base from which to develop effective preventative strategies.

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### Appendix 1: Scales and question wording

*Police procedural justice* (five-point scale): the police ... “treats adolescents with respect”, “respects the rights of adolescents”, “takes the time to listen to people”, “takes fair and impartial decisions”, “is prepared to explain their decisions and actions when asked”. (scale from European social survey, round 5; also Jackson et al. 2012)

*Overall police legitimacy is measured by combining two highly correlated legitimacy subscales* ( $r=0.80, p < 0.001$ ). *Obedience to the police* (five-point scale) “It is your duty to do what the police tell you even if you disagree?”, “it is always unacceptable to disobey the police”, “I back the decisions made by the police even when I disagree with them”, “When the police order me to do something I do it, even if I don’t like how they treat me”. *Moral alignment* (five-point scale) “Police have the same sense of right and wrong as me”, “if the police does not arrest somebody, they will have a good reason for that”, “I generally support how the police act”, “I have respect for the police”. (based on the scale from European social survey, round 5; www.europeansocialsurvey.org, also Jackson et al. 2012)

*Perceived personal discrimination* (five-point scale): “It makes me angry when I think of how I am treated in comparison to others”, “I think I am worse off than others in Belgium”, “I have the feeling of being discriminated”, “If I compare myself with others in Belgium than I feel unfairly treated”. (Van den Bos, Loseman, and Doosje 2010)

*Perceived group discrimination*: (five-point scale): “I think the group to which I belong is worse off than other people in Belgium”, “It makes me angry when I think of how my group is treated in comparison to other groups in Belgium”, “I have the feeling that the group to which I belong is discriminated”, “If I compare the group to which I belong with other groups in Belgium, I think we are treated unfair”. (Van den Bos, Loseman, and Doosje 2010)

*Religious authoritarianism* (five-point scale): “People should pay less attention to religion and should instead develop their own moral standards”, “God has given a flawless and complete way to happiness and salvation. This path must be followed without exception”, “A figure like

Satan does not exist”, “It is more important to be a good person than to believe in God and religion”, “Whenever science and sacred scripture conflict, science must be wrong”, “In fact, there are only two kinds of people: righteous people whom God will reward and the others who will not be rewarded”, “No single book of religious teachings contains all the intrinsic, fundamental truths about life”, “To lead the best, most meaningful life, one must belong to the one, fundamentally true religion. (Altemeyer 1996; Altemeyer and Hunsberger 2004)

*Support for right-wing extremism* (five-point scale): “I understand that some right-wing extremists use violence against the people who have the power in Belgium”, “I can understand right-wing extremists who disrupt the order”, “I can understand right-wing extremists who use violence against others”. (Van den Bos, Loseman, and Doosje 2010)

*Peer delinquency* (four-point scale): Have your friends been involved in ... “taking something from a shop/supermarket”, “stealing money or other goods from somebody”, “damaging or destroying something”, “hitting someone on purpose so that the person needed care”, “breaking into a car/building”. (Ceccato and Wikström 2012)

*Pro-racist peers* (four-point scale): Do you think your friends would think it is OK if ... “you would say that you don’t want to have anything to do with immigrants?”, “you would write ‘stop immigration’ on a public wall”, “if you would fight with an immigrant without any reason”. (Van den Bos, Loseman, and Doosje 2010)

*Impulsiveness* (five-point scale): “I always say what I think, even if it is not nice or smart”, “If I want something, I do it immediately”, “I lose my temper easily”, “When I am really angry, other people better stay away from me”. (Grasmick et al. 1993)

*Thrill-seeking behaviour* (five-point scale): “I sometimes find it exciting to do things that could be dangerous”, “I often do things without thinking of the consequences”, “Sometimes I will take a risk just for the fun of it”. (Grasmick, Title, Bursik, and Arneklev 1993)

*Parental attachment* is measured using following items: “I can get along well with my parents”, “I think the comments of my parents are important”, “I like to spend my free time with my parents”, “I can talk well with my parents”. (scale from European social survey)

*Parental control* (five-point scale): “My parents know with who I am when I am not at home”, “My parents know where I am when I am not at home”, “My parents know how I behave when I am not at home”. (scale from European social survey)

*School social bonds* (five-point scale): “I put little effort in studying”, “I am not interested in getting high points”, “Studying is very important for me”, “I always study, even if I know there will be no test”. (scale from European social survey)

*School social integration* (five-point scale): “I can get along well with most of my classmates”, “I have the feeling of belonging to the group in my class”, “I can count on the help of pupils in my class”, “I feel left alone in my school”. (scale from European social survey)

*Self-reported politically motivated vandalism* (four-point scale): Have you ever ... “vandalised anything in the street or at public transport stations (e.g. bus stops, bicycles, streetlights or something else)”, “participated in a political action that was not allowed”, “thrown stones at the police during a demonstration?”, “destroyed something on the streets because of your political or religious belief”, “damaged someone’s property because of your political or religious belief”, “set something on fire because of your political or religious belief”. (Gavray, Fournier, and Born 2012)

*Self-reported politically motivated violence* (four-point scale): Have you ever ... “fought with someone because of your political or religious belief”, “threatened someone on the internet because of your political or religious belief”, “threatened someone in the streets because of your political or religious belief”, “hit a foreigner”, “... hit a capitalist”. (Brottsförebyggande rådet och Säkerhetspolisen 2009)

## Appendix 2: Descriptives

Variable	Minimum	Maximum	Mean	Standard deviation
Gender	0	1	0.3591	0.47983
Age	0	2	0.8642	0.58943
Attend religious services	0	4	3.0507	0.91615
Importance of religion	0	2	1.4048	0.89727
Social bonds	-1.1245	3.2855	-0.0829	0.97054
Police procedural justice	-3.0570	5.6186	0.0749	1.02303
Police legitimacy	-3.5758	2.6864	0.0581	1.01688
Perceived personal discrimination	-0.8848	3.5191	-0.0116	1.02786
Perceived group discrimination	-0.7039	3.3538	-0.0117	1.01625
Religious authoritarianism	-1.2302	4.8277	0.0852	1.02287
Impulsiveness	-2.4666	2.8454	-0.1643	0.96293
Thrill-seeking behaviour	-1.5737	2.8975	0.0975	1.00746
Anomia	-2.1882	2.2212	0.0523	1.01430
Support for RW extremism2		4	2.6876	0.84991
Peer racism	-1.0651	4.8409	.0085	1.0095
Peer delinquency	-0.9522	8.9788	-.0247	1.0457

**Appendix 3: Correlations**

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Pro-racist peers (1)	1													
Peer delinquency (2)	.217**	1												
Procedural justice (3)	-.090**	-.156**	1											
Perceived legitimacy (4)	-.084**	-.232**	.561**	1										
Personal discrimination (5)	.214**	.150**	-.232**	-.271**	1									
Group discrimination (6)	.176**	.155**	-.223**	-.250**	.823**	1								
Religious authoritarianism (7)	.148**	.113**	-.026	-.020	.211**	.183**	1							
Moral support for right-wing extremism (8)	.369**	.189**	-.110**	-.152**	.263**	.214**	.268**	1						
Political vandalism (9)	.137**	.241**	-.141**	-.214**	.151**	.185**	.159**	.172**	1					
Political violence (10)	.180**	.253**	-.134**	-.185**	.169**	.195**	.188**	.209**	.767**	1				
Impulsiveness (11)	.278**	.228**	-.186**	-.194**	.226**	.188*	.179**	.319**	.162**	.201**	1			
Thrill seeking behaviour (12)	.248**	.358**	-.184**	-.239**	.197**	.158**	.151**	.225**	.167**	.161**	.439**	1		
Anomia (13)	.208**	.110**	-.208**	-.198**	.200**	.167**	.114**	.264**	.055*	.099**	.281**	.200**	1	
Social integration (14)	.159**	.248**	-.212**	-.202**	.218**	.209**	.016	.113**	.159**	.153**	.192**	.241**	.151**	1

# Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia

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## Vol. 8 (1) 2014

### Focus Section: Violence, Justice, and the Work of Memory

#### Editorial (p. 3)

**Introduction: Violence, Justice and the Work of Memory** Klaus Neumann / Dan Anderson (pp. 4 -15)

**Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda** Laura Eramian (pp. 16 - 29)

**“The Country that Doesn’t Want to Heal Itself”: The Burden of History, Affect and Women’s Memories in Post-Dictatorial Argentina** Jill Stockwell (pp. 30 - 44)

**Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the “Years of Lead” in Morocco** Laura Menin (pp. 45 - 60)

**From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights** Maria Campisi (pp. 61 - 74)

**Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case** Francesca Lessa (pp. 75 - 90)

**“What Will You Do with Our Stories?” Truth and Reconciliation in the Solomon Islands**  
Louise Vella (pp. 91 - 103)

**Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal**  
Simon Robins (pp.104 - 118)

### Open Section

**Postwar Violence in Guatemala – A Mirror of the Relationship between Youth and Adult Society**  
Sabine Kurtenbach (pp. 119 - 133)

**Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?** Lieven Pauwels / Maarten De Waele (pp. 134 - 153)

► **Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia** Pietro Castelli Gattinara / Caterina Froio (pp. 154 - 170)

**Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors**  
Selina Helmke / Pia-Renée Kobusch / Jonas H. Rees / Thierry Meyer / Gerd Bohner (pp. 171 - 186)



# Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia

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An investigation of the neo-Fascist organization CasaPound Italia, focusing on how political violence is framed in its public discourse, and on the role it plays as a constitutive element of the group's collective identity. Starting from the conceptualization of violence in Italian Fascism, we focus on CasaPound's practices, discourse, and ideology. The analysis combines findings from nineteen in-depth interviews with CasaPound members and participant observation at protest events and activities. This paper disentangles CasaPound's relationship with political violence, differentiating its discursive, aesthetic, and identity-building dimensions. Although in the external discourse of the group, violent activities are only accepted as a tool of self-determination and self-defence, we find that a cult of violence inspired by traditional Fascism emerges from the semiotic repertoire mobilized by CasaPound, and is reiterated by means of experiences of collective socialization based on violence.

Since the mid-1990s, several western European countries have been confronted with a resurgence of right-wing extremism, characterized by waves of protest and political campaigning targeting immigration and asylum policies, European integration and globalization, and social and economic policies in general. Previous research has underlined how this has been accompanied by a progressive resurgence of violent actions against opponents, foreigners, and other target groups.

At the same time, however, an increasing number of extreme right movements and groups officially reject violence as a political means. In other words, the subculture of overt violence which often characterized such groups has over time come to terms with the contextual constraints that restrict the range of arguments and strategies that are legitimate in the public arena. As pointed out by Koopmans (2004), besides political opportunity structures, a set

of discursive opportunities also contribute to establishing the trajectories and constraints for the political expression of movements. This has resulted in a situation where many protagonists of the earliest mobilizations of the extreme right have progressively abandoned references to violence in their official rhetoric, especially when they have been successful in institutionalizing themselves (as in the case of the French Front National).

Extreme right groups therefore define their discursive and strategic choices based on the estimation of the potential support that they can obtain. In the Italian setting, the trade-off between legitimization and visibility is most evident for neo-Fascist groups, as a consequence of the stigmatization (and state repression) of the terrorist activities of the 1960s and 1970s (Cento Bull 2007). In other words, social and institutional factors constrain the political opportunities and the range of discursive choices available

Acknowledgements: This contribution is part of an on-going research project on CasaPound led by the authors and Dr. Matteo Albanese (ICS, University of Lisbon) and Dr. Giorgia Bulli (University of Flo-

rence). We wish to thank Prof. Donatella della Porta (EUI), Prof. Cas Mudde (University of Georgia), and Francis O'Connor (EUI), Gianluca De Angelis (University of Bologna) and Andrew Szabados (GIPSA

Grenoble) for the time they devoted to commenting on a preliminary draft of this paper.

to the Italian extreme right. Today, organizations from this area are forced to build their political legitimacy using very careful narratives with respect to political strategies, actions and goals, as numerous potential sanctions moderate the set of possible frames they can mobilize to accompany their political engagement (Caiani et al. 2012).

This trend is, however, challenged by two factors: the nature of the actors involved in political activism and the nature of their ideological background. On the one hand, recent research has pointed out that the organizational structure of neo-Fascist mobilization is increasingly diversified. In opposition to the process of progressive institutionalization of the extreme right in the 1990s, extreme right activism has turned to more flexible types of organizations and expanded the scope of its repertoire of protest actions (Europol 2010). In this sense, extremist subcultures represent a relatively understudied reality of the extreme right panorama (Fasanella and Grippo 2009).

On the other hand, the nature of the political ideology of extreme right groups matters for defining the way they relate to political violence. Numerous studies have underlined that the main traits of the ideology of Italian Fascism and the mythology of violence are basically inseparable (Lupo 2005), not only in terms of the fascist voluntarist spirit, which needed violence in order to justify the immediate transformation of beliefs in action, but also as a basis for the “militia” identity charged with regenerating the nation (Payne 1999; Albanese 2006; Gentile 1990, 2009).

Studies on social movements have underlined how the choices of forms of action are culturally constrained and strictly defined by the traditions that current activists inherit from their predecessors (Tilly 1986). Generation by generation, these repertoires crystallize within political cultures, often becoming embedded in activist subcultures (della Porta 2013). In the same fashion, discursive and nar-

rative characteristics may be transmitted over time, with the result that rhetoric choices are often structured by perceived discursive constraints. This is especially the case for the extreme right and for groups that hold positions (on issues such as violence, democracy, or modernity) that are stigmatized as illegitimate in the dominant culture.

How, then, is violence conceived within contemporary extreme right groups?<sup>1</sup> This paper focuses on the Italian group *CasaPound* (CP) and reconstructs the role of violence in its political ideology and practices of identity-building, differentiating between a discursive, aesthetic and identity-building dimension. Based on the triangulation of different research techniques, this approach allows differentiation of the external aspects related to the self-definition of the movement towards the outside world, and the internal aspects that help the movement construct and cement its shared identity.

### 1. Political Violence, Collective Identities, and the Extreme Right

In her review of the academic literature on political violence, della Porta (2008) identifies four main reasons explaining the episodic attention of the social sciences to this field of research. These include the great variety of theoretical approaches that characterize these studies, “with ‘breakdown’ theories mostly used for the analysis of right-wing radicalism, social movement theories sometimes adapted to research on left-wing radical groups, and area study specialists focusing on ethnic and religious forms” (221).

In social movement research, political violence has traditionally been discussed as one possible type of action within a broader repertoire of mobilization, one which the group selects according to conditions set by the interaction between challengers and elites (Tilly 1978, 2003). Violence is then one of the possible outcomes of a protest cycle, during which social movements may change their tactics in order to perpetuate their mobilization and relate to other political

1 Terminology choices are of particular importance here as there are numerous different definitions for the populist or radical right (Mudde 1996; Minkenberg 2000). We choose the term “extreme right”

to reference the anti-democratic features of neo-fascist organizations, in opposition to the anti-liberal democratic values of radical right groups. Although the terminological and conceptual debate

is still ongoing, extreme right groups are generally associated with values such as nationalism and exclusivism, xenophobia, welfare chauvinism, revisionism, and conservatism.

actors within the same arena. (McAdam 1983; McAdam et al. 2001). The choice of any particular type of action depends on the configuration of a set of political opportunity structures that defines the group's margin of manoeuvrability (Wieviorka 1988; Kriesi 1989; Melucci 1989).

Quantitative studies on political violence of the extreme right generally tend to underline its "pathological" and "irrational" character. Conceiving right-wing radicalism as anomic behaviour, violence is considered a product of macro-structural causes, such as economic crisis and the collapse of social ties, combined with individual-level factors, such as psychological problems and relative deprivation (Bjorgo and Witte 1993; Olzak and Shanahan 1996; see also: Caiani et al. 2012).

Otherwise, for more than thirty years research on the extreme right has focused almost exclusively on political parties and more or less institutionalized actors (Ignazi 1992, 1994; Betz 1994; Kitschelt 1997; Mudde 2000), investigating the role they play in the reshaping of existing political space and conflict (see also Meguid 2005, 2008; Kriesi et al. 2008). Neo-Fascist and extreme right political violence in the 1960s and 1970s has been addressed within the tradition of so-called terrorist studies, which generally conceive it as a response to the radicalization of left-wing movements (Weinberg 1979; Weinberg and Eubank 1987; see also Cento Bull 2007), whereas more recent research has focused on the political and discursive opportunity structures of extreme right violence (Koopmans and Olzak 2004).

In this context, however, very little attention has been devoted to phenomena pertaining to the *groupuscular* right, and to understanding the processes of radicalization within this family of actors (Caiani et al. 2012). Although a number of studies have tried to bridge different analytical fields in order to account for the increasing importance of violence within loosely institutionalized organizations on the extreme right (Griffin 2003; Virchow 2004; Bale 2007), research on social movements and political violence has to date focused almost exclusively on a very specific set of actors, pertaining mainly to the left-libertarian sphere and geographically restricted to the Western hemisphere (della Porta 2013).

On the one hand, social movement research has been constrained by the difficulties of fieldwork access and by the general lack of scholarly experience in terms of understanding the extreme right and its use, representation, and exploitation of political violence (della Porta 2008; Caiani and Borri 2012). On the other, the predominant approach, based on political opportunity explanations, has tended to overemphasize the instrumental logic of movement practices (della Porta and Diani 2009; Koopmans and Olzak 2004): normative concerns, framing choices, and identity construction have been almost systematically downplayed, being considered as mainly determined by contextual structures (della Porta 2013).

Contextual circumstances and macro-level factors are not, however, sufficient to fully account for when and whether similar political actors opt for violent forms of mobilization. This is why a growing body of work underlines the importance of group-specific cultural processes (della Porta 1996), investigating the development of political violence in terms of the frames movements use to define their grievances, and in terms of the ways in which they identify and distinguish friend and foe (della Porta and Diani 2006; della Porta 2008). Micro-level research on social movements has found that the endorsement of violence is not only related to militants' socio-demographic characteristics, but also to the way in which they construct and understand social reality (Gamson and Modigliani 1987; Goodwin et al. 2001), which is in line with political sociology analyses of the perception of political action by extreme right voters (Betz 1994; Mayer 2002; Mudde 2007).

Within this literature, the concept of framing has been used in order to define the multiple ways in which collective actors can give meaning to social facts and motivate political strategies. Given that the same external reality is often constructed and framed in different ways by different actors, similar sets of opportunities and contextual circumstances can be associated with a vast array of reactions and choices, so that the "particular subcultures to which movements refer contribute to the creation of distinctive repertoires" (della Porta 2013, 18). In other words, since their instrumental logic is strongly connoted by cognitive and normative mechanisms, small subcultural groups on the

radical right can respond to contextual constraints in very different ways.

As is suggested by the resource mobilization approach (Caiani et al. 2012), the incentives emerging from sets of opportunity structures are often filtered by collective self-perceptions, narratives, and constructions of external reality. Similarly, inherent norms, group rules, and traditions often guide and justify behaviours and forms of political action that would appear illogical or anomic if viewed merely as a product of the available opportunities. For extremist movements of the right, previous research (Bjorgo and Witte 1993; Bjorgo 1995) has shown that militants, supporters, and sympathizers are incentivized to violent action by the organization, which offers rationales for mobilization and synthesizes grievances in political and ideological discourses based on race, religion, and gender superiority. Similarly, justifications may be based on symbolized concepts such as homeland, blood and honour (O’Boyle 2002; Taggart 2000), or the process of cultural and economic globalization (Kriesi et al. 2008). In this sense, anthropological research has shown that violence fulfils both instrumental and expressive functions within groups (Riches 1986), since it not only affects the way in which the group interacts with its own social environment, but also contributes to the construction of group identity.

Authors increasingly recognize the importance of collective narratives, rituals, and symbolic repertoires in the development of protest events and violence, and within processes of exclusive identity building (della Porta 2013; Goodwin 2004). In this understanding, the symbolic, cultural, and emotional aspects of political violence are often more significant than its material and strategic consequences. Recent research has in fact rediscovered the role of emotions in the construction and structuring of collective identities (Aminzade and McAdam 2001; Goodwin et al. 2001; Eyerman 2002). To put it differently, the relevance of violent events within and outside a given group is principally a function of the framing process that has been activated, since it is the narrative of violence – more than violence per se – that enables the group to reconnect with its past and construct its legitimation.

Developing the literature outlined above, this paper addresses the role of violence in group formation and collective identity within a contemporary neo-Fascist group in Italy: CasaPound Italia. Based on the concept of “constructed violence” recently proposed by della Porta (2013, 19), we examine the cognitive and affective aspects of violence by which CasaPound constructs its identity vis-à-vis the surrounding environment. On the one hand, therefore, we overcome the traditional approach that sees political violence merely as a result of political and discursive opportunity structures. On the other, we avoid identifying violence with ideologies that justify it (Snow and Byrd 2007; Bosi 2006). This entails investigating the specific narratives, frames, and symbols that are used to legitimize violence, to construct collective emotions, and to cement group identity.

We follow an analytical strategy aimed at identifying a threefold function of violence within CasaPound’s identity, discourse, and practices. In the first place, violence should be understood in terms of a *discursive dimension*. In the light of the political and discursive opportunities available to the group at the present stage of its existence (Koopmans and Olzak 2004), it rejects political violence as a means to achieve policy success in its external rhetoric. Yet, given the specific ideological background of the movement, and its need to reconnect with its fascist past, violence cannot be fully erased from the movement’s political platform. The result is the development of a specific narrative in which violence is framed as a defensive tool used to respond to forms of repression, be they institutional or from opposing political groups. This way, the group is able to respond to external constraints while at the same time accommodating the needs of its members for creation of a common identity.

Secondly, violence emerges within an *aesthetic dimension*, by which CasaPound romanticizes and reproduces the myth and symbolic violence of Fascist Italy. Under this perspective, the fascination with violence emerges from the semiotic and linguistic choices of the movement and from its aesthetic strategies in terms of music, literature, and art. Lastly, violence plays a fundamental role in CasaPound within an *identity-building dimension*, where the militant’s

body is mythologized in a martial understanding of the self. The identity-building of CasaPound, in our opinion, can also be understood in terms of a shared experience of violence: the sense of comradeship may spring from the collective practice of suffering and heroism, of pain and glory, but also from non-violent activities (drinking beers, hiking, diving etc.). In the following we therefore look separately at the discursive, aesthetic, and identity-building aspects of violence within CasaPound, investigating the construction and use of violence within the group and vis-à-vis its surrounding environment.

## 2. Methods and Sources

As far as groups like CasaPound are concerned, first-hand sources tend to be scarce and fieldwork access difficult (Caldiron 2009; Bartlett et al. 2012), which is why most literature in this field relies on secondary data (Bosi and Della Porta 2012). Our analysis of the role of violence in CasaPound is empirically grounded. We based our research on a triangulation of methodological perspectives, combining different data collection and analysis methods (Campbell and Fiskie 1959; della Porta and Keating 2008), including in-depth interviewing and ethnographic participant observation. Additional sources (written, photographic, and audio-visual), helped us to contextualize this information.

Fieldwork access to the organization was based on a relationship with one member of the group, who arranged the possibility to formally contact the national secretary of CasaPound. Given the hierarchical structure of the organization, it was the explicit consent of the national leaders that enabled us to access local headquarters and to enter into contact with militants. Interaction with members of CasaPound was therefore generally mediated by the consent of other members of the group. In each local office, we were allowed to interview at least one local cadre (previously contacted by the national headquarters), who also participated to the in-depth life-history interviews with the rest of the local leadership. Mostly, however, we were also able to hold informal conversations with other militants. Our position as researchers was always made explicit prior to interaction with CasaPound members (who knew about our study and were promised anonymity), and we

were never asked whether we felt politically close to the movement, nor we were asked to define ourselves ideologically.

The bulk of the present research is hence derived from nineteen in-depth interviews held in CasaPound offices in Florence, Turin, Verona, Rome, and Naples between February and November 2012 (all but one face-to-face and recorded). The interviews reconstruct the life-histories of the militants and analyse their political discourse and understanding of activism, providing a hermeneutical interpretation of the framing of violence in CasaPound. In other words, not only do the interviews elicit an in-depth understanding of the meaning of violence in the group's ideology, but they also highlight its significance in CasaPound's practices and culture. Biographical information allows us to trace the militants' perceptions of the outside world, the patterns of their political socialization, and the processes by which collective identities are produced and sustained.

It is important to underline, however, that the interviews were designed mainly to investigate the socioeconomic and transnational dimensions of the movement's ideology (as part of a broader project on militancy in the extreme right) and its practices of militancy, whereas the specific interest in its relationship with violence emerged after the fieldwork had already started. Problems of "resistance" (Becker and Geer 1969) and the necessity to go beyond the group's external discourse on violence led us to augment the interviews with ethnographic participant observation.

Taking part in conferences, celebrations, concerts, and demonstrations between February and November 2012, and observing the group's daily activities, enabled us to see aspects of its relationship with violence that would not be reported in an interview. On the one hand, participant observation allowed us to analyse how collective emotions are built in the movement, and how they are expressed in the codes of its subcultures (Brown and Dobrin 2004); on the other, by relaxing the cordons of internal control and discipline, it enabled us to interact with militants away from the leaders' supervision, and to interact with

members who were much less concerned to comply with the organization's public line.

In this sense, our ethnographic approach departs from the classical positivist methodology based on the falsification of a previously formulated hypothesis; on the contrary, it is based upon a procedure encompassing both inductive reasoning based on fieldwork experience, and theory-led deductive interpretations (Bosi and della Porta 2012). In this methodology participation, observation, and hermeneutical and semiotic interpretation are the constitutive elements of a single iterative process (O'Reilly 2005).

In order to investigate how CasaPound's collective identity is constructed, the interpretation of its internal and external discourse on violence was also based on the vast amount of written, visual, and audio material that we were able to collect through the fieldwork and observation at public events organized by the group. This material was then integrated with the main texts used by CasaPound as "ideological pillars", as well as with song lyrics (which often express identity, especially in subcultural extreme right milieus) (Backes and Mudde 2000; Eyerman 2002; Kahn-Harris 2007).

In order to provide additional context, we examined how CasaPound is portrayed in the media by analysing the description of its protest events in the quality newspaper *La Repubblica* (2004–2012, N=308), and conducting a content analysis of the press releases in CasaPound's web archive (2009–2012, N=1,233). Press releases supply a good approximation of CasaPound's external discourse, as they are largely composed of information and propaganda material for media consumption. We coded each item to identify press releases dealing with violent events. Within the violent category, we further differentiated between violent actions explicitly vindicated by CasaPound and those where group defined itself as a victim of violence.

In conclusion, it is our opinion that methodological pluralism is the best strategy for understanding political violence in the extreme right milieu. Rather than focusing on single aspects of the use of violence, this design enabled us to simultaneously tackle the different dimensions of the relationship with violence, hence gaining a transversal view on the ideological discourse, aesthetics, and identity-building practices of the group. At the first level we identified the external discourse of CasaPound, as emerging from its propaganda material, public campaigns, and official discourse; at the intermediate level, there is the discourse addressed to both external and internal audiences, which emerges from the in-depth interviews and from interpretation of the aesthetic repertoire of the group; finally, there is the dimension of internal consumption, the system of values and symbols exclusively addressed to movement militants, which we could only access by means of participant observation.

### 3. CasaPound Italia and "Fascism of the Third Millennium"

CasaPound defines itself as a "fascist movement" whose identity is rooted in the Italian fascist tradition rather than in the traditional "left" and "right" categories (Scianca 2011). At the rhetorical level the group thus asserts difference from traditional parties and their formal ways of political engagement, privileging the organization, repertoire, and practices of social movements (Rao 2006, 2010).<sup>2</sup>

CasaPound claims its origins in Italian Fascism and, in line with a tradition developed in the Nouvelle Droite of the 1970s (overview: Tarchi 2003), builds its political message on the framework of "metapolitics" – a Gramscian approach to politics, in which cultural change precedes political change (Toscano and Di Nunzio 2011).<sup>3</sup> Otherwise, most CasaPound activities are explicitly inspired by Italian Fascist ideology, and most notably by its "social doctrine". In this respect, CasaPound gives special attention to the Labour Charter of 1927 and to the later Manifesto di Verona (1943), but strategically downplays the

2 In 2013, CasaPound stood with its own list in the parliamentary elections, the regional elections in Lazio, and the municipal elections in Rome, but obtained disappointing electoral results (only 0.14 percent in the House and Senate, less than 1 percent

in the municipal and regional elections). Still, the decision to run marks an important change in its strategy, especially with respect to its self-definition as a "social movement."

3 For more detail, see "Intervista a Marco Tarchi sulla metapolitica" <http://www.ilribelle.com>.

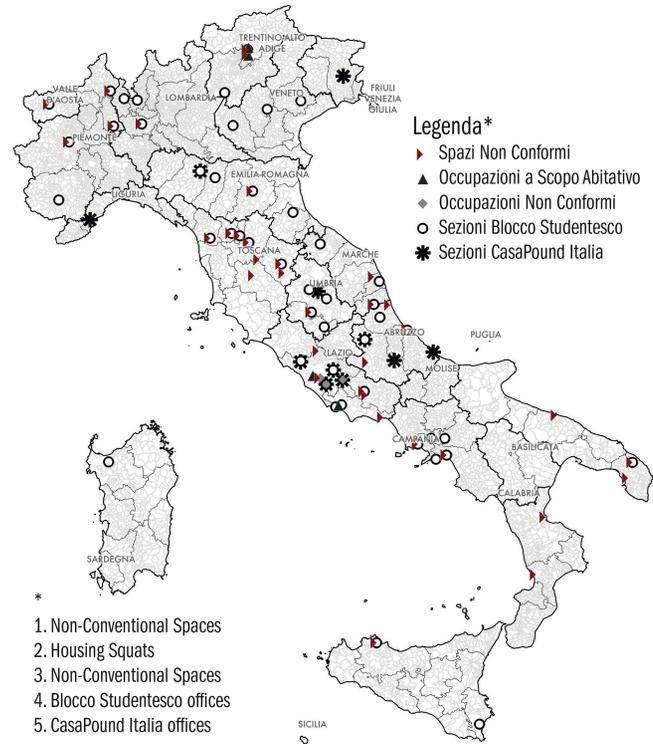
most stigmatized aspects, such as anti-Semitism and racism (Castelli Gattinara et al. 2013).

The origins of CasaPound lie in the 2003 squatting of a building in the centre of Rome by a group of young neo-fascists who did not feel unrepresented by the established right-wing parties. In 2008, the group changed its official status to “social organization” CasaPound Italia, an explicit reference to the housing problem and rising rents in Rome (casa is the Italian for “house”). The reference to Ezra Pound stems from the American poet’s theory of rent as “usury” (Pound 1985),<sup>4</sup> and in general to his support of the Italian Social Republic (1943–45).

CasaPound’s real genesis, however, has to do with the subcultural activities of the disenfranchised extreme right youth in Rome, and in particular with Gianluca Iannone, the future leader of the movement. In 1997, Iannone founded the rock band ZetaZeroAlfa, which gave voice to concerns that had been disregarded by institutional parties of the radical right: housing, globalization, and the need to revolt against the establishment (Tarchi 2010).<sup>5</sup>

Today, CasaPound is present in virtually all Italian regions, and can count on about five thousand militants and a distinct youth wing, Blocco Studentesco (see Figure 1). It owns fifteen bookshops, twenty pubs, a web radio station (Black Flag Radio) and a web TV channel (TortugaTV). CasaPound also produces publications such as the monthly journal *L’Occidentale* and the quarterly *Fare Quadrato*. Over the years, the group has initiated a series of demonstrative actions, including the occupation of a state-owned building on the periphery of Rome in 2002 (CasaMontag), and the setting up of various “non-conventional” squats.

Figure 1: CasaPound offices in Italy



Sources: Our data from CasaPound Italia and Blocco Studentesco; <http://www.casapounditalia.org>; <http://www.bloccostudentesco.org>.

This strategy has granted CasaPound a significant degree of media attention. News agencies seem to be interested in the phenomenon of “acquisition” of left-wing issues and repertoires of action by extreme right organizations: CasaPound’s squats, concerts, and “showpiece” protest events, as well as the attention it gives to issues such as homosexual rights and the environment (Castelli Gattinara et al. 2013). In addition, the media often report on CasaPound associating its political activities with moderate or severe forms of violence, as is exemplified by attacks on the house

4 References to the housing problem are found in Cantos 78, 100, and 108 (Pound 1985).

5 The critique was addressed primarily to the Movimento Sociale – Fiamma Tricolore, the main radical right party that emerged after the transformation of Italy’s post-fascist party (Movimento

Sociale Italiano) into a national-conservative alliance (Alleanza Nazionale). More broadly, CasaPound must be understood in the framework of a much older project of the youth of the Movimento Sociale Italiano, which aimed at promoting Fascism as a cultural struggle. In 2008, Iannone’s group offi-

cially quit the Fiamma Tricolore, after persistent tensions and the refusal by the national leadership to organize a party congress (Tarchi 2010).

of the TV show *Big Brother*, and the symbolic occupation of the EU headquarters in Rome.

In order to provide further contextual information on how the different forms of action used by CasaPound are perceived from outside the right-wing network, we applied the methodology and analytical scheme applied to similar cases by Caiani et al. (2012), who differentiate categories of action on the basis of increasing levels of radicalization (see Table 1).

**Table 1: Classification of protest actions on the basis of the level of radicalization**

Type of action	Examples
<i>Conventional actions</i>	Lobbying, electoral campaigns, press conferences, etc.
<i>Demonstrative actions</i>	Large mobilization, demonstrations, petitions, rallies
<i>Expressive actions</i>	Addressing members and sympathizers
<i>Confrontational actions</i>	Illegal demonstrations, blockades, occupations, disturbances
<i>Violent actions</i>	Involving symbolic (light) and physical (heavy) violence

Source: Caiani, della Porta, and Wagemann (2012)

Reports on CasaPound in the newspaper *La Repubblica* between 2004 and 2012 show that about 15 percent of reported CasaPound actions were confrontational (squatting abandoned buildings, blockades, illegal demonstrations), while an additional 35 percent of events involved some form of violence. “Light forms of violence” (Caiani, della Porta, and Wagemann 2012) are symbolic acts, such as threats, graffiti, and damage to buildings of political opponents, whereas heavy violence means collective violence against political opponents, clashes during street demonstrations and marches, and individual acts of violence in non-political contexts. Our data show that viol-

ent actions by CasaPound targeted its political adversaries, especially those involved in counter-movements. Light forms of violence were advocated by the movement in order to radicalize the political campaigns to which they attach particular importance.<sup>6</sup>

**Table 2: Forms of CasaPound mobilization reported in the media (2004–2012)**

Forms of action	%
Conventional	15.3
Demonstrative	23.1
Expressive events	11.7
Confrontational	14.7
Light violence	15.3
Heavy violence	19.9
<i>Total</i>	100
<i>N</i>	307

Source: Own analysis of archive data from La Repubblica.

#### 4. The Discursive Dimension: CasaPound’s Official Framing of Political Violence

CasaPound’s most explicit position with respect to violence can be found on its official website, in the “frequently asked questions” section: “Is CasaPound a violent movement?”:

CasaPound Italia does politics, not hooliganism. CasaPound is not interested in showing its muscles. CasaPound calls for quiet force. At the same time, however, CasaPound does not allow others to challenge its legitimate right to exist and take action. We are open to dialogue, but we don’t reject confrontation when this is imposed on us and when our political and physical survival is at stake.<sup>7</sup>

So violence is not officially endorsed, yet neither is it fully rejected, as it remains an important corollary to political activism and opposition. CasaPound members are very careful when it comes to the issue of violence: all the interviewees were well prepared, and very cautious in their words.

<sup>6</sup> Although there are limits to their scope (Caiani, della Porta, and Wagemann 2012), newspaper analyses represent an effective instrument for analysing protest. We chose the centre-left *La Repubblica*

because of the space it dedicates to local news in the Rome region, where CasaPound is most active. In order to address potential ideological biases, we controlled using reports in the centre-right newspaper *Il*

*Corriere della Sera* for 2011. The results showed no relevant cross-newspaper differences.

<sup>7</sup> Our translation from <http://www.casapounditalia.org/p/le-faq-di-cpi.html>.

The legacy of the strategy of tension of the 1960s and 1970s, and the subsequent state repression, is likely to play a role here. This was confirmed by our interviewees, who were very explicit in differentiating themselves from old fashioned “thugs” (*picchiatori*) (Interviews 2b and 2c, 27 April 2012). CasaPound seems to be fully aware of the dangers of mishandling its public image with respect to violence, as the fragile legitimacy that the movement enjoys is also based on its capability of providing an image that corresponds to CasaPound’s self-definition as a “social association”. In this sense, everyone in CasaPound is expected to have an in-depth understanding of the movement’s position on violence (Toscano and Di Nunzio 2011), which represents an important element for its collective activities as well as a fundamental factor structuring its external credibility (82).

CasaPound’s collective position on violence, therefore, has to come to terms with two opposing forces: on the one hand, the necessity of protecting the movement’s external credibility, which would require a full and uncontroversial rejection of violence; and on the other the ideas and rhetoric of Italian Fascism, which build upon a number of inherently violent elements, such as the cult of bravery and squadristo. It is hence impossible for the movement to completely disregard violence. Italian Fascism justified the use of all forms of violence against its opponents on the basis of the alleged superiority of its political ethics (G. Gentile 1934).

The result is that CasaPound reframes the issue of violence in the way most convenient to the movement itself, by flipping the discussion from “CasaPound as a vector of political violence” to “CasaPound as a victim of political violence”. Apart from the abovementioned sentences rejecting “hooliganism” and the show of “muscles”, no reference is ever made to CasaPound as a conveyer of violence; attention is instead shifted to forms of resistance against external forces. In our interviews, CasaPound cadres often underlined how physical training is fundamental for CasaPound militants, as they should always be

ready and “physically trained for any threat” (Interview 3a, 1 June 2012).

CasaPound hence exploits its position as a semi-legitimized political actor: the use of violence is justified as a tool to safeguard the group’s right to expression, against (legal or confrontational) coercion and repression from the outside world. In this sense, violence represents the noblest form of resistance against a hostile, repressive external world, and becomes a means not only of survival but also of self-determination:

The ethical code of CasaPound provides that sometimes we actually have to fight. To defend our political freedom from those that want to deny it, and in order to challenge intolerance and arrogance, to save our lives, or to defend a comrade. Yes, we fight. It’s not nice, it is not polite. But it is more vital, transparent, and clear than any public display of moralism pretending to dehumanize others in the name of a “struggle against barbarianism”.

(translated from Scianca 2011, 362)

In other words, CasaPound constructs a discourse where violence is justified if it holds a special meaning, beyond individual self-realization in terms of honour, courage, and strength. It is conceived, at the collective level, in terms of *necessity*: it represents the way in which the movement opposes repression and protects its “vital space” (Interviews 2b and 2c, 27 April 2012).<sup>8</sup> This discourse reveals shades of complex relations between means and ends of violence, a deliberate confusion which could also be found in the understanding of violence of early Italian Fascism: having to cope with the political opportunities and constraints of its time, early Fascism defined violence in the same terms, whereas late Fascism openly endorsed it as a tool to keep the nation alive (G. Gentile 1934).

In order to assess the role of violence in CasaPound public discourse, we examined how it is addressed in the group’s press releases. We found that violence is largely downplayed in CasaPound’s external discourse: only 16 percent of the statements released by the organization between 2009 and 2012 concerned violent events. In these, more

8 The expression “vital space” was an expansionist concept of Italian Fascism (Rodogno 2006).

than 60 percent of the items concerned denunciations of acts of violence towards CasaPound members and offices, whereas less than 30 percent claimed responsibility for protests which involved violence.

Here again, in the public domain CasaPound shifts the attention away from its own use of political violence, focusing instead on repression it suffers. This strategy allows the group to avoid the stigmatization often suffered by extreme right organizations and enables it to justify the use of violence in terms of necessity, survival, and defence of its right to express its political opinions.

### 5. The Aesthetic Dimension: Romanticizing Violence

As already mentioned, our investigation of CasaPound's violence differentiates between an external analytical level, where violence is framed as a reaction to oppression, and an internal one, where violence represents a tool to strengthen solidarity and comradeship. The present section deals with the intermediate analytical level of the aesthetic dimension of violence in CasaPound.

The aesthetic dimension reconnects CasaPound to the conceptualization of violence synthesized in Mussolini's cult of the Lictor (Gentile 2009).<sup>9</sup> This idea was introduced by Walter Benjamin, who underlined the major role played by the regime's romantic view of violence (Koeplik 1999), providing an idea of power as a transformative, vital force accompanying the anthropological revolution of the "new man" towards a new secular religion of the State (Gentile 1990).

Similarly, figurative choices and image selection are of primary importance to understand how violence is reproduced and transmitted. CasaPound's initiatives are almost always accompanied by showcase visual campaigns, mainly aimed at increasing the visibility of its political action. This

is why the group has been very active in producing shocking visual material for propaganda. As noted by Toscano and Di Nunzio (2011, 109) the political traits of the CasaPound communication strategy are always accompanied by elements derived from pop culture. While similar attention to communication is not a novelty for social movements in general (Downing 2000; Pickard 2000; Koopmans 2004), it is rather innovative among extreme right groups.

Although this imagery is often ironic and provocative, a large share of the movement's propaganda is built on the strategic use of violence as a means to attract attention. Here the symbolic apparatus is based on the ideas of "death", "destruction" and "pain", visually represented with the colour of blood and demise. The "Social Mortgage" campaign,<sup>10</sup> for example, uses hanged mannequins to symbolise the struggle of people who are unable to pay their rent.<sup>11</sup> The "Stop Equitalia" campaign is based on images of the suicides of taxpayers: a man cutting his veins, a man shooting himself in front of a window, a man taking an overdose of pills.<sup>12</sup>

Images traditionally associated with Italian Fascism, such as warriors, soldiers, etc., are also part of CasaPound's visual communication (Mosse 1996). This is the case with the symbol of Artists for CasaPound (which portrays a man holding a brush as if it was a musket), and in the photographic poses of CasaPound militants, which are intended to symbolize bravery and heroism in war and in the political struggle. These symbols are, however, far less visible than were in pre-war Fascist propaganda. Instead, the movement makes recurrent use of other typical features of Fascist iconography, such as fists and masculine limbs, statue-like bodies, weapons, and references to classic antiquity (Mosse 1996).

Music is another fundamental element for understanding CasaPound's semiotic of violence, constituting a collective

9 CasaPound wants to revive the activities of the Squadre d'Azione Fasciste (in line with the idea of the "holy militia" described by Gentile 2009): "I believe that it is to CasaPound's credit that the phenomenon of *squadrisimo* has been rediscovered even if, clearly, it can't be reproduced exactly in the same forms" (Interview 2b, 27 April 2012).

10 CasaPound argues for a form of housing policy (social mortgage) that would guarantee the right to own a property.

11 <http://www.mutuosociale.org>.

12 "Ferma Equitalia, Firma la legge!" URL: <http://www.fermaequitalia.org/propaganda.htm>, (07/12/12).

structure of feelings and a tool for the diffusion of ideas and messages (Eyerman and Jamison 1991). Although extreme right musical culture has generally been associated with the skinhead scene, similar tendencies have recently permeated other subcultures (O’Connell and Castelo-Branco 2010). Similarly, CasaPound’s identitarian rock aims at conveying a sense of malaise towards the contemporary society and at promoting alternative cultural models based on Fascist values, voluntarism, irrationalism, and violence.

In the music of CasaPound’s band, ZetaZeroAlfa, violence is associated with a set of different meanings. First of all, it represents a revolutionary tool to fight the habits of consumerism and cultural homologation, and to oppose the rulers of the country and the economic system:

All faces of a monstrous project, all children of a perfect world.  
Under the guise of your altruism, millions of victims of neoliberalism.  
Reject homologation! Boycott hypocrisy! Fight the multinationals of the New World Order!

“Boicotta”, by ZetaZeroAlfa (translation)

Violence is also referenced in the context of self-determination of oppressed minorities (in particular in Latin America and South-east Asia),<sup>13</sup> as a tool for self-defence,<sup>14</sup> and as self-identification, either in terms of CasaPound’s codified practices of belonging,<sup>15</sup> or simply because not everybody is worthy to join CasaPound:

“We are the ones who beat you up on a Saturday night because you too often forget your manners. We are the kindest people in some ways, but not in others!”

“Kryptonite”, by ZetaZeroAlfa (translated)

The widespread use of a violent vocabulary is not, however, restricted to the language of music. The majority of our interviewees made extensive use of what we define as the linguistic code of the battlefield, employing a vast range of expressions, words, and concepts which reconnect to the

idea of war and armed combat. This has to be understood as an explicit reference to Italian Fascism, which was strongly characterized by a martial rhetoric and by the glorification of violence (Blinkhorn 2000, 69). In Mussolini’s system of values, violence represented the most just and moral, as well as the most practical way to defend one’s ideas (cleansing violence). Its symbols were the regenerating blood of the martyrs and the cult of the dead (Gentile 2009).

In a similar way, CasaPound’s militants glorify their political activism in terms of battlefield values and concepts. Our interviewees described militancy as the desire to “live like a warrior who has to assault the enemy lines” (Interview 3a, 1 June 2012), the national headquarters in Rome as a “trench that is guarded twenty-four hours a day” (Interview 2c, 27 April 2012), and the leader of the movement as a “soldier, brother, and friend” (Interview 3c, 1 June 2012). Similarly, the CasaPound pursues its political goals by being the “sword and shield” of Italy, which “fights the battle” for the social mortgage etc.

Traces of a similar understanding of violence can also be found in CasaPound’s rhetoric and narrative of “not one step back”, which refers to a vaguely defined “street code” where violence and fights are regulated by experience, honour, and courage in a collective experience of virility. On the one hand, this motto reiterates the idea of violence as a necessity for the defence of the *vital space* (Toscano and Di Nunzio 2011). On the other, however, this rhetoric paves the way to celebrations of audacious acts and brave struggles, to exhibitions of force, masculinity and bravery, and to glorifications of the group’s unity and comradeship.

In this sense, CasaPound’s “official” novel (Di Tullio 2010) fully reflects the tension between an explosive urge for violence on the part of the individual militants and the need to

13 “You can’t buy the pride, this land is ours. Drums in the jungle when the sun is red and white. Freedom is a must, and it is the daughter of our blood. The Scolopendra warriors. Karen, freedom fighters!” “Guerrieri della Scolopendra” by ZetaZeroAlfa.

14 “Don’t be doubtful! If you have doubts, just beat them and you’ll live longer” “Nel dubbio mena” by ZetaZeroAlfa.

15 “One: I take off my belt. Two: the dance starts. Three: I take aim. Four: Massacrebelt! “Cinghiamattanza” by ZetaZeroAlfa.

constrain and regulate it which applies to the collective entity. CasaPound militants aim at reproducing the epic warrior's behaviour whenever they are involved in struggles with their opponents, because the "fascists were sick and tired of hiding; and so were all the militants of their generation" (71, translated). The act of bravery is considered as an act of beauty, reconnecting the movement with "what it really is" and what it "has always been" (35–36).

Similarly, activists often talk about the "battles" they took part in, be they against the state or against leftist groups, with reference to the stories of the "martyrs" of the 1960s and 1970s. Although the framework is always self-defensive, the narrative is one that mythologizes heroic action that leads to injuries or to the arrest of activists protecting their comrades or defending the group's existence and political activities. This applies to clashes with left-wing activists (2012), to the riots against the police in the student demonstrations (2008 and 2012), and to all the fights of a militant's political education:

There are seven of them [opponents]. There might be even more, but the numbers are not a problem. It's the first rule you are taught: some things must be done, always. [...] It doesn't matter if they are thousands, because the first rule that you learn is this, and this rule governs your life, it makes your bones into steel, shuts out any pain and fear. Some things must be done, even if it is not convenient. [...] And anyway, how could they [the opponents] dare to confront those who attack screaming the names of the ancient gods, awakening the very essence of earth, letting themselves explode and laugh?

*Nessun Dolore* (translated from Di Tullio 2010, 13)

On the one hand, the legendary stories of fights and battles have an educational function, as they represent "lessons of kicks, fists, and life" (Di Tullio 2010, 137, translated) by which militants are taught the values of heroism and irrational bravery. On the other, the warriors' code is used to denigrate opponents and to describe them as weak and disorganized. Unlike CasaPound's heroes, political opponents are not compelled to be "an example for the others, as they don't compete about who is the bravest" (36). In other words, grappling with the enemy is necessary for the group to define itself, to understand its own nature and limits vis-à-vis its opponents.

## 6. Violence as a Practice of Identity-building

The previous sections have repeatedly hinted at the importance of the sense of community among the members of CasaPound: the use of the grammatical pronoun "we" always precedes the use of the individual "I" – if not substituting it altogether (Caiani, della Porta, and Wagemann 2012). In addition, our fieldwork confirmed that identity-building in CasaPound is mediated by the recognition of a collective belonging (Melucci 1989), and that the organization itself is perceived by its members as a community in which individuals come together to achieve common goals and share common practices.

Previous studies have underlined that common practices are of special importance in building and strengthening the collective sense of belonging to a community, since they work as aggregators between individuals within the group, and because they substantiate the tendency towards full-time activism of extreme right groups (Wenger 1998). In CasaPound, similar practices can be identified in collective experiences at concerts and leisure time activities in the official pubs and concert halls of the group.

Our ethnographic research revealed that violent practices stand out as important in binding militants to one another. We refer here to practices of physical violence, which are used to build feelings of comradeship and respect among members of the group. In particular, the organization tries to reproduce the cult of the (virile) body that played an important role in the ideology of Italian Fascism (Mangan 1999, 2000; McDonald 2007). The *medium* through which networks of solidarity are built within the community is the (male) *body*, through practices of physical contact where the body of the militant is symbolically blended with the collective body of the community.

These practices are either codified and ritualized, or spontaneous and deliberately unrestrained. Yet, they share a *vitalistic* understanding of physical pain that is not, however, nihilist or self-destructive. Rather, it represents a collective, vital, reaction against a dominant cultural model that has reduced the human body to a commodity:

the idea of going home with a bruise made with a belt ... the idea of getting into the crowd even at the price of physical injury. Or, the audacity to take repossession of your own body ... in this sense, the pain. Today in this society there is a fear of physical pain that may annihilate you, in the sense that even if you are the victim of an injustice, this injustice will never be challenged.

(Interview 2c, 27 April 2012)

The most widespread of these practices is collective training in combat sports. Virtually all the male cadres and militants interviewed during the fieldwork were trained in combat sports, either as athletes or as teachers. Moreover, all the fifteen male militants interviewed during the 2012 CasaPound enrolment event in northern Italy reported practising a combat sport. Importantly, gyms are often described as recruitment hubs where sympathizers first encounter CasaPound. In this sense, common participation in combat sports is a fundamental moment where the militant joins (in spirit and body) the collective entity. As a matter of fact, all national political meetings of CasaPound are generally accompanied by sessions of collective training in combat sports. CasaPound also built an organization (the Circle of Fighters for CasaPound) providing sympathizers and militants with equipment, space, and expertise for training in different combat-related disciplines.

Another experience of physical contact is pogo dancing, which in the ZetaZeroAlfa concerts takes the form of team pogo. Traditional pogo was an individual dance of the punk scene, in which participants did not necessarily collide with one another. In CasaPound, pogo more resembles version developed in hard-core punk and heavy metal milieus, where it is known as moshing or slam dancing. While there are no fixed rules (this type of pogo can be danced individually or in groups), participants generally push or slam into each other. CasaPound members dance the pogo by splitting into two groups, which collide and fight right under the stage. Similar dancing practices may be interpreted as expressions of enjoyment, but also as “rules of rebellion” where violence and aggressiveness become a constitutive part of the game (Hebdige 1979; Tsitsos 1999).

Finally, the most widely known practice of physical violence in CasaPound is the *cinghiamattanza* (literally: mass-acre belt), where a large group of bare-chested men deliberately hit each other with buckle-less belts on all parts of the body except the head, while ZetaZeroAlfa plays the homonymous song. Our interviewees variously described *cinghiamattanza* as a dance, a martial art, or a non-conventional sport of vitalism and irrationalism: an experience enabling repossession of one’s own body.

CasaPound leaders seem to be aware that this practice has been strongly stigmatized in public opinion, which explains why they are extremely careful in describing it. One local leader claimed that today *cinghiamattanza* is no longer important for the movement (Interview 2b, 27 April 12). This defensive attitude is also clear in the FAQ on the CasaPound website, where they attack “the moralists, bigots, and talk-show sociologists” who allegedly misinterpret the meaning of this practice.<sup>16</sup>

We were not granted access to *cinghiamattanza* events, so we cannot judge whether the practice represents a rite of initiation for militants.<sup>17</sup> Still, the fact that it is built upon a strongly codified form of physical confrontation involving exclusively male militants suggests the centrality of this practice in the identity-building project of CasaPound. Moreover, its explosive violence and collective nature are in line with CasaPound’s broader idea of the relationship between the militant, his body, and the group. This impression is additionally corroborated by the mythological tone of the narratives of *cinghiamattanza*: those who practice it are a “warrior caste”; they are “brothers [...] blessed in bruises tomorrow”, who feel “more alive than ever” and find “their place in the world” (Di Tullio 2010, 96–97, translated).

## 7. Conclusion

Although social movement literature devotes substantial attention to the role of violence for group formation and collective identity in protest cycles, very little research has

16 [http://www.casapounditalia.org/index.php?option=com\\_content&view=category&id=40&Itemid=66](http://www.casapounditalia.org/index.php?option=com_content&view=category&id=40&Itemid=66).

17 During a concert, the lead singer of ZetaZeroAlfa explicitly refused to sing “Cinghiamattanza”, by giving back the belt that was thrown at him by a member of the audience.

dealt with the meaning of violence within extreme right organizations, mainly because of their traditionally limited mobilization capacity, and because of technical difficulties in accessing such groups for ethnographical study. This paper seeks to fill this gap by testing the validity of previously formulated understandings of political violence in the field of social movements, triangulating research methods, and investigating the framing of violence by CasaPound, an extreme right organization that openly draws upon the tradition of Italian Fascism and neo-Fascism.

In order to understand the meaning of violence within an extreme right organization, we rejected the mainstream approaches which focus either on the opportunity structures available to a given group at a given point in time, or on ideology (considered as a proxy of its understanding of violence). The first approach would have only shown that CasaPound's discourse is adequate for the available discursive opportunities (as we illustrated with respect to the external communication of the group), whereas the latter would have simply identified violence with the ideological background of the group.

We therefore decided to follow a different path, focusing on the frames, narratives, and symbols of violence to investigate the different ways in which the group gives meaning to violence and, conversely, in which violence gives meaning to the group. This approach enables us to highlight the tension between the external discourse of CasaPound (the one by which the group interacts with the outside world) and the internal one (by which it makes sense of the external world). Differentiation of the discursive, aesthetic, and identity-building dimensions of political violence helped us explore its meaning and role in CasaPound's discourse and practices.

Although the data presented in this study cannot provide a systematic model of how and when activists decide to undertake violent forms of mobilization, it can help understanding the multi-dimensionality of political violence. To begin with, there is evidence suggesting that the strategic dissociation from violence is restricted only to the first dimension, the discursive, which is more exposed to the

outside world. The in-depth interviews and content analysis of press releases confirmed that CasaPound's official discourse emphasizes the violence CasaPound is subject to, justifying the use of violent means exclusively in terms of autonomy, self-determination and self-defence.

However, analysis of the images mobilized by CasaPound, and interpretation of the language used in its narratives and song lyrics, shows that violence represents a fundamental tool to strengthen solidarity and camaraderie. In particular, aesthetic and symbolic choices seem to be oriented towards the reconstruction of an emotional link with the Fascist past. By differentiating its internal and external framing strategies, CasaPound is able to accommodate legitimacy constraints while at the same time preserving most parts of the fascist cult of violence.

In a similar fashion, our ethnographic study suggested that violent practices play a central role for group formation within CasaPound, because they substantiate the ideological tendency of the group towards action. Among the practices advanced to bond the members of the group with one another, those based on violence are by far the most important: they constitute experiences of collective socialization and identity-building through which activists rediscover their body and encounter the collective body of the movement. In other words, it appears that various forms of violent practices are used by CasaPound as aggregators between militants, and to strengthen the sense of collective belonging in the community.

In sum, looking at political violence through multi-dimensional lenses helps us to understand a fundamental aspect of the relationship between the extreme right and violence. The multiple dimensions of political violence crystallize a double tension: on the one hand, between what the group perceives as legitimate to say in public (or not); on the other, between the group's willingness to differentiate from other radical right actors and its need to reconnect present activities with the collective past.

Unlike the public image of extreme right organizations, CasaPound does not conceive violence as a legitimate political instrument per se, but rather as a self-defence tool

necessary to cope with the threat of an oppressive environment. At the same time, the narratives, aesthetic codes, and collective experiences of the group reconnect with the idea of militancy and comradeship of Italian Fascism, by giving militants the role of defendants of the group's own existence, autonomy, and vital space.

Similar pressures are experienced by many radical groups, especially when they are active in particularly restrictive settings (such as Germany in the case of the extreme right). In this sense, even if the present research is limited to the case of CasaPound, it proposes an analytic scheme that can be extended to other studies on political violence in European contexts. In order to understand how violence is understood by the extreme right, it must be tackled across its multiple dimensions, interrogating not only the official

narratives and public images, but also the various aesthetic, symbolic, and identity-building elements through which militants build their collective belonging.

Comparative studies based on larger samples could investigate whether the same logic applies in different settings and under different circumstances. In terms of their relationship with violence, in fact, most extreme right actors have to confront the contradiction between a public discourse that has to cope with external constraints and an internal discourse that aims at nourishing inherited traditions and identities in ways that are not too distant from the example discussed in this paper. In this sense, the present work represents only a first investigation of the still unexplored world of political violence in extreme right organizations.

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# Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors

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## Vol. 8 (1) 2014

### Focus Section: Violence, Justice, and the Work of Memory

#### Editorial (p. 3)

**Introduction: Violence, Justice and the Work of Memory** Klaus Neumann / Dan Anderson (pp. 4 -15)

**Personhood, Violence, and the Moral Work of Memory in Contemporary Rwanda** Laura Eramian (pp. 16 - 29)

**“The Country that Doesn’t Want to Heal Itself”: The Burden of History, Affect and Women’s Memories in Post-Dictatorial Argentina** Jill Stockwell (pp. 30 - 44)

**Rewriting the World: Gendered Violence, the Political Imagination and Memoirs from the “Years of Lead” in Morocco** Laura Menin (pp. 45 - 60)

**From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights** Maria Campisi (pp. 61 - 74)

**Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case** Francesca Lessa (pp. 75 - 90)

**“What Will You Do with Our Stories?” Truth and Reconciliation in the Solomon Islands** Louise Vella (pp. 91 - 103)

**Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal** Simon Robins (pp.104 - 118)

### Open Section

**Postwar Violence in Guatemala – A Mirror of the Relationship between Youth and Adult Society** Sabine Kurtenbach (pp. 119 - 133)

**Youth Involvement in Politically Motivated Violence: Why Do Social Integration, Perceived Legitimacy, and Perceived Discrimination Matter?** Lieven Pauwels / Maarten De Waele (pp. 134 - 153)

**Discourse and Practice of Violence in the Italian Extreme Right: Frames, Symbols, and Identity-Building in CasaPound Italia** Pietro Castelli Gattinara / Caterina Froio (pp. 154 - 170)

► **Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors**  
Selina Helmke / Pia-Renée Kobusch / Jonas H. Rees / Thierry Meyer / Gerd Bohner (pp. 171 - 186)



# Beliefs About the Strauss-Kahn Case in France and Germany: Political Orientation and Sexual Aggression Myths as Local Versus Global Predictors

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In May 2011, Dominique Strauss-Kahn, head of the International Monetary Fund and a prominent member of the French Socialist Party, was charged with attempted rape. Extensive media coverage led people across the globe to speculate about intentions and responsibilities. While the case was pending, we conducted two parallel Internet surveys, with French and German participants ( $N = 1,314$ ). We examined how strongly exoneration of the alleged perpetrator depended on acceptance of modern myths about sexual aggression (AMMSA) and identity attributes that are temporarily salient as a function of local context (gender, political left-right orientation, nationality). AMMSA was a global predictor of exonerating the alleged perpetrator across national sub-samples, whereas the predictive power of gender and left-right orientation varied locally: For French respondents, left-wing political attitudes predicted exoneration of the alleged perpetrator, whereas only for German respondents, being male predicted exoneration. We conclude that the interplay of global (sexual aggression myths) and local (social identification) factors affects the lay assessment of ambiguous cases of sexual violence.

In May 2011, French politician Dominique Strauss-Kahn (DSK) was arrested in New York City after a hotel employee reported that he had sexually assaulted her. At that time, DSK was head of the International Monetary Fund (IMF). As a prominent member of the Socialist Party, he was regarded as the most promising challenger for the 2012 French presidential election. His arrest came as a huge surprise, as exemplified by headlines such as “The downfall of DSK: France is in shock and the IMF is in turmoil” (*Economist*, May 21, 2011). The DSK affair was reported on the front page of more than 150,000 international daily newspapers (Danglade 2013). An unexpected major event calls for an explanation that fulfills both an epistemic need and a need to sustain a positive view of oneself and one’s own group (Tajfel and Turner 1986). As part of the international media coverage, forensic experts, psychiatrists, social psychologists (Kruglanski 2011), and lay people gave their opinions about the case. Considering the exceptionally high status of the alleged perpetrator (a well-known, rich and influential White male), and the low status of the alleged victim (an unknown young, poor, Black immigrant female), the

majority of explanations focused on the alleged perpetrator rather than the alleged victim.

In the present research, we used this case to study the factors that may influence individuals’ adherence to perpetrator-exonerating beliefs. We focused on two European countries, France and Germany. Apart from language differences, these countries share a similar cultural background, and attitudes about politics and sexuality are comparable in both. The French had somewhat less trust in politicians than the Germans, but held similar attitudes about homosexuality (ESS Round 6: European Social Survey 2013). To what extent do predictors of perpetrator-exonerating beliefs change as a function of national or local context? What are the motives to exonerate a high-status male suspected of having forced a low-status female to have sex against her will? We suggest that leniency toward the alleged perpetrator will be observed as a function of general beliefs about rape. We thus analyzed perceivers’ acceptance of modern myths about sexual aggression (AMMSA; Gerger et al. 2007). We regard AMMSA as a global predictor, as it predicts judgments about ambiguous

rape cases quite generally (Bohner et al. 2009). On the other hand, we analyzed social identification processes (Campbell 1958). A considerable number of observers and the alleged perpetrator shared similar identity attributes at the time of judgment (gender, nationality, and political orientation). We argue that, as observers defended a positive view of themselves and their groups, they were motivated to exonerate the alleged perpetrator to the extent that they perceived him as similar to themselves in terms of these attributes. We consequently hypothesized that identity attributes would be contingent or *local* predictors, because their salience and cognitive accessibility may vary as a function of the local political context.

## 1. Exonerating the Alleged Perpetrator

### 1.1. From Global to Local Predictors

When confronted with a crime, people sometimes tend to exonerate the perpetrator and blame the victim. Such tendencies may reflect efforts to maintain a general belief in a just world (Lerner and Miller 1978). In cases of sexual violence, a perpetrator-exonerating function is fulfilled by the acceptance of rape myths. Not only do rape myths resemble just-world beliefs applied to sexual violence, they also fulfill the more gender-specific functions of rationalizing own aggressive tendencies (mainly for men) and reducing anxiety by distancing the self from the victim (mainly for women; Bohner 1998; Bohner et al. 2009). Various studies have demonstrated a strong link between individuals' acceptance of rape myths and their attribution of blame to victims instead of perpetrators in particular cases of sexual violence (Abrams et al. 2003; Bohner et al. 1993; Check and Malamuth 1985; Lonsway and Fitzgerald 1994; for a meta-analysis, see Suarez and Gadalla 2010). Recently, Gerger and colleagues (2007) have introduced the AMMSA scale; this self-report instrument measures a broader concept of myths about sexual aggression with relatively subtle items (see also Megias et al. 2011). AMMSA may be defined as the adherence to “descriptive or prescriptive beliefs [...] that serve to deny, downplay, or justify sexually aggressive behavior that men commit against women” (Gerger et al. 2007, 425). Research with the AMMSA scale has shown that people use myths about sexual aggression as a cognitive schema when processing ambiguous case information: Higher AMMSA is associated with a tendency

to blame the victim and exonerate the perpetrator, and this is true particularly when case descriptions contain ambiguous or irrelevant information (Eyssel and Bohner 2011; Süßenbach, Bohner, and Eyssel 2012). Individual differences in AMMSA thus affect individuals' tendencies to blame the victim, particularly in highly ambiguous cases of sexual violence.

From the observer's point of view, both the alleged victim and the alleged perpetrator may be classified in terms of multiple categories (e.g., gender, ethnicity, nationality, social status, religion, political affiliation, personality, etc.) that may vary in their importance or salience because of situational factors. A victim who is perceived as a minority member may thus be placed in double jeopardy, as negative prejudices against minorities have been shown to go hand in hand with sexual aggression myths (Aosved and Long 2006; Süßenbach and Bohner 2011; Suarez and Gadalla 2010). Although this aspect may have been relevant in the DSK case, where the alleged victim was an immigrant from Africa with a low-status occupation, our empirical focus was on the alleged perpetrator because – at least initially – he was the main target of media attention. (We will come back to the importance of victim attributes in section 4. “Discussion”).

Theories of social identification (Campbell 1958; Tajfel and Turner 1986) suggest that similarity is a component of group membership. We hypothesized that the alleged perpetrator's similarity to the observer would constitute a local predictor of observer's motivation to exonerate the perpetrator. This exoneration, in turn, would serve to protect against a threat to the sense of own identity. As Bal and van den Bos (2010) have shown, male observers blamed and derogated a victim of sexual assault more strongly if the male perpetrator was similar rather than dissimilar to themselves. This pattern supports the assumption of just-world theory that “[a]s events become closer to [the individual's] world [...], the concern over injustices increases greatly, as does the need to explain or make sense of the events” (Lerner and Miller 1978, 1031). Generally, gender can be considered an established predictor of blaming the alleged victim in rape cases, such that men engage in blaming female victims of sexual viol-

ence more than women do (Grubb and Harrower 2008; Grubb and Turner 2012).

Apart from gender, shared political attitudes are an important factor in perceptions of interpersonal similarity and liking. Research has shown that pairs of friends are likely to share similar political ideologies along a “liberal-conservative” continuum. Furthermore, when judging the friendship potential of an unfamiliar target person, people rely on perceived similarities in political ideology, and this effect remains significant even when more specific attitudinal (dis-)similarities are controlled for (Potéat et al. 2011). From the French point of view, DSK’s Socialist Party affiliation was a very salient attribute, as DSK was preparing to run for the French presidential election and expected to be the main challenger of then-president Nicolas Sarkozy. In France, his arrest changed the political scenery and drastically affected prevailing political discourses by fueling speculations about a new Socialist candidate (the future president François Hollande) challenging Sarkozy in the elections to be held one year later. In other countries, DSK’s political orientation was less salient for lay observers. In neighboring Germany, for instance, media reports were also readily available, but public reactions were less dominated by political considerations, political affiliation, or national identification.

A third obvious attribute is nationality. DSK was a familiar French political figure who was perceived by many French citizens as representing their nation as head of a prestigious international organization. A Frenchman’s spectacular arrest in a foreign country, in front of national and international television cameras, and surrounded by a group of American police officers, made his nationality salient in an intergroup context. The fairness of this public exhibition in handcuffs (the “perp walk”) was widely and critically discussed in France, where publishing images of suspects in handcuffs was outlawed in 2000.

### 1.2. Relations Between Predictors

Rape myths and political orientation have common roots. As they are associated with world views emphasizing the defence of the ingroup against perceived outgroup threat and lack of control, right-wing political ideologies sustain

myths legitimizing the disadvantaged position of powerless people and minorities (Duckitt 2001). Typically, AMMSA forms part of a more general pattern of right-wing ideologies and prejudiced attitudes toward various minorities. Süßenbach and Bohner (2011), for example, report substantial positive correlations between participants’ AMMSA scores and intolerant ideological attitudes such as social dominance orientation (Sidanius and Pratto 1999) and right-wing authoritarianism (Altemeyer 1988). By contrast, left-wing ideologies emphasize equality and the fair distribution of common resources. Accordingly, right-wingers should be more susceptible to perpetrator-exonerating beliefs than left-wingers. However, a left-wing political orientation does not immunize an individual against exonerating perpetrators or blaming victims of sexual assault, or – more generally – against self-defensive beliefs. Liberals and conservatives may express similar levels of intolerance toward outgroup members when their identity is threatened (Brandt et al. 2014). Both left-wing and right-wing political attitudes may lead to victim-blaming and legitimizing beliefs if the motivation to defend one’s own identity is triggered, for example if a member of the ingroup is accused of immoral and violent behavior. In line with this reasoning, conspiracy theories flourished in France immediately after DSK’s arrest. According to a poll conducted on May 18, 2011, a majority of French citizens (57 percent) believed that DSK was the innocent victim of a plot staged by his political opponents. Interestingly, the proportion of people believing in a plot was particularly high (70 percent) among supporters of the Socialist Party (CSA 2011). This contrasts sharply with the intuitive assumption that left-wingers should be less susceptible to conspiracy beliefs (Imhoff and Bruder 2013) and, relatedly, that right-wing, but not left-wing orientation is usually reported to be positively correlated with perpetrator-exonerating beliefs such as rape myth acceptance (Süßenbach and Bohner 2011). In France, many left-wing political leaders, including a former minister of justice, supported DSK in the media with no word about the alleged victim.

### 1.3. Research Design

Although the charges against DSK were eventually dismissed without trial, the case remained ambiguous for sev-

eral months (May to August 2011) and received considerable media coverage in France and elsewhere. The DSK case thus presented a unique opportunity for examining the assumed distinction between a *global* predictor of alleged perpetrator exoneration (AMMSA), which is expected to be identical across two countries with similar cultural backgrounds, and *local* predictors of exoneration contingent upon perceived similarity to the alleged perpetrator in terms of gender, nationality, and political orientation. We thus investigated French and German participants' reactions to the allegations brought forward against DSK during the months when the case was tried in the New York courtroom.

As outlined above, perpetrator exoneration in an ambiguous rape case may be affected by general beliefs about rape such as AMMSA and – more specifically – by aspects reflecting the similarity of perceiver and alleged perpetrator (gender, political orientation, nationality). We derived differential hypotheses regarding the global vs. local effects of AMMSA, gender, and political attitudes on the endorsement of perpetrator-exonerating beliefs in France and Germany, respectively. Let us first consider the global effects of AMMSA. Independent of nationality and political preferences, people high in AMMSA should be motivated to exonerate alleged perpetrators of sexual violence, including DSK, and to derogate low-status victims (here an anonymous, uneducated Black woman). Hence, for both France and Germany we predicted that AMMSA would be positively associated with the endorsement of perpetrator-exonerating beliefs relating to DSK, because the core content of sexual aggression myths fits well with a case of alleged rape and may be used as a cognitive schema to interpret that ambiguous case (Bohner et al. 1993; Eyssel and Bohner 2011; Süssenbach, Bohner, and Eyssel 2012). This is the global pattern that we predicted for both Germany and France in the present study as well.

When it comes to predicting perpetrator-exonerating beliefs in Germany, AMMSA and a more right-wing political attitude should have partly overlapping effects (Süssenbach and Bohner 2011). In France, however, where DSK's left-of-center party affiliation is salient, a *left*-wing political orientation should become a local predictor in

terms of the alleged perpetrator's perceived similarity to the observer. Firstly, French (vs. German) respondents should see DSK as more similar to themselves because he shares their nationality and was among the potential candidates for the French presidential elections. Moreover, from an intergroup point of view, nationality was a salient attribute for French observers because DSK was arrested in a foreign country that applied judicial principles that were perceived as somewhat dissimilar from French laws. Secondly, for French (but not for German) respondents, these perceptions of similarity should further increase as a function of their left-wing political attitude and/or their support for the Socialist Party. In France, the usually overlapping effects of AMMSA and right-wing ideology should thus be decoupled in the case of DSK. We predicted that defending DSK as someone similar to oneself would be a more potent motive in France than in Germany because of the greater salience and importance of his left-wing political affiliation. Thirdly, gender should be a local predictor in Germany but not in France because gender, in comparison to political party affiliation, was less salient in France than in Germany. The political orientation may have been so salient in France that it could have overshadowed other similarity factors. DSK's arrest had concrete immediate consequences with regard to political choices in France. For the German public, however, DSK's most prominent feature remained his gender.

#### 1.4. Hypotheses

To sum up, we conceptualized AMMSA and similarity to the accused (in terms of participant's country of origin, left-right political orientation, and gender) as global vs. local predictors, respectively, of perpetrator-exonerating beliefs regarding the DSK case. AMMSA was hypothesized to be a global predictor of exonerating the alleged perpetrator DSK in both France and Germany, resulting in a main effect of AMMSA (Hypothesis 1). Country of origin was hypothesized to be a local predictor of DSK-related perpetrator-exonerating beliefs, such that French respondents would agree with these beliefs more than German respondents (Hypothesis 2). The predictive power of political attitudes was also hypothesized to vary locally between France and Germany: In France, people with a

political left-wing (vs. right-wing) orientation, i.e. indicating higher (vs. lower) perceived similarity to the accused, should agree (vs. disagree) with perpetrator-exonerating beliefs, whereas in Germany no such effect should occur, resulting in an interaction effect of political attitude and nationality (Hypothesis 3a). The predictive power of gender, on the other hand, should vary locally between Germany and France in the opposite fashion: In Germany, males (vs. females) should be motivated to exonerate DSK whereas in France, the predictive power of gender should pale in comparison with more salient political categories, which would yield an interaction effect of gender and nationality (Hypothesis 3b). Finally, French supporters of the Socialist Party should be particularly motivated to exonerate DSK, both compared to French supporters of a major right-of-center party (the Union pour la Majorité Présidentielle; UMP) and compared to German supporters of both the Social Democratic Party of Germany (SPD) and their main right-of-center competitor, the Christian Democratic Union (CDU; Hypothesis 3c).

## 2. Method

### 2.1. Participants

We conducted parallel Internet surveys on “society-related attitudes and intimate relationships” in French and German. To acquire participants in the two countries, the respective internet links were distributed at the authors’ universities and via mailing lists of the French and German Psychological Societies. Recruitment of participants was thus based on a snowball process, generating large heterogeneous convenience samples in each country. Data collection took place between 21 June and 31 July 2011, a period when the DSK case was still pending, and hence, ambiguous (see Appendix for a chronology of the case).

In total, 1,356 participants completed the survey. For ease of expression, we refer to participants who completed the French survey as “French participants” ( $n = 524$ ), and to participants who completed the German survey as “German participants” ( $n = 832$ ). Data from participants who were (a) neither residents nor nationals of either France or Germany, or (b) residents of Germany but French nationals or *vice versa* were excluded from the analyses.

This left us with a final sample of 512 French participants and 802 German participants. The gender ratio was comparable in the French (68.9 percent female, 31.1 percent male) and German subsamples (72.4 percent female, 27.6 percent male),  $\chi^2(1, N = 1,314) = 1.86, p = .17$ . The French sample was slightly older ( $Md = 27$  years, range 18–82) than the German sample ( $Md = 26$  years, range 18–75),  $z = 2.55, p = .011$  (Wilcoxon signed ranks test). As a proxy for socioeconomic status, we assessed net personal income; French respondents reported higher income than German respondents (under 1,000 euros: 45.6 percent vs. 64.2 percent; 1,000 to 1,999 euros: 29.2 percent vs. 17.1 percent; 2,000 to 2,999 euros: 14.7 percent vs. 10.1 percent; over 3,000 euros: 10.5 percent vs. 8.7 percent),  $z = 4.54, p < .001$ , (Wilcoxon signed ranks test).

### 2.2. Materials

Beyond sociodemographics, the survey consisted of four main measures: a scale assessing AMMSA, a measure of beliefs exonerating the alleged perpetrator (DSK), a control measure of conspiracy beliefs regarding an unrelated issue (Lady Diana’s death), and single-item measures of political left-right orientation and party affiliation. Participants also completed a number of measures that are not of central interest for the current paper and will not be further discussed.

While the AMMSA scale and the political measures had already been validated and widely used, the items assessing perpetrator-exonerating beliefs and unrelated conspiracy beliefs were newly developed for this study. Because of the urgency of the pending DSK case, we did not pilot-test these items; we do, however, report reliability indices for the new scales from the current study in the section below.

#### 2.2.1. Acceptance of Modern Myths about Sexual Aggression

We used a short version of the AMMSA scale (Gerger et al. 2007) consisting of eleven items (e.g., “A lot of women strongly complain about sexual infringements for no real reason, just to appear emancipated”; response scale from 1, completely disagree, to 7, completely agree). A parallel eleven-item French version was prepared for the purpose of this study. Cronbach’s alpha was .85 for French participants and .90 for German participants.

### 2.2.2. Perpetrator-exonerating Beliefs Regarding the Strauss-Kahn Case

Participants read a short text vignette describing the case regarding DSK:

Currently the case of the French politician and former chief of IMF Dominique Strauss-Kahn (DSK) is discussed a lot in the media. He is accused of having raped a hotel employee. In a poll conducted by the television program *20 minutes* (May 2011) a majority of French thought that DSK was the victim of a conspiracy.

As there are specific ethical and legal regulations in France (Guigou 2000), the vignette had to be phrased in a way that avoided any explicit statement regarding the suspect's guilt: in a pending judiciary case any defendant is presumed innocent in France. People were therefore asked to indicate their agreement or disagreement with statements assuming a conspiracy against DSK, i.e. exonerating the alleged perpetrator. After reading the vignette, participants completed four items: (1) "Do you think the opinion of the majority in this poll assuming a conspiracy reflects reality?"; (2) "Do you think celebrities like DSK are often condemned prematurely?"; (3) "Do you agree with the minority in this poll who thought that DSK was guilty?" (reverse-coded); and (4) "When you first heard about the DSK case, did you immediately think this could be a conspiracy?" (scale from 1, completely disagree, to 7, completely agree). Responses were averaged to form an index of perpetrator-exonerating beliefs regarding the DSK case (Cronbach's alpha = .65 and .66 for French and German participants, respectively).

### 2.2.3. Conspiracy Beliefs Concerning Lady Diana

According to the literature about conspiracy beliefs, a person who believes in a conspiracy theory regarding one specific event is prone to believe in conspiracies regarding other events as well (Imhoff and Bruder 2013; Goertzel 1994; Wagner-Egger and Bangerter 2007; Wood, Douglas, and Sutton 2012). To control for a potential effect of general conspiracy beliefs, we therefore included a vignette that briefly described the events leading to the death of Lady Diana in a car crash in Paris in 1997; this was followed by five items measuring conspiracy beliefs surrounding this issue (see Wagner-Egger and Bangerter 2007). One item read "Do you think Diana is in fact still alive and just wanted to withdraw completely from public

life?"; response scale from 1, completely disagree, to 7, completely agree. Responses were averaged to form an index of conspiracy beliefs regarding Lady Diana (Cronbach's alpha = .77 and .74 for French and German participants, respectively).

### 2.2.4. Political Orientation

To assess political left-right orientation, we used a single self-report item from the World Value Survey (2006): "In political matters people talk of 'the left' and 'the right'. How would you place your views on this scale, generally speaking?" Participants could move a pointer along a line with the endpoints *left-wing* and *right-wing*. When the mouse button was released, the pointer snapped to the nearest of eleven equal-spaced positions; responses were coded accordingly as 1, left-wing, to 11, right-wing. We also assessed political party affiliation using the multiple choice item "Which political party would you vote for if parliamentary elections were held next week?"; response options comprised the main political parties in each country. Among the response alternatives for French respondents, the most relevant for our study were the Parti Socialiste, of which DSK is a prominent member, and their main right-of-center competitor, the Union pour la Majorité Présidentielle (UMP). Among the response alternatives for German respondents, the most relevant for comparison purposes were the Social Democratic Party of Germany (SPD) and the Christian Democratic Union (CDU). These comparisons make sense because left-right-orientation is closely linked to party affiliation (Inglehart and Klingemann 1976). According to both expert ratings (Huber and Inglehart 1995) and content analyses of party manifestos (Franzmann and Kaiser 2006), the French PS and the UMP's precursor UDF (Union for French Democracy) take similar positions on the left-right continuum as the German SPD and CDU, respectively.

### 2.3. Procedure

After following the internet link to the survey, participants read informed consent instructions mentioning that the survey was anonymous and addressing participants of 18 years or older, that participation was voluntary, and that they could withdraw from the study at any time without

incurring any penalties. The next screen asked for demographic information, including age, gender, nationality, country of residence, and net personal income. This screen also contained the left-right orientation and party affiliation items. Items on the following screens assessed conspiracy beliefs regarding Diana, perpetrator-exonerating beliefs regarding DSK, and AMMSA. To control for potential effects of the position in which the AMMSA scale appeared, participants were randomly assigned to one of two order conditions: Either (1) AMMSA, (2) conspiracy beliefs regarding Diana, (3) exonerating beliefs regarding DSK; or (1) conspiracy beliefs regarding Diana, (2) exonerating beliefs regarding DSK, (3) AMMSA. This variation did not affect the results and will not be further discussed. Participants could leave their e-mail address if they wished to participate in a prize draw. They also received a contact e-mail address for comments or questions regarding the study.

### 3. Results

#### 3.1. Mean Differences Between Country Samples

Comparison of means between the two country samples (see Table 1 for descriptive and test statistics) showed that French respondents were more likely than German respondents to exonerate the alleged perpetrator DSK; this result supports Hypothesis 2, indicating a local effect of similarity in terms of nationality. With Cohen's  $d = 0.38$ , this effect was between small and medium (Cohen 1988). Other differences emerged as well, as shown in Table 1: AMMSA and Diana-related conspiracy beliefs were both somewhat higher among French than German respondents. Finally, French and German respondents did not differ in their overall levels of left-right orientation; this closely resembled, with a slight skew to the left, the pattern obtained from previous representative samples (European Values Study Group 2006), also yielding no difference in left-right orientation between France ( $M = 4.8$ ,  $SD = 2.12$ ) and Germany ( $M = 4.7$ ,  $SD = 1.83$ ).

#### 3.2. Gender Differences within Country Samples

Within the French sample, the only key variable showing a gender effect was AMMSA, with men ( $M = 3.16$ ) reporting higher scores than women ( $M = 2.67$ ),  $t(509) = 5.09$ ,  $p < .001$ . These means closely resemble those found in an

internet-based validation study of the thirty-item German AMMSA scale (Gerger et al. 2007, 432). No significant gender effects were found among French participants for perpetrator-exonerating beliefs, conspiracy beliefs concerning Lady Diana, or left-right orientation, all  $ps > .13$ .

Within the German sample, a comparable gender effect was found for AMMSA ( $M = 2.79$  and  $2.49$ , respectively),  $t(800) = 3.44$ ,  $p = .001$ . These means were somewhat lower than those observed by Gerger et al. (2007). An additional gender effect was found for perpetrator-exonerating beliefs, where men ( $M = 3.51$ ) exonerated DSK more than women did ( $M = 3.27$ ),  $t(798) = 2.76$ ,  $p = .006$ . This effect, together with the absence of a gender effect in the French sample, supports Hypothesis 3b. Furthermore, German men ( $M = 1.63$ ) agreed less with Diana-related conspiracy beliefs than did German women ( $M = 1.92$ ),  $t(797) = -4.35$ ,  $p < .001$ . Finally, as in the French sample, there was no gender effect on political left-right orientation,  $p > .14$ .

#### 3.3. Analysis of Zero-order Correlations

The pattern of intercorrelations among measures (see Table 2) was in line with our predictions. AMMSA correlated positively with perpetrator-exonerating beliefs about DSK in both Germany and France, which supports Hypothesis 1. Furthermore, for French participants, left-right orientation (higher values indicating a more right-wing orientation) correlated negatively with DSK-related perpetrator-exonerating beliefs,  $r(411) = -.10$ ,  $p < .05$ , which supports Hypothesis 3a. For German participants, the correlation was positive and marginally significant,  $r(777) = .07$ ,  $p = .07$ . Gender, on the other hand – as already reported in the previous section – was linked with perpetrator-exonerating beliefs in Germany,  $r(800) = .10$ ,  $p = .01$ , but not in France,  $r(512) = -.01$ ,  $p = .78$ , thus supporting Hypothesis 3b. The correlations of DSK-related perpetrator-exonerating beliefs with conspiracy beliefs regarding Lady Diana were positive and of similar magnitude in both countries ( $r = .15$  and  $.16$ , respectively). Consequently, we included these unrelated conspiracy beliefs as a control variable in subsequent analyses.

**Table 1: Means and standard deviations of measures by country, differences, and effect size estimates**

	Mean (standard deviation) France	Mean (standard deviation) Germany	<i>t</i> -test for difference <sup>a</sup>	Cohen's <i>d</i>
DSK	3.79 (1.25)	3.33 (1.14)	<i>t</i> (1310) = 6.76***	0.38
AMMSA	2.82 (1.02)	2.57 (1.10)	<i>t</i> (1311) = 4.11***	0.23
Diana	2.09 (1.06)	1.84 (0.87)	<i>t</i> (1309) = 4.64***	0.26
LRO	4.54 (2.33)	4.39 (1.66)	<i>t</i> (1192) = 1.32	0.08

**Notes:**

Seven-point scales (except LRO, which was measured on an eleven-point scale).

DSK = exonerating beliefs regarding Dominique Strauss-Kahn

AMMSA = acceptance of modern myths about sexual aggression

Diana = conspiracy beliefs regarding Lady Diana

LRO = political left-right orientation.

<sup>a</sup> Variations in degrees of freedom due to missing values.\*\*\**p* < .001.**3.4. Global versus Local Predictors of Perpetrator-Exonerating Beliefs: Multiple Regression Analyses**

To control for mutual overlap among variables, our main hypothesis tests relied on multiple regression analysis. Because some variances differed between countries (see Table 1), all predictor variables were z-standardized within country. The country variable itself (initially coded 1=France and 2=Germany) was also z-standardized to provide a complete set of centered predictors (Cohen et al. 2003, chap. 7). In an initial multiple regression analysis, the dependent variable was alleged perpetrator-exonerating beliefs regarding DSK, and the independent variables were country, gender (initially coded 1=female, 2=male), conspiracy beliefs regarding Lady Diana, AMMSA, and left-right orientation. As our hypotheses involved differential predictions for the two country samples, product terms carrying the interactions of gender by country, AMMSA by country, and left-right orientation by country were also included as independent variables.

**Table 2: Inter-correlations of measures in France and Germany**

France	AMMSA	Diana	LRO	Gender
DSK	+.17***	+.15**	-.10*	-.01
AMMSA		+.20***	+.20***	+.22***
Diana			-.06	-.06
LRO				+.03
Germany	AMMSA	Diana	LRO	Gender
DSK	+.31***	+.16***	+.07 <sup>†</sup>	+.10**
AMMSA		+.24***	+.29***	+.12***
Diana			+.03	-.15***
LRO				+.05

**Notes:**

DSK = exonerating beliefs regarding Dominique Strauss-Kahn

AMMSA = acceptance of modern myths about sexual aggression

Diana = conspiracy beliefs regarding Lady Diana

LRO = political left-right orientation

Gender was coded female = 1, male = 2

Valid *N* for the reported correlations varies between 412 and 512 in the French subsample, and between 778 and 800 in the German subsample.<sup>†</sup>*p* < .10; \**p* ≤ .05; \*\**p* ≤ .01; \*\*\**p* ≤ .001

Overall, the multiple regression analysis revealed significant main effects of country, conspiracy beliefs regarding Lady Diana, AMMSA, and left-right orientation, but no significant main effect of gender. As can be seen in Table 3, French participants agreed more than German participants with perpetrator-exonerating beliefs about DSK (supporting Hypothesis 2); the more participants believed in a conspiracy regarding Lady Diana, the more they also tended to exonerate DSK; participants scoring higher (vs. lower) on AMMSA also agreed more (less) with perpetrator-exonerating beliefs about DSK (supporting Hypothesis 1), and so did participants with a more left-wing (vs. right-wing) orientation. The country and left-right orientation effects, however, were qualified, as hypothesized, by an interaction effect of left-right orientation by country that was close to conventional levels of significance, *t*(1,180) = 1.91, *p* = .06, and whose positive sign suggested that a left-wing orientation may be a stronger predictor in France than in Germany (Hypothesis 3a).

**Table 3: Results of multiple regression predicting exonerating beliefs regarding DSK**

Predictor variable	Beta coefficient	<i>t</i> (1180)	<i>p</i>
Country (France = 1, Germany = 2)	-.18	-6.53	<.001
Gender (female = 1, male = 2)	+.02	+0.76	.45
Diana	+.11	+3.81	<.001
AMMSA	+.23	+7.83	<.001
Left-right orientation (LRO)	-.06	-2.18	.03
AMMSA x country	+.03	+1.12	.26
LRO x country	+.05	+1.91	.06
Gender x country	+.07	+2.40	.02

*Notes:*

AMMSA = Acceptance of modern myths about sexual aggression

LRO = political left-right orientation

Diana = conspiracy beliefs regarding Lady Diana.

At the same time, a significant gender by country interaction emerged,  $t(1180) = 2.40$ ,  $p = .02$  (as predicted in Hypothesis 3b). The AMMSA x country interaction was far from significant,  $p = .26$ .

Following up on these results, we conducted separate hierarchical multiple regression analyses of perpetrator-exonerating beliefs regarding DSK within each country sample, using AMMSA, left-right orientation, and gender as independent variables. Conspiracy beliefs regarding Lady Diana were included in the model as an additional independent variable in a second step of the hierarchical analysis, in order to test if any effects would change once unrelated conspiracy beliefs are controlled for.

The results, as shown in Table 4, support our Hypotheses 1, 3a, and 3b. For French participants, both AMMSA and left-

right orientation significantly predicted perpetrator-exonerating beliefs regarding DSK: Participants reporting higher AMMSA or a more left-wing orientation exonerated DSK more. Gender was unrelated to the dependent variable. In Germany, by contrast, AMMSA and gender (marginally) were predictors of perpetrator-exonerating beliefs regarding DSK: Individuals scoring higher on AMMSA and males exonerated DSK more. Left-right orientation was unrelated to perpetrator-exonerating beliefs regarding DSK. For France, the pattern remained unchanged when conspiracy beliefs regarding Lady Diana were included in the regression model (although perpetrator-exonerating beliefs regarding DSK and conspiracy beliefs concerning Lady Diana did show some overlap). For Germany, the pattern became even clearer once conspiracy beliefs regarding Lady Diana were controlled for: AMMSA remained a significant predictor and the effect of gender changed from marginal to significant.

**3.5. Party Preference and Perpetrator-Exonerating Beliefs**

To test Hypothesis 3c, we focused our analyses on those French participants expressing a preference for either the PS (the party that DSK belonged to;  $n = 156$ ) or its main right-of-center competitor, the UMP ( $n = 46$ ), in comparison with those German participants expressing a preference for one of these parties' closest counterparts in Germany, either the SPD ( $n = 139$ ) or its main right-of-center competitor, the CDU ( $n = 90$ ). Using perpetrator-exonerating beliefs regarding DSK as the dependent variable, we performed a 2x2 analysis of variance with the between-subjects factors Country (France vs. Germany) and Party (left-of-center vs. right-of center). The ANOVA yielded a main effect of Party,  $F(1, 427) = 10.16$ ,  $p = .002$ , which was qualified by a significant interaction effect of Country by Party,  $F(1, 427) = 13.07$ ,  $p < .001$ . As predicted, PS supporters exonerated DSK more ( $M = 3.96$ ) than supporters of the UMP ( $M = 3.12$ ), the SPD ( $M = 3.38$ ), or the CDU ( $M = 3.43$ ). Post-hoc tests (Tukey HSD,  $p < .05$ ) indicated that supporters of the French PS reported more exonerating beliefs than supporters of the three remaining groups, whereas the perpetrator-exonerating beliefs in those remaining groups did not differ significantly. These results support Hypothesis 3c.

**Table 4: Results of hierarchical multiple regression analyses predicting exonerating beliefs regarding DSK separately for French and German participants**

Predictor variable	Beta coefficient	<i>t</i> <sup>a</sup>	<i>p</i>
Analysis for France			
Step 1			
AMMSA	.21	4.23	<.001
Left-right orientation	-.14	-2.81	<.01
Gender	-.07	-1.50	.14
Step 2			
AMMSA	.19	3.63	<.001
Left-right orientation	-.13	-2.59	.01
Gender	-.06	-1.28	.20
Diana conspiracy beliefs	.10	2.10	.04
Analysis for Germany			
Step 1			
AMMSA	.30	8.33	<.001
Left-right orientation	-.02	-0.64	.53
Gender	.06	1.71	.09
Step 2			
AMMSA	.27	7.27	<.001
Left-right orientation	-.02	-0.53	.60
Gender	.08	2.26	.03
Diana conspiracy beliefs	.11	3.20	.001

*Notes:*

AMMSA = Acceptance of modern myths about sexual aggression.

<sup>a</sup> Degrees of freedom are 409 and 408 for steps 1 and 2, respectively, in the French sample, and 774 and 773 for steps 1 and 2, respectively, in the German sample.

Gender was coded female = 1, male = 2

**4. Discussion**

As an event of international interest and a politicized ambiguous case of sexual violence, the DSK case has attracted lay explanations that were grounded in rape myths and social identification. Our results extend the literature on antecedents and consequences of perpetrator-exonerating beliefs in a number of ways. First, rape myths were correlated with more lenient attitudes toward the alleged perpetrator. This global predictor applied independently of the country (here France vs. Germany). Second, we expected that other identity attributes (gender, nationality, and political orientation) would depend on the observer's local context as they were more or less obvious and hence more or less relevant for self-identity at the time of judgment. Following this rationale, individual variation in judgment regarding ambiguous cases of sexual violence could be predicted more precisely with an accurate knowledge of the local political context.

**4.1. Global and Local Predictors of Perpetrator-exonerating Beliefs**

As expected, we found acceptance of modern myths about sexual aggression (AMMSA) to be a global predictor of perpetrator-exonerating beliefs regarding DSK in both French and German samples. At the same time, however, the predictive power of political left-right orientation as well as the predictive power of gender – two other individual difference variables commonly linked with myths about sexual aggression – varied locally, i.e. by country. In Germany we found a trend toward a positive correlation of left-right orientation with DSK-related, perpetrator-exonerating beliefs, which is in line with the general finding that right-wingers blame victims of sexual violence more than left-wingers do (Süssenbach and Bohner 2011). In France, however, this relation was reversed and we observed a significant negative correlation of left-right orientation and perpetrator-exonerating beliefs concerning DSK. This result is in line with our notion of a local tendency to respond to an identity threat, as left-wing observers and the alleged perpetrator shared a political identity.

A left-wing political orientation does not immunize people against the endorsement of perpetrator-exonerating beliefs when such beliefs are functional in defending the self and one's (e.g. political) ingroup. DSK's party affiliation was an

important part of the public debate in France, as he was a designated candidate for the French presidential election. French people were thus motivated to process the judicial case in more depth than people in Germany. Only in the French context, then, could knowledge of DSK's party affiliation result in a similarity-based motivation to exonerate him. In Germany, where other categories were more salient, the predictive power of left-right orientation was weak, and other identity-relevant features, such as gender, significantly affected the perception of the case. To sum up, AMMSA emerged as a global predictor of perpetrator-exonerating beliefs in a sexual assault case in both Germany and France, whereas identity-relevant concerns in the form of political orientation came into play as local predictors in France, where the alleged perpetrator's political affiliation was salient, or in the form of gender in Germany, where other (political) categories were less salient.

In general, myths about sexual violence and right-wing ideologies have common features as they are based on worldviews that elevate the ingroup and derogate outgroups. Generally, perpetrator exoneration could serve to sustain such worldviews. However, a temporarily and, in the present case, locally salient threat to identity had the power to uncouple rape myth acceptance from political orientation. Our data show that leniency toward the alleged perpetrator may fulfill a need to sustain and boost one's own identity to the same extent and independently of a left-wing or right-wing identification. The interplay and functioning of local predictors can only be understood if we take into account that they are embedded in the respective political context.

#### 4.2. Limitations and Outlook

Some limitations of the present study warrant further discussion. In this section we first address our study's correlational nature and the lack of evidence for the assumed processes. Then we turn to additional variables that could be examined in future studies in order to paint a more complete picture of the dynamics of perpetrator exoneration in cases of sexual violence.

##### 4.2.1. Limitations of the Current Design

Cross-sectional data comparing naturally (and not experimentally) formed groups do not provide the most solid

grounds for claims of causality. It could be argued that a general adherence to perpetrator-exoneration may be a causal underlying factor influencing related political attitudes and not *vice versa* as in the model we suggest. However, we contend that this reverse order of causality is implausible as it would not explain the local differentiation between France and Germany regarding the link between left-right orientation and perpetrator-exonerating beliefs.

Another potential weakness of the current study is that our assumptions about observers' perceived similarity to the accused driving the local effects must remain speculative. Following a social identification model (Campbell 1958), we argue that similarity is the main dimension mediating the impact of local predictors, that is, of left-right orientation (in France) and gender (in Germany), on perpetrator exoneration. We were able to support these assumptions by demonstrating the predicted differences by country in correlation patterns. To corroborate our assumption regarding the underlying process, however, future studies should explicitly assess perceived similarity or experimentally manipulate it (see Glaser et al. 2014).

##### 4.2.2. Outlook: Additional Variables to be Addressed in Future Studies

As mentioned above, from the perceiver's point of view, the alleged perpetrator and victim could *both* be categorized in terms of multiple categories (age, gender, ethnicity, nationality, social status, political affiliation, religion, etc.), but we focused on DSK's political affiliation and gender only. It would also be interesting to consider the victim's perceived (dis-)similarity to the observer (for an overview, see Grubb and Harrower 2008). Put differently, which features were prominent on the victim side? And would our results have been different had the alleged victim not been a Black female of comparably low social status? Various studies have shown that rape myth acceptance goes hand in hand with a host of intolerant and discriminatory beliefs (Aosved and Long 2006; Süssenbach and Bohner 2011), including racism (Suarez and Gadalla 2010). Therefore, in a case of sexual violence, the risk to be blamed by observers high in rape myth acceptance might be even higher for a Black victim. By the same token, the perpetrator might be more readily exonerated. If the alleged victim in the DSK case had been White, with a European background and a

high level of education, rape myths might not have been as easily applicable to explain this situation. As a consequence, AMMSA might have been a less strong global predictor of exonerating beliefs regarding DSK. On the other hand, AMMSA has been found to predict the exoneration of alleged perpetrators also in cases where both defendant and plaintiff could be assumed to belong to participants' ingroup (Eyssel and Bohner 2011; Gerger et al. 2007).

The orthogonal variation of victim and perpetrator attributes might also lead to effects that are independent of observers' attitude. In line with this reasoning, George and Martínez (2002) found that (mainly White) North American participants exonerated the perpetrator of an interracial rape (Black on White or White on Black) more than they exonerated the perpetrator of an intraracial rape (White on White or Black on Black). Interestingly, this finding emerged regardless of whether the perpetrator was Black or White, so it does not easily lend itself to an account of similarity-based perpetrator-exoneration to defend against a threat to the integrity of one's own identity.

Nevertheless, female observers might feel a need to distance themselves from the victim in order to feel secure. Rape myths can fulfill the function of distancing oneself from the victim. Women who endorse rape myths believe that rape just happens to a certain kind of women, who are different from them (Bohner 1998; Gerger et al. 2007; Lonsway and Fitzgerald 1994). On the one hand, such distancing should be easier if the victim is dissimilar to the self; on the other hand, invoking rape myths may become increasingly necessary if the victim is similar to the self. In the present study we did not measure the similarity between the observer and the victim. Future research might further investigate the perception of similarity between observers and victims of violence (Bohner and Lampridis 2004).

Another important variable to be addressed in future research is the degree of ambiguity of a given case. The case of DSK was still pending and, hence, ambiguous at the time of data collection for this study. It would also be interesting to study the effects of similarity in clearly unambiguous cases. Here, effects of perceived similarity might reverse: As research on the "black sheep effect" has shown,

individuals often do not defend an ingroup member who is undeniably guilty, but instead evaluate such an ingroup member even more negatively than a similarly culpable outgroup member (Marques, Yzerbyt, and Leyens 1988).

## 5. Conclusion

The international impact of the DSK case presented a unique opportunity to study motivated social cognition in relation to a sexual violence case charged with political relevance. On the one hand, adherence to sexual aggression myths contributed to reducing alleged perpetrator responsibility at a global level. This result is well in line with a host of findings linking sexual aggression myths with case-related judgments that differ widely in their particulars (Abrams et al. 2003; Eyssel and Bohner 2011) and go beyond the context of France and Germany (Hantzi et al. 2013; Megías et al. 2011).

On the other hand, the political consequences of the judicial case were particularly salient and important in France as compared to Germany. The local association between left-wing political orientation and perpetrator-exonerating beliefs among French participants appears to be at odds with literature that predicts a correlation of perpetrator-exonerating beliefs in rape cases with right-wing ideologies. It is indeed more in line with research showing that ideological proximity could be more important than the right or left orientation of political attitudes *per se* (Brandt et al. 2014).

In Germany, another local predictor that was overshadowed by political discourses in France came to the forefront: gender. We suggest here a social-identification explanation based on a threat to one's self-worth via perceived similarity with the alleged perpetrator. The low level of identification with the alleged victim remains to be explored further: People feeling socially close to an alleged perpetrator tend to exonerate this individual, and such effects of closeness will depend on which social categories are salient (for example gender, nationality, or political orientation).

Other, global, predictors should remain significant independent of social categorization. A host of literature has

investigated the effects of individual-difference variables on political and legal judgments. By now, numerous global predictors have been identified. Few studies, however, have taken into account one crucial aspect of many politicized conflicts and controversial cases of violence potentially affecting local predictors: Independently of our

general attitudes (global predictors such as attitudes about sexual violence), we may feel more or less similar to the actors on the public scene or the parties in the courtroom, depending on various social categories (local predictors) that are salient at the time and in the context of judgment.

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## Appendix

Chronology of the Dominique Strauss-Kahn Case, May to August 2011

(based on Drew 2011; Eligon 2011a, 2011b; McKeon 2012; Nelsson 2011)

May 13, 2011

DSK checks in at the Sofitel Hotel, New York City.

May 14, 2011

Nafissatou Diallo, a housekeeper at the hotel, asserts that DSK has sexually assaulted her. DSK admits that there was sexual contact, but asserts that it was consensual. On the same day he is arrested.

May 15, 2011

Photographs of DSK in handcuffs (“perp walk”) publicized worldwide.

May 16, 2011

DSK detained in New York’s Rikers Island jail because of the risk that he might leave the USA.

May 18, 2011

Diallo testifies that the sexual relation with DSK was not consensual. DSK re-tires as Managing Director of the IMF.

May 19, 2011

DSK charged with felony. Bail of one million \$US granted after he agrees to remain under house arrest.

May 20, 2011

DSK is released from Rikers Island jail.

May 23, 2011

Newspaper reports suggest semen was found on Diallo’s work uniform.

June 6, 2011

DSK’s lawyers say that they would need six weeks to prove that DSK is not guilty.

July 1, 2011

Diallo’s credibility is called into doubt.

July 5, 2011

French politician Christine Lagarde succeeds DSK as IMF managing director.

August 22, 2011

The prosecution recommends dismissal of the indictment against DSK.

August 23, 2011

DSK released without trial after the Supreme Court of the State of New York has dismissed the case, following the prosecutors’ recommendation.

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