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Conflict Society and Human Rights

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It is widely recognised in the literature that civil society plays a fundamental role in fostering democratic governance in peaceful societies. In these societies, politicisation may occur when a widespread feeling of marginalisation from traditional political life translates into civil society activism both at local and trans-national levels. Here, politicisation takes place surrounding single issues affecting the quality of life of specific sectors of society. Politicised issues may thus include environmental issues, labour standards, gender issues, enfranchisement, or the impact of economic liberalisation. While empirical findings confirm the political role of civil society in these contexts, a far more prominent role is reserved however to official institutions, political parties, business and the media. When challenged by these actors, civil society risks being pushed to the margins of politics and reduced to play a mere technical and subsidiary role. This suggests a changing (at times desolating) image of civil society within developed and peaceful societies.

Yet the political significance of civil society may be far more prominent in other contexts such as those marked by conflicts. Being characterised by a higher degree of politicisation and a less structured institutional setting, these scenarios generate a more intense mobilisation of civil society that actively shape the nature of politics and policy. Here politicisation is of a qualitatively different nature, as it occurs in view of the existential nature of politics and of the public's awareness that official levels are not satisfactorily tackling the causes of their deprivation and frustration. Contrary to peaceful contexts, in conflict situations the existential nature of politics and the securitisations that follow generate different societal incentives to mobilise. The cross-sectional nature of existential politics and securitisation thus yields a quantitatively higher degree of public action spanning across different groups in society. The different understandings of the causes of conflict and their adequate responses may in turn lead to the formation of civil society actors and ensuing actions that can either fuel conflict, sustain the status quo, or build peace. The extent to which a civil society actor or action may be assessed in relation to a conflict is highly subjective. SHUR's focus on human rights, including both individual civil and political rights, socio-economic rights as well as collective rights, aims to provide a fruitful avenue to disentangle the complex nexus linking peace and conflict to the role of civil society in these contexts.

In order to tackle the interrelationship between civil society, conflict and human rights, this paper is structured as follows. In the literature, civil society has been normally discussed and analysed in Western, peaceful, democratic and developed contexts. Yet the cases analysed in SHUR unfold in very different situations. As such in a first section, we begin by analysing the implications of context on civil society, and more precisely on the

implications of statehood, democracy, nationalism, development and international presence on the nature of civil society. In section two we introduce more specifically the role of civil society in ethno-political conflicts, or as we rename it ‘conflict society’. We then turn to different factors determining impact of civil society on conflicts. In particular we analyse the impact of their political identities, frameworks of action and political opportunity structures in which they operate. In a final section we apply this analytical framework to the impact on human rights in conflicts, concluding with three broad hypotheses on the relationship between civil society, conflicts and human rights. A gender analysis will be mainstreamed throughout this paper, mapping out gender concerns regarding the different variables analysed throughout this paper¹.

Civil society in context

The theoretical and empirical study of civil society – from Hobbes to Habermas, up until the recent literature on global civil society – sprung from specific historical, political and socio-economic contexts. These contexts shaped both the views of the authors in question and the nature of the object of study itself: civil society. The early philosophical debates on civil society emerged from and were grounded in Western Europe, in contexts of state formation (Hobbes, Locke, Ferguson), emerging capitalism and class struggle (Hegel and Marx), democratisation and ultimately of democracy (Gramsci and Habermas). Likewise, in the 1970s and 1980s, civil society activity and literature was also firmly grounded in the West, having played an active role in issues such as nuclear disarmament, environmental sustainability, as well as gender and race struggles. The more recent wave of civil society literature since the end of the Cold War is also solidly grounded within the West, this time couched in the wider framework of globalisation and international relations studies.

The specific contexts in which this literature is embedded are often taken for granted. Rarely are the implications of context on the development of civil society openly acknowledged and taken into account (Lewis, 2001; Glasius *et al.*, 2004). Yet a study of the role of civil society in conflict-ridden areas lying beyond Western Europe must necessarily account for the role and implications of context. Hence, a first variable in our analysis of civil

¹ We wish to thank Diana Copper for providing consultancy for the gender mainstreaming in this paper. For more on this topic, see her contributions to the SHUR working paper series (Copper, 2007a, 2007b).

society in the conflict-human rights nexus is the contextual framework within which it operates. Indeed several core contextual questions need to be raised and brought to the fore at the outset. Can and does civil society exist in contexts of failed or failing states where the rule of law is weak or non-existent and governing structures are fractured or collapsed? Can and does civil society exist in cases of undemocratic or authoritarian rule or in nation-states marked by a strong sense of ethnic nationalism, in which rights and freedoms are seriously curtailed? Can and does civil society exist in situations of poverty and underdevelopment hindering the emergence of a well-defined and rule-bound social space lying between the state and the family? Finally, can and does civil society exist in contexts of war in which infrastructure is destroyed, societies divided and insecurity prevails?

SHUR's underlying premise is that civil society can and does exist in these situations. Yet its nature as well as its role and functions are fundamentally shaped by the specific context in question. In so far as civil society is both an independent agent for change (Putnam, 1992) and a dependent product of existing structures (McAdam *et al.*, 1996), in our study we are likely to encounter a wide range of civil society actors. We thus move beyond the conventional understanding of civil society in peaceful and democratic contexts, based on the action-guiding principles of minimising violence in daily life; finding ways to debate public affairs; recognising human equality; and seeking inclusion. While many civil society actors in our zones of enquiry follow these precepts, others do not. The civil society sphere in our areas of enquiry is likely to include a rich diversity of both 'civil' and 'uncivil' actors carrying a wide range of actions and functions. In situations of underdevelopment for example there are likely to be more civil society actors engaged in basic service provision and protection functions than in contexts of development and democracy.

More specifically for the purpose of our study, several general contextual categories need to be accounted for and briefly discussed in order to qualify and better understand the specific context in which civil society in conflict operates. The first and most basic general contextual distinction is whether civil society operates in a state or non-state context, or more widely in a failing or failed state context. The early debates viewed civil society as either synonymous or inextricably intertwined with the state (Hobbes, Locke). In more recent studies, while occupying the space between the state, the family and the market, civil society is conceptualised as interacting with the state, both influencing and being influenced by it (Chazan, 1992, 281). As such, the lines separating the state from civil society in practice

remain extremely blurred, complex and continuously renegotiated.² Furthermore, many studies on non-governmental organisations (NGOs) argue that in view of the organisational, personnel and financing features of NGOs, these are often linked more to the state than to society (Ferguson, 1990). The state thus inevitably shapes the nature and role of civil society.

However, the ‘new wars’ of the post-Cold War era are often marked by situations in which a legally recognised state either does not exist and/or it is extremely weak/failing/failed. In many secessionist or irredentist conflicts, a legally recognised state does not exist at all (e.g., northern Cyprus, Nagorno Karabakh, Transnistria). In some cases, a recognised public authority exists, but it remains a far cry from a fully-fledged state (e.g., Palestine). In other cases still, a recognised state exists, but it is extremely weak (e.g., Georgia, Moldova), fragmented (e.g., Lebanon) or not fully independent (i.e., Bosnia-Herzegovina).

When a state does not exist or when it is weak, fragmented or failing, those already blurred lines separating the state from civil society become even fuzzier or practically non-existent. In these situations, civil society comes to occupy part of the space normally filled by the functioning state, in so far as identities are more fluid and marginalised actors, such as women, discriminated genders and racial minorities coalesce to re-vindicate equal treatment and renegotiate political spaces. Yet without the laws and rules governing society, civil society organises alternative systems of self-help and tribal justice; informal forms of governance that civil and uncivil society actors alike establish and are shaped by. When states are weak or failing instead, patronage and corruption are likely to influence the nature and role of civil society, by inducing the latter to fill the voids left by the state through similar modes of operation, e.g., mafia or other organised crime networks, which provide services to the population by interacting through underground and illegal channels with the weak or failing state and thereby acting as a ‘shadow state’ (Transparency International, 2005). Finally, where a recognised state exists but lacks sovereignty and independence, local civil society is often disempowered and deresponsibilised by the absence of a sovereign interlocutor at state level (Belloni, 2001).

² Gender rights activism and feminist scholarship have traditionally had a complex and multifaceted relationship with the state, and both in Western and postcolonial contexts (MacKinnon, 1989; Rao, 1999) Feminism and civil society activism have always been strongly linked, viewing the state, “the establishment” as a denier and co-opting force for gender rights.

In conflict cases where a functioning state does exist, three further contextual categories shape the nature and role of civil society: the degree of democracy, the nature of the democratic state and society and the level of development. One is the degree and manner in which the state is democratic. In so far as civil society needs to be both permitted and protected by the state, its existence, nature and role is determined by the extent of associative freedom, as well as by the existence of other basic rights and freedoms normally enshrined within democratic states. When these rights and freedoms are curtailed, as is often the case in latent or violent conflict situations, then civil society is likely to develop beyond legal boundaries, often aiming to subvert the state rather than interact with it. The very fact of having to operate beyond the law inevitably shapes the aims and means employed by civil society; which are viewed as ‘civil’ or ‘uncivil’ depending on political perspectives.

Yet even within the confines of formally democratic states, the shape of civil society is given also by the specific nature of the democracy in question. In nationalistic albeit democratic states (again a frequent feature of conflict-ridden countries), civil society is more likely to include also ‘uncivil’ actors pursuing racial or xenophobic agendas (Yishai, 2002). In democracies with a strong military presence and militarised culture, civil society – associated with the civil/non-military domain – is often associated with the push for democratisation and the civilianisation of politics (Seckinelgin, 2004). In democracies founded upon a strong ideological consensus (e.g., Zionism; Kemalism), civil society acts in surveillance and critique of the state within clear albeit unspelt ideological confines, after which the ‘socio-cultural reflex’ contracts, and civil society – in unison with the state – acts to counter real or perceived threats to the established ideological order (Seckinelgin, 2004).

Another contextual category, and amongst the most prominent in structural terms, frequently encountered in conflict situations is socio-economic underdevelopment, which favours the presence of traditional over modern associational forms of local civil society. Gellner (Gellner, 1995) argues that whereas ‘modularity’ characterises civil society, ‘segmentalism’ marks traditional society. The modular society essentially exists in the developed world, it is characterised by voluntarism and performs modern civic functions. By contrast, in a segmentalised society, often found within developing contexts, civil society is characterised by a far more prominent role of non-voluntary associations (family, tribe, ethnic or religious communities) over voluntary ones. Often the bonds, loyalties and solidarity that these associative forms engender are far stronger and more tenacious than those found in voluntary groupings. As such, while non-voluntary associations in these contexts may act as key curtailers of gender and other rights in the private sphere, they also tend to be in a

stronger position to carry out many of the ‘modern’ functions normally performed by civil society in developed contexts (e.g., the health and education services provided by religious charities). Excluding these groups from the analysis would entail missing much of the civil society activity in developing contexts (Varshney, 2001).

The nature and role of the international community constitutes a final contextual feature shaping civil society. An overall global trend is traceable, whereby states play a diminishing role as service providers both domestically and internationally, leading to the privatisation of world politics. Within this trend, civil society actors have flourished both locally and transnationally (Chandler, 2001). The diffusion of new information technology coupled with political changes (e.g., the end of Cold War, the subsequent end of subsidies to Allied states, the consolidation of the ‘Washington consensus’, and UN world summits) created opportunities for the emergence of ‘global civil society’ (Anheier *et al.*, 2001; Anheier *et al.*, 2003; Pianta & Silva, 2003; Anheier *et al.*, 2004, 2005; Anheier *et al.*, 2006; Pianta & Marchetti, 2006). This has meant that many of the functions previously performed by governmental actors have been reallocated to civil society. Since the 1980s, development assistance has been increasingly channelled through NGOs (Sogge, 1996). Developed states and international organisations have outsourced the implementation of aid programmes, while intermediating and retaining political discretion as to its overall direction.

These international pressures not only mould global Civil Society Organisations (CSOs), they also profoundly affect the nature of local CSOs especially within developing contexts. The political nature of international development, albeit couched in a technical and seemingly apolitical discourse, crucially shapes the nature of civil society in these contexts (Chandler, 2001). This is not least because ‘civil society’ is indeed one of the principal development aims of the international donor community. Yet by espousing particular political views as to what constitutes development and a desirable civil society, the donor community distorts the nature, role and effectiveness of civil society in developing contexts (Fisher, 1997). In a wide variety of cases, scholars have indeed demonstrated that by promoting particular types of civil society (e.g., NGOs, also dubbed as ‘non-grassroots organizations’), the donor community weakens those CSOs that have veritable ties to society and respond to local societal needs. Donors also create a dislocated new civil society, which is technical and specialised in mandate, neoliberal in outlook, urbanised and middle class in composition, and which – in business-like fashion – responds to the goals of the international community rather than of the society in question (Belloni, 2001; Shawa, 2004; Pouligny, 2005; Challand, 2006). Hence, foreign influence can mould local civil society to its liking (Fisher, 1997; Belloni,

2001; Pouligny, 2005; Challand, 2006). By doing so, civil society's traditional virtues of independence, flexibility and effectiveness of civil society largely explained by its local rootedness quickly vanish.³

The changing international security agenda also shaped the nature and role of civil society. Up until 1980s, NGOs played a secondary role in security affairs. Although civil society played a key role in providing peaceful ways out from key incidents such as the euromissile/SS20 crisis in the 1980s, its role was essentially subordinate to and in a lobbying mode of interaction with state-level actors. Since the 1990s, in view of the wave of humanitarian interventions, the field of peace-building has been instead partly transferred to the private sector, with states and multilateral organisations having lost their unique role in this domain (Richmond & Carey, 2005). NGOs began acquiring a more explicit security mandate in war-torn contexts, increasing in number and diversifying in function (West, 2000; Terry, 2003; Abiew & Keating, ; Goodhand, 2006). These can be distinguished between liberal humanitarian and relief organizations; politically or financially co-opted organizations; and militarily embedded organizations. Liberal humanitarian organizations and relief services became an integral component of war economies. At times, NGOs have called for international humanitarian intervention. Somalia, Rwanda and Kosovo are examples of active NGO roles in making the case for humanitarian intervention to the international community. On other occasions, NGOs have followed state-led military action (NGOs operating in Iraq following the 2003 US war and occupation of the country). The Brahimi report (Brahimi Report, 2000) indeed encouraged an even closer integration between humanitarian NGOs and military operations. In the phase of post-war reconstruction in particular, CSOs are instead co-opted politically and through financial means by intervening countries, in order to help alleviating the costs of war. Since the new millennium, the turn in global politics with 'War on Terror' has provided a further change in the role of (some) CSOs, through their 'embeddedness' and connivance with state-waged wars. Hence, while at times representing a counter-hegemonic force of resistance (Marchetti, 2006), CSOs have also acted as a dependent functional substitute within the neo-liberal and neo-conservative paradigm for the diminishing as well as more assertive role played by states in international politics. With

³ The same critique has been directed to the international community's efforts to promote gender progressive change in developing contexts. The core of this critique has been the promotion of a gender agenda that responds to white Western middle class understandings of feminism, that do not fit local contexts and are not recognised or identified with by local feminist struggles.

CSOs serving to heal the wounds of war and to win the hearts and minds of local populations in favour of intervening armies, their autonomy has been severely hampered.

Conflict society

Conflict society and political identities

Ethno-political conflicts have been defined as a struggle between peoples, self-defined in ethnic terms, who articulate their respective needs and wants in mutually incompatible ways (Pia & Diez, 2007). As opposed to peace, conflict, i.e., the incompatibility of subject positions, can either not be manifested publicly at all (i.e., in conditions of latent structural violence), or it can be manifested through violence (e.g., war) or non-violent means (e.g., public demonstration and political activism). The source of the incompatibility is inextricably tied to the very definition of the group, that is in an ethnic definition which is primordial, non-voluntary and exclusive in nature and which defines itself in contrast to an external 'other'. Ethno-political conflicts are in fact characterised by a public disaccord either between the state and significant parts of society or the wider public, or between different parts of the population. The discord and division are claimed on the grounds of identity defined through ethnicity, i.e., a multiple concept that refers to a myth of collective ancestry. Central to this concept is the notion of ascription and the related notion of affinity. Ethnic identification is thus often based on the prioritisation of birth over territory. The process of public recognition that leads to the perception of 'incompatibility of subject positions' (i.e. identities and interests) is crucial in the dynamic of conflict.

Turning to the role of civil society in ethno-political conflict, a second key variable in our study is the identity of the relevant civil society actors. Here, the literature is largely embryonic. There has been considerable attention devoted to global civil society and trans-national social movements (Tarrow, 1994), and more specifically to their role in preventing and resolving war (Kaldor, 1999, 2001; Douma & Klem, 2004; Forster & Mattner, 2006). Yet insufficient attention has been devoted in this literature to the role of local civil society in violent conflict creation as well as in prevention or resolution. When local civil society is taken into account in the literature on nationalism, civil actors are instead often characterised as negative agents in fundamentalist or nationalistic struggles rather than as potential agents for peaceful transformation (Kaldor, 2003). In transition studies instead, local civil society is

often studied as a player in democratisation, diplomacy and economic modernisation (Weiss, 1997), that is in a liberal ‘peacebuilding’ and ‘peace-consolidating’ mode (Richmond, 2005). Yet its role during conflict periods themselves is often overlooked. In development studies recently coupled with security studies, civil society in conflict is often exclusively taken to mean western-style international non-governmental organisations (INGOs) and local western-funded liberal NGOs (Lopez, 1998; Chandler, 2001; Terry, 2003; Goodhand, 2006), thus ignoring the wider civil society space beyond NGOs. In what follows, we thus first examine the specificity of local and international civil society in identity-based ethno-political conflicts.

The term ‘civil society’ encompasses a wide variety of actors, ranging from local to international, independent and quasi-governmental (quangos) players. Social movements, networks, and organisations are all part of civil society, broadly intended as operating independently from state structures, though they interact with it. Conventional conceptions of civil society developed principally within Western societies classify CSOs according to their attributes as non-profit; voluntary; and independent from government attributes. Yet even within the West, these categories are often not clear-cut. As discussed above, the fuzziness of these categories is even greater within developing, war-torn, or weak/failing state contexts. For example, in a war-torn context, CSO independence is often difficult or impossible to achieve precisely because of the polarised and highly politicised nature of societies. Likewise, in non-state or weak/failed state contexts, the significance of CSOs’ independence may well be redundant. As such, given the relative usefulness of categorising CSOs on the exclusive basis of who they are (their identities and organisational structures), it is equally important to concentrate on what they do, that is on their functions (Goodhand & Hulme, 1997, 24 - table 3; Anheier *et al.*, 2004; Debiel & Sticht, 2005, 33; Paffenholz & Spurk, 2006, 26-33).

Conflict tends to shape the identity and functions civil society organizations. Yet only certain organizations are either party to conflict and peace efforts, and/or directly affected by conflict in terms of both their identity and functions. In what follows we analyse only these groups, defining them as ‘conflict society’. Adapting the multi-track diplomacy model originally elaborated by Diamond and McDonald (Diamond & McDonald, 1996), we can formulate a provisional list of the main *Conflict Society Organizations* (CoSOs) (see table 1). CoSOs are both local and international groups that take active part in the conflict. They include conflict specialists, business, private citizens, research and education, activism, religion-based groups, foundations and the media. Despite a likely membership overlap between different categories, these eight groupings are sufficiently delineated to allow for a

precise identification of the different civil society actors in conflict. As discussed by Diamond and McDonald, these groups encompass all civil society organizations. Yet following the definition of CoSOs provided above, we only analyse those groups falling within these typologies which play an active role in conflict/peace efforts and/or whose identity and actions are significantly influenced by conflict.

Table 1: CoSOs typology

	Type of track diplomacy	Actors
1.	<i>Professional</i>	Technical experts, consultants
2.	<i>Business</i>	Businessmen Trade unions Professional associations Organized crime networks
3.	<i>Private Citizens</i>	Individual citizens, Diaspora groups, Families and clans
4.	<i>Research, Training, and Education</i>	Special interest research centres Think Tanks Universities
5.	<i>Activism</i>	NGOs Lobby groups

		Grassroots movements Local communities Combatant groups
6.	<i>Religion</i>	Spiritual communities Charities Religious movements
7.	<i>Funding</i>	Foundations Individual philanthropists
8.	<i>Communication</i>	Media operators

Beyond, a factual understanding of who CoSOs are, a different classification is necessary to understand CoSOs' identities and ideological underpinnings. A first fundamental variable is the degree of inclusiveness of membership and of the targeted public. Roughly speaking, two extremes consist in an inclusive and universalistic approach and in an exclusive and particularistic one. Either a group is open to accept as members or as receiving agents all those involved in conflict, or it focuses only on a limited section of the population demarcated by ethnic boundaries. An inclusive outlook entails the promotion either of a single cultural identity or the creation of a new civic or multi-tiered identity (hybridisation). An exclusive outlook bases its approach on the existence of primordial and unchanging identities. A second variable characterising CoSOs identities is their egalitarian or non-egalitarian nature. An egalitarian CoSOs accepts as equal all actors across the conflict divide, while a non-egalitarian approach would attempt to assert the primacy of one group over another. If we combine these two variables, we can identify four main stylised CoSOs identities determining their overall normative outlook on the conflict at stake. Needless to say, these identities are stylised and in reality most CoSOs will display different combinations of them, changing over time.

Table 2: CoSOs identities

	Inclusive	Exclusive
Egalitarian	<i>Civic/Post-National</i>	<i>Multi-culturalist</i>
Non-egalitarian	<i>Assimilationist</i>	<i>Racist</i>

A civic or post-national identity emerges from CoSOs with an inclusive and egalitarian outlook. Contrary to other categories, this is the only identity that places primary emphasis on the individual. It thus promotes either a liberal civic (as opposed to ethnic) identity or it accepts and fosters multiple identities which each individual freely chooses (Habermas, 2001; Sen, 2006). These groups may thus include INGOs with a liberal civic outlook such as Human Rights Watch, Medcins Sans Frontières or Amnesty International; or local bi-communal groups such as Women in Black in Israel-Palestine or the Peace Research Institute Oslo (PRIO) – Cyprus Centre in Nicosia. While these groups are normally associated with peacemaking functions, they may also contribute, at times necessarily (Pia & Diez, 2007, see hypothesis 2), to escalate conflicts through their securitising moves, by voicing, monitoring and denouncing previously silenced and repressed facts.

A multi-culturalist CoSO is one which, while accepting the right of all actors to an equal footing, recognises and values their different cultural identities, rather than attempting to transcend them (Kymlicka, 2001; Dallmayr, 2003). These may include inter-cultural

movements or organisations (e.g., the Tres Culturas Foundation in Sevilla) or inter-religious gatherings (such as the Day of the Prayer in Assisi, interfaith dialogues for Middle East peace, the Dialogue of Civilisations promoted by former Iranian president Khatami). Especially when inter-religious groups at international levels highlight and denounce the non-egalitarian treatment of specific communities within conflict contexts, they may raise, again at times necessarily (Pia & Diez, 2007, see hypothesis 2), awareness and induce the countermobilisation of discriminated communities. These movements can be either elitist or grass-roots.

An assimilationist CoSO is one which accepts the ideal of promoting an undivided society, yet does so in a non-egalitarian fashion by promoting a homogenous society in which the dominant ethnic group asserts its own identity over the others. These may include militant groups such as the Grey Wolves in Turkey, which while highlighting the importance of Turkishness over and above other identities, are prepared to accept and encourage the assimilation of other ethnic groups into the Turkish nation. If other groups comply they are accorded equal treatment within the state. While different in terms of strategies and actions, other assimilationist groups or practices include Born-Again Christians in the United States, Islamist fundamentalists underpinning al-Qaeda's ideology, as well as the practice of ethnic rape in war.

Finally, the racist CoSO is exclusive and non-egalitarian in outlook, believing in the primacy of a single and primordially given and thus non-assimilable identity. It thus advocates either ethnic cleansing or an effective apartheid system with permanent second-class citizenship. Examples include far-right Israeli transfer movements (i.e. Amihai) calling for the expulsion of the Palestinians to neighbouring Arab countries, the Ku Klux Klan in the United States, or the Australian Holocaust-denial Adelaide Institute.

In terms of their likelihood to impinge on gender ideology, egalitarian CoSOs are most likely to identify with gender egalitarian agendas and promote progressive gender change. Multiculturalist, assimilationist and racist CoSOs are instead historically more likely to be constructed on disciplinary and conservative understandings of masculinity and femininity and their presence/actions may hamper progressive gender change. Even egalitarian CoSO's gender agenda however may be embedded in relations of power, hegemonic in terms of gender, race and class (Jacoby, 1999a, 1999b). A case to case analysis of societal context, organisations, and their gender, race and class impact is therefore needed.

Conflict society and frameworks of action

A third variable in our study of civil society in conflict is the framework of action within which CoSOs operate. Here we refer first to theories of ethno-political conflicts and then to the three principal theoretical approaches used in conflict and peace studies. In doing so, we analyse CoSOs involvement in conflict escalation, conflict management, resolution and transformation. We also examine the specific forms of actions they may be involved in and hypothesise the impacts they may have.

Conflict escalation

We have defined ethno-political conflicts as situations in which groups, self-defined in ethnic terms, articulate their subject positions in mutually incompatible ways. Once such incompatibility is publicly affirmed, ethnic affiliations begin permeating unrelated sectors, organisations, and activities, thus raising starkly the stakes of ethnic politics in society. As Horowitz puts it:

“In divided societies, ethnic conflict is at the center of politics. Ethnic divisions pose challenges to the cohesion of states and sometimes to peaceful relations among states. Ethnic conflict strains the bonds that sustain civility and is often at the root of violence that results in looting, death, homelessness, and the flight of large numbers of people. In divided societies, ethnic affiliations are powerful, permeative, passionate, and pervasive” (Horowitz, 1985, 12)

Ethnically divided societies are conventionally divided in ranked and unranked systems (Horowitz, 1985, 22). The distinction rests in the possible overlap between social class and ethnic origin. As opposed to unranked systems, in ranked systems ethnicity is strictly related to social class or caste structures. Linked to this, a hierarchical ordering (associated with ranked systems) as opposed to a parallel ordering (associated to unranked systems) of society also profoundly affects the development of conflict. Furthermore, the ethnic group may be internally ranked according to relations of power, in which women and sexual minorities are likely to be subordinated. For instance, in ethnically ranked systems, when a single ethnic group dominates a powerful public institution, the risk of that institution being used for ethnic purposes and discrimination is high. In these cases, the tension between greed and grievance increases on the inside, and the scope for legal and institutionally negotiated accommodation falls, often leading to the counter-mobilisation of the

discriminated group beyond legal and institutional boundaries. In these situations, the discriminated group may engage in underground non-violent action or violent action. Externally instead, the international spread of transnational norms becomes a key element in the quest to gain legitimacy (Keck & Sikkink, 1998; Risse *et al.*, 1999). In so far as the victims are often denied access to local normative and political resources, they are induced to appeal to external resources as the only means to influence the local balance of power ('boomerang effect') (Risse-Kappen, 1995; Tarrow, 2001; Tilly, 2001; della Porta & Tarrow, 2005).

This entails that these conflicts often manifest themselves on the one hand through high intensity intra-border ethnic tensions and violence, and on the other hand, by strong international appeal to laws and rights. Within these contexts, traditional solutions are often ill-equipped to de-escalate, settle and resolve conflict (Arielli & Scotto, 1998). Conventional diplomacy, the potentially discriminatory nature of both civic citizenship and minority rights, and the tension between the rights to territorial integrity and self-determination are all elements that have been strategically manipulated to exacerbate conflicts (Kaldor, 1999; Roach, 2005).

In these situations, CSOs can play a crucial role in the successive phases of conflict eruption and escalation (Calliess & Merkel, 1994; Weiss, 1999; Cockburn, 2000; Marcon & Pianta, 2001; Davies & Kaufma, 2002; Fischer, 2006). They can discursively contribute to the securitisation of conflict by raising the awareness of conditions of latent conflict. They can do so through mass demonstrations, media diffusion, public assemblies and monitoring and denouncing activities. They can also ignite conflict in its violent stages by organizing and activating combatant groups and guerrillas. At the international level instead, they can call for indirect international support through funds and arms, or they lobby for the direct involvement of the international community in the conflict (e.g., through mediation or war).

Conflict management

Realist and neorealist approaches to conflict studies have emphasised the notion of management and settlement. Given the endemic nature of conflict, its management or settlement is the only realistic aspiration. This can be achieved through bargaining and negotiation between conflict parties, incentivised by external actors preferably engaged in principal mediation through the use of sticks and carrots. Within this tradition, states or state-like actors, either in the form of conflict parties or third party actors are the principal players in the conflict settlement game. The value of CoSOs is either secondary, marginal or non-

existent. This is particularly true with regards to gender, whereby in the conflict management tradition not only are CoSOs treated as a “black box”, but relations of power along gender and racial lines are generally accepted or ignored. The second Iraq war is a blatant example of this, where the drafting of the Iraqi constitution involved the bargaining between political parties representing different ethnic and religious constituencies, yet ignored women’s groupings and interests.

At best, CoSOs tend to play secondary roles in conflict management. Only rarely do conflict parties turn to and accept the official mediation by a CoSO rather than by third party states or international organisations. As such, CoSOs are often not directly involved in peace-making activities (conceptualised primarily as the process leading to a peace agreement). A notable exception to this was Sant’Egidio’s successful mediation of the conflict in Mozambique between 1990 and 1992. Yet normally, CoSOs simply provide support to first-track negotiations. These include unofficial ‘track-two’ negotiations which prepare the ground when time is ripe for the official track-one level to take over and sign a deal (Zartman, 1989). An example of this were the back-channel contacts between the late 1980s and the early 1990s among Israelis and Palestinians in Norway, which, by 1993 became appropriated by the State of Israel and the PLO with American mediation, giving rise to the Oslo process. Secondary roles in conflict management can also be played by think tanks, research centres or lobby groups, which provide the necessary information and suggest political direction to the official institutions with which they interact. At times these activities can contribute to the management and settlement of conflicts. Yet on other occasions they may constrain the scope for government manoeuvring thus reducing the prospects for compromise. Diaspora groups for instance may reduce the scope for compromise. The lobbying efforts of the American Israeli Public Affairs Committee (AIPAC) (regarding the Israeli-Palestinian conflict) or the Armenian Diaspora in France and the US (regarding Turkish-Armenian relations) have been notable cases in point.

Ripe conditions for the management and settlement of a conflict may also emerge due to a contextual change. There may be a change in the domestic environment within a principal party, such as a change in leadership or a deterioration in the economy inducing leaders to raise their popularity through a foreign policy success (Stedman, 1991). Ripeness can also emerge from changes in the international environment, such as changing international alliances with ensuing consequences for the conflict configuration. Ripeness however is not necessarily the product of coincidental contextual changes. It can also be cultivated. This idea

is particularly relevant in cases when conflicts are protracted because principal parties develop vested interests in the status quo.

In these cases, CoSOs can shape the context within which the conflict unfolds, thus contributing to peacemaking by altering the incentive structure underlying conflicts. Business groups for example, intent in cultivating a business and investment friendly environment can lobby governments so as to normalise the situation on the ground. An example of how economic actors operate and influence the political domain in conflict contexts is the Turkish businessman association (TÜSIAD). Particularly since the late 1990s, TÜSIAD has been extremely vocal on democratisation issues, intent in promoting Turkey's internal reform process and the accompanying EU accession process for business-related reasons. Conversely, CoSOs may influence conflicts by operating on its economic incentive structure. Hence, for example the grass-roots boycott campaigns against South African goods in the 1980s or Israeli goods following the eruption of the second *intifada*. Likewise, the media may shape public opinion in a manner conducive to conflict settlement, by inducing the public to pressurise their respective governments into signing peace agreements, as was the case in northern Cyprus in the run-up to the 2004 referendum on the UN-sponsored Annan Plan.

Yet CoSOs can also spoil a conflict context contributing to renewed periods of deterioration and re-escalation. More often than not, the media for example focuses on short-term and sensational incidents and events, which far from fostering reconciliation can radicalise and entrench public opinions reducing the scope for official compromise. Moreover, the media can play a key role in securitising conflict environments also by reproducing hegemonic masculinity/femininity stereotypes. In other situations, humanitarian, relief and service-providing NGOs in war contexts may prolong the status quo by alleviating the costs of conflict. Rather than being viewed in a positive light, the conflict management approach may interpret these actions as the cultivation of 'unripe' conditions for a settlement. Hence for example, in the aftermath of the Oslo accords, the growing presence of internationally-funded NGOs in the occupied territories on the one hand reduced the costs of Israel's occupation while on the other hand fostered a disconnect between the Palestinian public and the nascent Palestinian Authority. Both factors contributed to the postponement of a final peace agreement by deresponsibilising the conflict parties with respect to their populations (Gordon & Filc, 2005; Le More, 2005).

Other CoSOs actions such as grass-roots activism, people-to-people contacts, or inter-cultural and religious dialogue are essentially viewed as marginal to the main area of conflict management and settlement. The potential role of these activities is only considered relevant

to the extent that it directly impacts upon official positions and actions. In order to account for the relevance of these and other CoSOs activities we need to turn to the remaining two schools of thought.

Conflict resolution

Rather than endemic to human nature, the liberal school of conflict resolution argues that conflict emerges when basic human needs are denied (Burton, 1990). Peace is thus achieved when the basic human needs of all people are respected. In and of itself, this is feasible. Yet conflict emerges because the means through which particular groups seek to fulfil their needs (i.e., through ‘satisfiers’) may mean the negation of those very needs to others. Conflict resolution thus entails the re-articulation of adopted ‘satisfiers’, through a changed understanding of a group’s identity and interests, in a manner conducive to the fulfilment of basic human needs for all, i.e., choosing mutually compatible satisfiers. Three principal features characterise the approaches through which this is sought. First, rather than power mediation featuring prominently in conflict management approaches, the preferred conflict resolution means are non-coercive and based on dialogue, persuasion and problem-solving. Second, while appreciating the importance of official track-one diplomacy, the emphasis in conflict resolution is placed on the involvement of non-elites and the wider society. This school of thought also acknowledges and analyses in a more sophisticated manner the impact on gender norms, although as argued in SHURwp02/07, this framework can also be gender blind to women’s needs (Reiman, 2002). This is viewed as necessary for veritable conflict resolution, which goes beyond the mere signing of a peace accord. Third, peace initiatives under this school of thought are normally long-term, unfolding both in stages of violent conflict and in stages of post-settlement reconciliation.

CoSOs thus play a far more prominent role in conflict resolution than conflict management approaches. Rather than secondary actors in peacemaking, CoSOs represent indispensable actors allowing the shift from mere management and settlement to actual reconciliation and pacification on the ground. Given the focus on activities involving wide sectors of society, conflict resolution emphasises the roles of some CoSOs more than others. Rather than professional, business and specialised research and training centres concentrating on elite levels, conflict resolution approaches privilege actors engaged in actions aimed at wider sectors of society.

These CoSOs play different roles in different stages of conflict. In periods of violence, CoSOs prepare the ground and create the critical mass necessary for a ceasefire and ultimately

a peace agreement to be signed. In secessionist conflicts, in view of the fears of official recognition of the secessionist entities, the first contacts between groups in conflict are unofficial people-to-people contacts and problem-solving workshops organised by local or international NGOs. Private citizen initiatives may instead solve basic problems related to crime or the environment within mixed neighbourhoods in conflict zones. These may work more effectively than the official levels, which, deadlocked in conflict, are often unable to tackle problems which are not directly related to the conflict itself. Schools or universities may instead engage in peace education projects, involving both warring parties and the wider societies, and thus building peace constituencies to reconsider the means through which conflict parties pursue their basic needs. Other CoSOs develop training programmes in order to cultivate social entrepreneurs, who multiply and magnify the impact of peace education. In conflict periods, CoSOs may also contribute to resolution through service provision. Religious charities and NGOs for example may provide basic services meeting the minimum threshold of basic human needs, such as health and education. They may do so in periods of acute violence and destruction when states (and at times the international community), enmeshed in conflict, fail to deliver.

Following the signature of a peace accord, CoSOs work at societal level to encourage contact and reconciliation between conflict parties. Activists such as Oxfam and Fair Trade Network encourage joint business initiatives between conflict parties. NGOs and foundations, as well as alternative media groups (e.g., Indymedia), encourage peace journalism programmes for local and international journalists in conflict countries, diffusing alternative information and rearticulating conflict narratives. Beyond official truth and reconciliation commissions (in South Africa, or the Balkans), private citizens or religious organizations can also contribute to establishing trust, truth and reconciliation initiatives (e.g., the Quakers). More generally, activists can re-shape the membership base of their activities, encouraging inclusive bi-partisan constituencies and audiences, which, in periods of violence, were difficult if not impossible to establish.

Conflict transformation and peace-building

Conflict transformation approaches rooted in Marxist and critical thinking, while equally concerned with the fulfillment of basic human needs, argue that the re-articulation of identities and perceived interests mainly through psychological, educative and discursive change is insufficient. Conflict, while manifested through the frustration of basic needs, often arises because the existing structural configuration of specific contexts prevents the

fulfillment of all needs by all parties. Hence, the challenge goes beyond seeking a discursive re-articulation of chosen satisfiers, but requires active change in the structural determinants, which give rise to latent or violent conflict. This is related to what Galtung defines as structural violence, that is conditions of social injustice, unequal development and discrimination, which generate the structural precepts of conflict, which may then emerge or not at specific points in time (Galtung, 1969, 1994). The conflict transformation's understanding of identity and hegemonic structures, offers a more promising avenue than previous schools to include a gender sensitive analysis in so far as gender discrimination is quintessentially part of societal inequalities.

While theoretically distinct, this relates to what Richmond conceptually and more broadly defines as third generation 'peace-building approaches' (Richmond 2006). Peacebuilding is concerned with issues that go beyond narrowly defined conflict issues (such as territorial readjustments, refugee return, property rights, security guarantees, etc.), but cover the wider economic, political/governance and social make-up of countries both before, during and after the end of violence.

In phases of latent violence, CoSOs may act to locally counter-mobilize discriminated groups in order to protest against identified violations. During active violence, CoSOs may act to change the structural underpinnings of conflict through humanitarian services (e.g. refugee assistance, relief work). CoSOs such as Emergency and MSF fall in this category. Other CoSOs attempt to restructure conflict through solidarity work (funding campaigns, human shields, human protection and witnessing). These groups include the International Solidarity Movement in Palestine, the Peace Brigades in Colombia or the Zapatista transnational solidarity movement.

In stages of either active or frozen conflict, CoSOs can help reconfigure through discursive acts such as norm framing and changing. Examples of this include lawyers associations, which attempt to alter the structural underpinnings of conflict either by raising the (political and financial) costs of persisting violations (through court cases) or by calling for the establishment of new legal frameworks to entrench the respect of violated individuals or groups. Greek Cypriot lawyers pressing Cyprus property cases in the European Court of Human Rights is an example of the former, whereas NGOs pushing for the establishment of ad hoc international criminal courts in former Yugoslavia or Rwanda are examples of the latter.

Grass-roots activism and NGOs may also raise awareness in order to pressurise and constrain specific governmental actions. Hence, the monitoring, denouncing, shaming and

awareness-raising activities of both single-issue campaigns (e.g., Al-Awda Palestinian refugee return campaign, Maschom Watch, Israeli women monitoring abuses at checkpoints; Stop the war campaign against the war in Iraq) as well as or cross-issue campaigns (e.g., Human Rights Watch, Amnesty International).

Finally, in post-violence situations, CoSOs may be involved in capacity building, reconstruction and rehabilitation. This is done both through local and international organisations directly as well as through international groups concentrating on building local civil society capacity. CoSOs in post-war contexts can also engage in discursive initiatives, such as presenting alternative knowledge in a manner conducive to the long-term transformation of conflict. Examples include both the presentation of hitherto concealed information through alternative media as well as groups engaged in the re-articulation of historical narratives in a manner conducive to the redressing of past injustices (such as the activities of the Israeli women group *Zochrot*, established in 2002 to promote awareness and knowledge of the Palestinian *Nakba* among the Jewish population of Israel).

Conflict society, political opportunity structure and impact

Beyond the original context in which CoSOs operate, their identities, and their frameworks of action, a fourth variable shaping their impact on conflicts is the political opportunity structure (POS) in which they operates. Rather than acting as a factor in and of itself, the POS acts as the filter during the successive phases of conflict which shape the impact of CoSOs actions. While clearly related to the conflict context categories analysed above, the POS factors remain distinct from them in terms of their role rather than nature. Referring back to several of the structural conditions identified in SHUR working paper 1 (Pia & Diez, 2007), they in fact deal with domestic institutions (linked to the existence and nature of a state, the degree and type of democracy), with domestic development (linked to the level of socio-economic development) and with external actors (linked to the international presence). Yet the key distinguishing feature of POS, as opposed to the original contextual categories, is that of timing. This is because time, as opposed to the original conflict situation, impinges dynamically on the impact of CoSOs on conflicts.

A first structural feature determining the POS is timing (C4). In phases of violent and escalating conflict, in which subject positions are polarised, the conflict fuelling impact of assimilationist and racist CoSOs is likely to be more effective than the attempt by civic or multi-culturalist CoSOs to rearticulate conflict identities and objectives. This relates back to

Fisher and Keashley's contingency model for third party interventions, which argued that in different stages of conflict, different approaches may be more appropriate (Keashley & Fisher, 1996). In other words, there is not necessarily a particular approach or action which has by definition a more effective impact upon a conflict, but a fitting coincidence of right action and right timing. Effectiveness of impact is thus conditioned upon the precise moment in which the action is carried out.

Two further structural features are linked to the domestic context. One is the domestic institutional system present in the conflict context (C2). This includes both the design of the constitutional and legal setting as well as the set of public institutions (governmental and quasi-governmental) and the actors operating within them (e.g., political parties). For example, the presence of constitutionally entrenched and legally protected associational freedom or the supportive attitude of the authorities in power shape a CoSO's nature and type of action, and its ensuing impact upon an evolving conflict.

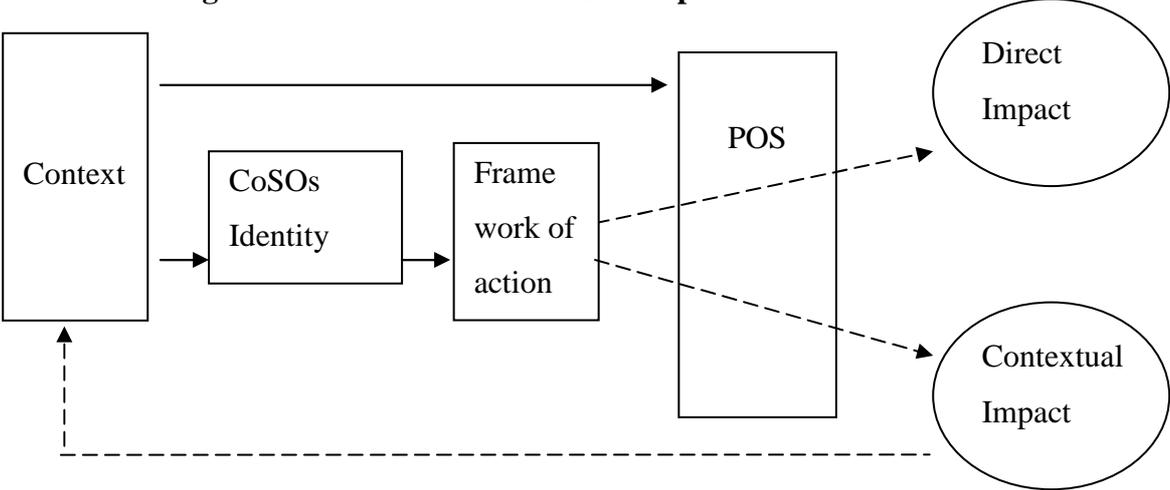
Another domestic feature is the level of overall domestic development, including in the economic, political, social and cultural spheres (C6). Hence for example, the degree to which public opinion culture is open to non-governmental political action and protest can significantly influence the wider diffusion and consolidation effects of CoSOs.

A final structural feature constituting the political opportunity structure is the role of the international system and of the actors operating within it (C3). Hence, in a situation in which the international community converges upon a consensus for war, pacifist CoSOs may find themselves marginalised, while combatant groups may gain the necessary political and material support for their actions to be effective. On the contrary, pacifist CoSOs may have a significant impact in mobilising people and influencing governments when allying with strong forces within the international system opposing a war (Carter, 1992).

The cumulative interaction between context, identity, frameworks of action and political opportunity structures determine CoSO's impact on conflict. Impact is taken to mean both the direct results of a particular action (e.g., providing refugee relief), as well as the influence upon the wider context underlying a particular manifestation of conflict (e.g., strengthening the international legal framework ensuring the protection of refugee rights and their right of return). CoSOs direct and contextual impact is determined by the wider conflict context; by the identities and ideologies of CoSOs; by their actions within the three main frameworks of action; and by the political opportunity structure within which they operate. The identities and actions of CoSOs are influenced by, while at the same time influencing, the economic, political, social, cultural and legal context within which they operate. A spiral

causal chain can thus be stylised as follows. Context shapes the identities of CoSOs. These identities determine their goals and frameworks of actions. In turn, the ability of CoSOs to navigate the political opportunity structure (POS) of conflicts – critically shaped by the original conflict context – determines their overall direct and contextual impact, the latter of which feeds back into the original conflict context.

Figure 1: Determinants of CoSOs impact



Three main macro-impacts can be identified: fuelling conflict, holding and peacemaking impacts. *Fuelling* conflict includes all those impacts that exacerbate the causes of conflict, thus worsening the incompatibility of subject positions. This is done by contributing to the securitization of conflict. As discussed above, this can be done either through discursive actions or through activities which alter the context of conflict and thereby fuel its securitization (e.g., through securitizing acts such as violence). *Holding* conflict are all those impacts which neither augment nor diffuse the underlying incompatibility of subject positions in the short-term. They do so by non-securitising the conflict environment, that is neither securitising nor contributing to its desecuritisation (Gromes & Bonacker, 2007). At a minimum and most visible level, they operate upon the most acute symptoms of conflict such as extreme violence, poverty, health or destruction, by providing immediate relief. By doing so, they may help desecuritizing the conflict environment, thus creating a more fertile ground for an ensuing tackling of its root causes in the long-term. In other instances however, holding actions in the short-term may provide the breathing space for a renewed round of securitizations in future (e.g., operations aimed at securing a ceasefire, which may be instrumental for a new round of fighting). Furthermore, widespread, low intensity violence

may occur during conflict holding periods, as the growing levels of domestic violence and violence against women in these situations have shown. In other words, short-term conflict holding impacts do not have a neutral effect on conflicts over time. Holding can either prepare the ground for peace or it can set the conditions for a relapse into escalation. Beyond conflict fuelling and conflict holding actions, a third general macro-impact is that of peace-making. *Peace-making* involves all those CoSO impacts which contribute to reconciling the incompatibility of subject positions by desecuritising the conflict environment, however these incompatibilities may be conceptualised by the primary schools of thought in conflict and peace studies. It is in this light that we define ‘peacemaking’ as an all encompassing term which includes the different interpretations of peace as provided by the realist, liberal and critical theory schools of thought (conflict management, resolution, transformation).

Conflict society and human rights

The same framework of analysis can be extended to include the role of human rights, thus unpacking the dynamics linking human rights to conflicts and the role of CoSOs in fuelling, holding or resolving them.

Conflict contexts and human rights

The contextual categories in conflict countries identified in the first section have implications for the state and status of human rights. The existence of a state is a first fundamental condition indicating which human rights are recognised and the extent to which rights are guaranteed. Whereas a liberal approach views human rights as pre-existing their legal entrenchment (and thus also the existence of public institutions guaranteeing them), the existence of a state inevitably shapes both the nature of recognised rights as well as their degree of protection. This is not least because regardless of the philosophical approach to human rights, it is their particular interpretation developed by specific political communities through their public authorities that gives tangible meaning to these rights. As such, where a state exists, signs and ratifies international human rights conventions, any individual (regardless of his/her citizenship) within the state’s legally recognised territory can appeal to national courts to ensure the respect of those rights. On the contrary, individuals within territories falling beyond the boundaries of legally recognised states (e.g., occupied territories

or non-recognized entities) can only appeal to those rights entrenched in customary international law. For example, in an occupied territory, the only legal basis for human rights protection of the occupied population are those rights entrenched in customary international law governing the occupying power's conduct (e.g., the Fourth Geneva Convention). This means that in non-state contexts not only the legal scope of human rights is far narrower than within recognised states; but also that rights-enforcement mechanisms are far more circumscribed. Hence, even the limited rights which are legally enshrined are rarely protected in practice. Human rights protection becomes more a matter of international political bargaining and public opinion pressure than of legally binding judgements.

In weak or failing states instead, constitutional provisions and accompanying national and international laws entrenching human rights may exist on paper. But the capability and credibility of public institutions to guarantee their effective protection is far more dubious. In response, alternative forms of rights protection take the upper hand. Several systems of tribal justice are simultaneously implemented, leading to a system of the survival of the fittest. Retaliation and punishment-based incentives are provided for human rights protection. Yet by operating beyond an overarching system of law, these entail the concomitant violation of the rights of others.

The existence and nature of a democracy also critically shapes the extent and manner in which human rights are enshrined and guaranteed. Democracy, or rather democratisation, is in fact a process that entails the progressive build-up of a system of rights. In other words, there are different degrees of democracy with accompanying degrees of human rights recognition and protection. In particular, in undemocratic or partially-democratic states, the whole array of civil, political and socio-economic rights is either denied or underdeveloped.

In democratic yet nationalistic contexts, the rights of some may be protected, while those of others violated or repressed. For example, a dominant ethnic group can use the public institutions it controls to guarantee the rights for 'its' individuals at the expense of those of 'others' (Horowitz, 1985). Linked to this, the perceived need to ensure the national identity and territorial integrity of the nation-state becomes the justification for securitising moves, which may entail the non-recognition, repression or violation of human rights.

The level of a state's socio-economic development also has an impact on the prevailing human rights regime. The impact is most evident on socio-economic rights. However, the level of development also has wider implications on the capability of public institutions to ensure the respect and protection of civil and political, including collective, rights. This is true with regards to gender as well, given that women are often the first

economic victims of conflicts. Several examples can be quoted: in Iraq, women have disproportionately suffered for the economic sanctions in the nineties (Al Ali 2000); in general throughout conflicts women have access to fewer resources, they are more likely to become dispossessed refugees (70% of the refugee populations are women) and to endure the hardships associated with widowhood and women headed households.

Finally, international actions (and inactions) have a key impact on the violation or protection of human rights in conflicts. The international community can directly fuel the violation or repression of human rights in conflict situations. This can be done through military intervention itself, or through the mismanagement of occupations, international protectorates and peacekeeping operations. Indirectly, the international community can contribute to human rights violations/repression either through the political, economic or military support of particular conflict factions; or through sheer neglect of ongoing violations. However, the international community can also create the necessary conditions for the protection of human rights. This can be done through direct intervention to halt human rights violations; through the monitoring of violations; through the prosecution of violators; and through the provision of necessary economic, legal, and political resources to human rights victims and advocates.

Political identities and human rights

Turning from the human rights situation in conflict contexts to the role of civil society on the human rights-conflict nexus, our starting point is an analysis of the implications of CoSO's identities on their attitudes and understandings of human rights in conflict. Our assumption here, briefly explored below, is that identities do have an influence on attitudes towards human rights and ultimately on action and impact. However, a key feature in SHUR's empirical analysis will be precisely that of analysing the possible discrepancies between forms of self-identifications and actions and impact in practice.

In our typology of CoSOs identities, the civic and post-national CoSOs place primary importance on individual rights. The civic CoSO emphasises the importance of individual rights, while criticising or opposing the potentially discriminatory nature of collective rights, including gender rights, under the banner of their normative neutrality. By doing so, although civic CoSOs may identify themselves as such, in practice they may run the risk of being blind to the claims to collective rights of minority communities and promoting the cultural hegemony of the majority, thus blurring the lines between itself and the assimilationist CoSO.

The individual human rights that receive the civic CoSO's attention are civil, political and socio-economic rights rather than identity-related rights (e.g., cultural, linguistic, or religious rights). The 'post-national' CoSO instead, while equally concerned with individual rights, highlights the rights of each individual to freely choose and develop the multiple layers of his/her identity. Hence, beyond a focus on civic rights, equal attention is given to identity-related rights.

The balance between individual and collective rights shifts towards the latter in the other three CoSOs identities. In the case of the multi-cultural CoSO, the focus of attention lies in the freedom of different collectivities to exercise on an equal footing their collective rights. While individual rights are viewed as important, multiculturalist CoSOs may be prepared to partially sacrifice these in the name of equal collective rights exercised by majority and minority groups alike. This generates the multiplicity of collective rights, which may at times conflict with one another as well as contradict individual civic and political rights. As in the case of the civic CoSOs bordering on the assimilationist, a self-defined multi-culturalist CoSO in theory may in practice edge towards discriminatory or even racist behaviour.

In principle, the assimilationist CoSO, like the civic one also recognises the significance of individual rights. However unlike the civic CoSO, it does so in a non-egalitarian fashion, explicitly asserting ethno-centric interpretations of those civic, political or socio-economic rights. By doing so, assimilationists in fact demonstrate their primary and exclusive concern with the dominant collectivity, which is also likely to reflect in hegemonic gender structures. This leads to a concern – shared with multiculturalists – with collective rights; particularly those, like language, which are 'assimilable'. Yet by lacking the egalitarian approach to group rights, assimilationists accept the rights of assimilated individuals while discriminating against those who do not belong to the dominant group and resist integrating in it. In act it negates all collective rights to non-dominant communities.

Finally, the racist CoSO prioritises collective over individual rights. It does so by emphasising the primordial rights of the dominant and often male-dominated group (e.g., religion), which are by definition not (or not easily) transferable to the 'other'. This leads to a system of two-level rights and second-class citizenship. Unlike assimilationists, racist CoSOs are content with allowing limited collective rights to the minorities (for example schools, or even forms of self-determination within circumscribed territories; i.e., bantustans). Yet individuals within those communities are destined to remain 'untermenschen', through the negation or unequal application of their individual civic, political and socio-economic rights.

Frameworks of action and human rights

Human rights also play a key role in CoSOs frameworks of action. Civic, multi-cultural, assimilationist and racist CoSOs may operate on conflicts and human rights through all four frameworks of action. SHUR's empirical research will attempt to draw, if possible, some generalizations as to which CoSO identities favour which frameworks of action.

Conflict society actors operating in a conflict-escalating mode contribute to the violation of individual and collective rights. They may do so either in a manner that directly sows the seeds of conflict; or that acts to reinforce conflict dynamics by responding with human rights violations to existing threats or violations. Particularly when the seeds of latent conflict are already sown (i.e., in conditions of structural violence), the human rights violations of CoSOs may be the result of a response, which, while in the short and medium term fuels conflict dynamics, may in the long-run help alter the structural parameters that had made the conflict erupt. In other words, these human rights violations may be a necessary precondition for the ultimate resolution and transformation of a conflict. Conflict and human rights violations may in some instances and at specific points in time in fact not be fully compatible.

CoSOs operating in a conflict management mode, do not place specific importance to human rights per se, although they may recognise their instrumental value. When conflict management or settlement contradicts with the recognition or protection of human rights, conflict management CoSOs opt for the former. This means that if compromise between warring parties requires the sacrifice of individual or collective rights, this tends to be viewed as a price worth paying. When instead conflict management calls for the protection of human rights in so far as their widespread violation renders the management of conflict impossible, these civil society actors are prepared to act in their defence in an instrumental fashion. By removing these acute symptoms of conflict, these CoSOs may help depolarising and diffusing the conflict environment in a manner conducive to a settlement.

Conflict resolution CoSOs instead place primary emphasis on the respect of human rights through their emphasis on basic human needs. In their analysis of the conflict, the respect of human rights is a necessary condition for peace. Peace and the respect of human rights are part and parcel of the same situation. Yet the actual conflict resolution acts of these CoSOs, by focusing exclusively on the discursive domain, do not directly impinge upon the physical protection of human rights. While helping to rearticulate interests and identities in the search for mutually compatible satisfiers, their attention is not directly focused on the human rights situation on the ground.

Finally conflict transformation CoSOs take a more organic view of human rights in conflicts, sharing with the conflict resolution approaches the understanding of an essential link between conflict and human rights violations, but adding to this an active and direct and at times physical pursuit of human rights protection as a means to pursue conflict transformation. In phases of latent conflict, they attempt to alter the structural underpinnings of conflict, thus operating on the human rights violations that derive from conditions of social injustice, unequal development and discrimination. In phases of violent conflict, conflict transformation CoSOs redress current human rights violations through relief and solidarity work. Their norm-framing and changing actions instead begin to alter the discursive framework that had allowed human rights violations to be perpetrated and to sow the seeds of conflict. Following a ceasefire and the signature of a peace agreement, conflict transformation CoSOs involved in capacity-building help establish, consolidate and reconstruct institutions within which differences can be articulated and human rights violations redressed within the sphere of legality (e.g., truth and reconciliation commissions) and thus without giving rise to new violations. They also provide alternative sources of information and encourage the revision of historical narratives fostering a culture of inclusion, co-existence and tolerance. The resulting humanisation of past enemies consolidates present peace-building efforts and prevents new forms of ‘othering’ that could trigger human rights violations in future.

Political opportunity structure and human rights

Four principal conditions (C2, C3, C4, C6) determine the political opportunity structure through which CoSOs act and impact upon human rights in conflicts. They include timing, domestic institutions, domestic development and external actors.

Timing is a key condition determining the human rights situation in conflict and thus both the possibilities open to or the constraints facing CoSOs, as well as their impact upon the evolving conflict. The evolution of a conflict over time can be described in terms of its changing human rights situation. The different conflict stages in relation to the human rights situation can be stylised as follows:

Table 3: Conflict stages in relation to the human rights situation

<p>Latent conflict: Conditions of structural violence exist</p> <p><i>Turning Point A:</i> Individual human rights and/or constitutionally-entrenched collective rights are abused</p>
<p>Escalation: Human rights abuses become gross and systematic.</p> <p><i>Turning Point B:</i> Public recognition of systematic human rights violations against an ethno-political group that perceives (or begins to perceive) itself as such and counter-mobilises (violently and non-violently).</p>
<p>Active confrontation</p> <p><i>Turning point C:</i> Ceasefire and settlement leading to the halting of human rights violations and establishment of constitutional and institutional provisions to prevent future violations.</p>
<p>De-escalation</p> <p>a) Reconciliation and peace</p> <p>Beginning of a process of collective recognition by the violators of their human rights violations, ultimately leading to the reconciliation of subject positions. Human rights and respected. Parties' claims are mutually fulfilled often through higher levels of institutional guarantees of group protection.</p> <p>b) Relapse into violence</p> <p>Either one conflict party or both views the ceasefire and/or peace settlement provisions as inadequate and resumes human rights violations against the other reigniting the escalation phase.</p>

c) Frozen conflict

The ceasefire and/or initial peace agreement does not give way to further agreements. Gross and systematic human rights violations do not take place; but neither are past violations redressed nor the necessary measures to entrench human rights protection established.

Within this sequencing, CoSOs are faced with different constraints and opportunities to fuel, hold or transform conflict conditions.

In phases of latent conflict, CoSOs have equal opportunities to fuel conflict dynamics or to hold them. CoSOs can fuel conflict dynamics by raising public awareness of the human rights condition of the violated, at times securitising the conflict environment also mobilising hegemonic understandings of gender. CoSOs have equal opportunities to hold/postpone the latent conflict by diluting the securitisation of the existing conditions of latent conflict. More arduously instead, CoSOs can operate in a conflict prevention mode by transforming the conditions of structural violence.

In conflict escalation and active confrontation phases instead, the ability of CoSOs to pursue conflict holding or transforming actions is far more constrained given the high degree of polarisation and securitisation of the conflict environment. The effectiveness of conflict fuelling CoSOs is far more tangible both in their physical perpetration of human rights violations (e.g., by combatant groups) as well as by their discursive securitising moves (e.g., nationalist propaganda).

By contrast, in de-escalation phases, whereas conflict-fuelling CoSOs may still shift the conflict back into a relapse of violence, the prospects open for CoSOs to hold or transform conflict are higher. CoSOs may hold the conflict without pursuing its resolution (frozen conflict) by contributing to halting gross human rights violations without reaching to their underlying causes and redressing injustices. They may also ameliorate the human rights situation on the ground, inducing a process of public recognition of the violators of their abuses and thus the reconciliation between subject positions.

A second condition determining the POS is the domestic legal, institutional and political setting. This includes the legal human rights framework and political attitudes towards human rights which both influence the very existence of CoSOs, and their legal or

extra-legal activities (Isakovic, 2002). For instance this is not least because associational freedom, a fundamental human right in itself, crucially determines the civil society sphere in conflict and peace contexts alike. The legal human rights framework and political views on human rights also provide the normative resources to which CoSOs can appeal to in order to legitimise their human rights violations or defence.

A third condition determining the POS is the level of domestic development. This includes the state of societal development, which crucially shapes public opinion towards human rights and thus the ability or otherwise of CoSOs to defend or violate them. Linked to this, the degree of media pluralism is also key to offering or precluding the prospects for CoSOs to violate or protect human rights. The level of economic development also affects the range and types of human rights which can be feasibly defended (or violated) by CoSOs.

A final structural feature constituting the political opportunity structure is the role of the international system. As in the case of the domestic context, here what is equally important is the international legal framework which allows CoSOs to advance particular human rights claims or for CoSOs human rights violations to go unsanctioned. The political attitude and actions of the international community is also key, by providing ideological, financial and military support to CoSOs' human rights violations or defence. The role of the international community during post conflict peace building phases is pivotal in terms of furthering gender rights.

Impact on human rights

As summarized in the table below, through the analysis of the interrelationship between the four main variables in the conflict-human rights-civil society nexus, we can formulate three possible impacts of CoSOs on conflicts through their human rights related actions. Logically a systematic analysis of all possible interrelationships between the different variables would result in the (absurd) consideration of 5 (contextual categories) x 4 (political identities) x 4 (frameworks of action) x 4 (POS), totalling 320 logically possible combinations. While discarding this option, in SHUR's empirical research we will consider all four variables, qualitatively discerning which are the principal interrelationships found in our four case studies.

Table 4: Determinants of CoSOs impact on conflicts-human rights

Conflict Context	Political Identity	Framework of Action	Political Opportunity Structure	Hypotheses of Impact
Existence of state	Civic/Postnational	Conflict escalation	Timing (C4)	Fuelling (H1)
Nature of the state	Multiculturalist	Management	Domestic Institutions (C2)	Holding (H2)
Nature of democracy	Assimilationist	Resolution	Domestic Development	Peacebuilding (H3)
Level of development	Racist	Transformation	(C6)	
International presence			External Actors (C3)	

These impacts can be elaborated in three principal hypotheses:

- H1: CoSOs fuel conflicts through their actions on human rights by *securitizing* or *counter-securitizing* the conflict environment. These include both human rights violations and actions inducing counter-mobilization which in turn permits violations to occur and counters a securitising discourse with further securitising moves.
- H2: CoSOs hold conflicts through their actions on human rights through *simple political action* with no specific and direct impact on the securitisation of the

conflict environment. These may include human rights protection as well as actions defending human rights violators in the name of peace and compromise.

- H3: CoSOs transform conflicts through their actions on human rights by *de-securitising* the conflict environment. Their actions are anti-securitising in so far as they are purposefully directed against securitisation. These may include both human rights protection and advancement as well as contributing to a framework and polity which views peace and human rights as inextricably tied.

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