



## **SHUR Newsletter No 3**

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The Shur research team is glad to announce that a new set of working papers, including the Case Study Reports, is now available on the website: <http://www.luiss.it/shur> Please find below their abstracts.

### **SHUR CASE STUDY REPORTS**

#### ***01/08 - Conflict Society and the Transformation of the Turkey's Kurdish Question***

by Nathalie Tocci & Alper Kaliber

Turkey's Kurdish question is strongly determined by the nature of the Turkish state and the manner in which it has responded to the Kurdish nationalist challenge. Of all the case studies analyzed by SHUR, Turkey's Kurdish question least fits the definition of an ethnic or ethno-political conflict. Far from representing a veritable conflict between Turks and Kurds – at least in its origins and predominant evolution – the situation in Turkey can be characterized as a conflict between the Turkish state and the Kurdish nationalist movement, with the identities of both having become increasingly interlocking. Whereas the specificities of the Turkish state have moulded the Kurdish nationalist challenge, the latter and in particular the actions of the Kurdistan Workers Party (PKK) greatly contributed to the securitizing discourse of the Turkish state establishment. Alongside this, the nature of the Turkish state and democracy has also influenced critically the character of Conflict Society Organizations (CoSOs) in Turkey. It is the presence of an excessively

“strong” while concomitantly “weak” and insecure Turkish state that has shaped both the evolution of the Kurdish question and of civil society in Turkey. Since the 1980s the Kurdish question has been amongst the principal issues occupying civil society's agenda in Turkey. It has acted as a defining issue around which civil society organizations positioned themselves in the domestic political system. Those demanding recognition of a separate Kurdish identity and cultural/collective rights, and denouncing the state's violations of human rights took the sphere of the “anti-establishment”. Others, that could be defined as “establishment” CoSOs, adopted, to a fuller or lesser extent, the official state line and blamed anti-establishment civil society groups for being pawns in the hands of the Kurdish separatist movement. As will be made clearer in the subsequent pages, most CoSOs belonging to the former category continue hesitating in working with local official figures even when they consider it necessary to realize their aims. There are a few exceptions to this however, including organizations which try to carefully set a distance from both the state and the Kurdish movement, to which we will return below. In this section, we analyze in what ways and with what consequences CoSOs have been involved in the Kurdish question. In this report we study CoSOs according to their three principal impacts: securitizing, holding and de-securitizing. ([pdf file](#))

## **02/08 - Conflict Society and the Transformation of the Bosnia and Herzegovina Question**

by Giulio Marcon, Sergio Andreis, Thorsten Bonacker, Christian Braun, Francesca Nicora, Valentina Pellizzer, and Inger Skjelsbaer

This report analyses the relations between the role of civil society, on one hand, and human rights safeguard and promotion, on the other, in the bloody 1992-1995 Bosnia Erzegovina (BiH) conflict. Civil society actors are considered in three periods of time: pre-war, until April of 1992; the war years, from April 1992 until the autumn of 1995; post-war, from the end of 1995 until today.

The three-phase timing has been chosen due to the specific BiH socio-political evolution. The pre-war years were characterised by BiH being part of another country, the Socialist Federal Yugoslav Republic (Socijalistička Federativna Republika Jugoslavija- SFRJ) and by the difficult and slow transition from an authoritarian (at least until 1989) regime to a democratic one. The second phase – after the proclamation of independence – has witnessed open and generalised war, with de facto impossible civil, political and social activities. Finally, the end of the war and reconstruction are shaped through a new institutional reality outlined with the Dayton peace agreement (December 1995) and including the fast, and to some extent large, growth of social, cultural, environmental civil society organisations.

The specificity of BiH civil society is determined by the country's multiethnicity (with three dominant nationalities), by the important role played by religions (each one identifying with one ethnic group: Orthodox Christianity with the Serbs, Islam with the Muslims and Catholicism with the Croats) and by the hegemony of nationalist ideologies dominating BiH's politics, society and cultures. This is the context within which the report aims at shedding light on BiH civil society, including its ambiguities and peculiarities. What emerges is the diversity of answers by civil society actors, confronting themselves not only with the local political and military contexts, but also – above all during the war and post-war years – with strong initiatives by the international community and the European institutions. And in this sense the report also provides inputs to the discussion on European conflict policies, their political proposals, the humanitarian strategies implemented and the support given to local civil society organisations. ([pdf file](#))

### **03/08 - Human Rights, Civil Society and Conflict in Cyprus: Exploring the Relationship**

by Olga Demetriou and Ayla Gürel

The formulation of 'human rights' as an international legal concept has, since its inception post-WWII, taken the state as the main guarantor of the rights of its citizens. This has also meant that human rights violations have translated into failure of the state – understood, by the formulators of 'human rights' discourse, as the democratic, peace-seeking state. Based on this rationale, violations of human rights reflect undemocratic and/or conflict-ridden blemishes on the record of the state which needs to be corrected. But where the lack of democracy and conflict are endemic to the functioning of the state, the gap between internationally-understood human rights protection practices and the situation on the ground widens exponentially. It is not uncommon in such situations for a local group-bound concept of 'human rights' to develop, where the exclusion of the rights of others, which in fact underlines all notions of 'human rights' (Douzinas, 2000) is emphatically maintained.

Considering the variability of the levels and possible forms of conflict, it is obvious that diverse situations exist between the different ends of a spectrum. On the one extreme of this spectrum there is the ideal situation of a fully democratic and peaceful state where the human rights of all residents are respected while at the same time pluralism and multiculturalism prevail. A glance at reports of major international non-governmental organizations (INGOs) working on human rights such as Amnesty International or Human Rights Watch, as well periodic appraisals of state reports by UN committees working on human rights proves the impossibility of this scenario all over the world. On the other extreme there are the situations of ethnic conflict characterized by attempts to completely annihilate the other, where no rights are respected and where crimes against humanity exemplified by

ethnic cleansing are being perpetrated. In contradistinction to the 'ideal' extreme, examples of this have persisted in the 20th century, from the Holocaust that effectively caused states to place human rights in the centre of the UN map, to the 1990s' Bosnia and Rwanda, and currently Darfur.

The point of this paper is to explore the situation in the middle of this spectrum, where in fact one would expect most societies, and for the purposes of this paper, conflict societies in particular, to fall, by focusing on the case of Cyprus. Within this frame what is examined here is the impact of a 'frozen conflict' on the development of various understandings of 'human rights' and the relation of these understandings to the work of civil-society organizations. In turn, these relations are contextualized within local state structures and specific political discourses. The paper thus firstly examines the formation of the postcolonial state in Cyprus and the long-term effects of the conflict on the developments of mono-ethnic state structures south and north of the dividing line, the first being internationally recognized as a state representing all Cypriots despite the lack of Turkish-Cypriot participation in its government, the other being unrecognized except by Turkey and claiming to protect the rights of Turkish-Cypriots. On this basis an overview of the development of civil society on the two sides is then provided, spanning the early years of the conflict up to 1974, the years of separation between 1974 and 2003, and the political developments relating to the island's accession to and membership of the European Union (EU). ([pdf file](#))

## **04/08 - Human Rights, Civil Society and Conflict in Israel/Palestine**

by Kenneth Brown, Laure Fourest, and Are Hovdenak

Since this report is meant to be included in a comparative study, it is important to emphasize the unique character of the Israeli and Palestinian context, the fundamental asymmetry of the parties involved. Given the voluminous written material devoted to the conflict, it will suffice to briefly mention here the major asymmetries: geopolitically (Palestinians living under Israeli occupation); militarily (Israel as heretofore the only nuclear power in the Middle-East); politically (Palestinians having no State, thus, no sovereignty); economically (glaring gaps in GDP), and in terms of international support (Palestinians conditionally supported financially, Israel unconditionally supported politically by the Western states). These asymmetries and, additionally, the large number of actors with different conflicting interests account for the varying definitions of concepts with which we are concerned.

Over the five weeks of fieldwork, we met around 70 persons from CoSOs and individuals concerned with HR. Although we do not claim representativeness in any statistical sense, the selection represents a broad range of relevant actors from various segments of Palestinian and Israeli civil societies. Not all of these are of equal importance in terms of visibility, but for the sake of diversifying our sample we have chosen to include small grassroots organisations whose actions have an

impact on a localised level, such as Al Finiq Center in Dheisheh Camp, created by the popular committee of the camp as a space for education, culture and social life; or Reut-Sadaka, based in Jaffa, which works on bi-communal activities with some 150 Arab and Jewish children and teenagers. Our sample includes: lawyers and legal advisers, trade unions and corporations, individual citizens, university professors, research centres, think tanks, political activists, human rights activists, lobby groups, grassroots associations, religious figures and associations, political representatives, and media operators. NGOs, in their diversity, form a major part of our sample for various reasons: in the OPT, they shape the public sphere and are active, however unequal in size and number in all fields. In Israel, NGOs seem to be the most common framework of action for people concerned either with the conflict, or with minority issues (pdf file).

## **OTHER SHUR WORKING PAPERS**

### **05/08 The role of civil society in post-conflict reconstruction: *The case of the Associations of Victims and Relatives of Missing Persons in Bosnia & Herzegovina***

By Valentina Gentile

Recently much scholarly work has been done on the alleged constructive potential of civil society engagement in post-conflict contexts. Civil society intervention is supposed to foster democracy from the bottom shaping those universal values needed to “civilize deeply divided societies”. Such positive expectations have played a fundamental role in the case of Bosnia & Herzegovina; especially when, at the end of the 90s, the failure of the approach based on the idea of international governance, as it was designed in the Dayton Agreements, became evident. The war in BiH was the most deadly conflict in Europe since the Second World War. Today, the path toward a viable and pluralistic democracy in this country seems to be still difficult. Although both scholars and practitioners from all around the world have increasingly paid attention to the democratic transition in the region, the state of BiH still presents signals of deep instability at both economic and political levels. In this context, engaging civil society actors is supposed to promote more substantive levels of democratic stability combined with higher degree of tolerance and pluralistic integration within society. Nevertheless, the idea of “civil society building,” largely supported by international scholars and observers, has presented in its application to Bosnian reality ambivalences and disintegrative potentials.

In this paper, I formulate a theoretical framework for civil society engagement in post-conflict areas. Such an idea is rooted in two fundamental assumptions. First, I offer an alternative understanding of identity- conflicts, which takes seriously into account the idea of individual identity as sum of plural affiliations. Second, starting

from an idea of society where individuals are linked to each other by virtue of their plural affiliations, I emphasize the necessity to understand civil society as complex 'equilibrium among cultural, political, and economical domains', where individual interests and pursuits meet collective claims and shared experiences. The paper is divided into three chapters. The first chapter is meant to represent an introduction to the general case study of BiH. In the second chapter, the theoretical framework is sketched. Finally, in the third chapter the ideas of 'equilibrium' and plural affiliations are applied to an actual case of Bosnian civil society actors, the Associations of victims and relatives of missing persons. ([pdf file](#))

## Recent publications on SHUR themes

Calloni, M. (ed.) (2006) ***Violenza senza legge. Genocidi e crimini di guerra nell' età globale***. Utet

How can we, as professors and teachers, contribute to a global awareness of existing violence and find methods to fight it? With this question in mind the publication "Violenza senza legge", edited by Marina Calloni in cooperation with the Crimes of War Project, focuses on sensitising society - mainly professors, teachers, students, and journalists - to war crimes.

In the first part of the book the authors trace the history of war and violence in the 20th century, show the change in warfare, and introduce the characteristics of "new wars": Wars that are extremely violent, everywhere and "senza legge" (lawless). The genocides of Ruanda and Ex-Yugoslavia serve as cruel examples for the violence in "new wars". These two cases are analysed from different points of view: academics come to speech as well as victims and testimonies, e.g. international journalists. (These examinations are based on a research study "Genocide e Crimini di Guerra: Quale ruolo per il diritto umanitario e per la comunità internazionale?" (Genocidi and War Crimes: What role play human rights and the international community?) conducted at the University of Milan-Biococca.) In a further part humanitarian and legal instruments of the international community are analysed with all its strengths and weaknesses. A CD-Rom is added to the book, containing multimedia information, like central documents of international law, background information to the case studies as well as audiovisual files including expertise discussions and an exhibition titled "Mostar 1982-2004".

The polyphonic research of this book is meant to contribute to a global civil society aware of existing violence and ready to fight it. Furthermore it adds to an international network of different social actors (researchers, victims, journalists, etc.) that can develop effective measures against violence and for a more peaceful world.

(Rabea Hass)