

***FROM IDENTITY-CONFLICT TO CIVIL SOCIETY.
THE ROLE OF CIVIL SOCIETY IN BUILDING PEACE THROUGH THE PROTECTION OF
HUMAN DIGNITY AND PLURALISM***

Dott.ssa

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Tesi di dottorato presentata per la discussione:

Programma Dottorato in 'Teoria Politica'- Ciclo XX

Luglio 2008

Luiss – "G. Carli"

Libera Università Internazionale degli Studi Sociali

A.A. 2007-2008

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Acknowledgements

I have been studying and reading about those issues – identity in conflict and civil society- for a number of years during and before my PhD, but most of this work has been written during 2007 and the first months of 2008. I spent this period in Italy at the Centre of Research and Studies on Human Rights, Luiss University of Rome, and in Holland where I was Marie Curie Research Fellow at the Centre for Conflict Studies of the University of Utrecht. During the first phase, under the supervision of Sebastiano Maffettone, I deepened the content of civil society in its philosophical and political traditions and I sought to formulate a normative proposal linking civil society to an idea of individual identity understood as sum of plural affiliations, which has represented the though issue of the present work. In Netherlands, I focused on the empirical and theoretical analysis of contemporary identity-conflicts. Again, the idea of plural affiliations has played a pivotal role in understanding such conflicts. During that period, I also spent a week in Sarajevo. There I carried out the interviews for the investigation on 'Bosnian civil society' role in conflict transformation. Both periods have been very fruitful to my work and I should mention with gratitude all those friends, colleagues and professors who read and encouraged my project.

First, I am grateful to 'my professor,' Sebastiano Maffettone, for his always-helpful support and encouragement during all these years. Sebastiano has given me the chance to carry out this work, following with care, affection and, sometimes, patience my intellectual and scholarly development. I would like to thank, therefore, Roberto Belloni and Debora Spini for their support and helpful comments; Roberto has also provided me with important contacts in Bosnia. I am indebted to Jolle Demmers and all people working at the Centre for Conflict Studies, Utrecht University, who hosted me for six months and strongly supported this project. I should also mention Lorenza Fabretti for the long conversations about the case-study. With reference to the field trip, I am grateful to Asta Zinbo for the time paid to the interview and for the valuable work that she and her staff are carrying out with and in favor of the Associations of Victims and Relatives of Missing Persons. Furthermore, all my warm thanks go to all those wonderful people I met in Sarajevo: Munira Subašić, Mehmed Musić, Hedija Kasapović, Šuhra Sinanović, Hatidža Mehmedović, Milan Mandić, Staka Vukmanović, Miriana Simanić, Ema Čekić, Rubina Bucu (my interpreter). Last, but not least, I must mention all those people whom loving support really made much of my work in both Rome and Utrecht. Thus, many thanks go to my family for having supported me, sometimes also financially, during these intense years. I am grateful to Gianluca who has followed me, both physically and 'morally', everywhere and to Gaia who has constantly supported and encouraged my work during these years.

Rome, June 2008

Valentina Gentile

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List of Acronyms

ARBiH	<i>Armija Republike BiH</i> (Army of the Republic of Bosnia Herzegovina)
ARMP	Associations of Relatives of Missing Persons
AVIDP	Associations of Victims, Inmates, and Displaced Persons
BiH	<i>Bosna i Hercegovina</i> (Bosnia-Herzegovina)
CSOs	Civil Society Organizations
CCT	Contemporary Conflict Theories
FBiH	<i>Federacije Bosne i Hercegovine</i> (Federation of Bosnia-Herzegovina)
FCMP	Federal Commission for Missing Persons
HDZ	<i>Hrvatska Demokratska Zajednica</i> (Croatian Democratic Union)
HVO	<i>Hrvatsko Vijeće Obrane</i> (Croat Defense Army)
ICG	International Crisis Group
ICMP	International Commission for Missing Persons
ICRC	International Committee of the Red Cross
ICTY	International Criminal Tribunal for the former Yugoslavia
INGOs	International Non-Governmental Organizations
NGOs	Non-Governmental Organizations
OTDMPRS	Office for Tracing Detained and Missing Persons of Republic of Srpska
OHR	Office of the High Representative
OSCE	Organization for Security and Cooperation in Europe
PSC	Protracted Social Conflict Theory
RS	<i>Republika Srpska</i> (Srpska Republic)
SDS	<i>Srpska Demokratska Stranka</i> (Serb Democratic Party)
UN	United Nations
UNHCR	United Nation High Commissioner for Refugees
VRS	<i>Vojska Republike Srpske</i> (Army of the RS)

*[...] One should not be afraid of the humans.
Well, I am not afraid of the humans,
but of what is inhuman in them.[...]*

Ivo Andrić, (1892-1975)
Nobel Prize in Literature in 1961

Introduction

FROM IDENTITY CONFLICT TO CIVIL SOCIETY

Recently, much scholarly work has been done on civil society and ethno-religious conflicts. Increasingly, social scientists, political theorists, and anthropologists have emphasized the key-role played by civil society actors in democratic transition, in particular with reference to contexts of deeply divided societies. However, only in a few cases, systematic attempts to connect the two have been made, in general related to empirical researches¹. This work is aimed at offering a multidisciplinary perspective of civil society and identity-conflicts based on a deeper understanding of the idea of individual identity. With respect to previous works, here the emphasis is placed on the theoretical analysis of those concepts, rather than on empirical investigations. Furthermore, unlike other attempts, this is aimed at integrating different perspectives and disciplines in the framework of a philosophical investigation.

As matter of fact, in the last two decades, two relevant phenomena have emerged and increasingly captured the interest of scholars. (1) On one hand, the years after the Cold War have seen a shift in number and typology of armed conflicts.² Bosnia, Kosovo, Sri Lanka, and East Timor, in all these dramatic cases, the traditional understanding of conflict as *international/ interstate* cannot grasp the complexity and explain the dynamics of such ethno-religious intrastate wars (Duffield, 2001; Hartzell, 2001; Varshney, 2001). A first relevant element regards their proportion, according to the traditional approach new conflicts would be classified as *minor or mediate armed conflict* (P. Wallensteen, & Axell, K., 1993; P. Wallensteen, &

¹ I am referring to scholars like Varshney and Orjuela who respectively have worked on India and Sri Lanka. See ORJUELA C. 2003. Building Peace in Sri Lanka: A Role for Civil Society? *Journal of Peace Research* 40: 195-212, VARSHNEY A. 2003a. *Ethnic Conflict and Civic Life: Hindus and Muslims in India*. Yale University Press, New Haven, CT.

² LEDERACH J.P. 1997. *Building Peace: Sustainable Reconciliation in Divided Societies*. United State Institute for Peace Press, Washington, DC., RAMSBOTHAM O., & WOODHOUSE, T., & MIALL, H. 2006. *Contemporary Conflict Resolution. The Prevention, Management and Transformation of Deadly Conflicts [Second Edition]*. Polity, Cambridge.

Sollenberg, M., 1999)³. The second feature concerns their cultural matrix: fighting groups make use of identitarian arguments, whether constructed or givens, to mobilize people. Finally, a further aspect concerns the typology of the warring parties. Very often, they are irregular combatant or, as someone defines them, 'rebels', (Collier 2004, 2006). Their emergence is mostly due to the weakness or absence of a legitimate state-authority. Such contexts are characterized by widespread criminality, frequent violent and predatory actions directed against civilians and systematic violations of fundamental human rights.

(2) On the other hand, in the last years, huge varieties of different non-state actors have emerged. Religious and ethnical movements, local and international non-governmental organizations, and national and trans-national social movements represent the renewed expression of civil society (Anheier, 2001; Cohen, 1994). The impact of these actors seems to be more relevant in contexts where the *vacuum* deriving from the failure of the nation state model is more evident. (M. Kaldor, 1999) With reference to this, the context of identity-conflicts seems to be particularly significant. Actually, while the effectiveness of the traditional nation-state intervention in those conflicts decreases, an intimate link between civil society and those wars emerges. Most of the recent peace operations have seen the involvement of local and international civil society actors. Increasingly, both scholars and practitioners have shown to be confident in the positive role of civil society engagement in post- conflict transition of deeply divided societies.⁴

The present research is aimed at understanding the complex dynamics related to civil society engagement in deeply divided societies. In particular, it explores the interrelations between civil society and conflicts, with particular attention to the impact of civil society on human rights protection and democratization. The work is based on three premises.

³ According to data, from 1989 to 2000, there were 111 armed conflicts in the world, of which 104 were intrastate conflicts; it means that civil wars accounted for 94% of all armed conflicts.

⁴ LEDERACH J.P. 1997. *Building Peace: Sustainable Reconciliation in Divided Societies*. Op. cit. FETHERSTON B. 1999. The Transformative Potential of NGOs: The Centre for Peace Studies in Croatia. *NGOs in the Field of International Peace and Security: Problems and Perspectives* 12: 10-12, LEDERACH J.P. 2001. Civil Society and Reconciliation. In: *Turbulent Peace. The Challenges of Managing international Conflict* (Ed. by C. CROCKER, A. , & HAMPSON, F. O., & AALL, P.). United States Institute for Peace Press, Washington, DC.

- The massive and systematic violation of human rights is a key-factor in the dynamics of the emerging ethno-religious conflicts.
- Civil society organizations and movements intervene in various ways in such conflicts. Some further clarifications follow from this second issue. One can conceive of, at least, two levels of civil society engagement in conflict, namely the local and international dimensions of civil society's intervention. (i) At the international level, there are organizations and movements, International Non-Governmental Organizations (hereafter INGOs), engaged in actions such as humanitarian intervention, human rights protection, peace-building and democratic transition. Many authors emphasize the constructive potential of these actors in creating sustainable and stable peace (Fetherston 1999; Kaldor 2003a). According to them, these organizations are crucially important in both building democratic institutions and promoting liberal peace "from-the-bottom."⁵ Nevertheless, other scholars discuss the ambivalent role of such an 'external' intervention in local deeply divided contexts (Paffenholz, 2006; Pouligny, 2005). According to them, these actors very often lack of concrete long-term strategies for fostering local inter-group cooperation and dialogue (Belloni, 2001; Bieber, 2002; Fisher, 2006a). However, civil society's intervention appears controversial, also with regard to the local level, the local Civil Society Organizations (henceforth CSOs). (ii) A huge literature has been written on the alleged positive impact of communal and local CSOs on multi-ethnic or multi-communal communities. Many scholars highlight the inclusive attitude of them in contexts of cultural violence and exclusion (Varshney, 2003): their efforts would be necessary to guarantee a genuine reconciliation among fighting groups and preserve an endogenous democratic development, based on trust, solidarity, and accountability⁶. Nevertheless, in spite of these positive premises, also with respect to the local side of civil society ambivalences and disintegrative potentials emerge. Some scholars refer to a kind of 'un-civil society', made up of criminal or extremists groups. According to them, especially when a state does not exist or it is failing, the boundaries between society's actors and groups (violent and non-violent) are more likely to vanish, and 'un-civil', xenophobic, or mafia-like groups may

⁵ See RICHMOND O., & CAREY, H. 2005. *Subcontracting Peace: the Challenges of NGO Peacebuilding*. Ashgate, Aldershot.

⁶ BELLONI R. 2001. Civil Society and Peace-building in Bosnia and Herzegovina. *Journal of Peace Research* **38**: 163- 180, POULIGNY B. 2005. Civil Society and Post-Conflict Peacebuilding: Ambiguities of International Programmes Aimed at Building 'New' Societies. *Security Dialogue* **36**: 495-510.

emerge.⁷ These movements would take part to the conflict alternating different methods of actions, from mobilization by means of media to open violence, as in the cases of ethnical cleansings and terrorist attacks.

- Finally, the protection of values such as human dignity and pluralism is a necessary condition for peace. In this perspective, the protection of those values in the realm of civil society turns out to be the crucial factor for building human security and for fostering an autonomous democratic development.

In the present work, a theoretical framework for civil society engagement in post-conflict areas is formulated. Such an idea is rooted in two main 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 economic domains’, where individual interests and pursuits meet collective claims and shared experiences. In this perspective, civil society is neither the sphere of non-governmental sector, understood as an autonomous public sphere, nor a private sphere, as such. Following Hegel, it is possible to argue that civil society is the intermediate sphere existing between ‘family’ and ‘state’, where all those forms of economic linkages, associational modalities and cultural expressions come out. It represents the antistate, since there emerge all those forms that constitute a counterweight to the ‘tyranny of the state’⁸; but it also corresponds to a kind of ‘anticipation’ of the more extensive experience of the state. In this second sense, civil society is supposed to be the sphere where a ‘common culture of civility’ emerges. I define ‘common culture of civility’ a specific kind of culture on which it is possible to build an autonomous democratic development of a society.

⁷ ANHEIER H.E., & KALDOR, M., & GLASIUS, M. . 2006. *Global Civil Society Yearbook 2006-7*. Oxford University Press, Oxford, BELLONI R. 2006. Civil Society in War-to-Democracy Transitions. In: *War-To-Democracy Transitions: Dilemmas of Democratization and Peace-Building in War Societies* (Ed. by A. JARSTARD, & SISK, T.). Cambridge University Press, Cambridge, PAFFENHOLZ T., & SPURK, C. 2006. Civil Society, Civic Engagement, and Peacebuilding. In: *Social Development Papers: Conflict Prevention and Reconstruction*, n. 36, Washington, DC: The World Bank.

⁸ TAYLOR C. 1995. Invoking Civil Society. In: *Philosophical Arguments* (Ed. by C. TAYLOR). Harvard University Press, Cambridge MA.

Finally, such an approach is tested to an actual case of post-conflict transition, the case of Bosnia-Herzegovina. With reference to Bosnian context, the idea of equilibrium is meant to reduce the emphasis on non-governmental sector, understood as NGOs, giving priority to that set of associational modalities and market actors and structures that represent the specificity of Bosnian society. Furthermore, such an approach is likely to emphasize those aspects of ‘civility’ already present in Bosnian society. In this sense, it is meant to deny any idea of ‘un-civil’ society, as some scholars have argued in recent works: if it is true that civil society is the domain of conflicting interests and values, nonetheless it is the sphere where those conflicts are handled not violently and pluralistically. Such an approach is therefore aimed at stressing those features of ‘civility’, such as pluralism, non-violence, and sense of justice, which actually constitute the ‘Bosnian common culture of civility’.

The work is divided into four chapters. This first chapter is meant to offer a general introduction to the theoretical issues discussed in the following chapters, which entail the concepts of identity conflicts, democratic values such as human dignity and pluralism, and civil society. Following contemporary scholarly debate, the second chapter is devoted to the understanding of contemporary ethno-religious conflicts. The idea of individual identity as the sum of plural affiliations represents the key feature for analyzing those conflicts. The third chapter is therefore devoted to deepen the content of the notion of civil society and the idea of equilibrium. Finally, in the fourth chapter, the theoretical premises are applied to the empirical case study of Bosnia-Herzegovina⁹.

⁹ This section is based on a qualitative research carried out during a field-trip in Bosnia-Herzegovina from November, 30th 2007 to December, 6th 2007. The interviews were based in Sarajevo. Due to my poor knowledge of Bosnian, most of those were carried out with the support of the interpreter. For this case study, some associations of victims and relatives and some local and international institutions cooperating with them have been selected. The exact name of the associations and institutions I am referring to are: Association of Citizens *Srebrenica Mothers*- based in Srebrenica; Association of Families of Missing Persons of Sarajevo-Romanija regio- based in Eastern Sarajevo; Board of Families of Captured Soldiers and Missing Civilians, Istocno Sarajevo-based in Eastern Sarajevo; Association of Citizens *Women of Podrinje* –based in Ilidža ; Association of families of missing persons *Visegrad 92*–based in Sarajevo; Association for tracing captured and missing from Hadzici –based in Hadzici; Association *Mothers of Srebrenica and Zepa Enclaves* – based in Sarajevo; Association of families of missing persons of Municipality Vogosca- based in Vogosca; Association of Citizens *Women of Srebrenica*- based in Tuzla; ICMP; FCMP.

Exploring the nexus identity conflicts/human dignity

Identity conflicts: deepening the meaning of identity in conflict

The meaning of cultural identity and its though relation with ethno-religious conflicts represents the preliminary theoretical issue considered in this work.

In 1990, the end of the Cold War, the collapse of the Soviet Union, the wave of democratization in Latin America and Eastern Europe, the crisis of many authoritarian regimes in Africa, all led to the illusory hope of democracy and freedom at global level. The reality was deeply different. Actually, the overcoming of the Cold War confrontation and the emergence of a globalized market made room for the intensification of social and political conflicts that contributed to highlight the profound crisis of old Westphalia system of state-power. Societies entered a period of painful social, economic, and institutional transformation marked by dramatic security dilemmas. The growing weakness and the ineffectiveness of national institutions to represent public interests and to protect citizens multiplied number of ethnic and cultural conflicts. The escalation of violence tremendously increased, both across boundaries and within failed state¹⁰.

Several scholars referred to the emergence of “new wars” that take place in situations of disintegration of state (Kaldor 1999). According to them, such conflicts do not have a precise beginning or a formal end, furthermore it is too difficult, if not impossible, to establish a clear distinction between peace and war. These conflicts are fought by groups of state and non-state actors, such as para-military, rebel armies, child soldiers, or terrorist groups. Very often, the act of violence directed to civilians is the instruments of struggle *par excellence*. Most importantly, it seems that ‘identity groups’, namely ethnic, or religious groups, and not nation-states, are at the core of such conflicts.

Scholars from deeply different fields have increasingly paid attention to those conflicts. Kalyvas, a political scientist from Yale University, offers an interesting

¹⁰ See Anheier, M. Albrow, M., *Violence and the Possibility of Civility*, in ANHEIER H.E., & KALDOR, M., & GLASIUS, M. . 2006. *Global Civil Society Yearbook 2006-7*. Oxford University Press, Oxford.

reading of this peculiar kind of ‘civil wars’¹¹. According to him, such conflicts can be described in the light of the interaction between political and private identities and actions. This suggests that the so-called *master cleavages*, of religious or ethnic matrix, emerging from the conflict would represent a sort of “symbolic formation”¹², which simplifies and encompasses several local conflicts. These local conflicts seem to be linked to peripheral or ‘private issues’ rather than collective public claims. However, several scholars are more likely to emphasize the collective character of those conflicts. Azar’s theory on Protracted Social Conflicts (PSC) plays a pivotal role in this literature.

Azar’s intuitions, developed in a vast series of publications over a twenty-year period from the early-1970, about the relevance of *grievances* due to the deprivation of human needs in protracted internal conflict still represent a useful tool for understanding identity-conflicts. According to the PSC theory, the crucial factor in such deeply divided societies is represented by the prolonged and often violent struggle among *communal groups* for some *basic human needs*. He lists five fundamental needs, namely security, recognition, acceptance, fair access to political institutions and economic participation. According to his view, “grievances resulting from need deprivation are usually expressed collectively. Failure to redress these grievances by the authority cultivates a niche for a protracted social conflict.”¹³ In other words, according to Azar the identitarian character of such a kind of wars is the result of the frustration resulting from needs-deprivation.

From a general point of view, several issues are into question with reference to such conflicts. What does identity mean? Why should the quest of recognition represent a fundamental human need? Furthermore, what is the role of individuals in such a frame? One can recognize two extreme positions regarding the idea of cultural

¹¹ KALYVAS S.N. 2003. The Ontology of "Political Violence": Action and Identity in Civil Wars. *Perspectives on Politics* 1: 475-494 , KALYVAS S.N. 2007. Ethnic Cleavages and Irregular War: Iraq and Vietnam. *Politics & Society* 35: 183-223.

¹² KALYVAS S.N. 2003. The Ontology of "Political Violence": Action and Identity in Civil Wars. Op. cit.: 486.

¹³ AZAR E.E. 1990. Protracted Social Conflict: An Analytical Framework. In: *The Management of Protracted Social Conflicts: Theory and Cases* (Ed. by E.E. AZAR). Dartmouth, Aldershot.:9.

identity in conflict¹⁴. On one side, individualist reductionism shows a complete lack of interest about identity. Following the contemporary economic and political approaches to conflicts¹⁵, individuals are perceived as fundamental subjects of any political action. Groups can only do things via individuals doing things. In such a frame, individuals' actions and choices are independent from the being part of a group and cultural identity becomes an irrelevant variable. On the other side, cultural reductionism represents its opposite version. Such a reductionism considers that individuals are not separate units, but rather are part of a larger group (i.e., extended family, village, ethnic or religious community). According to supporters of PSC theory and other cultural reductionists, one cannot describe individuals' actions and motivations without considering the significance of their shared identity. In truth, both views are extremely dangerous and, what is more important, do not help to explain the content of identity and the significance of the quest of differentiation in contemporary deeply divided societies.

In the present work, a third way to look at identitarian issues is suggested. The idea that individuals are independent islands is hardly arguable in real life. If there are no doubts that those wars have an individualistic root, based on private interests and actions; nonetheless, it seems extremely difficult to isolate this element from the collective and ideological dimension of violence. At the same time, it would be inappropriate to argue that individual's actions are deeply rooted in shared experiences within groups or communities. Such an emphasis on cultural differences among groups, rather than individuals, would lead to the extreme thesis that cultural heterogeneity itself is at the roots of violence (Huntington 1996).

More plausibly, one can argue that each individual holds a plurality of affiliations.¹⁶ Ethnic as well as religious features represent only some attributions of individual identity. An individual recognizes herself or himself in terms of age, gender, profession, level of education, political ideology, religious beliefs, nationality, race, caste, and ethnic affiliations. It means that each individual is the result of a complex

¹⁴ See also, SEN A. 2006. *Identity and Violence: The Illusion of Destiny*. W.W. Norton & Company, New York, London.

¹⁵ I am referring here to the economic approach of "Greed vs Grievances" and to the political approach to "new nationalism", see chapters I, *Understanding ethno-religious conflicts*, pp.:32-83.

¹⁶ SEN A. 2006. *Identity and Violence: The Illusion of Destiny*. Op.cit.

set of different identitarian attributions. People cannot be seen as mere rationales automata; without considering the emotional side of their shared identities, one cannot explain the human experiences of persons like Nelson Mandela, Mother Teresa, or Gandhi¹⁷. However, focusing the attention on just one feature is not enough in order to explain the complexity of such human experiences. Let us consider the example of Mother Teresa, her decision to become a missionary can hardly be explained in rational terms, nonetheless it is abundantly clear that her religious affiliation, Christianity, is not enough for understanding her choices. She used to define herself as a woman (“I am a woman), as Albanian (“by blood, I am Albanian”) but also Indian by adoption (“by citizenship, an Indian”), as catholic (“By faith, I am a catholic nun”) and, what is more important, as part of the human community (“As to my calling, I belong to the world.”). The combination, of all these attributions, makes Mother Teresa’s experience so unique and unrepeatable.

Thus, the idea of plural affiliations imposes to understand how and why in identity conflicts religious and ethnic features tend to overcome other attributions. The problem here is to understand how and why such identitarian affiliations interact with political violence. Neither ethnicity, nor race, nor religion can be considered as violent factors *per se*. According to the thesis of the plural affiliations, the fact that an individual is either black or white, Christian or Muslim, Croat or Serb, does not explain anything about her/him; the combination of all different identitarian attribution makes recognizable an individual and his/her human experience. However, the evidence of contemporary conflicts seems to say that these factors are inherently violent. Nevertheless, it would be misleading to argue this idea, the history of humanity starting from the Christian Crusades, to Hitler’s eugenic plan for a master race, is actually studded with examples of violence hidden behind cultures, religions, and racial or ethnic features.

The link between identitarian attributions and violence is therefore complex, and it has to be handled cautiously. One might distinguish two fundamental issues: the first is concerning the role of recognition while the second entails an idea of private interests and actions. The first issue is meant to emphasize the social grievances

¹⁷SEN A. 2006. *Identity and Violence: The Illusion of Destiny*. Op.cit.

linked to, among the other capability- deprivations, the lack of recognition within society. The second argument focuses on the demagogic use of groups and *groupness* as independent source of violence. These two arguments are profoundly linked to each other; frequently, in contexts where the sense of frustration due to the spread condition of capability-deprivation is high, a specific kind of actors, which I call 'cultural war entrepreneurs', fuel violence reinventing the mythology of the losers for hiding their actual interests and purposes.

First, through a readaptation of Azar's argument, one can argue that frustration and the sense of deprivation due to the lack of recognition of some identitarian affiliations represent key factors in order to understand identity-conflicts. Ethnic or religious heterogeneity does not represent *per se* an obstacle to peace and stability¹⁸. Nevertheless, the lack of security in deeply divided societies is profoundly linked to the levels of people's capabilities, tolerance, and acceptance of diversity within society. Very often, in these conflicts, the condition of capability-deprivation within society translates into the refusal to recognize or accept the ethnic or religious attributions of the others. Such a condition creates social grievances, exclusion, and marginalization within society. Societies appear to be redesigned in terms of losers and winners, marginalized and not. The sense of revenge and frustration, which follows such a denial of *substantive freedoms*, represents an important factor in motivating violent social struggles¹⁹.

Additionally, it is necessary to distinguish identitarian attributions, like religion race or ethnicity, from individuals' interests and actions. Often, the above-mentioned sense of revenge represents just the "public justification" that private groups or simply self-interested individuals use for creating a certain level of support to their violent actions. Brubaker makes a distinction between groups as category and groups

¹⁸ This is also supported by several empirical studies. Collier and the supporters of "greed vs grievances approach" have empirically shown that in many cases of identity- conflicts there is an inverse link between multi-ethnicity and violence. According to them, the relevant factor in fuelling violence would be rather represented by the existence of one strong ethnic group. The presence of such empirical studies is deeply rooted in the assumption that particular interests rather than collective claims would be underlying features of these conflicts. Of course, this assumption cannot be considered as a clear rule, since there are cases where the multiethnic character of society represents a factor of deep instability- as for the case of Bosnia. See COLLIER P., & HOEFFLER, A. 2004. Greed and grievance in civil war. *Oxf. Econ. Pap.* **56**: 563-595.

¹⁹ SEN A. 1999. *Development As Freedom*. Oxford University Press, Oxford.

as organizations. Regarding ethnic conflicts, he argues that “although participants’ rhetoric and commonsense accounts treat as ethnic groups as the protagonists of most ethnic conflict, in fact the chief protagonist of most ethnic [...] violence are not groups as such but various kind of organizations.” Such a distinction between groups and organizations is meant to trace a clear difference between the quest of recognition and the use that some self-interested groups can make of such a demand.²⁰

The war creates communities of fear. Those actors, which I call ‘cultural-war-entrepreneurs’, articulate their own mythology of the conflict, starting from features, like religion, ethnicity, or land that differentiate each community from the others. Such a demagogic use of the argument of recognition depends, on one side, on the thuggish interests and grim purposes of a few individuals that find convenient to manipulate the conflict, on the other, on the weakness of the individual identity of the members of such communities. In some sense, by accepting to be reduced to a member of a well-defined identitarian group, those individuals give up their plurality of affiliations. Communities subdue their members to such an extent that they seem to have lost their own individuality and personal experiences. In such a context, individuals cannot conceive of sharing a common truth with the members of other communities, and they save their own self-esteem disregarding diversity.

Human rights in identity-conflicts: the meaning of ‘human dignity’

It is abundantly recognized that identity-conflicts entail increased levels of human rights abuses (Ignatieff 1997; Kaldor 1999, 2003a). The question here is to understand if it is possible to establish a causal link between increased levels of human rights violations and the escalation of violence. In other terms, do human rights’ abuses trigger, or, at least, contribute to the emergence of those conflicts? According to a recent research carried out with the support of the Canadian International Development Agency’s Human Rights and Participation Division, in

²⁰ BRUBAKER, R., *Ethnicity without Groups*, in WIMMER A., & GOLDSTONE, R. J., & HOROWITZ, D. L., & JORAS, U., & SCHETTER, C. 2004b. *Facing Ethnic Conflicts: Toward a New Realism*. Rowman & Littlefield Publishers, INC., Oxford.: 41.

order to answer to such a question it is necessary to distinguish two groups of rights: civil and political rights on one hand, and economic, social, and cultural rights on the other²¹. Even though a precise causal link is unclear, this article shows that violations of both kinds of human rights are contributing factors of identity-conflicts. According to the authors, while massive violations of civil and political rights are more clearly recognizable as direct “conflicts triggers”²²; violations of the second set of rights are linked to conflicts in an indirect way.

In the light of what has been stressed in the previous section, it is plausible to argue that violations and discriminations of political as well as socio-economic and cultural rights are underlying causes of conflict, fuelling social injustice and identitarian violence. The existence of a causal link between human rights abuses and escalation of violence highlights the relevance of human rights protection as fundamental step in the democratization process of deeply divided societies. Very often, in those conflicts, the demand of human rights protection emerges from below, from civilian victims of abuses and discriminations. People perceive such violations as triggers and components of the conflict²³. According to them, efforts in stopping such abuses and ensuring justice to the victims of human rights violations are needed to bring to an end the hostilities and build security. In the framework of this work, such a demand of human rights protection and justice for the victims of abuses functions as core feature of people’s ‘common culture of civility’. The associational bodies and structures of civil society are *the locus* where individuals articulate their experiences and express their demand of justice.

However, in contexts of deeply divided societies, two theoretical problems related to the idea of human rights are preliminarily to be faced. The first concerns their foundation and their extent, the second refers to their subjects. (1) What do we mean by human rights and what is their extent? Two extreme streams about ‘rights’ emerge

²¹ Such a research has been published in *Human Rights Quarterly*, with the title “Do Human Rights Violations Cause Internal Conflict?”, see THOMS O.N.T., & RON, J. . 2007. Do Human Rights Violations Cause Internal Conflict? *Human Rights Quarterly* **29**: 674–705..

²² *Ibid.*: 704.

²³ With regard to citizens’ perceptions of human rights violations, see also CARLSON M., & LISTHAUG, O. 2007. Citizens’ Perceptions of Human Rights Practices: An Analysis of 55 Countries *Journal of Peace Research* **44**: 465-483.

from Western philosophical tradition. One can define Hegelian- historicism that stream which sees culture, history, and economics as the sources of all rights; while, a Kantian-individualist stream would look at human rights as universal moral values, in no way subject of adaptation in the light of historical or cultural differences. Considered in their extreme versions, both views entail theoretical problems. Refusing the existence of any right out of a specific cultural and historical context, in some sense, the H-stream denies any idea of human rights, as fundamental rights held by all human beings. Conversely, denying the idea of a link between rights and historical or cultural features, in the K-stream the doctrine of rights becomes an *apriori* truth, a metaphysical doctrine theoretically implausible, and practically unacceptable for a huge number of societies.

Thus, it becomes necessary to introduce a notion of human rights relatively independent from both streams, Kantian/universalism and Hegelian/historicism. The condition of protection of human rights in deeply divided societies imposes to rethink human rights as “relative universal” values, in which cultural and historical features and universalistic acceptance of rights as fundamental values can converge²⁴. As emphasized before, very often in contexts of deeply divided societies the quest of human rights protection emerge from below, from those people who were victimized during the conflict. Frequently, they ignore the legal content of the rights they are appealing to; they just claim the protection and the recognition of their ‘human dignity’ as human beings.²⁵ Thus, at least *prima facie*, such a demand of human rights protection refers to an essential group of rights that are actually perceived by society as necessary to live a worthy life.

Accordingly, instead of a complex set of human rights, a fundamental idea of *human dignity*, acceptable for deeply different traditions and cultures, is addressed in the present work. This idea entails a peculiar understanding of fundamental rights: namely, the rights one holds by virtue of being a person. (Donnelly 1982, 1984,

²⁴ DONNELLY J. 2007b. The Relative Universality of Human Rights *Human Rights Quarterly* **29**: 281-306.

²⁵ See for instance in the last chapter, *The role of civil society in post-conflict reconstruction: The case of the Associations of Mothers and Relatives of Missing Persons in Bosnia*, the meaning of human dignity and justice as perceived by Bosnian Associations of victims and relatives of missing persons. pp.158-168.

2007b). This means that human rights, *prima facie*, have to be conceived as those fundamental rights naturally inhering to all human beings. The idea ‘human dignity’ finds a huge agreement in deep different cultures and historical contexts. The emergence of an “international legal universality” about human rights confirms such a degree among different cultures and traditions, and the Universal Declaration of Human Rights represents the first step in that sense. The idea of human dignity is well synthesized in the first article of the UDHR, which states:

“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”²⁶ [Emphasis added]

(2) The second issue concerns the very idea of collective rights, whether the moral subject of rights is the individual or a collective entity. With regard to a trip that he made in former-Yugoslavia in 1994, Ignatieff argued, “we in the West start from a universal ethic based on ideas of human rights, they start from particularistic ethics that define tribe, nation, and ethnicity as the limit of legitimate moral concern.”²⁷ Although these words were referred to the years of war, Ignatieff emphasized the relevance of collective claims in contexts of deeply divided societies. The problem here is to understand whether moral and legal rights of a group can be considered as inherently collective or can be reduced to the individual moral claims of its members, and so to the notion of human dignity.

Once again, the debate can be developed around two extreme positions: a Kantian standpoint might suggest that all groups are reducible to its members; while, a Hegelian perspective might be more prone to assume that a collective entity can have value independently from its contribution to the well-being of individuals and human beings²⁸. Regarding this problem, Kymlicka argues that such a debate is sterile

²⁶ UNITEDNATIONS. 1948. Universal Declaration of Human Rights. (Ed. by U.N.). Adopted by General Assembly Resolution 217 A (III) of 10 December 1948. See also, MAFFETTONE S. 2007. Human Rights and Cultural Diversity. In: *Forthcoming*. Luiss University, Rome, DONNELLY J. 2007a. *International Human Rights (Dilemmas in World Politics)*. Westview Press, Boulder, DONNELLY J. 2007b. The Relative Universality of Human Rights *Human Rights Quarterly* **29**: 281-306. DONNELLY J. 2007b. The Relative Universality of Human Rights. Op. cit.

²⁷IGNATIEFF M. 1997. *The Warrior's Honor: Ethnic War and the Modern Conscience*. Henry Holt & Co, LLC, New York: 6.

²⁸ VÁRADY T. 1997. Minorities, Majorities, Law, Ethnicity: Reflections of the Yugoslav Case. *Human Rights Quarterly* **19**: 9-54, JOVANOVIĆ M.A. 2005. Recognising minority Identities through Collective Rights. *Human Rights Quarterly* **27**: 625-651.

“because the question of whether the right is (or is not) collective is morally unimportant.”²⁹ According to him, the moral issue concerns the demand of recognition: why some groups in certain historical moments or contexts need to be differentiated with regard to their language, territory or religion? Since individual’s identity and conscience are partly shaped by the recognition or by the misrecognition of others, the quest of recognition is the way in which individuals perceive themselves and their dignity through their *differentiation*³⁰.

However, one must note that, in his *Multicultural Citizenship*, Kymlicka aims at incorporating a set of specific rights, namely minority rights, in a liberal democratic framework. He argues that the ‘liberal rights to citizenship’ does not suffice the demand of social equality within society, since a liberal understanding of rights overrides the relevance of the quest of differentiation of ethnic or minority groups. In sum, his argument is rooted in the assumption that in order to treat equally all citizens a kind of differentiation, based on the attribution of a specific set of rights – namely minority rights-, is needed. Of course, his argument is much more detailed and better argued than that; but what is important to show here is that the ‘multicultural thinker’ is referring to a democratic system where the distinction between ethnic/minority groups and the ‘people’, understood as national community, is quite clear. Therefore, an ‘overlapping consensus’ among people over the political ideal of justice linked to democracy is already reached³¹. In some sense, by virtue of the sharing of such a ‘demanding political ideal’ those people are members of a community of citizens, thus the problem becomes to decide what kind of ‘citizenship’ has to be applied to this community, whether multicultural or liberal.

Actually, the absence of such a clear distinction between people and minority groups in deeply divided societies represents the crucial problem at stake. Again, the problem of the subject of minority rights becomes relevant. Indeed, if it is abundantly recognized a collective right of ‘peoples’, rather than States or Governments, to self-

²⁹See KYMLICKA W. 1995. *Multicultural Citizenship*. Oxford University Press, Oxford.: 45.

³⁰ See also, TAYLOR C. 1994. The Politics of Recognition. In: *Multiculturalism* (Ed. by C. TAYLOR). Princeton University Press, Princeton, NJ.

³¹ See in the next section the discussion of Cohen about this point.

determination³², with respect to minority rights it seems that both international law and political theory are likely to reduce the emphasis on the ‘collective’ dimension of those rights. From a legal point of view in fact, the right to ‘self-determination’ enables ‘people’, understood as social entity possessing a clear identity³³, to freely determine and pursue their political, economic, and cultural interests and developments. Conversely, with respect to minority rights, the General Assembly has recently clarified that:

Governments should be sensitive towards the rights of *persons belonging to ethnic groups*, particularly their right to lead lives of dignity, to preserve their culture, to share equitably in the fruits of national growth and to play their part in the Government of the country of which they are citizens.³⁴ [Emphasis added]

Thus, at least from a legal point of view, it seems that in the case of minority rights the ultimate subjects are those ‘individuals’, who actually belong to specific ethnic, religious, or cultural groups.

However, such a distinction between alleged individual rights, with respect to minority rights, and a collective right, with reference to the principle of self-determination, is under discussion in deeply divided societies. Very often, the alleged minority groups are in fact inclined to define themselves in terms of ‘people’. They refuse any kind of political community and ask their right to self-determination in the place of minority rights. This problem has been emphasized from many international scholars and observers who have strongly argued that during and after an identity-conflict minority groups, rather than individuals, are targeted victims of abuses and

³² “*All peoples have the right of self-determination. By virtue of that right, they freely determine their political status and freely pursue their economic, social, and cultural development.*” Articles 1 of both covenants, see OFFICEHIGHCOMMISSIONERHUMANRIGHTS. 1976a. International Covenant on Civil and Political Rights. (Ed. by U.N.). General Assembly Resolution 2200A (XXI), of 16 December 1966, OFFICEHIGHCOMMISSIONERHUMANRIGHTS. 1976b. International Covenant on Economic, Social and Cultural Rights. (Ed. by U.N.). General Assembly Resolution 2200A (XXI), of 16 December 1966.

³³ “The two important United Nations studies on the right to self-determination set out factors of a people that give rise to possession of right to self-determination: a history of independence or self-rule in an identifiable territory, a distinct culture, and a will and capability to regain self-governance.” In PARKER K. 2000. Understanding Self-determination: The Basics. In: *First International Conference on the Right to Self-Determination*. U.N. , Geneva.

³⁴OFFICEHIGHCOMMISSIONERHUMANRIGHTS. 1996. General Recommendation No. 21: Right to self-determination : . 23/08/96. Gen. Rec. No. 21. (General Comments) (Ed. by UN). General Assembly A/51/18, in Agenda Item 108: Elimination Of Racism And Racial Discrimination.

violations.³⁵ The outcome has been that, in those contexts, the application of the principle of minority differentiation tends to overlap with an idea inherently collective of ‘groups’. Accordingly, sometimes the emphasis on collective rights has the consequence to prioritize minority rights and settlements over the fundamental rights of all citizens.

As for Bosnia-Herzegovina, such an approach to minority rights led to a paradox: several political and civil rights³⁶ are subjected to a declaration of belonging to one of three major ethnic groups. It is important to consider that a moderate percentage (around 10% of the population) of Jewish, Roma, Bulgarian, Albanian groups, and mixed Bosnians are still living in Bosnia. Despite their Bosnian citizenship, most of the political and civil rights of these citizens are *de-facto* violated. This happens because these minor groups, defined as “others,” are excluded from the ethno-representation.

To conclude, rather than sterile, the problem of the identification of the subject of rights matters, since it entails the possibility that a kind of ‘ethnic citizenship’ is adopted violating fundamental individual’s rights. Also with reference to this problem, looking at human rights from the point of view of human dignity, the recognition of cultural, ethnic, or religious features is a process that has to start from individuals that share a ‘common sense of civility’.

³⁵ See, VÁRADY T. 1997. Minorities, Majorities, Law, Ethnicity: Reflections of the Yugoslav Case. Op. cit.

³⁶ The right to be elected, to work in the public administration, etc.

Civil society, identity-conflicts, and democratic transition: theoretical issues

Democratic Transition and Civil Society: the “common culture of civility”

With reference to the idea of democratic transition, this work introduces several relevant issues. The first issue concerns the very idea democracy, and the actual possibility of enhancing democratic and pluralist values in deeply divided societies. As matter of fact, the praxis of the two decades has shown that the power of democratic states to intervene in such contexts and contain violence has decreased. The experience of recent ‘humanitarian interventions’, in Rwanda Somalia and ex-Yugoslavia, displays the failure of western attempts to protect civilians; but, most importantly, those experiences also put into question ‘Western approach’ to democratic transition, perceived by people as top-down attempts to impose Western values on other peoples. In an analogous way, the cases of Iraq and Afghanistan have shown that democracy cannot be exported through armed intervention³⁷.

According to some scholars, we are facing an unavoidable clash of civilizations, which would be undermining Western democratic system and culture (Huntington 1996). In this perspective, the emergence of this new wave of identitarian violence can be read as confirmation of the decline of democracy, as universally recognised value. In this perspective, democracy is supposed to be part of Western culture, and, for this reason, it entails values unacceptable for other cultures (Huntington 1993). Besides this ‘culturalist’ challenge, several philosophers are discussing the issue of whether democracy has to be understood as universally valid value. In his recent article “Is there a Human Right to Democracy”, Joshua Cohen offers an interesting analysis, concluding that the ‘conception of equality’ linked to democracy entails an idea of justice too demanding for people who do not share that ‘demanding political ideal’³⁸. In other words, according to him, if with regard to human rights an ‘overlapping consensus’ among people with different reasonable comprehensive

³⁷ See also, DIAMOND L.J. 2005. Lessons from Iraq. *Journal of Democracy* **16**: 9-23.

³⁸ COHEN J. 2006. Is There a Human Rights to Democracy. In: *The Egalitarian Conscience: Essays in Honour of G. A. Cohen* (Ed. by C. SYPNOWICH). Oxford University Press, Oxford.

doctrines can be reasonably expected, with reference to democracy the same kind of consent can be achieved only if all those people share that ‘demanding political ideal’, which is implied in “the idea of justice required to democracy”³⁹.

Thus, the main problem here is to understand if it is possible to conceive of a universal value, related to democracy, distinguishable in deeply different contexts and traditions. According to Dahl, there are two dimension of democracy. The first dimension concerns the ideal representation of Democracy. At this level, it is conceived as an ideal, a goal, an unachievable standard. The second dimension of democracy, then, is more connected to the practices and the actual rules and procedures of contemporary democracies⁴⁰. In his perspective, it would be a great mistake to ignore the first dimension, which actually represents the most important element of democracy. Conceiving of democracy only in terms of elections and actual practices means to loose a considerable part of its huge potential. This means to underrate the relevance of the intimate link existing between people and their ideal of democracy

In the literature on conflict transformation, the issue of democracy building plays a crucial role. In this context, Paris’s book, *At the War’s End*, represent a point of reference for many other scholars. The book suggests a new peace-building strategy called ‘Institutionalization before Liberalization’. In particular, Paris emphasizes the relevance of the phase of ‘institution-building’. According to him, a controlled and gradual approach⁴¹ to democratization is needed in the first post-conflict period. Such an approach is supposed to create those governmental structures and institutions needed for managing the further political and economic reforms.

However, if it is true that the issue of strong and accountable institutions is at the core of any democratic system, nonetheless it is extremely dangerous to consider the possibility to impose those institutions on a community. Let us consider the case of the constitution. Such a legal instrument undoubtedly represents one of the major democratic institutions. Furthermore, without an actual constitution, the democratic

³⁹ COHEN J. 2006. Is There a Human Rights to Democracy. Op. cit.

⁴⁰ DAHL R.A. 2000. A Democratic Paradox? *Political Science Quarterly* **115**: 35-40.

⁴¹ PARIS R. 2004. *At the War's End: Building Peace After Civil Conflict*. Cambridge University Press, Cambridge.

system is unconceivable. However, the problem becomes evident when a domestic constitution is imposed through an external effort on a political community. In this case, the lack of a pluralistic consent of citizens over a core of shared political principles translates into the ineffectiveness of such an external attempt. In Bosnia for example, in the framework of the Dayton Agreement, international community provided Bosnian citizens with a democratic constitution. Nevertheless, after 13 years such an effort has not led to a viable and actual democratic system in the country. All these observations show the limits of Paris's approach. Overriding the relevance of the first dimension of democracy, such an approach is likely to be ineffective. Furthermore, it is more prone to emphasise that detachment of people from politics, understood as an external effort to impose Western models, which characterizes deeply divided societies.

In this work, democracy is therefore understood in its first dimension, as fundamental political ideal. Such an understanding has received too little recognition both in theory and in practice until now⁴². Democracy is much more than political elections and multiparty competition, these elements constitute only one part of a broader picture. In its first acceptance, it is also possible to overcome the criticism to democracy as universal value emphasized by Cohen, since a first kind of this 'ideal' can be found in those practices of public reasoning and of liberal tolerance familiar to many different traditions. According to Amartya Sen, in this broad sense there is a long democratic tradition in many different cultures and contexts, out of the West⁴³. Thus, a comprehensive and inclusive idea of democracy can be built starting from "the dialogic part of the common human inheritance."⁴⁴

What we need in post-conflict transition is to emphasize the 'common tradition of civility' already existing in the society. Accordingly, the argument proposed in this work is that an effective approach to democratic transition has to start from below and has to take into account the cultural specificity and the common sense of justice emerging from those people who are actually involved in the democratization

⁴² I am referring for instance to the case of post-intervention Iraq, in the attempt to get straight to polling peace-builders and theorists have shown too little interest in developing a broad public reasoning and an independent civil society.

⁴³ SEN A. March 2006. Democracy isn't "Western". In: *The Economist*.

⁴⁴ *Ibid.*

process. In those contexts, the ideal and universal value of democracy is deeply linked to the preservation of human dignity and the restoration of a pluralistic dialog based on public reasoning and tolerance.

Normative idea of civil society

The second issue concerns the link between democracy, intended in such a broad sense, and civil society. In the last section, it has been emphasized the relevant role of people in producing their own quest of democracy. It means that the democratization process has to start from below, from societies. Nevertheless, very often the involvement of societies can be ambivalent and controversial. For this reason, it becomes important to conceive of a normative idea of civil society, in which the idea of ‘civility’ is supposed to signify the link existing among people involved in society and the ideal of democracy.

In this work, civil society is supposed to be the locus where the equilibrium among the three spheres of politics culture and economy guarantees that the quest of protection of human dignity and the realization of individual freedoms overlap with a pluralistic integration due to the emergence of a ‘common culture of civility’. Of course, such an idea of civil society is not aimed at emphasizing those features of democracy already present at the societal level. The assumption that civil society, as such, can be used in the place of democracy is, at least, questionable. Furthermore, it is extremely difficult to conceive of democracy as independent from a system of fair institutions, such as democratic constitution, market, etc. However, it seems possible to refer to an idea of civil society as that sphere, between ‘family and state’, where some of those universal values that constitute the ‘public political culture’ of a liberal democracy may emerge in the form of a ‘common culture of civility’.

In literature, it is possible to find a huge agreement about the intimate link between civil society and democracy. Since ancient times, the debate about civil society has been built around a fundamental political issue concerning the role of freedom in the political realm⁴⁵. Whatever has been the approach to society, the relations between public and private as well as between public ethics and individual interest have

⁴⁵ See COHEN J., & ARATO, A. 1994. *Civil Society and Political Theory*. MIT Press, Cambridge MA.

represented key features of modern political thought. Accordingly, it is possible to distinguish two broad versions of civil society's understandings. On one side, following Tocqueville, an idea of civil society as tool of stabilisation of democratic regimes has emerged. This version highlights the fundamental link existing between associational and voluntary sector and the democratic functioning of contemporary states. According to this view, civil society can be seen as a *democratic expedient* in a specific way. It is able to modify or, at least, correct the democratic directions of politics through the formation of 'public opinion'⁴⁶. On the other side, starting from the Hegelian idea of the ethical content of civil society as distinct from the state, an idea of civil society of an anti-political kind has been developed. This perspective, based on Gramsci's version of civil society, introduces a counter-hegemonic dimension for civil society. Civil society is considered as means of rebellion or, at least, contestation against the state.

Starting from these two versions, contemporary scholars have developed different approaches to civil society. They combine such versions with the three dimensions of civil society, offering three different readings of civil society: namely, cultural, economic, and political approaches to civil society. (1) The first approach is what I call the "post-colonial" version of civil society. According to post-colonial scholars, the idea of civil society can be reframed in the light of the possibilities for a cultural counter-hegemony, a counterweight to the imperialistic hegemony of the West. Such an approach, in fact, emphasizes the limits of a western –oriented notion of civil society. The core idea relies on considering the existence of traditional groups and organizations, based on religion, ethnicity, or kinship, as an alternative public space⁴⁷. Instead of the notions of voluntarism and autonomy, the post- colonial

⁴⁶ See COHEN J., & ARATO, A. 1994. *Civil Society and Political Theory*. Op. cit. HABERMAS J. 1989. *The Structural transformation of the Public Sphere: an Inquiry into a Category of Bourgeois Society (Studies in Contemporary German Social Thought)*. MIT Press, Cambridge MA, HABERMAS J. 1996. *Between Facts and Norms. Contribution to a Discourse Theory of Law and Democracy*. MIT Press, Cambridge MA.

⁴⁷ COMAROFF J., & COMAROFF, J., [EDS]. 1999. *Civil Society and the Political Imagination in Africa*. University Press, Chicago.

version of civil society recovers the ascriptive criteria of kinship or religion, producing a combination of communitarian corporatism and libertarianism.⁴⁸

(2) The second approach, the neo-liberal version, combines civil society is seen as an *economic actor*, the Third Sector. In this perspective, a strong voluntary and autonomous non-profit sector, namely the third sector, produces comparative advantages for both market and state. On one hand, such idea is linked to the neo-liberal perspective of minimizing the role of state in order to have more efficiency in the market. On the other, this approach emphasizes Tocqueville's idea of the fundamental link between the existence of a strong associational and voluntary sector and the democratic functioning of contemporary states⁴⁹.

(3) Finally, a new normative approach to civil society has recently been developed mostly by European scholars, the "cosmopolitan" version. It combines features of political philosophy with international relations theories. In this third understanding, the new idea of civil society is linked to the political sphere. According to cosmopolitan scholars, in a context in which national-states does not have any longer the authority for defending their citizens, new civil society movements and organizations represent a sort of interface between the individuals and the State⁵⁰. They emphasize the emancipatory potential of such a global dimension of civil society. Global civil society provides the framework within which the resistance of individuals against both authoritarianism and global market can be mobilized⁵¹.

The exam of the three contemporary approaches shows two kinds of problems, in a certain way connected to each other. First, each approach of civil society focuses on one of the two versions: civil society as means of stabilization, and civil society as

⁴⁸ ZUBAIDA S. 2001. Civil Society, Community and Democracy in the Middle-East. In: *Civil Society: History and Possibilities* (Ed. by S. KAVIRAJ & S. KHILNANI). University Press, Cambridge., OBADARE E. 2004. The Alternative Genealogy of Civil Society and its Implication for Africa. *Africa Development* **29**: 1-8.

⁴⁹ PUTNAM R.D. 1995. Bowling Alone: America's Declining Social Capital. *Journal of Democracy* **6**: 65-78, FUKUYAMA F. 1999. Social Capital and Civil Society. The Institute of Public Policy, George Mason University.

⁵⁰ KALDOR M. 2003c. The Idea of global Civil Society. *International Affairs* **79**: 583-593.

⁵¹ COX M. 2003. Building Democracy from Outside. The Dayton Agreement in Bosnia & Herzegovina. In: *Can democracy Be Designed? The Politics and Institutional Choice in Conflict-Torn Societies*. (Ed. by S. BASTIAN, & LUCKHAM, R.). Zed Books, London.

means of contestation. However, on one hand, civil society as means of stabilisation would require democracy and a strong state as prior conditions. As argued by Foley and Edwards, autonomous *civic groups* can include also that undemocratic and *conflicting* side of society, which in absence of political settlements and rules may spill over into disruption and violence⁵². On the other hand, emphasizing the emancipatory potential of civil society as a ‘counterweight to’ the state implies that this anti-political potential could be a challenge for a democratic as well as for an authoritarian state.

The problem here is that, even if from opposite sides, these two approaches present the same circularity: they depend on democratic structures. Of course, both the ideas of stabilization and contestation represent important features in civil society discourses; but they cannot guarantee a role for civil society independent from democratic rules and procedures. It follows that none of the above-mentioned approaches can be applied in situations of collapsed state and of deeply divided societies. As argued before, a normative notion of civil society should be able to reproduce that intimate link between people and the ideal of democracy, which makes it ‘civil’ even out of a democratic context.

Second, such circularity depends on the fact that contemporary approaches fail in grasping the central argument of civil society, which concerns the ‘equilibrium among the three dimensions of economy, politics, and culture’. According to my view, the best way to clarify this is to refer to Hegel’s *Philosophy of Right*. Following Hegelian scheme, civil society is that sphere operating outside the state and the family. Nevertheless, it comprises those three dimensions, in the form of political cultural and economic forces. In such a scheme, on one side, the tension among those forces guarantees the realization of individual freedom and the separation between civil society and state. On the other side, the balance between individualistic presuppositions of the *system of needs* and collectivistic nature of the

⁵² FOLEY M.W., & EDWARDS, B. . 1996. The Paradox of Civil Society. *Journal of Democracy* 7: 38-52

corporation guarantees a kind of balance between pluralism of values and shared traditions.⁵³

Civil society, as proposed in the present work, intends to be a liberal reading of Hegelian civil society.⁵⁴ My aim is to save some Hegelian features that I take as necessary for conceiving of civil society as an intermediate dimension between family and state. In such a context, civil society is conceived as bearer of specific cultural and historical developments, and of rights and values. Furthermore, the liberal account makes this framework individual-oriented, rather than collectivistic-oriented, since it looks at the *system of needs* as the primary source of civil society.

This use of civil society leads my proposal out of a liberal-universalistic understanding of politics. Apparently, the choice of Hegel might be useful for a descriptive analysis, because of its historical focus. In this sense, it is clear that this choice reduces the universality of the proposal. However, the idea of equilibrium is definitely normative and universal. Of course, the equilibrium can vary in different contexts, according to historical and cultural specificities. Nevertheless, the conditions for such equilibrium are undoubtedly universal: individual freedom, a common sense of justice as consequence of the quest of protection of human dignity, and pluralist integration due to the emergence of a ‘common culture of civility’.

⁵³ See also RAWLS J. 2000. *Lectures on the History of Moral Philosophy*. Harvard University Press, Cambridge MA., p. 330. “[...] I interpret Hegel as a *moderately progressive reform-minded liberal*, [...]. I shall look at how Hegel thought the *concept of freedom was actually realized in the political and social institutions at a particular historical moment*.”[emphasis added]

⁵⁴ *Ibid.*

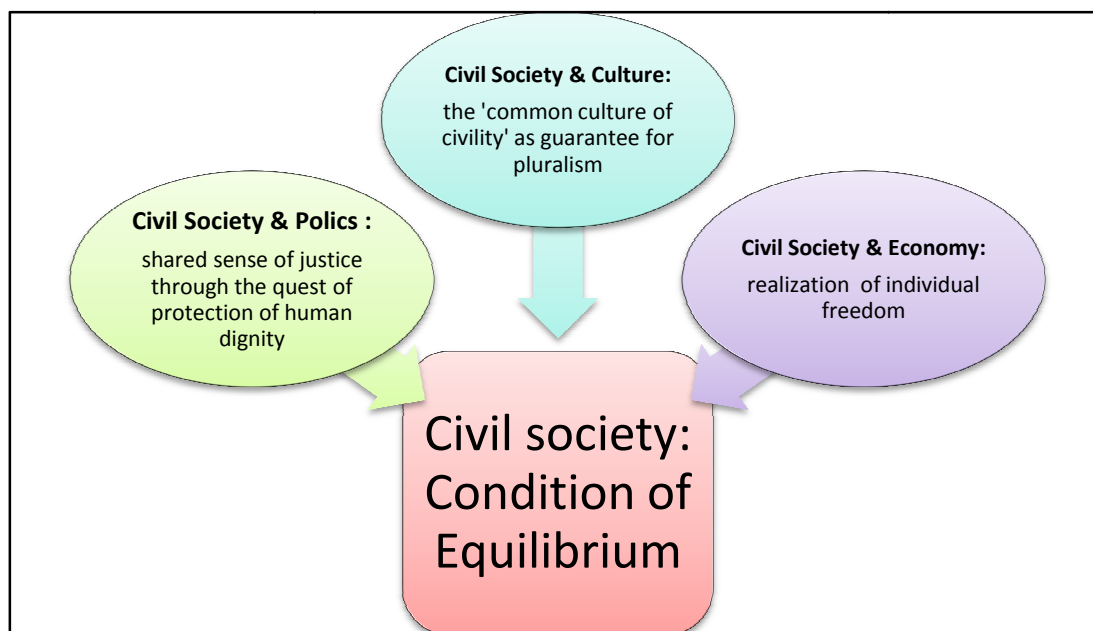


Figure 1: *Condition of Equilibrium in Civil Society*

Chapter 1

I. UNDERSTANDING ETHNO-RELIGIOUS CONFLICTS

1.1 Introduction

This chapter offers an analysis of ethno-religious conflicts. In the general framework of the present work, the so-called “ethno-religious conflicts” represent the context of the analysis. The main idea at stake is to identify possible answers and developments for a genuine and viable democratic transition, based on the idea of civil society’s role, in the frame of deeply divided societies. In this perspective, an attempt to clarify and describe the phenomenon of ethno-religious conflicts and the aspects involved in it is needed.

Political theorists tend to look at the issue of the ‘context’ in a skeptical way. According to them, it would be misleading to pay too much attention to the context, because it would reduce the generality and universality of the theory proposed. Conversely, anthropologists, sociologists, and political scientists are inclined to give a certain priority to the context over the general theory, to the particular over the general. In the present work, I offer a third view about the role of the context. On one hand, even if the contextualization of the theory can reduce sensibly its universality, a discussion about the role of civil society in conflict and post-conflict transition cannot disregard a deep understanding of the kind of conflict and the aspects involved in it. On the other hand, given their peculiarity, ethno-religious conflicts are seen as part of the general theory; awareness about the meaning of identity, nation and nationalism, and *groupness* represents the first theoretical challenge in order to discuss about the possibilities for civil society to become a factor of democratic transition. The recent episodes of interventions, in situations of ethno-religious

conflicts¹, have shown that a deep awareness about the meaning and impact of such theoretical issues is crucial in order to offer appropriate answers.

This chapter presents the following structure. The first section offers an introduction to the ethno-religious conflicts and their impact on international community. I discuss the difficulty to look at such conflicts through the lenses of the classic Clausewitzian theory, and the recent approaches emerged in international relations, security studies, and political economy. In the last two decades, two opposite ways to describe and understand violence have been developed. I call these two views: culturalist and rational choice perspectives. (1) On one side, a culturalist approach, based on the idea of an unavoidable clash of “civilizations,” has been developed (Huntington 1993; Kaplan 1993; Huntington 1996). According to this view, the end of the *balance of powers*, guaranteed by the “system” of the Cold War, has made room for the emergence of ancient cultural and religious rivalries among and within nations (Kaplan 1993; Luttwak 1995). This approach sees such rivalries in a *primordial* perspective: the clash of civilizations represents an underlying challenge for Western culture, and there is no way to face it through the traditional democratic means. Since democracy represents a peculiar aspect of “Western civilization,” democratic means are questioned because they are inapplicable to other “civilizations”, given that they are part of Western culture. (2) On the other side, the rational choice approach emphasizes the peculiarity of such new forms of violence

¹ I am referring to the recent interventions in Bosnia, Rwanda, Somalia, Timor East, and Kosovo. When I use the term “intervention,” I am not referring to the actual intervention to bring to an end the hostilities. My idea of “intervention” entails rather the notion of ‘conflict transformation’. In literature, one can distinguish three different approaches to conflicts: Conflict Management (1), Conflict Resolution (2), and Conflict Transformation (3).

(1) The first approach is a “realist approach” and it is focused on the management of violence [see PIA E., & DIEZ, T. 2007. *Conflict and Human Rights: A Theoretical Framework*. In: *Luiss - SHURwp1/07*, Rome.]

(2) Conflict resolution theorists look at the deep-rooted sources of the conflict in order to offer non-coercive and informal solutions that can involve controlled communication, problem-solving workshops or round tables [see FETHERSTON B. 1999. *The Transformative Potential of NGOs: The Centre for Peace Studies in Croatia*. Op. cit.]

(3) The last approach can be seen as the deepest level of conflict resolution tradition [See RAMSBOTHAM O., & WOODHOUSE, T., & MIALL, H. 2006. *Contemporary Conflict Resolution*. Op.cit.] According to conflict transformation theorists, “conflict transformation must actively envision, include, respect, and promote the human and cultural resources from within a giving setting. This involves a new set of lenses through which we do not primarily, see the setting and the people in it as the problem and the outsider as the answer” [see also LEDERACH J.P. 1997. *Building Peace: Sustainable Reconciliation in Divided Societies*. Op. cit.]

and links this new reality to the emergence of a globalized post-national system. Such violence would be the reaction to new imbalances in global and domestic economies, to market changes in the availability of weapons, and, what seems more important, to the erosion of nation-state attributions and power, which made room for new sectarian identities able to undermine the sense of “shared political community” (Kaldor 1999, 2003b, 2004, 2005). Most of those theorists consider these conflicts as “new forms of violence” that require “new” cosmopolitan answers for Western liberalism.

According to my view, both approaches fail in grasping the true essence of those conflicts. Even if it is true that the globalization processes emphasize the extent and the impact of such conflicts, it would be a mistake to believe that there is a link between increased levels of ethnic or religious violence and globalization. Several empirical studies demonstrated that the level of violence and the impact on the civilians has decreased since the end of the Cold War, even if with an irregular trend (Kalyvas 2001; Eriksson 2003; Hall Forthcoming 2008). This counter-globalization argument is also argued from a theoretical point of view. Actually, several scholars maintain that in most of the less developed countries the dynamics of nation-state making, rather than globalization processes, are supposed to ignite violent internal conflicts (Ayoob 1996; Min 2007). These considerations suggest the significance to pay more attention to the peculiar factor of these conflicts that concerns the nexus identity-violence.

The second section is devoted to a brief analysis of the main authors who started exploring the complex interconnections between culture and violence. Galtung, Azar and contemporary theorists highlight the urgency to pay much attention to such a link. In this section, following Amartya Sen, I investigate on the meaning of identity seen as the sum of a variety of plural affiliations. Culturalist and rational choice supporters suggest two extreme ways to look at identity in conflict: a cultural reductionism derives from the primordialist perspective suggested by the first group of scholars, while an individualist reductionism emerges from the constructivist account proposed by both versions of rational choice theory. The idea identity as the sum of plural affiliations shows the limits of both reductionisms offering a third way to look at the identity’s issue in conflict. Nevertheless, if it is true that individual

identity can be described as the sum of a plurality of affiliations, the preliminary issue to be solved concerns the evidence of several internal conflicts, which seems to suggest that, given specific conditions, some affiliations, namely ethnicity religion or ethno-language, tend to overcome the others. I explain such a phenomenon in the light of a deeper understanding of the idea of *nation*. I discuss the historical and theoretical reasons that produced an understanding of the ideas of nation and territory as culturally- rooted.

In the last section, I develop an approach to ethno- religious conflicts that takes seriously into account the idea of individual identity as sum of plural affiliations. This section is split into two different steps. A first *pars destruens*, where I criticize the two reductionisms in the light of the empirical test to a conflict-case (the Bosnian war 1992-1995), is followed by the *construens* section, where I articulate an analysis of identity-conflicts that, even accepting an individualistic-rooted understanding of violence, do not underrate the role played by identity-based claims. (1) On one hand, readapting Azar's theory of PSC to contemporary identity-conflicts it is possible to focus the attention on the basic-needs deprivation, as root of violence. Such a perspective suggests that the condition of capability-deprivation, understood as lack of basic political rights and freedoms, economic opportunities and cultural recognition and free expression, generates widespread *grievances* and frustrations within society, which represent the preconditions for violent identity-conflicts. (2) On the other hand, it is necessary to pay attention to those private forms of violence that emerge in contexts of conflict. Very often, the master cleavages, based on ethno-religious arguments, represent tools that are employed by private – sometimes criminal - individuals or associations, which I call cultural-war-entrepreneurs, in order to create a certain level of support to their violent actions. The impact of such actors in conflict can be explained as an odd combination of two distinct ideas of war: a Hobbesian perspective of private war – *homo homini lupus*- and a Rousseauian conception of *public interest*. Accordingly, private interests overcome and manipulate collective claims. In the long-period, such actors create new local powers based on what Foucault would have called 'bio-power', based on race/ethno- or religious supremacy, able to protract the condition of war in situations of 'presumed peace'. This perspective reverses the Clausewitzean understanding of war, since it introduces Foucault's idea that in such deeply divided societies the so-called

'peace' is a 'continuation of war by other means'. The case of Bosnia is illustrative of how such a process of 'continuation of war by other means' works in a transitional society.

1.2 Post modern conflicts: disappearance of Clausewitzean warfare

In the last two decades, scholars from different fields have paid growing attention to the search of new paradigms and explanations to apply to wars, with a special attention to internal conflicts. According to them, the post-Cold War era has seen the emergence of new kind of conflicts that have questioned the traditional Clausewitzean understanding of war.

War, in Clausewitz's thought, is mainly a social phenomenon, and, like any other social phenomenon, involves a conflict of interests and a series of activities. Clausewitz's description of war, as continuation of politics by other means, is quite instructive in such a sense. The distinction between peace and war is significantly represented by the intervention of violence. According to him, if it becomes impossible to achieve political objectives through peaceful means, then the war occurs as a precise "act of violence to compel the enemy to fulfill our will".² In such a frame, the idea of war is deeply rooted in the modern understanding of state. The development of national states, based on a specific territorial space and controlled by centralized and rational structures, is an achievement that can be dated back to the end of the 19th century. Such an attainment represents the result of a long historical process, which encompassed almost a century of struggles, started in the Western societies with the French Revolution until the emergence of the last Nation-states, Italy and Germany, in the late 19th century. The institutionalization of permanent forces belonging to the state's authority characterized such a process. The emergence of state's forces based on the compulsory conscription therefore guaranteed for the modern national- states the monopoly of the legitimate violence.

² Clausewitz, K. von, book I, chapter 2, *Ends and Means in War* "[...] If, in the next place, we keep once more to the pure conception of war, then we must say that its political object properly lies out of its province, for if war is an act of violence to compel the enemy to fulfil our will, then in every case all depends on our overthrowing the enemy, that is, disarming him, and on that alone. This object, developed from abstract conceptions, but which is also the one aimed at in a great many cases in reality, we shall, in the first place, examine in this reality [...]." CLAUSEWITZ K.V. 1989. *On War*. In: *On War /Wordsworth Classics of World Literature* (Ed. by M.E. HOWARD, & PARET, P. (TRASLATORS)). Wordsworth Editions, Kent, UK.

According to several scholars, the end of the Cold War and the emergence of a globalized system have deeply challenged the modern understanding of war and peace. Since the content of the modern national-state cannot represent a valid paradigm any more, it follows that also with reference to wars we should find new paradigms able to grasp the shifts of the current age³. Market globalization, on one hand, and the disappearance of the Soviet Union, on the other, produced a deep shift in world politics, which has profoundly questioned the authority and legitimacy of the former nation-states. According to Beck, it is difficult, even not impossible, to understand the contemporary human condition nationally or locally⁴. For Habermas the market pressure has irremediably undermined the social, fiscal, and political basis of the modern nation-state⁵. In other terms, the policies of economic globalization “require the dismantling of state institutions”⁶; the issue is therefore that weakened states cannot provide equal protection for all who live within their territory. Furthermore, the image of the world as a “global village” had a huge effect on the migration flows, which have increased consistently for the last two decades⁷. The impact of such migration flows on the industrialized societies can have dramatic effects, turning homogeneous nations in heterogeneous societies, and introducing vast differences in wealth, values, and cultural practices⁸.

In addition to this, the disappearance of the ‘second superpower,’ the Soviet Union, has intervened as further factor of instability both at the local and at the global level. At the global level, the end of the Cold War marked the beginning of a new political era characterized by the nonlinear alternation of two different approaches to global politics: an imperfect American unilateralism on one side, and a more responsive, even if sometimes less effective, multilateralism on the other side. The recent interventions in Afghanistan and Iraq, on one hand, and in Bosnia and Rwanda, on

³ KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Polity, Cambridge.

⁴ BECK U. 2002. The Cosmopolitan Society and Its Enemies. *Theory Culture Society* **19**: 17-44.

⁵ HABERMAS J. 2001. *Postnational Constellation*. MIT Press, Cambridge, MA.

⁶ ANHEIER H.E., & ISAR, Y. R. 2007. *Conflicts and Tensions*. Sage, London.:33.

⁷ OECD-ORG. 2007. Trends In International Migration Flows And Stocks, 1975-2005. In: *OECD Social, Employment And Migration Working Papers*. Organisation for Economic Co-operation and Development, Paris.

⁸ CRAWFORD B. 2007. Globalization and Cultural Conflict: an Institutional Approach. In: *Conflicts and Tensions* (Ed. by H.E. ANHEIER, & ISAR, Y. R.). Sage, London.

the other, represent clear examples of the application of these two approaches in concrete contexts of war. At the local level, then, the decline of the Soviet Union made room for the explosion of violent local clashes for the self-determination of new national entities. Western countries had to cope with huge flows of displaced persons, refugees, Diaspora groups, but also criminal groups and local mafias, coming from those failing countries.

One can summarize at least three main factors that have brought new attention to the ethno-religious conflicts and their role in the international arena:

- i. The first concerns the new possibilities of intervention. Since the risk of escalation into a full-scale world war ceased to exist; the military or political intervention in local conflicts, which affected less-developed countries all over the world, has become a concrete option for Western societies⁹.
- ii. Linked to the first, the second factor concerns the reason for those interventions. With the disappearance of the Soviet system, Western political and economic doctrines seemed to be almost globally valid. However, two contrasting attitudes emerged in Western societies. On one hand, Western governments seemed to feel a sense of responsibility/duty towards less developed countries, and therefore towards their achievements in terms of stable peace, democracy, good governance and human rights protection. In this perspective, the interventions in ethno- religious conflicts became a “testing ground for a new morality of promoting peace, stability, and human rights across the globe”¹⁰. On the other hand, the new market pressure towards an even more global system imposed on Western countries the necessity to intervene in local conflicts in order to guarantee the development of foreign investments and economic stability in those failed countries.
- iii. In addition to these, the third aspect is related to the emergence of a new security agenda. The ethno-religious wars, especially in the Balkans, Iraq, Sri Lanka, and Ethiopia, produced huge flows of refugees, immigrants and Diaspora groups to the West. If on one side this phenomenon enhanced the consciousness of living in a unified global system, on the other, it triggered new delocalized clashes and challenges for Western societies. Furthermore, many Western governments

⁹ WIMMER A. 2004a. Introduction: Facing Ethnic Conflicts. In: *Facing Ethnic Conflicts: Toward a New Realism* (Ed. by A. WIMMER, & GOLDSTONE, R. J., & HOROWITZ, D. L., & JORAS, U., & SCHETTER, C.). Rowman & Littlefield Publishers, INC, Oxford.

¹⁰ WIMMER A., & GOLDSTONE, R. J., & HOROWITZ, D. L., & JORAS, U., & SCHETTER, C. 2004b. *Facing Ethnic Conflicts: Toward a New Realism*. Rowman & Littlefield Publishers, INC., Oxford.:1.

considered such small-scale conflicts in newly independent states of the East or in democratizing states in the South as the underlying threat to the global peace and stability.

In the light of the previous observations, the approach to “new wars” seems to offer a view about the entire reality of the post- Cold War era. Scholars from different perspectives offer two general approaches to *new wars*. Although they agree on that contemporary forms of violence and conflict are peculiar of the current age and on that there is an intimate link between such *new wars* and the phenomenon of globalization, these authors offer two different explanatory paradigms for these post-modern conflict and two opposite answers in terms of global politics. In order to clarify the perspectives offered by these two schools of theorists, I distinguish two main positions: culturalism and rational choice theory¹¹. In the following sections, I present a brief description of the two approaches. In the last section, I show the limits of both the approaches and I offer a third view about ethno-religious conflicts more related to the identity/violence nexus.

	CULTURALIST PERSPECTIVE → PRIMORDIALISM → POST-STATISM	RATIONAL CHOICE THEORY → CONSTRUCTIVISM → COSMOPOLITANISM
EXTERNAL CAUSES	Globalisation / Erosion of the nation-state attributions	Globalisation / Erosion of the nation-state attributions
INTERNAL CAUSES	Ancient hatred based on ethnic religious features	Economic (Greed) or political private interests
VIOLENCE' S IMPACT	Local and Global	Local and Global
TARGETED VICTIMS	Other cultural groups (civilizations)	Civilians & Non-combatants
ANSWERS/OUTCOMES	Cultural Relativism/ Clash of Civilizations	Universalism of values/ Cosmopolitanism

Table 1: New Wars

¹¹ It is necessary to clarify that such a distinction, between culturalism and rational choice theory, is meant as a general way to make clear the differences between the two approaches. Of course, it does not intend to be inclusive of all the theories existing about ethnic conflicts. Furthermore, it would be misleading to think that I am adopting fixed categories. In such a context, rather than considering these authors in terms of primordialists and constructivists, I link to these categories the two ideas of *statism* and *cosmopolitanism* in order to highlight the link existing between these two perspectives and the phenomenon of globalisation. Actually, the main difference between these authors is linked to their answers to globalisation rather than to their perspectives regarding the cultural dimension of such conflicts. The primordialist or constructivist standpoints, in fact, seem to be functional arguments for supporting their thesis regarding the future of world politics in a globalized age.

1.1.1 Culturalist perspective and post-statism

The idea of “new wars” proposed by culturalist scholars generally entails a post-statist perspective. It is based on two primary assumptions: the end of the Cold War and the emergence of a globalized system, and the reappearance of “ancient ethnic and cultural hatreds.”

(1) The first argument is eminently political. The traditional statist approach was based on four key assumptions:

- a) the state is the most important actor in international relations,
 - b) the state is a unitary and rational actor,
 - c) international relations are essentially conflictual because of anarchy, which means that a bipolar system of balance of powers is more effective than a multipolar distribution of power,
 - d) security and strategic issues, known as high politics, dominate the international agenda.
- The collapse of the Soviet Union and the emergence of a new phenomenon, known as globalization, deeply questioned the validity of such assumptions.

According to these authors, if the theory – and the practice- of deterrence, ensured by the balance of power, influenced aligned and non-aligned nations to avoid international and sometimes internal violence, the disappearance of a “culture of disciplined restraints in the use of the force”¹² caused, as consequence, the explosion of violent identitarian conflicts in several regions of the world. In addition to this, although the nation state is still supposed to play a underlying role in world politics, the effects of globalizations on the structure of the national-state, with special attention to the emerging cultural heterogeneity within their boundaries, have weakened their capacity to face such conflicting contexts.

(2) The second assumption introduces the cultural dimension. The main idea is that due to the disappearance of the authoritarian rules preserved by the balance of powers “ancient hatreds”, marked along ethnic and cultural lines, are being revived

¹² LUTTWAK E.N. 1995. Toward Post-Heroic Warfare. *Foreign Affairs* **74**: 109-122.:111.

and increased by conflicting claims to self-determination and political sovereignty¹³. In other terms, such scholars argue a “primordial” perspective. According to this thesis, ethnic and religious divisions have always been present and are only now erupting because the Cold War’s end has loosed the imperial hands that kept them down.

Undoubtedly, Huntington’s clash of civilizations represents the most influential work in such a context. Following Huntington, civilizations are the most dangerous challenge for nation states in the current age. Civilizations are supposed to be the “highest cultural grouping of people and the broadest level of cultural identity people have”¹⁴. Civilizations are differentiated from each other by language, culture and religion. The author identifies 8 major cultural groups: Western, Confucian, Japanese, Islamic, Hindu, Slavic-Orthodox, Latin American and African civilization. According to him, “clashes of civilizations are the greatest threat to world peace”¹⁵ and “in the post Cold world the most important distinctions among people are not ideological, political, or economic, they are cultural.”¹⁶ He stresses that the “fault lines between civilizations”¹⁷ have emerged in Europe replacing the political and ideological boundaries of the Cold War. Furthermore, considering the case of the Balkans war, he argues that these boundaries of “cultural differences” are likely to become lines of ‘bloody conflicts’.

Starting from the idea of civilization, as main actor emerging in the global political arena, cultural relativism seems to be the only possible answer. According to him, either liberal or neo-liberal approaches cannot succeed in dealing with *non-Western* civilizations, because neither democracy as institutional model and moral value, nor neo-liberal market economy can be fully understood out of the West¹⁸. Western

¹³ KAPLAN R. 1993. *Balkan Ghosts: A Journey through History*. St. Martin’s Press, New York., CALLAHAN D. 1998. *Unwinnable Wars: American Power and Ethnic Conflict*. Hill and Wang, New York.

¹⁴ HUNTINGTON S.P. 1993. The Clash of Civilizations? *Foreign Affairs* 72: 22-49. : 24.

¹⁵ HUNTINGTON S.P. 1996. *The Clash of Civilizations and the Remaking of World Order*. Simon & Schuster, New York.: 321.

¹⁶ *Ibid.*: 21

¹⁷ HUNTINGTON S.P. 1993. The Clash of Civilizations? *Op.cit.*:29

¹⁸ See “The West Versus The Rest”. *Ibid.*: 39-41.

efforts in spreading such values have, in fact, the effect to revive strong reactions against “human rights imperialism”¹⁹ and to enhance sectarian and identitarian violence. If a possibility to face such “new clashes of civilizations” and to coexist with the other civilizations exists, it cannot be represented by democracy and Western values. According to the author, the future security agenda will be marked by an *existential* unavoidable struggle between ‘us’, the West, and the *other* civilizations, ‘the rest’. In addition to this, in his controversial book, *The Coming Anarchy*, Kaplan criticizes the Western attempts to plant democracy abroad, in context in which ‘it cannot succeed’. He stresses the destabilizing role played by democracy and democratic values in post-colonial states, creating what he calls “the coming anarchy”, and he argues the urgency to restore a realist approach to international politics replacing the idealist perspective based on cosmopolitan democracy²⁰.

1.1.2 Rational choice theory and cosmopolitan answer

The second approach to *new wars* can be understood as liberal defense of democracy and Western political institutions and values from the challenge of cultural relativism imposed by culturalist post-statist perspective.

This approach shares with the previous one the idea that the phenomenon of the *new wars* is linked to the emergence of a globalized system that encompasses not only market economy but also political and cultural values. According to these scholars, although the changing architecture of the nation-state and the emergence of an even more interconnected world, which has replaced the Cold War system of powers, produced a decrease in traditional inter-state wars; these phenomena have fueled the development of new forms of violence. In the last decades, in fact, there has been a dramatic increase in civil/intra-state wars. As Bellamy pointed out “new wars and their attendant complex emergencies are phenomena closely related to globalization”²¹. If, on one hand, the roots of many of such conflicts are closely

¹⁹ HUNTINGTON S.P. 1993. *The Clash of Civilizations?*. Op.cit.

²⁰ KAPLAN R. 1997. *Was Democracy Just a Moment?* In: *The Atlantic*, KAPLAN R. 2000. *The Coming Anarchy: Shattering the Dreams of the Post Cold War*. Random House, New York.

²¹ BELLAMY A.J. 2002. *The Great Beyond: Rethinking Military Responses to New Wars and Complex Emergencies*. *Defence Studies* 2: 25-50.: 30.

linked, in various ways, with the exigencies of a global political economy²², on the other hand, global communication capabilities deeply shape the new ideologies that characterize such conflicts²³.

In addition to the close link with globalization, one can identify at least three other key features of *new wars*.

- (a) The first feature concerns the emergence and the rise to prominence of new actors; warlords, Diaspora groups, child soldiers, paramilitary groups, private companies play a significant role in such conflicts. This phenomenon creates several consequences in terms of spreading of centers of power, complexity of relations of shifting alliances, and, furthermore, it highlights the inadequacy of traditional nation-state' structures to face the challenges of such new non-state actors.²⁴
- (b) The second feature concerns the use/misuse that such new actors make of identitarian claims. According to Kaldor and others, the identitarian character of such conflict "has to be understood as socially constructed responses to globalization"²⁵, it represents the key instrument for the new actors in order to secure support and legitimacy from the population even though living standards may be falling.
- (c) Finally, the third characteristic introduces the new form of violence emerging in such conflicts. The new violence is spectacular because the targets are no longer local but global and the 'suicide attacks' or other spectacular forms of violence are designed for maximum media impact²⁶. The "new barbarism", as someone referred to it, emerged in such conflicts represents also an instrument that new actors use to ensure loyalty. Kaldor and others highlight that in Bosnia, for example, Serb leaders

²² DUFFIELD M. 1998. Post-modern conflict: Warlords, post-adjustment states and private protection. *Civil Wars* **1**: 65-102, COLLIER P., & HOEFFLER, A. 2004. Greed and grievance in civil war. *Oxf. Econ. Pap.* **56**: 563-595, FEARON J.D. 2005. Primary Commodity Exports and Civil War. *Journal of Conflict Resolution* **49**: 483-507.

²³ KALDOR M. 2004. Nationalism and Globalisation. *Nations and Nationalism* **10**: 161-177.

²⁴ DUFFIELD M. 1998. Post-modern conflict. Op.cit., BELLAMY A.J. 2002. The Great Beyond: Rethinking Military Responses to New Wars and Complex Emergencies. Op.cit., KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op.cit. KALDOR M. 2005. Old Wars, Cold Wars, New Wars, and the War on Terror. *International Politics* **42**: 491-498).

²⁵ BELLAMY A.J. 2002. The Great Beyond: Rethinking Military Responses to New Wars and Complex Emergencies. Op. cit.: 34

²⁶ KALDOR M. 2004. Nationalism and Globalisation. Op. cit.

wanted to make the war as brutal as possible in order to ensure the loyalty of the Bosnian Serb population, in this context the violence is a way to “establish new friend–enemy distinctions”²⁷. Most importantly, new violence is targeted against “civilians” or “non-combatants”.

The major difference with the culturalist perspective resides in the criticism of the idea of “ancient hatred”. According to these authors, if it is true that such new internal wars are often theater of the emergence of sectarian identities based on ethnic or religious features, it would be misleading to consider such cultural or religious identities as deeply rooted in the societies. The primordial perspective is not only inadequate to explain the sectarian violence of new conflicts, but also dangerous since “those who perceive war as based on ancient rivalries and support war for that purpose are the more extreme nationalist and religious fundamentalist groups”²⁸. Such scholars offer, therefore, a different explanation for those sectarian religious and nationalist identities that are “constructed” rather the ‘givens’. This means that ethnic and religious divisions emerging in *new wars* are “deliberately fostered for the purpose of winning power”²⁹.

It is possible to identify at least two sets of emerging literatures that challenge the canons of the “ancient hatred” approach. These two views look at new conflicts as complex socio-economic phenomena based and supported by war economy and the “manufacturing of identities”³⁰. The first group of scholars gives emphasis to the economic interests and mechanisms at stake and is likely to suggest an institutional cosmopolitanism; while the second, emphasizing the political significance of constructed identities, stresses the important role played by in-formal non-governmental entities in such conflicts.

(1) According to the first perspective, which I call economic perspective, it would be possible to understand the dynamics of such wars taking into account the complex

²⁷ KALDOR M. 2005. Old Wars, Cold Wars, New Wars, and the War on Terror. Op. cit.: 42.

²⁸ KALDOR M., & KOSTOVIKOVA, D., & SAID, Y. 2007. War and Peace: The Role of Global Civil Society. In: *Global Civil Society Yearbook 2006/2007* (Ed. by H.E. ANHEIER, & KALDOR, M. & GLASIUS, M.). Sage, London.:101.

²⁹ *Ibid.*: 104.

³⁰ *Ibid.*

relationship existing between “greed” and “grievances”³¹. *Greed* is used in such context as a desire for private gain. According to Collier, the war represents a mean to achieve economic benefits. The combination of large exports of primary commodities, since these sources are in general ‘lootable’ assets (diamonds, drugs, oil), and the high proportion of young men, since under certain conditions fighting is the only form of employment, combined with a situation of economic decline drastically increase the risk of conflict (Collier 2004). Once the war starts the cycle of violence and deprivations produce *grievances* and economic destruction, which make such conflict difficult to stop.

Other authors, i.e. Duffield and Keen, highlight the role played by warlords who, often helped and supported by international companies, fuel the conflict for economic reasons. According to them, new wars are the product of the distortion of the late capitalism applied to weak or failing states: the interests of warlords often overlap with that of transnational companies and this allows warlords and war criminals to secure domestic legitimization and make use of external support. In this context, deregulation rules of market economy are associated with forms of ‘*illiberalism*’ – religious or ethnic fundamentalism – that easily translates into collapse of the rule of law, authoritarianism and widespread human rights abuse (Duffield 1998). In other terms, what in the West is supposed to be a *senseless violence* is actually a rational response to economic, social, and political circumstances (Duffield 1998; Keen 1998; Duffield 2002). The economic perspective emphasizes the global ‘dimension’ of such new wars and argues for a genuine cosmopolitan politics that endorses international law and the search for “participatory common values” (Duffield 2001). Therefore, international community should foster inclusive political arrangements supplemented by robust economic and military external assistance (Collier 2006).

(2) The second group of scholars focuses the attention on the links between political purposes and constructed identities. According to them, new wave of nationalism and religious ideologies represent the key feature of *new wars*, and it has to be

³¹ COLLIER P., & HOEFFLER, A. 2004. Greed and grievance in civil war. *Oxf. Econ. Pap.* **56**: 563-595, COLLIER P., & HOEFFLER, A., & SÖDERBOM, M. 2006. Aid, Policies and Risk in Post-Conflict Societies In: *Working Paper Collection, Centre for the Study of African Economies*. University of Oxford, Oxford. COLLIER P., & HOEFFLER, A. 2004. Greed and grievance in civil war. Op. cit.

understood as the product of new constructed rivalries (Kaldor 1999, 2004, 2005, 2007). If the sectarian identities are constructed, rather than given, the idea of an “unavoidable struggle between the West and rest” based on the idea of *ancient hatreds* loses any significance. Therefore, the answer to *new wars* resides in strengthening in civil society those actors who promote a non-sectarian identity, i.e. cosmopolitan groups, human rights groups or women’s groups³². During the last two decades, a global civil society, bearer of democratic values, has emerged as transnational response to violence. According to these scholars, such civil society actors play a pivotal role in transforming the war economies and constructing non-sectarian identities.

1.1.3 “New and old wars: a valid distinction?”

Following the two approaches described before, *ethno-religious conflicts* are supposed to be mainly a new phenomenon that, emerging during the last two decades from the ruins of the Soviet system, has been further emphasized by the dynamics of globalization. If we look at the Table 1 (p.41), it is clear that *prima facie* the two approaches share at least two elements: the external causes and the violence’s impact. In addition to this, it is possible to note that there is a further analogy, or at least similarity, with regard to the fourth point. The fact that the targeted victims are “other cultural groups” or “civilizations”, in fact, does not contradict that they can be civilians and non-combatants.

What is evident here is that, despite the differences in the internal causes and in the answers/outcomes, these alleged contrasting approaches are not so different, as their scholars would claim. Actually, on one hand they consider ethno-religious conflicts as phenomenon deeply rooted in globalization processes, that is why they call such conflicts “new wars/new struggles/new challenges”; while, on the other hand, they seek to offer different answers, post-statism/cultural relativism vs cosmopolitanism, coherent with post-Cold War international system. Conversely, the major difference concerns the link between violence and identity. The post-statism introduces an essentialist/primordial account of cultural identity, understood mainly as religious/ethnic identity, which permeates all human activities. On the contrary,

³² KALDOR M. 2003a. *Global Civil Society : an Answer to War*. Polity, Cambridge.

rational choice approach explains sectarian violence as rationally constructed by groups/elites/warlords. Identity and its attributions, in this context, are seen as mere social constructions, they are the result of individuals' rational choices.

Therefore, without considering the *vexata questio* about link between violence and identity, it is possible to recognize a first crucial feature emerging from the recent scholarly work about ethno-religious conflicts. Ethnic or religious differences, typical of such *new wars*, are being exacerbated and fueled by globalization processes. Accordingly, ethnic and religious identities, whether primordial or constructed, would intervene in conflicts because of a dramatic rise in intensity and extent of political, cultural, and economic interconnectedness among nations, occurred since the end of the Cold War.

The problem here is to understand if this first assumption, which associates ethno-religious conflicts to globalization, can be useful for our analysis. In other terms, if it is possible to assert that the recent wars in Bosnia, Kosovo, Chechnya, Rwanda, and Darfur hide an 'essential similarity' in their close link with economic, political, or cultural dynamics put into action by globalization. This issue is relevant because it leads scholars to divert the attention from the alleged link between violence and identity, which seems to be weird and devious, focusing on dynamics that can be managed through political actions. But, is this idea acceptable? Is there a concrete causal link between globalization and ethno-religious conflicts? Can we distinguish between old and new civil wars, considering the religious/ethnic character as the product of the present age?

Undoubtedly, globalization has had a huge impact on conflicts and violence. The communications revolution has decreased the distances among countries, regions, and continents, encouraging the emergence of a new sensitivity toward the "others." The new role of media was clear since the first months of the siege of Sarajevo, in May 1992, when a plethora of foreign journalists went to Bosnia to show to the world the representation of the worst European massacre after the Second World War. In this context, a new kind of journalism of war has emerged, which aimed at placing the stories of real people at the centre of the history and at establishing

sympathetic links between victims of the wars and ordinary people³³. Additionally, the new imbalances in global and domestic economies have contributed to bring to the collapse newly emerged states in Africa, Asia and Eastern Europe. This has contributed to the increase of the number of failed or failing states, which are more likely to degenerate into violent conflicts. Lastly, the increased phenomenon of migration has created new political and cultural boundaries and fault lines and, in some circumstances, new opportunities for fundamentalists, rebels and terrorists. All these factors have had, in various ways, relevant effects on ethno-religious wars, but, again, this is not enough to maintain the alleged causal link between ethno-religious violence and globalization.

Indeed, several recent empirical studies demonstrate the inconsistency of such an assumption. In criticizing Huntington's idea of clash of civilizations, Russett Oneal and Cox highlight the empirical evidence that the rates of civil wars involving groups of different ethnic or religious identities were identical before and after the Cold War; furthermore, they pointed out that most of these wars began in the 1960s³⁴. Discussing the validity of the "new war" approach, Melander Oberg and Hall have shown that the peak in the number of ethno-religious conflicts from 1989 to 1992 reflects the changed situation in Europe after the collapse of the Soviet Union, therefore it can be associated to the emergence of new national entities rather than globalization processes. Once again, these scholars highlight that the general number of ethno-religious conflicts has decreased from 1991 to 2001. In particular, they emphasize that, by the end of the 1990s, the majority of the conflicts that began in the 1989 to the 1992, as well as a huge number of conflicts begun in the Cold War period, had ended³⁵.

From a theoretical point of view, Kalyvas criticizes the distinction 'new/old wars' that in his view would be based on "uncritical adoption of categories and labels

³³ See also, BENNETT P. 2007. The media and the war: seeing the human. In: *Open Democracy*.

³⁴ RUSSETT B.M., & ONEAL, J. R., & COX, M. 2000. Clash of Civilizations, or Realism and Liberalism Deja Vu? Some Evidence *Journal of Peace Research* **37**: 583-608.

³⁵ HALL J., & MELANDER, E., AND ÖBERG, M. Forthcoming 2008. "New Wars" More Atrocious? Battle Severity, Civilians Killed and Forced Migration Before and After the End of the Cold War. *European Journal of International Relations*.

grounded in mischaracterizations”³⁶. Accordingly, the distinction between “post-Cold War conflicts and their predecessor”³⁷ would be related more to the lack of conceptual political categories applicable to the post Cold War era than to any structural shift in the nature of war. Some scholars, then, suggest that a longer historical perspective would reveal that most of the recent conflicts are comparable in the purposes and causes to those occurred in the last two centuries linked to the demise of empires and their replacement by a system of sovereign nation-states.

Wimmer and Min maintain that violent internal conflict, rather than linked to globalization processes, can be understood as product of processes associated with the creation of nation-states. “[...] Indeed, many of [these] conflicts [...] have occurred in places where the nation-state form has only recently been introduced, where the nation-building project is incomplete or in transition, where the attempts to build nation states have failed [...], or where nationalist movements pursue secession and seek their own nation-state.”³⁸ Similarly, Ayoob, arguing the close link between contemporary conflicts and the dynamics of state making (state breaking and failure), stresses the “essential similarity” of the episodes of violence experienced by Third World countries today and the European history of the last centuries. According to him, such similarity would demonstrate the intrinsic violence of this process that in “Western Europe cost tremendously in death, suffering, lost of rights, and unwilling surrender of lands, goods or labor”³⁹

In the light of such criticisms, it becomes hard to argue a causal link between globalization and ethno-religious conflicts. Actually, it seems that the supporters of the “new wars” paradigm tend to confuse the general context with the actual cause of the phenomenon. As shown in the present section, even if it is hard to deny any impact of globalization on recent ethno-religious conflicts, nevertheless it can be misleading to believe that globalization, *per se*, ignite identitarian violence. In order

³⁶ KALYVAS S.N. 2001. "New" and "Old" Civil Wars A Valid Distinction? *World Politics* 54: 99-118 : 99.

³⁷ *Ibid.*

³⁸MIN B., & WIMMER, A. . 2007. Ethnicity and War in a World of Nation-States In: *Conflict and Tensions* (Ed. by H.E. ANHEIER, & ISAR, Y. R). Sage, London.:73.

³⁹ AYOOB M. 1996. State-making, state-breaking and state failure. In: *Between Development and Destruction*, (Ed. by L. VAN DE GOOR, & RUPESINGHE, K., & SCiarone, P.), pp. 67–86. Palgrave, London.: :130.

to clarify this point, one can consider the cases of the Lebanese civil war of 1975 and the Bosnian war of 1992.

Undoubtedly, an approach focused on globalization would take the case of the war in Bosnia as example of “new war” and therefore it would deny any kind of comparison with the case of Lebanese civil war. For Kaldor, in fact, the war in Bosnia is “the archetypal example, the paradigm of a new kind of warfare”⁴⁰. According to her, that war mobilized a huge international effort and it was the terrain to test new ideologies and new spectacular forms of violence. Nevertheless, Lebanon and Bosnia share the same historical tradition of religious pluralism and tolerance in the context of the Ottoman Empire, and, in both cases, this tradition seemed to vanish when they became nation-state. However, while the Ottoman Empire was replaced in Bosnia by another form of “multinational” state, the former Yugoslavia, in the case of Lebanon this shift happened soon after the end the Second World War. Following the arguments of Ayoob and Wimmer, the explosion of violence and internal wars in both countries would be easily understandable in the light of the effects of nation-state making: as soon as the process of nation-state making in these two countries began, in fact, it was followed by violent identitarian riots.

Two further elements would confirm the thesis of similarity rather than incompatibility between the two cases: the religious character of the fighters and the external interventions. (1) In both conflicts the combatants were defined in religious terms, Maronite- Christians against the coalition of Shi’a Sunni and Druze Islamic militias in Lebanon, while in Bosnia the main actors were the Serb-Orthodox army of the Srpska Republic, (hereafter VRS), the Croat-Christian militia, (hereafter HVO), and the Bosniak-Muslim Army of the Republic of Bosnia & Herzegovina, (henceforth ABiH). (2) In both cases, external interventionism played a crucial role in characterizing the form violence. In the Lebanese conflict, Syria and Israel had an active role during all phases of the war originating an actual military balance aimed mainly at precluding a competitor gaining an advantage; while in Bosnia the same role was played by Croatia and Serbia. The Serb leader Milosevic and the Croat Tudjman were deeply involved in the planning of the systematic ethnic cleansing

⁴⁰KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op.cit.: 33.

through the region and in supporting and controlling the military and paramilitary Croats and Serbs groups active in Bosnia during the conflict. Furthermore, in both cases the interests of other state-actors was framed in the context of the existing religious rivalries.

This example shows again that globalization processes cannot be considered as cause of religious or ethnic violence and that a distinction between new and old wars is, at least, questionable. Indeed, it shows that such arguments effectively diverted the attention from the relevant issue at stake, which concerns the nexus identity–violence. Again, if we consider the cases of Lebanon and Bosnia today, we can realize how much is still relevant the identity politics in those countries⁴¹. As Bougarel has pointed out in his recent work, the will to “deconstruct nationalism and to valorize betrayed tradition led some authors to oversimplify the history of interethnic relations in Bosnia.”⁴² Furthermore, what is even more dangerous, it led them to disregard the role of memory, myths and symbols of the recent war, which have a huge impact on Bosnian society fueling a mosaic of clashing identities. In the next section, I discuss the meaning of identity, in the light of the recent scholarly work, and I seek to deepen the link between identity and violence.

⁴¹ See the last chapter, *Bosnia Case Study. Civil Society in Post-conflict reconciliation: the role of the association of victims in Bosnia*, pp. 132-168.

⁴²BOUGAREL X.H., E., & DUIJZINGS, G. . 2007. *The New Bosnian Mosaic. Identities, Memories and Moral Claims i a Post-War Society*. Ashgate, London.: 11.

1.2 Conflicts over identity claims: exploring the meaning of cultural identity in conflict

Theories of conflict resolution have shown a growing attention toward the link between identity and violence as underlying cause of violent conflict. Since his first writing on Protracted Social Conflict Theory (PSC), Eduard Azar conceived of *identity group* as core unit of the analysis about internal wars⁴³. Identity group was meant as a wide range of communities of people based on racial, religious, ethnic or cultural features. According to Azar, looking at several cases of conflicts (in particular he focused on Lebanon, Sri Lanka, Northern Ireland and Israel) the *grievances* due to *needs-deprivation* were often expressed collectively; accordingly, “failure to redress these grievances by the authority cultivates a niche for a protracted social conflict”⁴⁴.

In contrast to the classical distinction made by Kenneth Waltz in system, state, and individual levels⁴⁵, Azar’s analysis was oriented, in first instance, to identity groups. In his view, relations between identity groups and state represented the core issue in protracted social conflicts, since these groups were the result of the “disarticulation between the State and society as a whole.”⁴⁶ Therefore, individual interests and needs were mediated through membership of social groups, rather than through state structures and institutions. Internal conflicts could thus be understood as prolonged and often violent struggles fought by such identity groups aimed at seeing recognized

⁴³ AZAR E.E. 1972. Conflict Escalation and Conflict Reduction in an International Crisis: Suez, 1956. *The Journal of Conflict Resolution* **16**: 183-201, AZAR E.E., JUREIDINI P. & MCLAURIN R. 1978. Protracted Social Conflict; Theory and Practice in the Middle East. *Journal of Palestine Studies* **8**: 41-60, AZAR E.E. 1990. Protracted Social Conflict: An Analytical Framework. In: *The Management of Protracted Social Conflicts: Theory and Cases* (Ed. by E.E. AZAR). Dartmouth, Aldershot, AZAR E.E. 1991. The Analysis and Management of Protracted Social Conflict. In: *The Psychodynamics of International Relationships* (Ed. by J. VOLKAN, & MONTVILLE, J., & JULIUS, D.), pp. 93–120. D.C. Heath, Lexington, KY. AZAR E.E. 1990. Protracted Social Conflict: An Analytical Framework. Op. cit.

⁴⁴ AZAR E.E. 1990. Protracted Social Conflict: An Analytical Framework. Op. cit.: 9.

⁴⁵ WALTZ K. 1959. *Man, the State and the War*. Columbia University Press, New York .

⁴⁶ AZAR E.E. 1990. Protracted Social Conflict: An Analytical Framework. Op. cit.: 7.

and secured five basic needs: security, recognition, and acceptance, fair access to political institutions and economic participation.

In 1990, Johan Galtung introduced 'cultural violence' in his influential model of conflict, violence and peace⁴⁷. Cultural violence was defined by Galtung as any aspect of a culture that can be used to legitimize violence.⁴⁸ In contrast to *biological determinism* that would have claimed a natural human predisposition toward violence; his understanding of cultural violence was referred to "those aspects" - i.e. stars, crosses and crescents or flags, anthems and military parades - aimed at legitimizing violence, rather than to entire cultures. According to him, the study of *cultural violence* (whatever seeks to justify structural and direct violence) highlighted the way in which the *act* of direct violence (people are killed) and the *fact* of structural violence (people die through poverty and exclusion) were legitimized and thus rendered acceptable in society. He suggested that the interconnections among the three forms of violence could be seen as a triangle, with structural violence (A), direct violence (B) and cultural violence (C) at its vertices (See Figure 2, p. 57).

Following Galtung, Direct Violence could be interpreted as the *event*, structural violence as a *process* and cultural violence as the *invariant*, "remaining essentially the same for long periods"⁴⁹. Due to such a scheme, one can explain situations of protracted structural violence supported by ideological and cultural arguments. In the case of the African slaves, Galtung showed how a deep understanding of the role of direct (the Africans were captured, forced across the Atlantic to work as slaves, most of them were killed and tortured in the process), structural (whites as the "master top-dogs" and blacks as the "slave underdogs") and cultural violence (racist ideas) could explain the phenomena of "discrimination" and "prejudice" that affected contemporary American society.

⁴⁷ GALTUNG J. 1969. Violence, Peace and Peace Research. *Journal of Peace Research* **3**: 167-192, GALTUNG J. 1990. Cultural Violence. *Journal of Peace Research* **27**: 291-305.

⁴⁸ He defined cultural violence as "those aspects of culture that can be used to justify or legitimize direct or structural violence", GALTUNG J. 1990. Cultural Violence. Op.cit.: 291.

⁴⁹ *Ibid.*: 294.

Azar and Galtung intuitions have fueled further developments about the role of identity in conflict in the last few years. Following Azar, Rothman has distinguished a new category of conflicts, which he has called *identity conflicts*. These conflicts diverge from interest-based disputes. While interest-based conflicts tend to be more concrete, the issues more clearly defined, and the potential for mutual benefit more obvious, identity-based conflicts would be based on people's psychology, culture, basic values, shared history, and beliefs. According to him, *identity conflicts* threaten people's basic needs and very survival⁵⁰. Sambanis, then, has emphasized that these conflicts are due predominantly to political grievances rather than to the lack of economic opportunities, and this contrasts identity conflicts and non-identitarian civil wars. ⁵¹Seul, instead, have stressed the role of religion in construction and maintenance of individual and group identities. This peculiar ability of religion would partially explain why inter-group conflict so frequently occurs along religious fault lines⁵².

A further interesting view has been offered by Kalyvas. He has explained identity conflicts in terms of interactions between political and private identities and actions. In this perspective, *master cleavages*, of religious or ethnic matrix, emerging from the conflict would represent a sort of “symbolic formation” that simplifies and encompasses several local conflicts. These local conflicts seem to be linked to peripheral or “private issue” rather than collective public claims (Kalyvas 2003, 2007). Lastly, the approaches to *new wars*, illustrated in the last section, offer two different understandings of identity. What I called culturalist account focuses on a primordial idea of ‘ancient hatreds’, while the second approach insists on an idea of constructed identitarian boundaries. As pointed out by Horowitz, contemporary literature about identity conflicts shows a “long-standing difference of approach between those who see ethnic groups as firmly bounded, durable communities

⁵⁰ ROTHMAN J. 1997. *Resolving Identity-Based Conflict: In Nations, Organizations, and Communities*. Jossey-Bass Publishers, San Francisco, ROTHMAN J., & OLSON, M. L. 2001. From Interests to Identities: Towards a New Emphasis in Interactive Conflict Resolution. *Journal of Peace Research* **38**: 289-305.

⁵¹ SAMBANIS N. 2001. Do Ethnic and Nonethnic Civil Wars Have the Same Causes?: A Theoretical and Empirical Inquiry (Part 1). *Journal of Conflict Resolution* **45**: 259-282.

⁵² SEUL J.R. 1999. Ours Is the Way of God: Religion, Identity, and Intergroup Conflict. *Journal of Peace Research* **36**: 553-569.

inclined toward ethnocentrism, hostility to outsiders, and passionate conflict, and those who see them as social constructs, with a solidarity based on material rewards and conflict behavior based on calculation”⁵³.

In the next section, I analyze the phenomenon of ethno-religious conflicts in the light of a deeper understanding of the meaning of identity. After a preliminary exam of the two contemporary approaches to identity, I offer a third perspective about identity seen as the result of a variety of identitarian attributions. In particular, it is important to see how identity, understood as sum of plural of affiliations, interacts with economic and political features in context of internal conflicts. The second issue, instead, concerns the link between identity and violence.

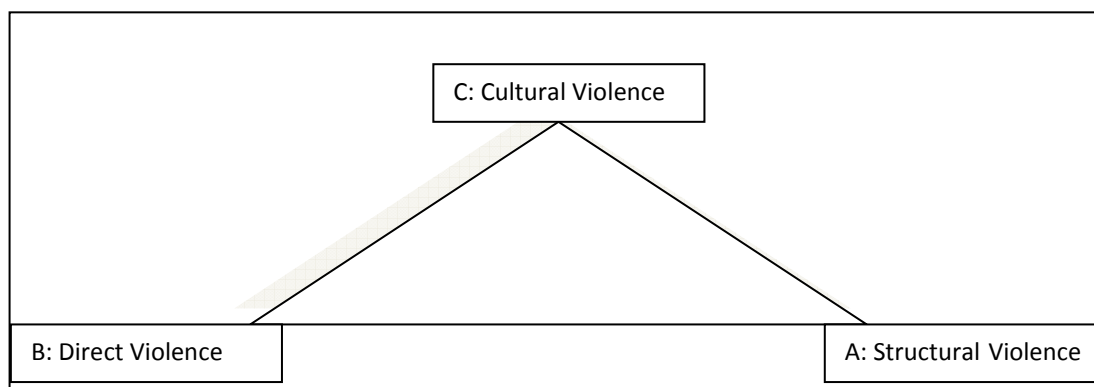


Figure 2: *Galtung's Triangle of Violence (Galtung, 1990)*

1.2.1 A deeper understanding of identity: two forms of reductionism and plural affiliations

The contemporary debate over identity in political theory has wandered from the actual research about the nature of cultural attributions, whether givens or constructed, seeking to place emphasis on the link between such attributions and individuals. It is possible to distinguish roughly two different positions emerged in this debate: the first, deeply rooted in Kantian philosophy, is focused on the role of

⁵³ HOROWITZ D.L. 1998. Structure and Strategy in Ethnic Conflict. In: *World Bank Conference on Development Economics*. World Bank, Washington DC.1998: Introduction. See also, HOROWITZ D.L. 2001. *Ethnic Groups in Conflict*. University of California Press, Berkeley, CA

personal autonomy as root of individualism; while the second, linked to Hegelian understanding of history and culture, privileges an organicist account of society. In the light of this distinction, the key issue has been represented by the identification of agents in the political realm, whether collectives or individuals. In this perspective, liberal approaches have tended to consider the individual as the underlying subject of politics⁵⁴, while communitarian perspectives have emphasized the intrinsic value of the community, since a historically rooted culture represented, in their view, the necessary precondition for individualism (Taylor 1994).

Despite these differences, both approaches have shown to pay growing attention to the issue of the pluralistic integrations of citizens in contemporary multicultural societies. In the context of liberal theory, the emergence of new awareness about cultural differences can be traced back to Rawls's notions of *reasonable pluralism* and *overlapping consensus*⁵⁵. These ideas originated a huge literature focused on the possibilities to accommodate cultural and ethnic claims onto the liberal political theory; in some sense, the debate between communitarians and liberals evolved into a discussion about the impact and the inclusion of non-Western tradition and minorities into Western liberal societies (Kymlicka 1995). In some sense, contemporary approaches to multiculturalism tend to neglect the nature of the identitarian affiliations, constructed or given, giving priority to the way in which it is possible to include and accommodate such claims in the broader frame of liberalism⁵⁶.

As shown in the last section, the issue of the meaning of identity has played, instead, a pivotal role in discussing and interpreting identity conflicts in contemporary conflict theories. Accordingly, two different versions of identity have emerged: on one hand a primordial approach that see ethnic or religious groups as deeply rooted, long-lasting communities prone to high levels of hostility to outsiders, and fanatical conflict; the second approach, instead, sees them as social constructs, with a solidarity based on material advantages and conflict behavior based on rationality.

⁵⁴ RAWLS J. 1971. *A Theory of Justice*. Harvard University Press, Cambridge MA.

⁵⁵ RAWLS J. 2005. *Political Liberalism*. [Expanded Edition]. Columbia University Press, New York.

⁵⁶ MAY S., & MODOOD, T., & SQUIRES, J. 2004. *Ethnicity, Nationalism, and Minority Rights*. Cambridge University Press, Cambridge, UK.

Thus, what does identity mean? When and why does identity, whether constructed or primordial, interact with violence? Furthermore, what is the role of individuals in such a frame?

In order to offer adequate answers to these questions, it is necessary to investigate the content of identity. In the light of the previous observations, it is possible to distinguish two different kinds of reductionism: I call these two approaches cultural reductionism and individualist reductionism.⁵⁷ Cultural reductionism considers that individuals are not separate units, but rather are part of a larger group (i.e., extended family, village, ethnic or religious community). According to such a reductionism, it is impossible to describe individuals' actions and motivations without considering the significance of their shared identity. Conversely, individualist reductionism represents its opposite version. Such a reductionism shows a complete lack of interest about identity and its cultural implications. This approach looks at the individuals as main subjects of any political action. Each individual's action is based on rational calculations and interests. In such a framework, individuals' actions and choices are independent from the being a part of a group. Identity becomes an irrelevant variable.

As shown in last section, these two kinds of reductionism are applied to conflicts in the following way: cultural reductionism emphasizes "ancient cultural hatreds" as the actual root of conflict, while individualist reductionism sees identitarian features in conflict as constructed, and in some sense, they are considered as the result of a rational choice or calculation.

Commonsense might lead us to lean toward the second approach, since it assumes an individualistic account. Nevertheless, the idea that individuals are independent islands is hardly arguable in real life. If on one side there is no doubt that contemporary identity wars have an individualistic root, based on private interests and actions; on the other, it seems difficult to isolate this element from the collective and ideological dimension of violence⁵⁸. At the same time, it is dangerous and false

⁵⁷ About the usage of these two kinds of reductionism, see also SEN A. 2006. *Identity and Violence: The Illusion of Destiny*. Op cit.

⁵⁸ KALYVAS S.N. 2003. The Ontology of "Political Violence": Action and Identity in Civil Wars. Op.cit.

to sustain that individual's actions are deeply rooted in shared experiences within groups or communities. Such an emphasis on cultural differences among groups, rather than individuals, would lead to the extreme thesis that cultural heterogeneity itself is at the roots of ethnic or religious conflicts (Huntington 1996).

In the light of previous observations, it becomes necessary to offer a third view about identity, and its implications in conflict. Following Sen, it seems to be more plausible to argue that individual identity is the sum of plural affiliations⁵⁹. Ethnic as well as religious features represent just some attributions of individual identity. An individual recognizes himself in terms of age, gender, profession, level of education, political ideology, religious beliefs, nationality, race, caste, and ethnic affiliations. This means that each individual is the result of a complex set of different affiliations. People cannot be seen as mere rational automata. Without considering the emotional side of their shared identities, it would be impossible to explain the human experiences of people like Nelson Mandela, Mother Teresa, or Gandhi.⁶⁰ At the same time, focusing the attention on one identity is not enough in order to explain the complexity of such human experiences.

It is possible to consider the example of Mother Teresa, it is difficult to describe her decision to become a missionary in rational terms, at the same time, it is clear that her religious attribution, Christianity, is not enough for understanding her human experience. She used to define herself as a woman ("I am a woman"), as Albanian ("by blood, I am Albanian") but also Indian by adoption ("by citizenship, an Indian"), as catholic ("By faith, I am a catholic nun") and, what is more important, as part of the human community ("As to my calling, I belong to the world."). The combination of all these affiliations makes Mother Teresa's experience so unique. The idea of plural affiliations does not deny an individualistic account, indeed, such an understanding is meant to grasp all the different attributions that make each individual unique and unrepeatable.

⁵⁹ A further instructive version of the idea of identity, based on an idea of identifications, is offered by Maffettone in his essay, *Psiche e Polis*, in MAFFETTONE S. 2006. *La Pensabilità del Mondo, Filosofia e Governance Mondiale*. Il Saggiatore, Milano..

⁶⁰ See also SEN A. 2006. *Identity and Violence: The Illusion of Destiny*. Op cit.

While a communitarian account might lead to underestimate the role of individual giving priority to a set of cultural and historical preconditions already present in the society, an approach based on the plural affiliations does not deny the freedom to choose about the relative weight to confer to the different affiliations⁶¹. This notion posits both a self with the freedom to create itself and a self-shaped in relation to collective identities. However, although the issue of freedom of choice is crucial in the framework of plural affiliations, it is important to clarify how it is possible to make a decision in this sense and, moreover, to what extent. Following Sen's idea of plural affiliations, the issue at stake is not related to the freedom of individuals to select any identity; to be more precise, the "freedom of choice" concerns the possibility to give priority to one or more affiliations over the entire set of identitarian attributions that each individual simultaneously possess⁶². To consider the case that I have discussed before, Mother Teresa gave priority to her vocation to help human beings, and her *feeling of belonging to the world*, over, for instance, her Albanian nationality.

Therefore, what is the link between identitarian affiliations and violence? The idea of plural affiliations, as such, does not say anything about the link between identity and violence. It becomes important to understand how and why in internal conflicts the religious and ethnic features tend to overcome the other attributions. The issue is therefore to grasp how and why such affiliation, rather than others, interact with political violence. Neither ethnicity, nor race, nor religion can be considered as violent factors, *per se*. According to the thesis of the plurality of attributions, the fact that an individual can be black or white, Christian or Muslim, Croat or Serb, does not explain anything about herself or himself; the combination of all different identitarian attribution makes recognizable an individual and her/his human experience. Nevertheless, the evidence of contemporary conflicts seems to say that these factors are inherently violent. Actually, it would be very dangerous to assert such an idea; the history of humanity, starting from the Christian Crusades, to Hitler's eugenic plan for a master race, is in fact studded with examples of violence hidden behind cultures, religions, and racial or ethnic features.

⁶¹SEN A. 2006. *Identity and Violence: The Illusion of Destiny*. Op cit.

⁶²*Ibid* .

In the next section, I attempt to explain the relevance of some identitarian affiliations in context of internal conflicts as linked to the idea of *Nation*. Actually, an analysis of the notion of Nation shows a longstanding link between this concept and some particular identitarian affiliations, namely ethnicity/race, language and religion. This further clarification is meant to offer a clear framework of the relevance of identitarian issues in internal conflicts.

1.2.2 Internal conflicts: the meaning of nation and plural affiliations

Following Amartya Sen, it seems reasonable to consider individual identity in the light of a plurality of affiliations. At this stage, the problem is to identify why and how some affiliations, namely religious, ethno-linguistic, or nationalistic affiliations, tend to overcome the others, in context of internal conflicts, interacting with violence. Excluding any explanation founded on the idea of ancient hatreds or rational construction, the historical development of the idea of “*nation*” has produced such a strong emphasis on those affiliations over ages, and, in some sense, this has put the basis for an *imagining link* between certain territorial boundaries and those affiliations.

To be more precise, the fact that I am Muslim, because my parents are Muslim, and French-speaking, since I come from a small village in North-west of Italy, does not affect my national affiliation, which is that I am Italian. One person can be Indian, English speaking, and Muslim, without any contradiction. Therefore, in everyday life it is possible to discover a boundless variety of combinations of different affiliations. Nevertheless, within national boundaries such affiliations are likely to become more relevant.

Let us use again the case of an Italian French-speaking. Within Italian boundaries, this person might be considered as part of a *minority group*, because in the alleged definition of Italian nationality the language represents a factor of strong cultural identification. With reference to this, Hobsbawm emphasized, “for Germans and Italians, their national language was not merely an administrative convenience, or a means of unifying state-wide communication [...] It was even more the vehicle of a distinguished literature and of universal intellectual expression. It was the *only* thing

that made them Germans or Italians [...]”⁶³. Of course, this was true not only for Italians and for Germans. In contrast to the idea of the alleged distinction between *cultural nations* and *civic nations*⁶⁴, my thesis is that the early contemporary notion of *Nation* involves some cultural features that deeply link the people to a specific territory, and this can explain why in internal conflicts some attributions tend to overcome the others.

Coming back to its origin, the Latin word *natio* was linked to the verb *nascor*, and therefore it was related to an idea of ‘birth’. In the Latin usage *natio* was referred to the barbarian or distant people, while the Romans used to define themselves in terms of *populus*⁶⁵. The word came back into use in the end of the 18th after the American and French revolutions. Although there was no agreement among the scholars about its actual content, the first supporters of the idea of *Nation*, such as Rousseau, Herder, Fichte, and Mazzini, recovered from the ancient tradition the idea of birth, the link with the territory, emphasizing three main attributions: Autonomy, Unity, and Identity⁶⁶. In his influential work, Renan offered an idea of nation as a form of morality, “a great aggregation of men, with a healthy spirit and warmth of heart, creates a moral conscience which is called a nation.”⁶⁷ Weber defined the nation as a “prestige community”, according to him “[...] one might well define the concept of nation in the following way: a nation is a community of sentiment which would adequately manifest itself in a state of its own; hence, a nation is community which normally tends to produce a state of its own.”⁶⁸ A further significant definition was offered by Stalin, according to him a nation is a “historically constituted, stable

⁶³ Hobsbawm, E., The Rise of Ethno-Linguistic Nationalisms, in HUTCHINSON J., & SMITH, A. 1994b. *Nationalism*. Oxford University Press, Oxford.,: 177.

⁶⁴ IGNATIEFF M. 1993. *Blood and Belonging: Journeys into the New Nationalism*. Op.cit. HUTCHINSON J. 1994a. Cultural Nationalism and Moral Regeneration. In: *Nationalism* (Ed. by J. HUTCHINSON). Oxford University Press, Oxford.

⁶⁵ HUTCHINSON J. 1996. *Ethnicity*. Ibid..

⁶⁶ HUTCHINSON J. 1994a. Cultural Nationalism and Moral Regeneration. In: *Nationalism* (Ed. by J. HUTCHINSON). Oxford University Press, Oxford.

⁶⁷ Renan, E., *Qu'est-ce qu'une nation?*, in HUTCHINSON J., & SMITH, A. 1994b. *Nationalism*. Oxford University Press, Oxford.:18.

⁶⁸ Weber, M., *The Nation*, in Ibid.25.

community of people, formed on the basis of a common language, territory, economic life [...]”.⁶⁹

Even if without a clear definition about the extent, during the last two centuries the idea of Nation has increasingly overlapped with a notion of territorially based political unity combined with a greater or lesser degree of cultural unity. With reference to this, some contemporary authors tend to distinguish two different understandings of nation: on one side, a civic nation based of the idea of political community, as in the case of France and the United States; on the other, an idea of cultural nation, based on a certain degree of cultural unity, as in the case of many countries in the Balkans⁷⁰. Nevertheless, cultural elements, such as language, play an underlying role also in the so-called civic nations; in both French and American cases, the imposition of a common language was crucial in order to create a ‘common identity’⁷¹. Furthermore, as rightly pointed out by Kymlicka,

“promoting a common sense of history is a way of ensuring [...] people identity, not just with abstract principles, but with this political community, with its particular boundaries, institutions, procedures, and so on”⁷².

Therefore, this kind of understanding of nation, as deeply rooted in cultural elements, has produced a widespread idea of a longstanding link the cultural-historical development of peoples and specific territories. In this perspective, the alleged distinction between civic and cultural nations can be understood in terms of democratic and non-democratic traditions. To be more precise, it is possible to relate the different cultural elements, linked to the idea of nation, to the democratic or non-democratic tradition of the specific case. Actually, if it is true that in Western countries this kind of cultural boundaries has been expressed moreover in ethno-linguistic terms, in most of the countries of the world, with special reference to undemocratic countries or cases in which a civic-democratic tradition is still weak,

⁶⁹ Stalin, J., *The Nation*, in *Ibid.*: 20.

⁷⁰IGNATIEFF M. 1997. *The Warrior's Honor: Ethnic War and the Modern Conscience*. Op. cit. HUTCHINSON J. 1994a. *Cultural Nationalism and Moral Regeneration*. Op. cit. IGNATIEFF M. 1993. *Blood and Belonging: Journeys into the New Nationalism*. BBC Books, London.

⁷¹ KYMLICKA W. 2001. *Politics in the Vernacular: Nationalism, Multiculturalism and Citizenship*. Oxford University Press, Oxford.

⁷² *Ibid.*: 245.

the religious and ethno-racial aspects tend to overlap with the boundaries of the *Nation*.

The reasons for this difference are quite intuitive. In a liberal democratic country a special link between some specific religious beliefs or racial- ethnic affiliations and the idea of *nation* would be in contrast to the democratic principles themselves; while, in most of the post-colonial countries as well as in former multinational states, the ethnic language alone did not express that special link with the territory. It is difficult to generalize this argument, but it seems to be possible to apply this idea to several cases in Africa, in the Balkans and Middle East, as well as in Asia.

To consider the case of former colonial empires in Asia and Africa, in fact, the official language was usually imposed by the colonizers, and, therefore, it represented a sort of external element. In most of these countries, the process of decolonization highlighted the evidence of the presence of several unofficial dialects or languages in the same territory; this situation often imposed to recover the usage of the language of the former colonial empires for administrative and communicative convenience.⁷³ This can explain why in most of these countries religious or ethnic features, rather than language, have become cultural attributions of the idea of nation. In the case of the former Ottoman Empire, instead, the idea of language was considered as deeply linked to the ethno-religious factors, and this is confirmed by the structure of the Ottoman *millet system*. It was a system of autonomous territories aimed at dealing with non-Muslim minorities; in this system, religious and linguistic elements were considered as deeply linked each other.

Undoubtedly, in internal conflicts, the issue of territory plays a crucial role, and a deeper understanding of the idea of *nation* in terms of link between some cultural and historical aspects and territory can offer a first way to understand why some affiliations, namely religion, ethnicity, or language, tend to emerge as relevant features in internal conflicts. In some sense, the connection between such affiliations

⁷³ Consider the case of India, South Africa, Senegal, Cameroun, and many others.

and specific territories can clarify why I use the expression of *mobilizing power of identity-based arguments*.⁷⁴

However, this understanding of *nation* territory and cultural elements, alone, cannot say anything about the outbreak of violence. In the next and last section, I seek to offer an interpretation of identity-conflicts and violence as the consequence of two distinct factors. On one hand, the lack of freedom and democratic rules aimed at protecting individuals and their socio-economic, political and cultural rights and freedoms produce a condition of social grievances and frustrations among population. On the other, I look at the role of private associations and individuals, which I call ‘cultural-war-entrepreneurs’, that, covering their actual interests, manipulate the masses into fueling identity-based violence.

⁷⁴ See in the next section, *The Two Reductionisms Applied to Conflict*, pp. 63-70.

1.3 Identity in Conflict: Lack of Freedoms and Failure of Rationality

In this last section, I develop an argument in favor of an understanding of identity-conflicts, where identity is seen as the sum of plural affiliations (Sen 2006). In arguing this approach, I show the limits of the already-mentioned contemporary reductionisms testing them to the actual case of conflict in Bosnia. My approach to identity, based on the plural affiliations, entails an understanding of such conflicts as the result of private actions and interests supported by an actual collective recognition of the three groups within the religious boundaries. Nevertheless, the link between identitarian attributions and violence is complex, and we must handle this relation cautiously.

It might be useful to distinguish two significant arguments concerning the role of recognition, on one hand, and that of identitarian war entrepreneurs, on the other. (1) The first argument considers the social grievances linked to lack of recognition and free expression of identitarian affiliations within society, which, associated to the lack of political freedoms and economic opportunities, creates the conditions for an identity conflict. (2) The second argument focuses on the demagogic use of *identity-based arguments* made by cultural-war-entrepreneurs as the actual source of violence; but, in contrast to constructivists' view I consider violence as the result of the failure of rationality.

These two arguments are profoundly linked to each other; very often, the so-called "identitarian associations" reinvent the mythology of the losers for hiding their interests and purposes. This dynamic creates a condition for what Foucault called "permanent war,"⁷⁵ in which the racist/religious arguments become part of power's dialectic that is perpetuated in "peace time" by local politicians and international community. Often, the difficulty in understanding and facing such conflicts depends on the fact that both practitioners and scholars underestimate the effects of such a

⁷⁵ FOUCAULT M. 2003. *Society Must Be Defended. Lectures at the College de France, 1975-1976*. St. Martin's Press, New York.

sort of “bio-power” on deeply divided societies. As pointed out by Azar, in fact, it is necessary to pay attention to the covert, latent, and often non-violent side of such conflicts in order to understand them.

1.3.1 The two reductionisms applied to conflicts

In the previous section, I have discussed two different ways to look at the issue of identity in conflict emerged from the contemporary scholarly debate. The culturalist approach suggests a primordialist understanding of identity, which I have called cultural reductionism. Conversely, rational choice’ scholars are inclined to see identity’ issues in conflict as rationally constructed and for this reason an insignificant variable; that is why I conceived of such a second approach as a further kind of reductionism: individualist reductionism. Actually, both kinds of reductionism fail in grasping the complex elements involved in identity conflicts. The present section is aimed at testing the two reductionisms discussed before to a concrete case of conflict, the case of Bosnian civil war of 1992-1995.

(1) Cultural reductionism would stress the predominant religious character of that war. To Samuel Huntington, for instance, Bosnian war was mainly a religious conflict among Orthodox Christian Serbs, Roman Catholic Croats, and Muslim Bosniaks supported by their respective co-religionists in other parts of the world. According to him, such a case would demonstrate how the fault lines, rooted in ancient religious antagonisms, are likely to become “lines of bloody conflict”⁷⁶. But, even though before I have emphasized the religious character of both internal and external actors involved in such a war⁷⁷, evidences demonstrate that the explanatory value of religious factors in Bosnian war are limited.

As pointed out by Powers the religious dimension of this conflict is often exaggerated⁷⁸. Despite the religious differences within the three groups, it is important to highlight that the actual involvement of religious actors (priests, bishops

⁷⁶ HUNTINGTON S.P. 1993. *The Clash of Civilizations?*. Op. cit.

⁷⁷ See the first section in this chapter, *New and Old civil wars: a valid distinction?*, pp.43-48

⁷⁸ POWERS G.F. 1996. Religion, conflict and prospects for reconciliation in Bosnia, Croatia and Yugoslavia. *Journal of International Affairs* 50: 221.

or imams) was quite rare⁷⁹ and, in general, religious leaders themselves did not conceive of the conflict in religious terms. Actually, several studies have shown that a “Bosnian pluralistic society” had existed for centuries, and, despite the differences in their “religious backgrounds”⁸⁰, a *Bosnian shared culture*, based on a linguistic, ethnic and historical unity, had been a reality for ages⁸¹. Furthermore, fifty years of secular and secularizing Yugoslav State had a huge impact in fostering the laicization of society; with reference to this Fine has argued “few modern-day Bosnians (and certainly almost none of those leading any of the side in the current war) are deeply religious.”⁸²

Actually, an overemphasis on the religious factors in this conflict would wander the attention from the actual use and misuse of religious differences as part of the ethno-mobilization strategy put into action mainly by politicians, like Milosević, Tudjman, and Izetbegović. During the war, religious factors represented a way to differentiate people; religion became a means of mass mobilization largely used by non-religious people who wore it as a distinguished uniform even if, very often, they did not know what the uniform stood for⁸³. Indeed, in several cases religious lines were crossed by fighters who found convenient to dismiss religious boundaries for private interests⁸⁴. Quite notorious is the case of the Bosniak leader Fikret Abdic. Obtaining the control over the area of Bihac (North-Western Bosnia), he fought with Serbs against the army of central Bosnian government (ABiH)⁸⁵. Furthermore, it is widely recognized that most of the fighters were ordinary criminals rather than religious

⁷⁹ During the interview with Mehmed Musić, the president of the association of victims of the municipality of Hadžići, he reported the actual involvement in the activities of ethnic cleansing in that zone of an orthodox bishop named Milan Lucic. Sarajevo, 30/11/2007.

⁸⁰ Several authors use to make a distinction between “religion” and “religious background”, stressing in this way how the religious content of the three alleged different faiths had been harmonized over the centuries within the boundaries of a shared Bosnian culture, see also DONIA R.J., & FINE, J. V. A. JR. 1994. *Bosnia-Hercegovina: A Tradition Betrayed*. Hurst & Company, London..

⁸¹ Ibid, BOUGAREL X. 1996. *Bosnie: anatomie d'un conflit* La Découverte, Paris.

⁸² DONIA R.J., & FINE, J. V. A. JR. 1994. *Bosnia-Hercegovina: A Tradition Betrayed*. Op. cit.: 9.

⁸³ POWERS G.F. 1996. Religion, conflict and prospects for reconciliation in Bosnia. Op.cit.

⁸⁴ HUMANRIGHTSWATCH. 1992. *War Crimes in Bosnia Hercegovina: A Helsinki Watch Report*. Human Rights Watch, New York.

⁸⁵ KALYVAS S.N., & SAMBANIS, N. 2005a. Bosnia’s Civil War: Origins and Violence Dynamics. In: *Understanding Civil War: Evidence and Analysis* (Ed. by P. COLLIER, & SAMBANIS, N.), pp. 191-229. The World Bank, Washington, DC:.

fundamentalists. The Serb warlord Arkan⁸⁶, as well as the Bosniak leaders Ramiz Delic (“Celo”), Musan Topalovic (“Caco”), Jusuf Prazina (“Juka”) had criminal backgrounds; as rightly stressed by Kalyvas and Sambanis, “the first to embrace the violence of the war were those who had embraced it in peace”⁸⁷.

(2) With reference to the second form of reductionism, it is important to distinguish one deriving from political economy and the second from international relations. In both approaches individuals’ actions and interests play a fundamental role.

- (i) The economic approach to conflicts have recognized three crucial causes for civil wars, namely low per capita income, slow economic growth, and large exports of natural resources⁸⁸. Low per capita income is interpreted by Fearon and Laitin as an indicator able to demonstrate the incapacity of the state to maintain effective control over its territory. Both low income and slow growth are interpreted as lowering the recruitment cost of rebel troops, and the predation of natural resources can provide rebel organizations with finance. Lastly, the control over the exports of natural resources (diamonds, drugs, or oil) is considered as factor that can activate private interests in conflict.
- (ii) A further group of scholars employs the same kind of reductionism referring to the emergence of new ideologies based on religious or ethnic features aimed at legitimizing authoritarian leaders, new aspirants to power in moment of transition, or common criminals. Once again, the role of identity becomes marginal and the interest of political analysts is devoted to individuals’ actions and interest.⁸⁹

⁸⁶ Arkan, Željko Ražnatović, was the leader of the Serb paramilitary group “Tigers”. Arkan was a notorious gangster operated in Belgrade up until the beginning of the war.

⁸⁷ KALYVAS S.N., & SAMBANIS, N. 2005a. Bosnia’s Civil War. Op.cit.: 215. With reference to this point, see also KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op.cit.

⁸⁸ FEARON J.D., & LAITIN, D.D. 2003. Ethnicity, Insurgency, and Civil War. *American Political Science Review* 97: 1–16. COLLIER P. 2007. Economic Causes of Civil Conflict and Their Implications for Policy. In: *Leashing the Dogs of the War* (Ed. by C. CROCKER, A. , & HAMPSON, F. O., & AALL, P.). United States Institute of Peace Press, Washington DC. COLLIER P., & HOFFFLER, A. 2004. Greed and grievance in civil war. Op.cit.

⁸⁹ KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op.cit.

I. UNDERSTANDING ETHNO-RELIGIOUS CONFLICTS

<i>COUNTRY</i>	<i>1988- INCOME PER CAPITA (PA)</i>	<i>1990- INCOME PER CAPITA (US \$)</i>	<i>POPULATI ON 1990</i>	<i>REL.INC OME 1988</i>	<i>REL.INC OME 1990</i>	<i>GINI (1988 INCO ME)</i>
BOSNIA	2,124,319	2,365	3,516	76,2	67,8	24,4
MONTENEGRO	2,062,042	2,484	644	73,9	71,1	25,6
CROATIA	3,234,631	4,468	4,685	116,0	127,8	22,1
MACEDONIA	1,790,902	2,282	2,131	64,2	65,3	30,9
SLOVENIA	5,529,722	7,610	1,953	198,3	217,7	19,3
SERBIA	2,523,329	3,379	5,849	90,5	96,7	25,0
KOSOVO	1,062,039	854	1,983	38,1	24,4	27,7
VOJVODINA	3,166,398	4,320	2,048	113,6	123,6	26,5
YUGOSLAVIA	2,788,443	3,496	23,809	100,0	100,0	24,5

Table 2: *Incomes and inequalities former Yugoslavia 1988-1990*

(i) Thus, to consider again the case of the Bosnian war, it is possible to show that also the second kind of reductionism can hardly explain some relevant features of this conflict. Starting from the first version, according to these authors the most important issue at stake would be represented by poverty. Actually, by the end of 1980s Yugoslavian regions had to face the effects of a severe economic crisis that had fuelled a process of hyperinflation⁹⁰ and increased the levels of unemployment. Nevertheless, as shown in the table 2, the economic situation of Bosnia from 1988 to 1990, compared with that of other regions like Kosovo or Macedonia, does not seem to be significant in terms of poverty. Furthermore, even though poverty is in general an underlying cause of conflict, it cannot be considered as a *constant*.

This was even clearer in the case of Tuzla. This municipality shared with the rest of the country the same levels of incomes and unemployment rate before, and, during the war, the economic conditions of Tuzla's populations became even worst since the long economic isolation of the city and the difficulty to receive humanitarian aids⁹¹. Nevertheless, Tuzla maintained a status of relative neutrality and could preserve a high level of religious heterogeneity within its population thanks to the inter-

⁹⁰ According to Mary Kaldor in December 1989 the monthly inflation rate reached 2,500 percent. KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op.cit.

⁹¹ With regard to the nexus poverty-violence, see also the argument maintained by Amartya Sen with reference to the case of Kolkata (Calcutta), which is one of the poorest cities in India and in the world, but, at the same time, it has "the lowest violent crime rate of all Indian cities", p.9 in SEN A. 2008. *Violence, Identity and Poverty*. *Journal of Peace Research* 45: 5-15.

religious dialogue and cooperation among different groups. Such a process was strongly fostered by the city's mayor, Selim Beslagic, and several associations of citizens⁹².

Indeed, what seems to be more relevant, in this case, might be the level of inequalities among and within the regions, variable that the authors do not take into account in their framework. As rightly Kalyvas and Sambanis pointed out, "the fact that rich yet small (in terms of population) regions provided the bulk of fiscal transfer to poorer, larger regions generated an incentive for secession in the richer regions."⁹³ Furthermore, in Bosnia, even more than in other regions of the former Yugoslavia given its mountainous morphology, there was a huge difference in incomes and in levels of education between the rural and urban population; this would explain why some authors have referred to the war in terms of "revenge of the countryside"⁹⁴. Lastly, with reference to the third cause, it is necessary to highlight that Bosnia, and more in general Yugoslavia, had not natural resources of note.⁹⁵ On the contrary, it is widely recognized that the main wartime economic activities were based on robberies, criminal actions, and trade of prisoners with enemies, rather than on "lootable" resources⁹⁶.

(ii) With regard to the political approach, then, my counter-arguments are mainly two: on one hand, I emphasize the *mobilization power* of identity-based arguments, and, on the other, I criticize the very idea of rationality, as proposed by individual-reductionist scholars. Although the roles of authoritarian leaders and common criminals were significant during the war, it is necessary to stress that the actual involvement of citizens and non-combatants, moreover in rural regions, was massive. Even accepting the role of politicians and paramilitary leader in manipulating the conflict, it is necessary to pay no less attention to the *mobilizing power* that religious arguments had in this war and among the different communities. During a recent

⁹² WEISS J.N. Tuzla, The Third side and Bosnian War. (Ed. by THIRDSIDE.ORG).

⁹³ KALYVAS S.N., & SAMBANIS, N. 2005a. Bosnia's Civil War. Op. cit.: 206-207.

⁹⁴ BOUGAREL X. 1999. Yugoslav Wars: The 'Revenge of the Countryside' Between Sociological Reality and Nationalist Myth. *East European Quarterly* **33**: 157.

⁹⁵ KALYVAS S.N., & SAMBANIS, N. 2005a. Bosnia's Civil War. Op.cit.

⁹⁶ ANDREAS P. 2004. The Clandestine Political Economy of War and Peace in Bosnia. *International Studies Quarterly* **48**: 29-51.

field trip in Sarajevo, I had the possibility to interview several survivors and relatives of the victims of the recent war. Among the others, Ema Čekić, the president of the Association for the Missing Persons of the Vogošća Municipality, reported me her experience, I believe it can be very instructive in order to understand what is meant for *mobilizing power of identity-based arguments*.

“After a few weeks of bombardment, the Serbs occupied the municipality of Vogošća; I was captured and brought to a concentration camp. [...] During the night, every night, the jailers of the camp used to force me and other women to go to the city centre to look for food, whatever we could have found. We were compelled by them to steal from our houses. [...] One night, during one of these robberies I met in the city the husband of my best friend. We spent all our life together... we were really good friends and I thought it was a miracle to meet him! I was sure he could have helped me and my kids to run away. Moreover, since he was not a soldier, I was sure that he was not involved in that dirty war. [...] But, *before I could say any word he told me “Woman go away, otherwise I will kill you!”*⁹⁷ [Emphasis added].

The experience of Mrs. Čekić helps us to distinguish between the actions and interests of political leaders and the behavior of ordinary people in this conflict. Actually, mobilization practices of authoritarian leaders and criminals can only partly explain the phenomenon; it seems, in fact, that identitarian arguments *per se* are more likely to create boundaries among people. Refusing any idea of identitarian affiliations, it becomes hard to explain how and why identity-based arguments possess such a “*mobilizing power*”.

My second argument against individualist reductionism concerns the very idea of “*rationality*”. According to my view, in fact, the key argument proposed by Kaldor and the other supporters of the political version of rational choice theory is based on an evident misinterpretation of social contract theory and the idea of *rationality* depending on it. If we consider contemporary approaches to contractarianism, whose the most brilliant account is offered by John Rawls’s Theory of Justice, the idea of rationality corresponds to an idea of self-interest (Rawls 1971). However, it would be misleading to think that this notion of *self-interest*, as such, implies violence or damage for other individuals.

For Rawls, rationality in the original position implies that individuals are self-interested and able to maximize their expectations in a context in which they do not

⁹⁷ Interview , Sarajevo, 02/12/2007.

know their positions and attributions in the society. Although such an idea of rationality alone cannot guarantee the absence of egoism, and this is the reason why Rawls introduces the notion of ‘reasonability’, which implies the human disposition *to act morally*⁹⁸, it is anyway too difficult to argue about a link between rationality and violence. Actually, even excluding the idea of ‘reasonability’, rational individuals can achieve an unfair agreement, because of their egoism, but it is hardly arguable that, because of their rationality, they will refuse any kind of compromise and, therefore, they will prefer to fight against each other.

Rawls’s idea of rationality derives from a Hobbesian intuition. Hobbes, in fact, distinguished two different conditions: the first was the state of nature, which was described as a state of permanent war, and the second was represented by the Sovereign authority established and legitimized through the social contract, which can be defined in terms of state of peace. In the state of nature, individuals were seen by Hobbes as *rational and equal* agents. But, what was the role of human beings in this frame? According to the version of conflicts offered by Kaldor, since rationality is a primordial attribution of individuals in the state of war, it seems that it has to be understood as a human disposition that generates the conflict, because rational individuals can reach by any means (violent and non-violent) their ends in the state of nature. Conversely, in the scheme proposed by Hobbes, rationality in fact represented the element that enabled individuals to reach the social contract. Indeed, the primitive war of *homo homini lupus* was understood as consequence of the condition of equality; regarding to this point he argued:

*Nature hath made men so equal in the faculties of body and mind as that, though there be found one man sometimes manifestly stronger in body or of quicker mind than another, yet when all is reckoned together the difference between man and man is not so considerable as that one man can thereupon claim to himself any benefit to which another may not pretend as well as he. For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination or by confederacy with others that are in the same danger with himself. [Emphasis added]*⁹⁹

⁹⁸ According to Rawls “Persons are reasonable in one basic aspect when, among equals say, they are ready to propose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that others will likewise do so”. RAWLS J. 2005. *Political Liberalism*. Op. cit.: 49.

⁹⁹ Hobbes, T, CHAPTER XIII Of The Natural Condition of Mankind as Concerning Their Felicity and Misery, HOBBS T. 1668 *The Leviathan*. (Ed. by C.B. MACPHERSON). Penguin, Harmondsworth, Middlesex, UK.

Accordingly, it seems to be convincingly arguable that individuals, because of their rationality, were led to select the option - the social contract- supposed to be necessary in order to achieve their ends minimizing their risks. Therefore, rather than rational individuals' actions and interests, the actual issue concerns the failure of rationality in the context of war.

1.3.2 Plural affiliations and lack of freedoms

Azar's theory of protracted social conflict (PSC), it is possible to assume that the primary source of contemporary internal wars is related to the deprivation of *fundamental human needs* (Azar 1972; Azar et al. 1978; Azar 1990). Even though Azar's work is often neglected or criticized by contemporary approaches to internal conflicts¹⁰⁰, his intuitions, developed in a vast series of publications over a twenty-year period from the early-1970, about the relevance of the *grievances* deriving from the deprivation of human needs in protracted internal conflict still represent a useful tool for understanding identity conflicts. For Azar, in fact, the relevant factor in such conflicts was "the prolonged and often violent struggle fought by communal groups for such basic needs as security, recognition, and acceptance, fair access to political institutions and economic participation."¹⁰¹ In this framework the role of the State was crucial, because it could satisfy or frustrate such communal human needs and, therefore, preventing or promoting conflict.

To put PSE theory in contemporary words, it would be possible conceive of his idea of deprivation of *fundamental human needs* in terms of what Sen called *capability-deprivation*. This kind of readaptation of Azar's arguments is meant to introduce the argument of freedom and the rise of violence deriving from freedom deprivation. In this perspective, the role of state is still crucial: the presence of democratic rules able to support individuals' free expression and self-determination represents an important condition for peace within society. At the same time, this approach is

¹⁰⁰ See for instance Collier's idea of greed, discussed before, which is meant to be in contrast to Azar's grievance. COLLIER P., & HOEFFLER, A. 2004. Greed and grievance in civil war. Op. cit., COLLIER P., & HOEFFLER, A., & SÖDERBOM, M. 2006. Aid, Policies and Risk in Post-Conflict Societies. Op. cit.; COLLIER P. 2007. Economic Causes of Civil Conflict and Their Implications for Policy. Op. cit.

¹⁰¹AZAR E.E. 1991. The Analysis and Management of Protracted Social Conflict. Op. cit.: 93.

meant to emphasize the role of individuals with their plural affiliations as main subject of the analysis, rather than identity groups as such.

In his development ethics, Sen recovers from the Aristotelian tradition an idea of *functioning* consisting of various *doing* and *being*, such as moving around, working, being well nourished, being free of disease but also subjective states, as being happy, being respected (Sen 1999). Accordingly, a person's state can be defined as a *vector of functioning*; therefore, the person's *capability to function* is represented by the combination of *vectors of functioning* that are available for him. Sen relates the idea of capabilities to that of *substantive freedoms*,

[...]The substantive freedoms include *elementary capabilities* like being able to avoid such deprivations as starvation, undernourishment, escapable morbidity and premature mortality, as well as the *freedoms that are associated with being literate and numerate, enjoying political participation and uncensored speak* and so on.¹⁰²
[Emphasis added]

For Sen, poverty is understood as capability-deprivation, because it entails individual deprivations of basic rights and freedoms. If we consider the scheme of fundamental needs offered by Azar in the light of Sen's work, it is possible to argue that also the root of violence can be understood in terms of capabilities-deprivation. This idea entails deprivation of political rights and participation, lack of economic opportunities and widespread inequalities, denial of security rights, and lack of recognition and acceptance intended as constraints to make a free choice regarding to the priority to give to the different affiliations. To consider the condition of a Jewish man in the Nazis Germany of the Second World War, undoubtedly, his choice about the priority of his affiliations was deeply limited from the perception that the German people had of him¹⁰³.

According to this way of reasoning, when within society there is a widespread condition of capabilities-deprivation, a violent conflict is more likely to happen. To be more precise, countries, where the level of inequalities is high, in terms of poverty, unfair access to political institutions and denial of political and civil rights, high and unequally distributed levels of illiteracy, and important levels of exclusion

¹⁰² SEN A. 1999. *Development As Freedom*. Op.cit.: 36.

¹⁰³ SEN A. 2006. *Identity and Violence: The Illusion of Destiny*. Op.cit.

and misrecognition, are more prone to the explosion of violence. In contrast to the thesis of *greed* proposed by political economy school, an approach based on the idea of capability– deprivation considers poverty in terms of lack of substantive freedoms. In this sense, the idea of *incapability* involves a series of factors that were neglected in the framework proposed by Collier and the authors of political economy school.

To consider again the case of Bosnian war an approach based on the idea of capability-deprivation is more likely to focus the on the problem of inequalities. As argued in the last section, in the case of Bosnia the idea of poverty, understood as low levels of incomes, is not able to offer a convincing explanation for the explosion of violence of the recent years. Actually, in this case what seemed to be more relevant was the level of inequalities, in rate of illiteracy, access to political institution, and in levels of poverty between the vast rural population and the urban centers before and during the war. It is widely recognized that military and para-military groups had lists of the richest and most educated people living in the urban centers, and the so-called *ethnic cleansing* started from them, without taking into account their actual ethnic affiliation¹⁰⁴. Some scholars referred to these lists in terms of *intellectual cleansing project*¹⁰⁵, but if we consider the levels of inequalities between centers (urban districts) and peripheries (rural districts) it is possible to understand why some other scholars have defined such a war in terms of *revenge of the countryside*¹⁰⁶.

Furthermore, in some cases of protracted social conflicts, the level of inequalities tends to overlap with the ethnic or religious fault lines. Several economic studies show that, since the end of the war, Bosnia presents high levels of inequalities recognizable along the ethno-religious boundaries¹⁰⁷. According to the data of the

¹⁰⁴ During the interview with Mr. Musić, he showed me one of this lists: “May 20th 1992, I was captured with other 48 people. [...] At that stage, they did not follow an ethnic strategy [...] they had a list of people in which the richest and most educated of my municipality were included. Then, since in Hadžići there were five military basis of the former Yugoslav Army and a stock of weapons, they included in the lists also people linked, in some ways, to the military environment, as former soldiers or relatives of soldiers [...]”. Sarajevo, 30/11/2007.

¹⁰⁵ KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op.cit.

¹⁰⁶ BOUGAREL X. 1999. *Yugoslav Wars: The `Revenge of the Countryside' Between Sociological Reality and Nationalist Myth*. Op. cit.

¹⁰⁷ BISOGNO M. & CHONG A. 2002. Poverty and Inequality in Bosnia and Herzegovina After the Civil War. *World Development* **30**: 61-75.

World Bank related to a study conducted in 2002, although the condition of poverty was dramatically significant in all country areas, it was possible to describe a propensity to the risk of poverty according to the different ethnic groups. At the national level, the group with the lowest risk of poverty was the Croat ethnic group (with a poverty share of 8,2% extreme poor and 9,7% poor), while the one with the highest risk of poverty was the Serb group (with a poverty share of 38,7% extreme poor and 35,3 % poor)¹⁰⁸. It is clear that such a kind inequality, in this case in levels of poverty and extreme poverty, is supposed to further increase the ethno-religious divisions within the country.

A second relevant argument in favor of an approach based on capability deprivation concerns the emphasis given to the deprivation of political and civil rights and political participation. State's failure to enable civil and political rights and a fair political participation is a frequent factor in identity conflict. Very often, explosions of violence occur as aftermath of the demise of totalitarian regimes (as in the case of Bosnia) or in weak newly independent state, which show to be prone to impose authoritarian rules (as in several cases of conflict in Africa) (Ayoob 1996). In a democratic state the guarantee of civil and political rights and freedoms that enable people to lead the lives they value offers a "detailed and more satisfying substitute"¹⁰⁹ for violence. Furthermore, an elected government is less likely to create situations of social grievances and inequalities, because it would lose the support of citizens¹¹⁰. Therefore, on one hand, the lack of civil and political rights and freedoms produces frustration in citizen's choices for their life, and this creates a huge fracture between them and institutions fueling tensions and violence. On the other hand, the lack of democratic rules is more likely to produce social grievances and economic crisis, since authoritarian or totalitarian rulers do not need citizens' support (Sen 1999).

¹⁰⁸ BISOGNO M. & CHONG A. 2002. Poverty and Inequality in Bosnia and Herzegovina After the Civil War. Op. cit.

¹⁰⁹ BARNETT J. 2008. Peace and Development: Towards a New Synthesis. *Journal of Peace Research* **45**: 75-89.: 82.

¹¹⁰ With regard to this, see the argument about the role of democracy in preventing famine, Famine and Other Crises, in SEN A. 1999. *Development As Freedom*. Op.cit.

Lastly, an approach to violence focused on the idea of capabilities-deprivation imposes to take into account the frustration and the sense of deprivation deriving from the lack freedom in expressing or choosing identitarian affiliations. The ethnic or religious heterogeneity does not represent *per se* an obstacle to peace and stability¹¹¹. Nevertheless, the lack of security cannot be understood without reference to fair access to the institutions of government, cultural tolerance, and acceptance of diversity within society. Very often, in identity conflicts the deprivation of physical needs and the denial of access to social institutions are rooted in the refusal to recognize or accept the ethnic or religious attributions of the others (Azar 1990). As shown in the last section, the emergence of violence as linked to racial, ethnic or religious features is often linked to a peculiar understanding of nation as territorially-based cultural community.¹¹² However, such a mis-recognition creates social grievances, exclusion, and marginalization within society. Society appears to be redesigned in terms of losers and winners, marginalized and not. The sense of revenge and frustration, which follows such a denial of access to social institutions, represents an important factor in motivating social struggles.

To use again the example of Bosnia, between the end of 1980s and the beginning of 1990s the practice of “apartheid”, in terms of political and economic exclusion, toward the other minority groups was put into action almost everywhere in the Country¹¹³. Furthermore, according to the famous Bosnian journalist Zlatko Dizdarević, the practice of ‘apartheid’ is still omnipresent in the territory¹¹⁴. Since the end of the war several displaced people have expressed their afraid to return

¹¹¹ SEN A. 2008. Violence, Identity and Poverty. Op.cit.

¹¹² See the second section in this chapter, *Internal conflicts: the meaning of nation and plural affiliations*, pp. 57-61.

¹¹³ KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op.cit.

¹¹⁴ With regard to this point, the journalists of Der Spiegel quote the cases of two cities Lukavica and Srebrenica: “[...] In Lukavica, a town near Sarajevo, newly constructed buildings line the streets. Hundreds of Serbs who once lived in Sarajevo have begun a new life here instead. "We are afraid to return," admits 40-year-old Sladjena, "there is no longer any work for Serbs in Sarajevo." She and her husband, Nikola, sold their apartment in downtown Sarajevo. More time is needed, says Sladjena quietly, before Serbs will be able to coexist with Muslims and Croats. [...] In Srebrenica, now part of the Serbian entity, it is the Muslim Bosnians who are hesitant to return home -- home to a place where they were once in the majority. Because of the election law, the Bosnian parties hold the majority in the city government. But it's a weak government that barely has the authority to make decisions about garbage collection and the water supply. Important decisions require a two-thirds majority, and the power continues to rest in Serb-dominated Banja Luka” FLOTTAU R., & KRASKE, M. . November 7, 2005. Apartheid in Bosnia. In: *Der Spiegel*.

home, very often they return only to sell their homes and properties, since in their homeland there is no place anymore for them in terms economic opportunities and political participation¹¹⁵.

In the light of these observations, it is also possible to explain why Tuzla represented during the war a sort of “island of civility”, to use Kaldor’s expression¹¹⁶. As shown in the last section, an approach based on the analysis of level of poverty and inequality cannot help in explaining the singularity of the case of Tuzla. It is widely recognized, instead, that in Tuzla the articulation of inequalities in religious terms was strongly contrasted by the mayor of the city and the association of citizens active in the municipality.¹¹⁷ In some sense, thanks to the efforts of Mr. Beslagic supported by several civic associations emerged during the war, Tuzla’s citizens could preserve pluralism, high levels of cooperation within the different ethno-religious groups and a fair access to political freedoms and economic opportunity to everybody.

1.3.4 Failure of rationality, cultural-war-entrepreneurs and violence

If it is true that a widespread condition of capability-deprivation among society is likely to create the basis for an identity conflict; the link between violence and such a condition is not direct. As I argued in the last section, the grievances deriving from the lack of freedoms and rights produce more or less latent conflicting conditions; but, such a situation, alone, hardly led to the outbreak of war. According to my perspective, an identity conflict occur when the above mentioned situation of capability deprivation of population is supplemented by the emergence of what I call *cultural-war-entrepreneurs*¹¹⁸. In this last section, I attempt to offer an argument for explaining the role played by *cultural-war-entrepreneurs*, such as political religious or military leaders, but also regular criminals, in deeply divided societies; these actors, usually acting in associations/organizations, fuel violence leading to the outbreak of the conflict. The argument is developed following three key issues. First,

¹¹⁵ KOLIND T. 2007. In Search of Decent People: Resistance and Ethnicization of Everyday Life among Muslims of Stolac. In: *The New Bosnian Mosaic* (Ed. by X. BOUGAREL, & HELMS, E., & DUIJZINGS, G.). Ashgate, London.

¹¹⁶ KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op.cit.

¹¹⁷ BOUGAREL X.H. E. & DUIJZINGS, G. 2007. *The New Bosnian Mosaic*:180, about the controversial articulation of the meaning of war.

¹¹⁸ ANHEIER H.E., & ISAR, Y. R. 2007. *Conflicts and Tensions*. Op. cit.

in contrast to the idea of supporters of the individualist reductionism, I relate the emergence of these actors to the failure of rationality (1). The second issue concerns the identification of such cultural-war-entrepreneurs in terms of associations of individuals based on private interests and actions; this idea of identity-associations, based on an individualistic account, is meant to be in contrast to the idea of identity-groups (2). Thus, the third issue concerns the actual impact of these actors in deeply divided societies (3).

(1) At a first stage, it is important to highlight that the outbreak of violence can be better described as the failure of rationality. As argued before, individualist reductionism assumes that individual behavior in conflict can be explained in terms of *rational choice*; in such a context, an actor is defined as rational if his actions are aimed at realizing self-interest. In my understanding, although private interests play a significant role in igniting the conflict and upholding high levels of violence, this can hardly be explained in terms of rationality.

On one hand, scholars of the rational choice theory assume that identity-based argument can be understood as *instrumental means* used by leaders for manipulating masses¹¹⁹. However, as shown before, such a kind of argument, alone, can hardly explain the *mobilizing power of identity based-argument*. Furthermore, even accepting the idea of instrumental-based argument about identity, this cannot explain why leaders should decide to mobilize ethnic or religious passions, rather than other aspects or interests, in order to get the power¹²⁰.

On the other hand, an understanding of rationality, and therefore self-interest, as factor intrinsically violent or prone to violence is related to a misinterpretation of the idea of rationality as presented by the authors of the Social Contract Theory. As shown before, a deeper scrutiny of the idea of rationality shows that it represents the human attribution that can guarantee a kind of agreement in the state of nature¹²¹. According to this perspective, rather than relating rationality to violence, the human

¹¹⁹ For an interesting critics of the instrumental rationality in ethnic conflicts see also, VARSHNEY A. 2003b. Nationalism, Ethnic Conflict, and Rationality. *Perspectives on Politics* 1: 85-99.

¹²⁰ *Ibid.*

¹²¹ See in this chapter, *The Two Reductionisms applied to Conflict*, pp.63-70.

irrational passions, such as envy, pride, distrust, insecurity and lack of self-confidence, would lead to a failure of individual's rationality in the state of nature.

Thus, the emergence of private actors that manipulate masses for their own personal gain cannot be understood in terms of rationality. A self-interested rational individual, in a context of incompatibility of goals and lack of informations about the other competitors, is supposed to find a 'rational' agreement with them -minimizing in such a way the loss, which in the worst hypothesis would be very high - rather than to fight against them. Furthermore, such a misunderstanding of idea of rationality would lead to the extreme consequence of considering criminal leaders of the recent human history, such as Hitler or Milosevic, as rational actors. This kind of conception of rationality would lead to conceive of terrible atrocities, such as genocide, as unintentional consequences of rational actions.

(2) The second issue concerns the identification of such cultural-war-entrepreneurs and their relation with identity groups. In contrast to Azar's idea of *identity group*, as expression of community values, my second argument offers an explanation of cultural-war-entrepreneurs in terms of associations of individuals that make use of identity-based argument to follow their own, very often criminal or illegal, interests. Although the condition of capabilities-deprivation of society is seen as the root of the internal conflict, very often associations or groups of individuals make use of the sense of revenge and frustration of people, which becomes a "public justification" for creating a certain level of support to violent actions. Following Brubaker, it would be possible to look at these actors in terms of "organizations" of individuals. According to him, in fact, with reference to ethno-religious groups it might be useful to make a distinction between groups as category and groups as organizations (Brubaker 2004). Thus, he argues that "although participants' rhetoric and commonsense accounts treat as ethnic groups as the protagonists of most ethnic conflict, in fact the chief protagonist of most ethnic [...] violence are not groups as such but various kind of organizations."¹²²

Although the understanding of identity as plural affiliations is still individually-rooted, such a distinction between groups and organizations can be useful to trace a

¹²² BRUBAKER R. 2004. *Ethnicity without Groups*. Op. cit.: 41.

clear difference between the quest of recognition and free choice among the identitarian attributions of individuals within society and the use that *cultural-war-entrepreneurs* can make of such a quest. Such a demagogic use of the identity-based arguments depends, on one side, on the thuggish interests and grim purposes of these individuals that find convenience in manipulating the masses to lead to the outbreak of violence, on the other, on the weakness of the individual identity of the individuals within society. This weakness can be understood as an effect of the practices of misrecognition discussed in the previous section. These practices, such as apartheid, economic exclusion, or political segregation, lead to the denial of the individual freedom to select and give priority to certain affiliations over the others. This imprisons individuals to recognize them-selves in the way in which other groups look at them; and, therefore, they lose their own individuality and personal experiences.

(3) The last issue relates to the emergence of the above-mentioned *cultural-war-entrepreneurs* and the development of the warfare. To refer to Kalyvas's argument, it is possible to understand internal conflicts in the light of the interaction between Hobbes's view of conflict, as linked to private interest and actions of individuals, and Rousseau's conception of "public interest". In such a frame, in fact, *cultural war entrepreneurs* manipulate master cleavages, based on religious or ethnic arguments, making use of a dialectic based on the idea of "public interests" of their community (Kalyvas 2003). In other terms, a combination of two kinds of warfare is recognizable in identity conflicts. On one hand, an individual-based "war of all against all"¹²³ emerges; in such a context, cultural war entrepreneurs are meant to be a variety of individuals that, with various titles, are involved in violent actions, rather than elites that rationally manipulate masses. On the other, Rousseau's idea of "public interest" suggests an understanding of war as "state to state"¹²⁴. To be more precise, in the case of identity conflicts "community to community", where the role of the cultural-war-entrepreneurs, understood as elites, seems to be more relevant. Once again, it is important to emphasize that this "second side" of warfare is linked to three factors deeply related to each other: the role of the elites, the effects of

¹²³ See KALYVAS S.N. 2003. The Ontology of "Political Violence": Action and Identity in Civil Wars. Op.cit.: 475.

¹²⁴ *Ibid.*

capability deprivation on societies, and the historical development of a cultural-based idea of nation.

This logic of warfare is not only responsible for the outbreak of violence, but it fuels a condition for a protracted conflict within society. The combination of the two kinds of warfare creates new local powers based on an idea of biological supremacy – often articulated in terms of race, language or ethno-religious features –, which Foucault would have called “bio-power”, able to protract the condition of war in situations of “alleged peace”. This perspective reverses the Clausewitzian understanding of war, since it introduces Foucault’s idea that in such deeply divided societies the so-called “peace” is a “continuation of war by other means”¹²⁵. The case of contemporary Bosnia offers several examples of how such a process of “continuation of war by other means” works in a transitional society. Although the levels of violence in the region are decreased since the “formal” end of the war, there are still situations of ethno-religious segregation and exclusion in several cities¹²⁶. Furthermore, typical of this condition of “protracted conflict” is the lack of an approach aiming at a genuine reconciliation, in other terms able to relate indissolubly peace to justice. In Bosnia, today, most of the war criminals are still at large; very often, they are protected by the respective nationalist political parties.¹²⁷

¹²⁵ FOUCAULT M. 2003. *Society Must Be Defended*. Op.cit.

¹²⁶ ICG. 2002c. *The Continuing Challenge of Refugee Return in Bosnia & Herzegovina* (Ed. by I.C. GROUP). ICG, Brussels/ Sarajevo.

¹²⁷ ICG. 2000. *War Criminals in Bosnia's Republika Srpska: Who Are People in Your Neighbourhood?* . (Ed. by I.C. GROUP). ICG, Brussels/ Sarajevo, DELPLA I. 2007. *In the Midst of Injustice: The ICTY from the Perspective of Some Victim Associations* In: *The New Bosnian Mosaic. Identities, Memories and Moral Claims i a Post-War Society* (Ed. by X. BOUGAREL, & HELMS, E., & DUIJZINGS, G.). Ashgate, London. I will discuss these issues related to the case of Bosnian in the last chapter, *Bosnia Case study*, pp. 132-168.

Chapter 2

II. FROM CONFLICT TO CIVIL SOCIETY: A NORMATIVE PERSPECTIVE

2.1 Introduction

Recently, much scholarly work has put emphasis on the constructive potential of civil society in the processes of conflict transformation and democratic transition. Increasingly, both academics and practitioners have drawn attention on the positive role of CSOs not only with reference to the track-one, the so-called humanitarian intervention, but also with reference to the impact of these associations in the so-called track-two, the post-conflict phase¹. In addition to the support offered to civilians in wartime, NGOs, and, more in general, CSOs are supposed to play a positive role in supporting post-conflict negotiations and settlements and in endorsing a sustainable reconciliation among former fighting groups². In particular, supporters of civil society engagement in conflict transformation have stressed the peculiar role of civil society actors in deeply divided societies³. After an identity-

¹ AALL P. 2001. What Do NGOs Bring to Peacemaking. In: *Turbulent Peace. The Challenges of Managing International Conflict* (Ed. by C. CROCKER, A. , & HAMPSON, F. O., & AALL, P.). United States Institute of Peace Press, Washington, DC, AALL P. 2007. The Power of Nonofficial Actors in Conflict Management In: *Leashing the Dogs of War. Conflict Management in a Divided World* (Ed. by C. CROCKER, A. , & HAMPSON, F. O., & AALL, P.). United States Institute of Peace Press, Washington D.C. RAMSBOTHAM O., & WOODHOUSE, T., & MIALL, H. 2006. *Contemporary Conflict Resolution*. Op.cit.; KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op. cit.

² RUPESINGHE K. 1998. *Civil Wars, Civil Peace: An Introduction to Conflict Resolution*. Pluto, London .

³ FETHERSTON B. 1999. The Transformative Potential of NGOs: The Centre for Peace Studies in Croatia. Op. cit.; KALDOR M. 2003a. *Global Civil Society*.Op.cit.; VARSHNEY A. 2001. Ethnic Conflict and Civil Society , India and Beyond. *World Politics* **53**: 362-398, VARSHNEY A. 2003a. *Ethnic Conflict and Civic Life: Hindus and Muslims in India*. Yale University Press, New Haven, CT.

conflict, civil society is generally perceived as the space where it is possible to reconcile and balance individual autonomy and collective aspirations and claims. Civil society is therefore supposed to function as the ‘good society’ able to ‘civilize’ the context of war, shaping the basis for pluralistic and modern democracy.⁴

However, the perspectives about civil society engagement in those societies deeply vary with respect to two key issues, the interpretation of identity-conflicts, and the very idea of civil society. As I noted in the previous chapter, different understanding of collective identity lead to different perspectives about these conflicts. I have distinguished two extreme perspectives: the culturalist and the rational choice’ approach to conflicts. I identified those approaches in terms of two different reductionisms: cultural and individualist reductionism. Thus, after having emphasized the limits of those approaches, I have emphasized the urgency to consider those conflicts in the light of a deeper understanding of individual identity, as sum of plural affiliations. Here, instead, the content of civil society is deepened.

This chapter is split into two parts. The first part, from section 2.2 to 2.4, is devoted to a deeper understanding of the notion of civil society in the light of both an account of its traditional understanding in Western political thought and an analysis of three contemporary approaches in the different fields of political science, post-colonial studies, and international relations theories. This literary review is necessary in order to introduce the idea of equilibrium. Thus, in the next section, the analysis of Western liberal tradition referred to the notion of civil society is meant to emphasize the central role played by ‘freedom’, understood as the major feature of the notion of civil society. In this context, I distinguish three different streams. The FS-stream, which recovers what I call the counter-absolutist tradition, places civil society in the private sphere. Thus, the PS-stream emphasizes the eminently political role of civil society. Finally, the G-stream relates civil society to the cultural domain. Accordingly, those streams are adapted to the present revival of civil society. I analyze three contemporary approaches emerging from different fields and, finally, following Hegel’s scheme, I introduce the notion of equilibrium.

⁴ BELLONI R. 2001. Civil Society and Peace-building in Bosnia and Herzegovina. Op. cit.

The second part, the sections 2.5 and 2.6, is therefore focused on the analysis of the idea of equilibrium in contexts of deeply divided societies. In this part, the emphasis is placed on the idea of individual identity as sum of plural affiliations and its impact on the idea of civil society in identity-conflicts. I first offer a literary review of contemporary approaches to civil society's engagement in deeply divided societies. In literature, two kinds of reductionism are applied to the concept of identity. These different understandings of identity suggest two distinct ways to look at civil society. Again, cultural reductionism emphasizes the role of groups/communities as main unit of analysis of those conflicts; and, for this reason, civil society is seen as that sphere where those conflicts can be handled through the mutual recognition of such groups/communities. In this perspective, civil society is understood as a kind of 'anticipation' of the more extensive experience of the state. On the contrary, individualist reductionism suggests that individual's interests and actions are at the roots of violence. In this context, civil society has to be seen as a kind of *antistate*: that space, independent from the state, where individual autonomy is realized and universal values are fostered. The ideas of individual identity due to the overlapping of plural affiliations and civil society as 'equilibrium' are meant to replace both versions of reductionism.

In this perspective, civil society is both a kind of 'anticipation' of the more extensive experience of the state and a counterweight to state power. The idea of equilibrium introduces an understanding of civil society as bearer of those universal values and traditions, namely the 'common tradition of civility', which constitutes the basis of autonomous democratic development.

2.2 Understanding Civil Society: history and possibilities

Before developing the argument that links civil society to identity-conflicts, it is necessary to deepen the content of civil society in its traditional understanding. According to definition provided by the CCS of the London School of Economics:

[...] Civil society refers to the arena of un-coerced collective action around shared interests, purposes and values. In theory, its institutional forms are distinct from those of the state, family and market, though in practice, *the boundaries between state, civil society, family and market are often complex, blurred and negotiated.*⁵ [Emphasis added]

Actually, in spite of its centrality to Western political thought, there is an overall disagreement over the content and the extent of civil society, both in theoretical and empirical terms. In literature, one can discover a huge variety of meanings assigned to civil society in the history. ⁶In some cases it is defined as ‘the nature of good society’, while, in other contexts, civil society is supposed to represent either a way to live together peacefully through the reconciliation of individual autonomy with collective aspirations or a means for balancing freedom and its boundaries.

Thus, although it is popular across societies of different levels and across all ideological hues, the idea of civil society seems to be confused and confusing. In order to reconstruct the content of this notion and its evolution in contemporary literature I propose to analyze civil society from the point of view of the most relevant aspect involved in it. In Western political theory, in fact, the debate about civil society has been constructed around a fundamental political issue concerning the role of freedom in the political realm. Whatever have been the approaches to society, and its relations to political, cultural, and economic implications, the links between public and private as well as between public ethics and individual interests have represented key features of modern political thought.⁷ In the philosophical thought, I recognize three different streams that have related the notion of civil

⁵ Definition of Civil Society adopted by London School of Economics, available on http://www.lse.ac.uk/collections/CCS/what_is_civil_society.htm.

⁶ EDWARDS M. 2004. *Civil Society*. Polity, Cambridge.

⁷ SELIGMAN A.B. 1992. *The idea of Civil Society*. Princeton University Press, Princeton, NJ.

society and the issue of freedom to the three different domains of culture, economy and politics.

Today, we are facing a revival of the concept of civil society. Such a revival is mostly due to the emergence of new actors and movements that have increasingly captured the attention of scholars and practitioners. Religious and ethnical movements and associations, NGOs and no-profit organization, social movements and groups of activists represent the renewed expression of civil society. Recently, the notion of civil society has been recovered from Western philosophical thought and applied to other scholarly fields. In the contemporary usage, the three streams translate into three different approaches to civil society. First, a “post-modern” version is likely to emphasize the cultural features involved in the notion of civil society. Second, a “neo-liberal” approach, rooted in the Scottish Enlightened tradition and enriched of Tocqueville’s reminiscences, has recovered an idea of civil society as a kind of private sphere. Finally, a new political account, with a quite evident cosmopolitan trend, has emerged in Western Europe. This last account is likely to reconcile the traditional idea of an existing close link between civil society and constitutional democracy with a trans-national idea of justice ‘beyond territorial borders’.

2.2.1 Civil Society as Counter- Absolutist Argument

The present revival of civil society seems to have a close connection with the Western philosophical tradition. Despite the presence of factors significantly new, such renaissance highlights some relevant features of continuity with Western liberal understanding of civil society. It is possible to recognize some peculiar elements, which constitute a kind of ‘common ground’ for different understandings of civil society. According to the circumstances and the different points of view, the notion of freedom related to the enquiry about society has assumed different connotations and nuances during the centuries.

The first context where it is possible to recognize an original idea of civil society seems to be the ancient Greek political thought. ⁸ Aristotle defined man as the

⁸ At this level, the idea of civil society has to be understood as corresponding to political society.

political animal (ζῷον πολιτικόν =zoon politicon) and *polis* (πόλις) as the most perfect form in which this natural *telos* (τέλος) of the human beings could have been realized. In such context, the notion of *political community* (πολιτικόν κοινονήμα=politicon koinonema) represented a close equivalent of the Latin *societas civilis*. With this expression Greeks, and later Romans, intended to highlight the virtue implicit in law-governed societies, as *locus* of public goods. In these societies, freedom was realized only in the public sphere (πολιτεία=politeia).⁹ In other terms, the *polis*, as well as later the Empire, was the place where the priority of the public good was supposed to overlap with the notion of *civility*, the content of society was therefore defined by its political organization.¹⁰

This way of interpreting civil society came back into use when philosophers began to contemplate the foundation of the emerging absolute states¹¹. First, Thomas Hobbes formulated his idea of Civil Society in terms of Commonwealth (political society). The constitution of the Hobbesian ‘political society’ was due to people acceptance, by virtue of the *pactum subjectionis* (contract of subjection), to be governed by an absolute king. This scheme was meant to oppose a right-based society, founded on the contract, to the ‘state of nature’, where the life of man was solitary, poor, nasty, and violent. According to Hobbes, by accepting to live in a civil society people were required to abandon the condition of freedom, which constituted a key human attribution in the ‘state of nature’¹².

⁹ With reference to the Greek notion of public space, it is useful to refer to Hannah Arendt. Although she can hardly be defined as theorist of civil society, she emphasises the relevance of the public space and of the specific kind of communicative power that this space generates. Her idea of public space has a clear connection with the ancient idea of politeia. See ARENDT H. 1958. *The Human Condition*. University of Chicago Press, Chicago, SPINI D. 2006. *La Societa' Civile Postnazionale*. Meltemi, Roma.

¹⁰ With reference to such an account that recovers pre-Hegelian traditions of civil society, see KAVIRAJ S., & KHILANI, S. [EDS.]. 2001. *Civil Society: History and Possibilities*. University Press, Cambridge.:17. “Civil society is not a new post-Hegelian concept. It is a much older term, which entered into English usage via the Latin translation, *societas civilis*, of Aristotle’s *politicon koinonema*.[...].”

¹¹ TAYLOR C. 1995. *Invoking Civil Society*. Op. cit.

¹² “The right of nature, which writers commonly call *jus naturale*, is the liberty each man hath to use his own power as he will himself for the preservation of his own nature; that is to say, of his own life; and consequently, of doing anything which, in his own judgement and reason, he shall conceive to be the aptest means thereunto”. HOBBS, T., (1668) chapter XI. Op. cit.

The reason that brought Hobbes to make such a distinction between a ‘free state of nature’ and a ‘safe civil society governed by an absolute king’ can be easily understood in the light of an analysis of the historical context. Actually, since the early Middle Ages, a notion of (civil) society, where political authority was *singulis maior sed universalis minor* (one organ among others), was developed. The first relevant attempt to differentiate an idea of community/society from the political organization was made by the Church. Actually, the crucial feature of Latin Christendom was represented by the assumption that postulated the separation between temporal and spiritual powers/societies, in this context the Church was supposed to be an independent society.¹³

Then, the communal organization of the state in the late Middle Ages constituted a further development in this sense. A typical example of medieval structure of power in fact presented a sort of diarchy: while, the monarch, who was supposed to govern vast territories, embodied the idea of central power; several cities/territorial authorities upheld a relatively independent and self-governed system. This scheme ensured relative freedom for the subjects of the medieval empires. The idea of sovereignty developed by Hobbes has therefore to be interpreted as a way to undermine the medieval understanding of society as a relatively free space. In some sense, the space for freedom needed to be reduced for ensuring the emergence of an absolute regime.

However, after Hobbes, the defense of the notion civil society, understood as realm distinct from the political organization, became a fundamental argument of the counter-absolutist thinkers.¹⁴ Locke offered the first example in this direction. Although his idea of civil society still upheld a meaning of political society, Locke introduced two relevant features: the first was related to the ‘state of nature’ while

¹³ About this, it is relevant to note that, according to Gramsci, from the point of view of cultural domination the Church is the typical example of civil society in the history, see GRAMSCI A. 1910-1926. Lettere dal Carcere. In: *Selection from the Prison Notebooks of Antonio Gramsci* (Ed. by Q. HOARE, & NOWELL-SMITH, G.). Lawrence & Wishart, London.. About this point see also, TAYLOR C. 1995. *Invoking Civil Society*. Op. cit.

¹⁴ In a brilliant analysis of the modern origins of the concept of civil society, Charles Taylor has shown how two distinct lines of counter-absolutist reflection come together in the classical dichotomy between civil society and state. He distinguishes a Lockean perspective more related to the private sphere, from a Montesquieuian account linked to the public meaning of civil society. TAYLOR C. 1995. *Invoking Civil Society*. Op. cit.

the second was linked to the contract. The ‘state of nature’, in Locke’s understanding, was in fact characterized by an embryonic notion of ‘humankind’ as a pre-political community, where the respect of others was supposed to compensate both for freedom and for self-interest.¹⁵ Rather than ‘a state of war’, it was related to a state of economic progresses, where private property had emerged and developed.¹⁶ With respect to the contract, then, Locke entailed a further differentiation. Society was seen as existing before government by virtue of an original contract (*pactum unionis*). Only after the first contract, society operated a second agreement that was meant to originate the government, on the bases of the fiduciary relationship with community.

Thus, even presenting elements of the ancient tradition, Locke opened the channels for a revival of society as locus of freedom. Two important implications followed from his work. First, new relevance was being given to the economic progress (capitalism), seen as the basis for a new individualism and a right-based society. Second, individuals organized in a society were being supposed to determine, or at least influence, the course of state policy. However, a clear distinction between civil society and political society would have been proposed later, due to the contribution of the Scottish Enlightenment thinkers and, later, of both Hegel and Tocqueville.

The idea of civil society articulated by Ferguson and Smith upheld and developed Locke’s intuitions about both relevance and autonomy of the economic sphere. Both authors elaborated a picture of society as an economy; that is, the domain of the private sphere. In this context, the content of such economy was directly connected with the Aristotelian idea of *oikonomia* (οικονομία = household law). Those authors conceived of civil society as a kind of natural order due to the division of labour. It was the realm of freedom thought in opposition to the artificial order of the State.¹⁷ A

¹⁵ LOCKE J. 1824. *Two Treatises on Government*. Printed for C. and J. Rivington, London. See chapters II, § 6, 8, 9.

¹⁶ *Ibid.*, chapter V.

¹⁷ With reference to this point, Smith’s notion of “invisible hand” played a crucial role. According to him, the disposition of the things in society is seen as arising not out of any collective will or common decision, but by virtue of an “invisible hand”, a sort of providence. FERGUSON A. 1767. *An Essay on the History of Civil Society* (Ed. by F. OZ-SALZBERGER). Cambridge University Press, Cambridge, SMITH A. 1776. *The Wealth of Nations*. In: *Adam Smith. Wealth of Nations* (Ed. by R.H. CAMPBELL & A.S. SKINNER). Oxford University Press, Oxford.

further feature of differentiation between the Scottish Enlightenment and Lockean perspective was related to the moral nature of civil society. Both Smith and Ferguson wanted to break the ancient contractarian tradition that linked such a morality to the subordination of humans to God. According to Locke, people in the state of nature lived under the subordination to God. Conversely, for Ferguson and Smith the source of morality of civil society had to be found in those ‘moral sentiments’ and ‘natural benevolence’ that characterized the human world. They used the definition of ‘moral greed’ as an attempt to distinguish a kind of reasonable self-interest free of ‘passions’ and morally bounded from a mere idea of rationality¹⁸.

2.2.2 Civil society as democratic expedient: from Tocqueville to the Public Sphere

As said, theories about civil society have been developed about a main political issue concerning the way in which freedom can be realized in the modern world. Starting from the twentieth century, a controversy between liberals and communitarians has emerged with reference to civil society. Again, at the centre of this debate it has been a fundamental political issue concerning freedom. In this context, the idea of civil society has assumed different connotations, depending on whether the idea of freedom should have been explained in the light of individual rights or of the community’s shared norms.

On one hand, a Kantian liberal view has considered the respect for individual rights and the principle of political neutrality as the paradigm for legitimacy in constitutional democracy. According to this view, individuals own moral rights that would serve as constraints on government. These rights are considered not on the ground of some social convention but by virtue of their having some “property” – moral autonomy, human dignity, etc. - that constitutes them as bearers of rights. On the other side, the communitarian critique of the rights thesis has focused on its individualist assumptions and universalistic claims. According to them, individuals are embedded in an historical and social context; this means that they derive from the

¹⁸ See also SELIGMAN A.B. 2002. *Civil Society as Idea and Ideal*. In: *Alternative Conceptions of Civil Society* (Ed. by S.K. CHAMBERS, W.). Princeton University Press, Princeton, NJ.

community their individual and collective identity. Thus, it is possible to speak about a priority of the social over the individual.

The scholars of the *public sphere* seek to offer a synthesis between the views of liberals and communitarians. The notion of public sphere occupies an important position in contemporary debate about civil society. Theorists of the public sphere- to quote only a few names, Jürgen Habermas, Jean Cohen and Andrew Arato – have looked at civil society as a ‘democratic expedient’. According to them,

“Modern civil societies are characterized by a plurality of form of life, they are structurally differentiated and socially heterogeneous. [...] Thus, to be able to lead a moral life, individual autonomy and individual right must be secured. In this view, *it is democracy, with his emphasis on consensus, or at least on majority rule, that is dangerous to liberty*, unless suitably restricted by constitutionally guaranteed basic rights”¹⁹. [Emphasis added]

Before them, in the Western tradition, Tocqueville’s work on democracy in the US played a pivotal role in showing the existing link between modern democracy and civil society.²⁰ In particular, he argued that the proliferation of free associations, spontaneously formed by people for the achievement of common purposes out of the state, was alleged to be the only guarantee against the tyranny of the majority’s rule. With Tocqueville, the spirit of voluntary associations became a crucial aspect of the idea of civil society. In his view, civil society became a ‘democratic expedient’ that enabled people to avoid despotism and protect individual freedom.

The core idea of Tocqueville’s analysis was characterized by the priority given to free and voluntary associations in the public space. Tocqueville looked at the existence of an active voluntary sector as the *condicio sine qua non* to provide a check on state power. Although he did not use the term civil society, he assumed a closely connection between the existence of a self-regulated and autonomous public sphere and democracy. In this context, his argument about the value of ‘associational

¹⁹ COHEN J., & ARATO, A. 1994. *Civil Society and Political Theory*. Op. cit.:10.

²⁰ TOCQUEVILLE A. 1840. *Démocratie en Amérique*. In: *Democracy in America*. David Campbell, London.

life' has represented a central issue in systematic studies on the alleged link between democracy and public space.²¹

Theorists of the public sphere, as Tocqueville, see civil society as the setting for the associational life of individuals. Governed by rule of Law, public sphere is alleged to sustain the formation of 'public opinion', which represents a crucial tool for bringing under control the state. The rejection of the Hegelian position is at stake in this notion of civil society.²² In first instance, in contrast with the counter- absolutist tradition, they reject the idea of civil society as realm of private interests distinct from the public political space.

“[...] Only a concept of civil society that is properly differentiated from the economy [...] could become the centre of a critical political and social theory in society where the market economy has already developed [...] its autonomous logic.”²³

Accordingly, they challenge the dialectical division of social space into civil society versus external state. Those scholars are actually likely to emphasize that the historical changes occurred in contemporary western societies (media developments, the science of public opinion engineering, etc.) have altered the possibility to easily distinguish the state from the private level.²⁴

Thus, they conceive of civil society as a “sphere of social interaction between economy and state.”²⁵ They include in the general notion of public sphere above all the intimate sphere (family), the sphere of associations (in particular, voluntary

²¹ See also PUTNAM R.D. 1995. Bowling Alone: America's Declining Social Capital. *Journal of Democracy* 6: 65-78, COX R.W. 1999. Civil Society at the Turn of the Millennium: Prospects for Alternative World Order. *Review of International Studies* 25: 3-28, PUTNAM R.D.P., S. J. [EDS.]. 2000. *Disaffected Democracies, What's Troubling the Trilateral Countries?* . Princeton University Press, Princeto NJ, CHANDHOKHE N. 2005a. What the Hell Is "Civil Society"? In: *Open Democracy..* PUTNAM R.D. 1995. Bowling Alone: America's Declining Social Capital. Op. cit.

²² H. Arendt was the first that attacked the concept of society as an intermediate realm between private and public. In her understanding, “society” is definitely a public space. This achievement allows her to elaborate her theory of public space and the specific kind of communicative power that such space produces. However, Arendt considers the realm of social as inferior to that of politics. See Arendt, H., (1958).

²³ COHEN J., & ARATO, A. 1994. *Civil Society and Political Theory*.Op. cit.: 8.

²⁴ Their understanding of the Hegelian notion of civil society is deeply different from the reading suggested before. According to us, in fact, the Hegelian state contains and overcomes civil society. In this way, a purely formal universality becomes an organic reality. In this context, it becomes very difficult to affirm that in the Hegelian view civil society/state is an antinomy; rather it seems to be a dual concept in which the two terms influence each other.

²⁵ COHEN J., & ARATO, A. 1994. *Civil Society and Political Theory*.Op. cit: 9.

associations) social movements and forms of public communication (media in general). The *public sphere* functions as the communicative structure of reference of civil society. Plurality, publicity, privacy, and legality are all main attributions of this normative notion of civil society. In particular, those scholars emphasize the necessity of the inclusion of legality, understood as system of rights, in civil society. These rights are meant to protect the inviolability of the private sphere and the effective participation of citizens.

In this account, civil society plays a key role in the democratic procedure. It represents the *substratum* of an autonomous public sphere, which corresponds to one of the most important guarantees for a vivacious and reliable democracy. The public spheres is where people can discuss matters of mutual concern, and learn about facts, events, opinions, interests, and perspectives of the others. Discourses on values, norms, laws, and policies generate a politically informed *public opinion*. Public opinion is supposed to influence the debates within political institutions. It brings under informal control the actions and decisions of rulers and lawmakers. This perspective implies that openness of access and parity of participation (equal voice) are those ideals required for democratic legitimacy of any institutional arrangement.

2.2.3 Civil Society and Cultural Direction

Further developments of the notion of freedom, implicit in the conception of civil society, led to an idea of civil society as means of contestation against state power. The core idea of this anti-political notion of civil society was already present in the idea of ‘right to rebellion’ that Locke assigned to society.²⁶

Locke considered the political structure as an emanation of the society. It, in turns, was seen as already political, because, by virtue of a first contract, people had put in common their power to enforce the Law of Nature, though they did not have yet an institutional system of power. In this scheme, a pre-political life was distinguished from the unity of civil society. The Government represented a further level. Actually, political structures derived from a free choice of the society, and it was meant as guarantee for the safety of the citizens. Nevertheless, such a society maintained the

²⁶ See also the ‘idea of civil disobedience’ proposed by Cohen and Arato. *Ibid.*: Chapter 11.

right and power to make and unmake the government. This right was supposed to play a crucial role if Government would have failed to serve its mandate. According to Locke, Government could have been dissolved when the legislative would have violated the trust placed in it by citizens. The violation of the mandate by Government led to its dissolution and restored the original right of people to determine their political structures. In this context, 'a right to rebellion' enabled people to resist any further governmental effort to exert its power.²⁷

Locke's idea of a 'right to rebellion' introduces a notion of society as means to preserve the power of Government or, vice versa, to resist it. Gramsci is the author that has better synthesized this idea of civil society, as tool of consensus or of contestation (Gramsci, 1910-1926). In this perspective, civil society had such a double function. On one hand, it was understood as the realm of the morals and culture on which the existing order is grounded. On the other hand, it upheld a relative autonomy and priority over the state, so as it was also seen as the sphere on which a new social order could be founded. Gramsci placed a strong emphasis on this emancipatory potential of civil society. It was supposed to function as an agent of stabilization, when it was in agreement with the political structure; but it was likely to become agent of transformation, when it represented interests and values conflicting with the constituted power.

Civil society consisted of a wide range of social and cultural interactions, which constituted a kind of wedge between state and class-structured economy. This notion of civil society recovered the Hegelian perspective rather than the Marxian one. Thus, in opposition to the Marxian assumption of bourgeois society as part of the economic structure, the Italian theorist placed civil society in the superstructure, along with the state. As Hegel, Gramsci assigned to civil society a crucial role: it represented the ethical content of the state. A state without civil society was a *dominio* without hegemony, that is, a dictatorship²⁸.

²⁷ See LOCKE J. 1824. chapter XVII, §206, 207,208.

²⁸ BATES T. 1975. Gramsci and the Theory of Hegemony. *Journal of the History of Ideas* **36**: 351-366. BOBBIO N. 1988. Op.cit.

However, a further feature of his notion of civil society was related to the role of culture and intellectuals. For Gramsci, the family was included in civil society, since he saw this institution as central in shaping the general political dispositions of citizens. The family was supposed to spread culture and thus hegemony.²⁹ Accordingly, civil society was understood as an ethical political moment, independent from political society. In such a context, the notion of ideology, understood as the primary moment of the history, played a crucial role. It was related to the moment of cultural direction: a strong ideology was needed for cultural direction. In Gramsci's understanding, cultural direction, which implied an intellectual and moral reform, was supposed to be crucial for hegemony. Thus, the political direction, peculiar of the political structure, without a strong cultural direction was a *dominio* without *hegemony*.

In this sense, a strong ideology was alleged to be a means to resist and subvert the established order. Studying the Italian case Gramsci emphasized that in the struggle against Fascism the Italian Communist Party had to gain positions in civil society for challenging the hegemony of the bourgeoisie. He saw that revolutionary potential of civil society of dislodging the bourgeoisie. Thus, he was suggesting an idea of civil society able to create a strong counter-hegemony. As Cox has argued "the concept of civil society in this emancipatory sense designates the combination of forces upon which the support for a new state and a new order can be built".³⁰ Thus, in the light of this conception of hegemony, it is possible to conclude that freedom was realized in the political realm when civil society was consistent with political society.

To conclude this brief theoretical account, one can argue that the distinction between civil society and state has held a pivotal position in the Western political thought as argument in defense of freedom, whether public or private. In the light of such a review, it is possible to distinguish three streams that are deeply influencing contemporary literature on civil society.

²⁹ See also CHAMBERS S. 2002. A Critical Theory of Civil Society. In: *Alternative Conceptions of Civil Society* (Ed. by S.K. CHAMBERS, W.). Princeton University Press, Princeton, NJ.:92

³⁰ COX R.W. 1999. Civil Society at the Turn of the Millennium: Prospects for Alternative World Order. *Review of International Studies* 25: 3-28.: 5

- (1) First, following Lockean intuitions about the relevance of the autonomy of the economic sphere, a first stream emerges from the Scottish thinkers (hereafter FS-stream). The FS-stream played a crucial role as counter-absolutist argument and became a necessary argument in defense of private freedom. It looked at the economy as an autonomous sphere where human morality emerged. As rightly emphasized by Seligman, such an ‘economy’ has not to be understood as a neutral arena of exchange, it has rather to be seen as a moral sphere, which drew its morality from the moral nature of man himself.³¹
- (2) Second, in the light of Tocqueville contribution to the idea of civil society as ‘democratic expedient’, a public sphere stream (hereafter PS-stream) has looked at civil society as tool of stabilization of democratic regimes. In this stream, civil society is supposed to be a ‘democratic expedient’ in a specific way, since it is considered as the structure on which the *public sphere* stands. In turn, the public sphere is characterized by the emergence of the ‘public opinion’: a notion that recovers the content of the Kantian idea of *publicity*,³² which is supposed to modify or, at least, correct the democratic directions of politics.
- (3) Finally, starting from the idea of the ethical content of civil society as distinct from the state, an idea of civil society of an anti-political kind has been developed mostly by the Italian philosopher Antonio Gramsci. This stream (hereafter G-stream) places civil society in the cultural domain and introduces its counter-hegemonic potential. In this context, the realization of freedom in civil society is to its capacity to become a means of rebellion or, at least, contestation against the state. Thus, the emergence of a dominant culture, understood as a tool for a counter-hegemonic power, is emphasized.

³¹ SELIGMAN A.B. 2002. Civil Society as Idea and Ideal Op. cit.

³² HABERMAS J. 1989. *The Structural transformation of the Public Sphere: an Inquiry into a Category of Bourgeois Society*. Op. cit.

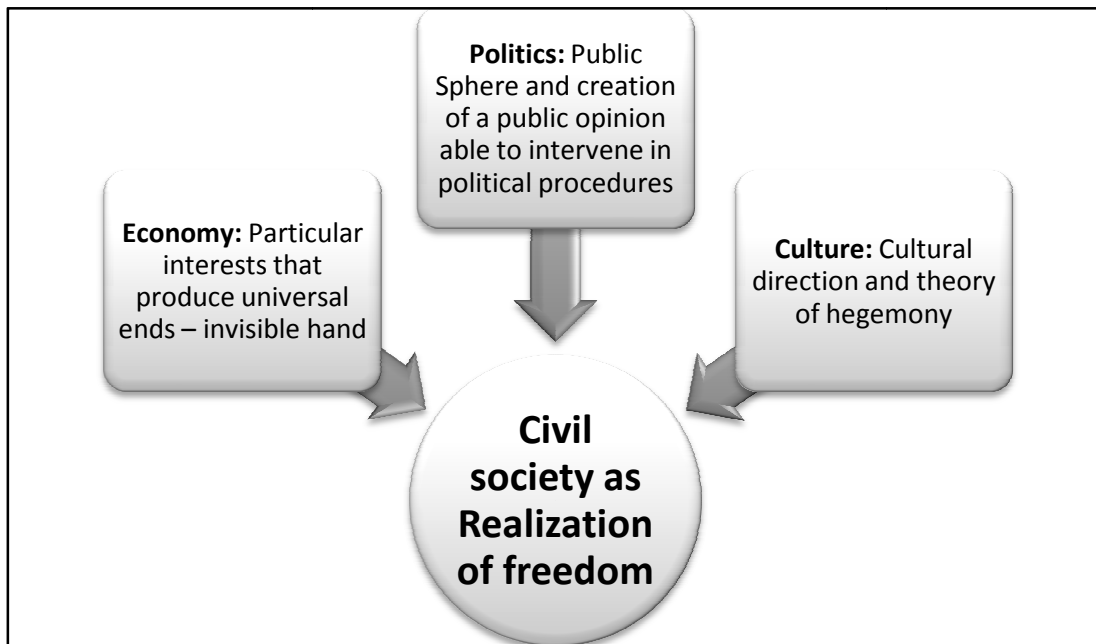


Figure 3: Notion of civil society in western philosophical thought

2.3 The Contemporary Approaches to Civil Society

In recent years, the emergence of many different non-state actors has emphasized the necessity to pay new attention to civil society. Religious and ethnical movements, non-governmental organizations, and social movements represent the renewed expressions of civil society. The new content of civil society reflects the profound changes intervened, during the last two decades, in the categories of politics, economy, and culture. In this perspective, the present renaissance of civil society suggests not only a kind of continuity of the emerging political paradigm with fundamental tendencies of modernity, but it also refers to something significantly new.³³

Actually, if it is true that contemporary formulations of civil society reflect the relevance of the modern Western tradition; however, contemporary scholars, from different fields and disciplines, are increasingly enriching this notion of new contents in order to adapt it to the new paradigms of the “post-national era.” Thus, the idea of freedom and the possibilities for its realization into the political realm represent once again the crucial issues at stake. Furthermore, the streams listed in the previous section influence contemporary notions and approaches to civil society, considered in turn as the domain of culture, economy, or politics. It is possible to summarize at least three different approaches to civil society. Each approach considers one side of the phenomenon as basis for further investigations. Following the G-stream, the first approach entails a post-colonial perspective that places civil society in the cultural realm. Therefore, supporters of the FS-stream have offered a version of civil society as the realm of the social economy, understood as a third sphere between state and economy³⁴. Then, the PS-stream has been further developed into a political approach to civil society, characterized by a quite evident cosmopolitan trend.

³³ COHEN J., & ARATO, A. 1994. *Civil Society and Political Theory*. Op. cit.: 29.

³⁴ See also KHILNANI S. 2001. The Development of Civil Society. In: *Civil Society, History and Possibilities* (Ed. by S.K. KAVIRAJ, S.). Cambridge University Press, Cambridge. And KALDOR M. 2003a. *Global Civil Society*. Op.cit.: 8-9.

A brief description of the main instances proposed by the three approaches is proposed. In the next section, a comprehensive understanding of civil society able to include political economic and cultural features is suggested.

2.3.1 Post-colonial Approach to Civil Society

The ‘post- colonial’ approach upholds and develops a notion of civil society as understood in the G-stream, since it offers a cultural-based version of civil society. The supporters of this stream emphasize the limits of a western –oriented notion of civil society, as postulated by the modern thinkers Locke, Ferguson, Smith, and Hegel. Civil society, outside the West, cannot be easily identified with a sphere of private interests and individual freedom based on voluntary and autonomous associations. Only in a few big cities, it is possible to identify a sphere of civil society as conceived in the Western tradition³⁵. In general, in these contexts, liberal institutions are simply a kind of export of the colonial age that lack of those pluralistic forms that are attributions of civil society in the West; thus the question arises whether associational forms exist outside the Western tradition, which can fulfill this role.

Post-colonial scholars offer two kinds of answers to the dilemma of the possibility of kind of non-Western civil society. The main difference between these two approaches is that while a first group of scholars seeks to offer alternative non-western versions of civil society, a second group of scholars tends to reduce the universality of civil society, which is considered as a phenomenon deeply rooted in Western culture and history. In general, this second group of scholars focuses on a criticism of ‘civil society’ as tool of cultural and political domination.³⁶

Conversely, in its first version, the post-colonial myth of civil society assumes new connotations and nuances, and it leads post-colonial scholars to discover “a chronologic epic of ideas and authors” of a purely non-Western civil society³⁷.

³⁵ MAMDANI M. 1996. *Citizens and Subject, Contemporary Africa and the Legacy of Late Colonialism*. Princeton University Press, Princeton NJ.

³⁶ CHATTERJEE P. 2001. On Civil and Political Society in Postcolonial Democracies. In: *Civil Society History and Possibilities* (Ed. by S.K. KAVIRAJ, S.). Cambridge University Press, Cambridge.

³⁷ COMAROFF J., & COMAROFF, J., [EDS]. 1999. *Civil Society and the Political Imagination in Africa*. Op. cit.

According to this approach, following the G-stream's main assumption about the role of culture in constructing a collective identity and consensus, a counter-hegemonic, and thus post-colonial, version of civil society has emerged. Despite the differences among the cultural backgrounds of the authors, this 'cultural sensitive' idea of civil society would represent an alternative to Western theorizations. Most of these scholars consider the existence of traditional groups and organizations, based on religion, ethnicity, or kinship, as an alternative public space. In this context, instead of notions such as voluntarism and autonomy the ascriptive criteria of kinship or religion are applied,³⁸ producing an "odd mixture of communitarian corporatism and libertarianism"³⁹.

The condition for maintaining the existence of this public space is due to the inclusion of the tolerance. In this context, many scholars refer to the model of the Ottoman Empire and its 'millet system' as an example of the inclusion of tolerance in a multicultural society. A way in which tolerance can be realized in the public space is through the effort of public intellectuals. Many scholars, arguing the post-colonial version of civil society, entrust a relevant role to intellectuals⁴⁰. As for the G-stream, intellectuals with their critical function should offer a direction to political, religious, and ethical issues within and beyond national frontiers. According to some scholars, their role is fundamental not only in order to challenge the abuse of power, but also in order to offer a more tolerant interpretation of religious, cultural and moral precepts.

2.3.2 Neo-Liberal Approach to Civil Society

The second approach to civil society, which I call neo-liberalism, can be understood in the light of the FS-stream. Political scientists and sociologists have developed such version by taking U.S.'s system as model, during the last two decades. These scholars emphasize the relevance of an emerging 'Third Sector', distinct from both

³⁸ COMAROFF J., & COMAROFF, J., [EDS]. 1999. *Civil Society and the Political Imagination in Africa*. University Press, Chicago, OBADARE E. 2004. The Alternative Genealogy of Civil Society and its Implication for Africa. *Africa Development* 29: 1-8. OBADARE E. 2004. The Alternative Genealogy of Civil Society and its Implication for Africa

³⁹ ZUBAIDA S. 2001. Civil Society, Community and Democracy in the Middle-East. Op.cit.:238.

⁴⁰ ARKOUN M. 2002. Locating Civil Society in Islamic Contexts. In: *Civil society in the Muslim World, Contemporary Perspectives* (Ed. by A. SAJOO, B). Tauris Publishers, London.

State and Market, in the structure of contemporary democratic states. Nevertheless, they stress the role of such sector in providing social benefits⁴¹.

According to these scholars, the emerging non-profit sector can be described as a “*lassaiz-faire* politics,”⁴² a sort of market in politics. The core idea is to consider the emergence of a strong voluntary non-profit sector as a way for creating comparative advantages for the other sectors, such as market and state. On one hand, a neo-liberal perspective of minimizing the role of state in order to have more efficiency in the market has emerged. On the other, this approach recovers Tocqueville’s intuition about the fundamental link between an existing strong associational and voluntary sector and the democratic functioning of contemporary states. This approach considers the Third Sector not as an isolated phenomenon floating freely in social space but as a fundamental part of the social system of reference, closely connected to the economic and political dynamics.

Related to the notion of ‘third sector’, the idea of social capital plays a crucial role in this literature. According to Putnam, it is possible to consider social capital as “features of social organization such as networks, norms, social trust that facilitate coordination and motivation for mutual benefit.”⁴³ Social capital is conceived as the economic outcome of the third sector, the sector of the relational networks. As Putnam and Fukuyama have argued, social capital encourages the emergence of social trust, which represents a fundamental resource for modern liberal democracies for two reasons. First, it strongly influences the quality of public life and the performance of the social institutions. Second, it is a crucial element in order to improve the efficiency of market, through the reduction of the transaction costs associated with formal association mechanisms.

⁴¹ PUTNAM R.D. 1995. Bowling Alone: America's Declining Social Capital. *Journal of Democracy* 6: 65-78, FUKUYAMA F. 1999. Social Capital and Civil Society. The Institute of Public Policy, George Mason University, ANHEIER H.E. 2000. Managing Non-Profit Organizations: Toward a New Approach. In: *LSE CCS Working Papers Collection, n. 1*, London, KENDALL J. & KNAPP M. 2000. The third sector and welfare state modernisation: Inputs, activities and comparative performance. In: *LSE CCS Working Papers Collection*, London, PUTNAM R.D.P., S. J. [EDS.]. 2000. *Disaffected Democracies, What's Troubling the Trilateral Countries?* . Princeton University Press, Princeto NJ. PUTNAM R.D. 1995. Bowling Alone: America's Declining Social Capital. Op.cit. FUKUYAMA F. 1999. Social Capital and Civil Society. Op. cit.

⁴² KALDOR M. 2003a. *Global Civil Society*.Op.cit.: 9.

⁴³ PUTNAM R.D. 1995. Bowling Alone: America's Declining Social Capital. Op. cit.: 67.

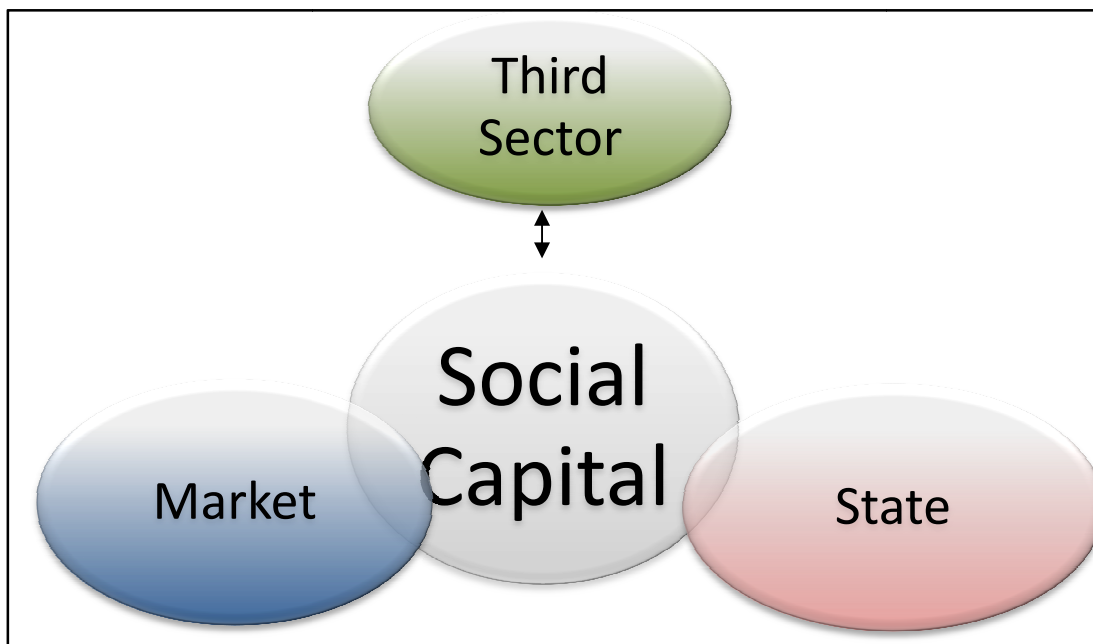


Figure 4: *Third Sector and Social Capital*

2.3.3 Cosmopolitan Approach to Civil Society

A last emerging version of civil society is what I define ‘cosmopolitan approach’⁴⁴. This approach has recently been developed by European scholars, most of them from the departments of International Relations of several Universities in the United Kingdom. It combines features of political theory with international relations theories. In this third understanding, the new idea of civil society appears to be connected to the political sphere. In a context in which national-states does not have any longer the authority for defending their citizens, new civil society movements and organizations would represent a sort of interface between the individual and the State ⁴⁵.

According to these scholars, the current renaissance of civil society represents a new crucial political paradigm⁴⁶. They date back this revival to the democratic transitions

⁴⁴ See the literature produced on this by the scholars of the centre for global civil society London School of Economics, ANHEIER H.E., & KALDOR, M., & GLASIUS, M., 2001-2006, *Global Civil Society Yearbook 2001-2006*. Op. cit.

⁴⁵ KEANE J. 2003. *Global Civil Society?* Cambridge University Press, Cambridge, KALDOR M. 2003c. The Idea of global Civil Society. *International Affairs* **79**: 583-593.

⁴⁶ FALK R. 1995. *On Humane Governance: Towards a new global Politics*. Pennsylvania State University Press, University Park, P.A, FALK R. 2002. Trends towards Transnational Justice: Innovations and Institutions. In: *Human Development Report 2002*. UNDP Human Development Report Office, KALDOR M. 2002. Civil Society and Accountability. In: *Human Development Report*

of the 80s in Eastern Europe and Latin American⁴⁷. In these two regions, the democratic transition was characterized by the emergence of a new type of social movements and non-governmental organizations. In both cases, civil society was a kind of “war society”⁴⁸ fighting against two different enemies, totalitarianism in Europe and military dictatorships in Latin America. Although there was no communication between them, these movements waged a war against the regimes emphasizing their autonomy and their civic efforts to create “islands of civil engagements.”⁴⁹ Their new strategy of struggle was based on new values: peaceful opposition and human rights protection. Civil society, in this perspective, implies pluralism, mutual trust, solidarity and co-operation, but moreover it can provide a framework within which the resistance of the individual against the State can be mobilized.

Following the PS-stream, such an approach involves a notion of civil society eminently political. In this perspective, civil society has a normative content; it is conceived as a project to be realized at a global level. Global civil society has become the paradigm for a new approach to politics in the post-Westphalian era. New non-state and border-free expressions of political community challenge territorial sovereignty as the exclusive basis for political community and identity. In this perspective, liberal theorists, varying from evident cosmopolitan perspectives⁵⁰ to more skeptical communitarian positions⁵¹, conceive of Global Civil Society as an ethical category that should be promoted and fostered on a global scale.

2002. UNDP Human Development Report Office, KEANE J. 2003. *Global Civil Society?* Cambridge University Press, Cambridge.

⁴⁷ KECK M.E., & SIKKINK, K., . 1998. *Activists Beyond Borders: Advocacy Networks in International Politics*. Cornell University Press, Ithaca New York. KALDOR M. 2003a. *Global Civil Society*. Op.cit.

⁴⁸ KALDOR M. 2003c. The Idea of global Civil Society. Op.cit.: 586.

⁴⁹ *Ibid.*

⁵⁰HABERMAS J. 2001. *Postnational Constellation*. Op.cit., KALDOR M. 2003a. *Global Civil Society*.. Op.cit.

⁵¹ WALZER M. 1995. *Toward a Global Civil Society*. Berghahn Books, Oxford, FROST M. 2002. *Constituting Human Rights: Global Civil Society and the Society of Democratic State*. Routledge, London.

The global reproduction of civil society is understood as able to provide the agency necessary to the democratization of the institutions at the global level. It embodies the liberal values in the trans-national dimension,

“global civil society [...] is about ‘civilizing’ or democratizing globalization, about the process through which groups, movements and individuals can demand a global rule of Law, global justice and global empowerment.”⁵²

Supporters of Global Civil society ideal have thus introduced a new notion of a global/trans-national justice based on a trans-national moral solidarity that links individuals, non-governmental organization, social movements and global institutions. In this way, they link such a broader understanding of civil society to an idea of ‘bottom-up’ global justice.

Rather than a global representative democracy, this approach endorses a notion of global civil society as “functional equivalent” (Rosenau, 1998) to democracy. As Kaldor has reminded us, “Global civil society cannot claim to ‘represent’ the people in the way that formally elected states can and do.[...]NGOs have a voice not a vote. But the fact that global civil society is, in principle, voluntary and open to all individuals offers the possibility of participation and deliberation at global levels”.⁵³

⁵² KALDOR M. 2003a. *Global Civil Society*. Op.cit.: 12.

⁵³ *Ibid.*: 140-141.

2.4 A Normative Proposal for Civil Society: the idea of Equilibrium

In the present work, a notion of civil society as the sum of the three categories of Culture, Economics and Politics is suggested. The normative idea of civil society in contemporary multi-structured societies depends crucially on the coexistence of and the equilibrium among these three domains. With reference to the notion of civil society, one can argue that in both Western philosophical thought and contemporary usage it has been related to the realization of freedom either in the public or in the private realm. Furthermore, in both cases, it is possible to distinguish quite clearly three distinct versions of civil society with regard to the three domains of culture, politics, and economy. In order to explain what I mean by equilibrium, I recover the Hegelian formulation of civil society. The analysis of the Hegelian framework is meant to emphasize how, in his understanding, political, economic, and cultural features functioned in his *bourgeois society*.

Then, I link the idea of civil society to a deeper understanding of individual identity in the light of the idea of plural affiliations. As I argued in the previous sections, civil society has been generally associated to the three spheres of culture, economy, and politics. Each of these domains has been considered by the respective supporters as the actual domain of it. However, speaking in terms of plural affiliations, each of those perspectives gives priority to only one set of affiliations over the others, respectively economic affiliations, socio-political affiliations, or cultural affiliations. Therefore, in order to guarantee the condition of the plural affiliations civil society has to be understood as a complex ‘equilibrium’ among the all three domains.

In this work, the analysis of Hegelian *bourgeois society* plays a crucial role. Actually, any contemporary attempt to understand civil society cannot leave Hegelian work out of consideration. Although the analysis of pre-Hegelian formulations might be useful in order to reconstruct the developments of the idea of civil society, undoubtedly, only with Hegel civil society assumed a modern content becoming a crucial feature of modernity. Thus, the Hegelian framework is not only more likely to clarify the content of civil society, but it also represents a starting

point for a modern understanding of this idea. In the present work, Hegel plays a fundamental role for a number of reasons:

- Civil society as distinct from state. Civil society appears as an intermediate step of the ethical life distinct from both family and state.
- Taking collective claims seriously. On this perspective, civil society is the product of a specific cultural and historical development; it is the realm where individuals are linked to each other by virtue of their plural affiliations.
- Civil society as the realm of individual freedom.

Finally it is necessary to note here that civil society, as proposed in the present work, has to be understood as a liberal reading of the Hegelian civil society. My aim is to save some Hegelian features that I take as necessary for conceiving of civil society as an intermediate dimension between “family” and “state.” In such a context, civil society is conceived not only as bearer of specific cultural and historical developments, but also as bearer of universal values, such as individual freedom, human dignity, and pluralism. Furthermore, the liberal account makes this framework individual-oriented rather than collectivistic-oriented.

This use of civil society leads my proposal out of a liberal-universalistic understanding of politics. Apparently, the choice of Hegel could be useful for a descriptive analysis, because of its historical focus. It is clear that this choice reduces the universality of the proposal. However, the idea of equilibrium is definitely normative and universal. Actually, although the idea of equilibrium can be different in different contexts, the conditions for such equilibrium are undoubtedly universal: individual freedom, protection of human dignity and emergence of a common culture of civility.

2.4.1 From Hegel' bourgeois society to the idea of equilibrium

In order to reconstruct the comprehensive notion of civil society, it is useful to come back to the modern tradition. In the previous section, I have identified the domains of civil society. I have concluded that the issue of freedom implies three dimensions for civil society in the political philosophical understanding: Culture, Economy, and Politics. These three domains have to be in equilibrium. The equilibrium is

fundamental in order to realize freedom, and for maintaining civil society as distinct from state. Furthermore, this notion of equilibrium enables the pluralistic coexistence of individuals based on the recognition of the different cultural affiliations within society. The best way to clarify this idea of equilibrium is to refer to the Hegelian understanding of civil society.

Hegel's *bourgeois society* played a pivotal role in the development of the notion of civil society. Actually, many scholars tend to consider civil society as a modern post-Hegelian concept.⁵⁴ In truth, even representing a fundamental point of reference for most of the contemporary works made on civil society, the Hegelian formulation upheld and developed most of the FS-stream's intuitions. Accordingly, civil society, as realm of particular interests, represented the starting point of his investigation.⁵⁵ However, it is true that, only with Hegel, the typical contractarian antithesis, state of nature/ civil society, would have been overcome. In Hegel's scheme, this antagonism was replaced by introducing a new, distinct but not necessarily opposed, couple of concepts: *bourgeois society* and *state*. Therefore, *bourgeois society* was the sphere of particular interests, representing an intermediate step between 'family' and 'state'. Rather than a kind of *antistate*, civil society assumed a specific character in the Hegelian dialectic: bourgeois society was meant to generate universal principles in the ethical juridical sphere; so as, it was supposed to characterize the content of the state itself.⁵⁶

The Hegelian formulation had significant implications on the modern notion of civil society. Bourgeois society was not the market, as such; it was rather the realm of the capitalistic division of labour. Furthermore, it was supposed to be separated from the state, even comprising a public space, including a kind of politics, and a juridical

⁵⁴ See for instance COHEN J., & ARATO, A. 1994. *Civil Society and Political Theory*. Op. cit.

⁵⁵ With regard to this liberal understanding of Hegelian Civil society see also RAWLS J. 2000. *Lectures on the History of Moral Philosophy*. Op. cit.: 330. "[...] I interpret Hegel as a moderately progressive reform-minded liberal, [...]. I shall look at how Hegel thought the concept of freedom was actually realized in the political and social institutions at a particular historical moment."

⁵⁶ With reference to this, Bobbio argued "[...] mentre lo Stato hobbesiano e rousseauiano esclude definitivamente lo Stato di natura, lo Stato hegeliano contiene la società civile [...]: la contiene e la supera trasformando una universalità meramente formale in una realtà organica, a differenza dello stato Lockeiano che contiene la società civile non per andare oltre ma per legittimarne l'esistenza e gli scopi." Bobbio, N., Gramsci e la Concezione di Società Civile, Feltrinelli, 1976 p. 18, traslation in BOBBIO N. 1988. Gramsci and the Concept of Civil Society. In: *Civil Society and the State. New European Perspectives* (Ed. by J. KEANE). Verso, London.

system, and from family, even if it involved cultural and traditional features. While Aristotle had distinguished *polis* (πολις) from *oikos* (οικος), where only the first was meant to represent the public domain, Hegel was suggesting three spheres: family, civil society and state.⁵⁷ Civil society was a pattern comprehensive of both public and private features, even though it was independent from both market and state. On this point, Taylor rightly has argued that, in his concept of civil society, Hegel used independent associations for non-political purposes but:

“[...] their significance *is not that they form a non-political social sphere*, but rather that they form the *basis for fragmentation and diversity within the political system*. [...] Thus, the different elements of Hegel’s political society take up their role in the state, [...]. In this way we avoid both the undifferentiated homogeneity of the general will state, *which Hegel thought must lead inevitably to tyranny and terror, and also the unregulated and ultimately self-destructive play of blind economic forces, which then seemed to be menacing England*”⁵⁸. [Emphasis added].

More precisely, let us look at his understanding of civil society from his own words. In paragraph 182 of Philosophy of Rights, Hegel introduced his idea of civil society:

§ 182 “[...] The concrete person, who as *particular is an end to himself, is a totality of wants and a mixture of necessity and caprice*. As such, he is one of the principles of the civic society. But the *particular* person is essentially connected with others. Hence, each establishes and satisfies himself by means of others, and so must call in the assistance of the form of universality. This *universality* is the other principle of the civil society”. [Emphasis added]

Thus, Hegel recognized three institutions of ethical life: family, civil society and the state. His formulation of civil society included cultural, political, and economic features in a peculiar way. It actually entailed three parts: the system of needs (*Bedürfnisse*), the administration of justice (*Rechtsflege*), the police (*Polizei*) and corporation (*Korporation*). In order to understand what Hegel had in mind, I seek to focus on the first and the third part.

Undoubtedly, the system of needs represented the economic side of Hegelian Civil Society:

⁵⁷ About this point, Cohen and Arato argued “[...] the Hegelian theory is crucial because it reconstructs civil society in terms of the three levels of legality, plurality and association, and publicity and because Hegel sees a link between civil society and state in terms of mediation and interpretation”. COHEN J., & ARATO, A. 1994. *Civil Society and Political Theory*. Op.Cit.

⁵⁸ TAYLOR C. 1995. *Invoking Civil Society*. Op. cit :222.

§189 “The particularity, which is in the first instance opposed to the universal will (§60), is subjective want. It gets objectivity, i.e., is satisfied (a), through external objects, which are at this stage the *property of others, and the product of their needs and wills, and (b) through active labour, as connecting link between subjective and objective. Labour has as its aim to satisfy subjective particularity.* Yet by the introduction of the needs and free choice of others universality is realized. Hence, rationality comes as an appearance into the sphere of the finite. This partial presence of rationality is the understanding, to which is assigned the function of reconciling the opposing elements of the finite sphere. [Emphasis added]

According to Rawls, the system of needs represented the ‘economy’ where individuals “exchanges goods and services to fulfill their needs and wants [...] [and] recognize that they are interdependent.”⁵⁹ On this point, Hegel clarified:

§191 “The satisfaction of want and the attainment of means thereto become a realized possibility for others, through whose wants and labour satisfaction is in turn conditioned. The abstraction, which becomes a quality of wants and means (§191), *helps to determine the mutual relation of individuals.* This general recognition of others is the element *which makes the isolated abstract wants and means concrete and social.*” [Emphasis added]

Thus, the system of needs was clearly related to the FS-stream. Hegel recovered the assumption that looked at *bourgeois society* as an economy, as a sphere where individual’s particularity emerged. Nevertheless, unlike the Scottish Enlightens, such a sphere included and overcame the economic sphere. Actually, in addition to the ‘system of needs’ Hegelian *bourgeois society* was meant to include a kind of juridical system (the *Rechtsflege*), and a third part, which entailed both cultural and political features. With reference to the third part, Hegel operated a distinction between two categories: police and corporation.

Addition §237, “*Police control and provision are intended to intervene between the individual and the universal possibility of obtaining his wants.* It takes charge of *lighting the streets, building bridges, taxation of daily wants,* even of health. Two main views stand out at this point. One view is that it falls to the police to look after everything the other that the police should not interfere at all, since everyone will be guided by the need of others. The individual, it is true, must have the right to earn his bread in this or the other way, but on the other hand the public has a right to ask that what is necessary shall be done [...]”[Emphasis added]

It would be misleading to believe that Hegelian idea of *Polizei* can be understood in the light of the present idea of police. In truth, it implied something wider and more complex than that. In Hegel’s scheme, *Polizei* was meant to derive its content from

⁵⁹ RAWLS J. 2000. *Lectures on the History of Moral Philosophy*. Op.cit: 344.

the Greek *politeia* (πολιτεια)⁶⁰. It was much more than law enforcement and covered a wide range of activities that actually constituted the socio-political life of individuals in *bourgeois society*, “[...] it covered [...] also the fixing of the prices of necessities, the control of quality of goods, the arrangements of hospitals, street lighting, and much more.”⁶¹ The administration of justice and the police had a main political function in civil society; they represented the political constraints that enabled self-interested individuals to overcome the ‘system of needs’ by creating, to use an Hegelian expression, a “formal universality.”

Conversely, Hegel’s corporation was supposed to function as further instance of particularity in a specific sense. In the paragraph 255, Hegel introduced his idea of corporations:

§. 255 “As the family was the first, so the corporation, grounded upon the civil society, *constitutes the second ethical root or basis of the state*. The family contains the elements of subjective particularity and objective universality in substantive unity. Then, in the civic community, these elements are in the first instance dissociated and become on the one side a particularity of want and satisfaction, which is turned back into itself, and on the other side abstract legal universality. The corporation joins these two in an internal way, so that particular wellbeing exists and is realized as a right”.

By ‘corporation’ Hegel meant organizations of groups of workers, of religious and cultural associations, as well as town councils. It was neither a trade union nor a genuine political category; it rather covered the cultural side of the organization in civil society. Rather than denying the individualistic content of civil society, corporation represented an intermediate step between the ‘competitive individualism’ of the system of needs and the ‘formal universality’ of the administration of justice.⁶²

Hegel’s corporation seemed to recover the content of Montesquieu’s idea of “intermediary bodies”.⁶³ As the “intermediary bodies,” corporation was supposed to be a means of preserving a sense of place, of local, of religion and identity⁶⁴.

⁶⁰ RAWLS J. 2000. *Lectures on the History of Moral Philosophy*. Op.cit.

⁶¹ *Ibid.*: 345.

⁶² RAWLS J. 2000. *Lectures on the History of Moral Philosophy*. Op.cit.

⁶³ MONTESQUIEU C.L. 1758. De L’esprit des Lois In: *The Spirit of the Law* (Ed. by T. NUGENT). Hafner, New York.

⁶⁴ MOSHER M.A. 1984. The Particulars of a Universal Politics: Hegel’s Adaptation of Montesquieu’s Typology. *The American Political Science Review* **78**: 179-188.

However, while Montesquieu's intermediary bodies were conceived in the framework of the state, corporation was an attribution of civil society. Thus, one can argue that the inclusion of those features (the judiciary, the police and corporation) made Hegel's idea of civil society so relevant; these elements actually distinguished his idea of civil society from other writers' one.

As Rawls emphasized, "[...] civil society, as [Hegel] thought of it, was new to the modern state and characterized modernity itself. His view is distinctive in that he considers many aspects of what had been regarded as elements of the state, as actually elements of civil society. See for example [...] the judiciary, the police and corporation. The political state is separate from civil society, while both together are the state in the wide sense."⁶⁵

Thus, the idea of civil society, as proposed by Hegel, appeared as a 'complex equilibrium among conflicting forces and interests of the three domains of culture, politics, and economy'. In this way, Hegel created a stable form of reflective social and ethical life. Again, on Rawls's account, "civil society and its institutions have an important role in making possible a stable form of reflective social life".⁶⁶ This stability depended crucially on such equilibrium among those three domains. Actually, the tension among political, cultural, and economic features played a key role not only in ensuring civil society as realm of individual freedom, but also in making clear the separation between civil society and state.

Thus, in the light of this interpretation, Hegelian civil society overcomes the classical controversies between individualism and collectivism, or between public and private. In *bourgeois society*, the individualistic assumption of private freedoms did not deny that individuals were embedded in a specific historical and social context. Coming back to the classical approaches to civil society, these suggest three different dimensions for civil society in the political realm. Taken in their extreme versions, one can synthesize three types of civil society due to these approaches:

⁶⁵ RAWLS J. 2000. *Lectures on the History of Moral Philosophy*. Op.cit.

⁶⁶ *Ibid.* Op.cit.: 346

- **Culturally-oriented** – it is the context in which individual freedom is sacrificed for a collective understanding of society.
- **Economically-oriented** – in such case, civil society is a depoliticized and rational private sphere. Individual freedom is preserved in such enlarged private sphere.
- **Politically-oriented** – it is the public sphere of the universal values; in this case there may emerge a clash between universal values and the recognition of the historical specific tradition of a given context.

Thus, each one of these cases can be understood as a degeneration of the normative model of civil society. In all these cases civil society, in fact, lacks of that “stable form of reflective ethical and social life,” as conceived by Hegel. Thus, it is possible to argue that any approach that gives priority to one domain over the others is likely to deny the very idea of civil society. The paradoxical outcome of these models is that the emerging domain tends to overlap with the corresponding model of state. To use Hegelian words, the dialectic progression of concepts -family, civil society, state is substituted only by two forms of ethical life: family and state.

2.4.2 Plural affiliations and the idea of equilibrium among cultural economic and socio-political domains

What does individual identity concern in such a context? The idea of civil society, as expressed by Hegel, is compatible with an understanding of individual identity understood as the overlapping of plural affiliations, namely gender, race, religion, nationality, age, class, etc. ⁶⁷ Thus, in civil society individuals share some of these affiliations with other individuals. Therefore, society appears to be redesigned in terms of plural links among individuals. This creates a kind of cultural unity since individuals are embedded in a specific context with a common historical and ethical background. Nevertheless, the individualistic presuppositions of the ‘system of needs’, and therefore the economy, guarantee the intrinsic plurality of these attributions. This implies that each individual perceives herself/himself as such through the recognition of her/his shared affiliations: the balance between individual identities and shared affiliations guarantees pluralism.

⁶⁷ See also the idea of *identification* proposed by Maffettone in his essay *Psiche e Polis*, MAFFETTONE S. 2006. *La Pensabilità del Mondo, Filosofia e Governanza Mondiale*. Il Saggiatore, Milano.

Thus, the assumption of the plural affiliations in the context of civil society can be understood as follows: if each individual identity is unique since it is the sum of a complex set of plural affiliations - in terms of race, age, gender, ethnicity, religion, experiences, class and so on; nonetheless, each individual shares some of those affiliations⁶⁸ with others. Individuals can hardly be understood as rational islands, neither it is possible to assume the existence within society of well-defined identitarian groups where individuals share all the same affiliations. This line of thought entails a more complex understanding of society (see Figure 5, p. 126). Civil society is, thus, not only a kind of ‘anticipation’ of the more extensive experience of the state, but also a constraint to state authority; it is both the sphere of individual autonomy and that of shared and conflicting values and interests.

⁶⁸ With greater or lesser emphasis.

2.5 Civil society engagement in deeply divided societies: theoretical frameworks

After the analysis of the idea of civil society, understood as equilibrium among political, economic and cultural domains; this section is devoted to the inclusion of this idea of equilibrium in the general framework of the present work, which concerns civil society engagement in contexts of deeply divided societies.

The way in which scholars look at civil society's intervention in such societies deeply varies with regard to their views about two relevant issues: their understanding of cultural identity in conflict, and their interpretation of civil society. Concerning the first problem, I have distinguished two main ways to interpret cultural identity in conflict⁶⁹: the primordialist-essentialist perspective and the constructivist-instrumental perspective. I have called primordialists those accounts that emphasize the collectivist nature of such conflicts where the "groups" are supposed to be the main unit of analysis; while I have considered as constructivists those approaches that offer an individualistic perspective, which posits in individual's rationality the responsibility to construct or manipulate sectarian identities and to fuel violence. Therefore, the primordialist approach entails a kind of cultural reductionism, while constructivism introduces a sort of individualist reductionism.

Recently, a vast literature focused on identity-based conflicts has emerged. Nevertheless, between the extreme positions of those who support the idea of unavoidable "ancient ethnic hatreds"⁷⁰ and those who deny any significance of ethnic

⁶⁹ It is relevant to note that this distinction primordialism/constructivism is often employed by scholars of conflict analysis. [HOROWITZ D.L. 1998. *Structure and Strategy in Ethnic Conflict*. Op. cit.] Sometimes other categories have been added to this antithesis; Varshney, for example, recognizes four categories *essentialism, instrumentalism, constructivism, and institutionalism*. In my interpretation, instead, both primordialism and constructivism are considered in their broadest versions. Actually, I recover the two terms from the scholarly debate in order to show how different understandings of cultural identity translate into two different kinds of reductionism: cultural reductionism and individualist reductionism. VARSHNEY A. 2003a. *Ethnic Conflict and Civic Life: Hindus and Muslims in India*. Op. cit.:23-39.

⁷⁰ HUNTINGTON S.P. 1993. *The Clash of Civilizations?*. Op. cit.; HUNTINGTON S.P. 1996. *The Clash of Civilizations and the Remaking of World Order*. Op. cit.; IGNATIEFF M. 1993. *Blood and Belonging: Journeys into the New Nationalism*. Op.cit.; IGNATIEFF M. 1997. *The Warrior's Honor: Ethnic War and the Modern Conscience*. Op.cit.; KAPLAN R. 1993. *Balkan Ghosts*. Op.cit.

or cultural claims⁷¹, one might consider at least three major approaches to ethno-religious conflicts, which are extremely influencing contemporary literature on civil society's role in supporting conflict transformation: the Protracted Social Conflicts theory, the economic approach to “greed versus grievances”, and the political approach to “new nationalism”.

The PSC theory, developed by Azar and Burton from the 1970s to the 1990s, still represents an important point of reference in the contemporary debate about identity in conflict⁷². Following the PSC theory, the emergence of identity-conflicts imposes to reconsider the levels of the analysis ⁷³— generally based on the state-level - focusing on the communal level. Multi-communal societies, mostly postcolonial states, are characterized by the “prolonged and often violent struggles among different communal groups’ for some ‘basic needs’, such as security, recognition, and acceptance, fair access to political institution and economic participation”.⁷⁴ This approach entails a kind of collectivism since it looks at the identity groups – i.e. ethnic, religious, or racial groups - as the most useful unit of analysis in those contexts of protracted social conflicts. According to the PSC theory, any approach aimed at eradicating the conflict has to take into account these deep fractures within society.

Conversely, the two further approaches present two different versions of rational choice theory. In the first case - the economic approach to “greed versus grievance”-, the emphasis is placed on some economic factors, such as low per capita income, slow economic growth, and large exports of natural resources.⁷⁵ These features shape the basis of the conflict while rational actors use identity-based arguments in order to create a certain level of consent within society. According to this perspective, violent

⁷¹ FUKUYAMA F. 1992. *The End of History and the Last Man*. Free Press, New York.

⁷² GURR T.R. 1994. Peoples against the State: Ethnopolitical Conflict in the Changing World System. *International Studies Quarterly* **38**: 347–377, GURR T.R. 2001. Minorities and Nationalists: Managing Ethnopolitical Conflict in the New Century. In: *Turbulent Peace. The Challenges of Managing International Conflict* (Ed. by C. CROCKER, A. , & HAMPSON, F. O., & AALL, P.). United States Institute of Peace Press, Washington, DC, RAMSBOTHAM O. 2005. The Analysis of Protracted Social Conflict: a Tribute to Edward Azar. *Review of International Studies* **31**: 109–126.

⁷³ In contrast to the well known levels of analysis framework proposed by Kenneth Waltz, in which he distinguished system, state and individual levels.

⁷⁴ AZAR E.E. 1990. Protracted Social Conflict: An Analytical Framework. Op.cit.: 93.

⁷⁵ See also, FEARON J.D. 2005. Primary Commodity Exports and Civil War. Op. cit.

internal conflicts are due to the emergence of rebel organizations. In contrast to the PSC theory, such organizations are seen not as protest movements emerged in response to the needs-deprivations of their community, but as “the ultimate manifestation of organized crime.”⁷⁶ Therefore, those organizations develop discourses on ‘grievances’ in order to be supported by people belonging to their community-group; ‘in practice’ the identitarian motivation for those organizations is unimportant, what matters is “whether the organization can sustain itself financially”⁷⁷: thus, the motivation for those violent actions is rooted in greed rather than grievance.⁷⁸

The second approach- “new nationalism”- sees the emergence of new ideologies based on religious or ethnic features as the real source of conflict. These manufactured sectarian ideologies are aimed at legitimizing authoritarian leaders, new aspirants to power in moment of transition, or common criminals in their criminal actions⁷⁹. Even sharing the main idea of the economic approach, which assumes that greed rather than grievance motivates those actors, in this account, the role played by the “new nationalisms” becomes more relevant. According to this view, it would be misleading to believe that those new ideologies - recently appeared in Eastern Europe and in several African and Asian countries - can be dismissed as unimportant. Actually, the emergence of such new forms of identitarian violence reflect deep political shifts due to the phenomenon of globalization: societies have entered a new phase of insecurity that can be hardly framed within and understood through classical political categories, such as nation or territory. This means that it is

⁷⁶ COLLIER P. 2007. Economic Causes of Civil Conflict and Their Implications for Policy. Op. cit.:198.

⁷⁷ COLLIER P. 2007. Economic Causes of Civil Conflict and Their Implications for Policy. Op. cit.: 199

⁷⁸See COLLIER P. 2007. Economic Causes of Civil Conflict and Their Implications for Policy. Op. cit.; COLLIER P., & HOFFLER A., & SÖDERBOM M. 2006. Op. cit.; COLLIER P., & HOFFLER, A. 2004. Greed and grievance in civil war. Op. cit.

⁷⁹ BRUBAKER R., & LAITIN, D. D. 1998. Ethnic and Nationalist Violence. *Annual Review of Sociology* **24**: 423-452. BRUBAKER R..2004. *Ethnicity without Groups*. Op. cit.; KALDOR M., & KOSTOVIKOVA, D., & SAID, Y. 2007. War and Peace: The Role of Global Civil Society. Op. cit.

necessary to offer new political answers and categories able to face the current wave of identitarian violence⁸⁰.

With reference to the second issue, in spite of its centrality to Western political theory, there is no agreement on its actual content. As noted in the previous sections, it is possible to summarize at least three main positions. A first approach places civil society in the economic realm. A political account locates an independent civil society between both state and economy, in this context civil society is supposed to be a crucial means for performing shared political interests and for informing governments of citizens' fundamental needs. Finally, a third cultural-oriented account recognizes a kind of 'civility' in those sets of cultural traditions and historical heritage held by each society, it implies the possibility to have different versions of civil society with regard to different contexts⁸¹.

The concept of civil society has been recovered only recently in the field of conflict transformation. All the above-mentioned approaches have in turn deeply influenced contemporary literature on conflict transformation; however, what seems to be relevant in such a context concerns the application of both reductionisms to the notion of civil society. On one hand, scholars who look at identity conflicts through the lenses of cultural reductionism tend to underline the "corporative" character of civil society. In such a perspective, civil society is understood as fundamental stage of development in which different groups can recognize each other and cooperate in

⁸⁰ In general, as I have shown in the first section of chapter 1, *Understanding ethno-religious conflicts*, such an answer is represented by cosmopolitanism. See STUBBS P. 1996. Nationalism, Globalization and Civil Society in Croatia and Slovenia. *Research in social Movements, Conflicts and Changes* 19: 1-26. And KALDOR M. 2003a. *Global Civil Society*. Op.cit.; KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op. cit.

⁸¹ As I noted before, this kind of understanding of civil society is often argued by post-colonial scholars in their efforts to offer formulations of civil society alternative to Western tradition. Nevertheless, it is important to note that in its cultural interpretation civil society can be read in the light of two different traditions. Scholars who consider the counter hegemonic potential of civil society follow Gramsci's tradition, while those who conceive of civil society as the result of a specific historical and cultural development of a given civilization are more close to the Hegelian tradition. GRAMSCI A. 1910-1926. Lettere dal Carcere. In: *Selection from the Prison Notebooks of Antonio Gramsci* (Ed. by Q. HOARE, & NOWELL-SMITH, G.). Lawrence & Wishart, London, BOBBIO N. 1988. Gramsci and the Concept of Civil Society. In: *Civil Society and the State. New European Perspectives* (Ed. by J. KEANE). Verso, London. The main difference between the two approaches is that while the first group of scholars seeks to offer alternative non-western versions of civil society –as in the case illustrated here-, the second group of scholars tends to reduce the universality of civil society, which is considered as a phenomenon deeply rooted in Western culture and history. See also KHILNANI S. 2001. The Development of Civil Society. In: *Civil Society, History and Possibilities* (Ed. by S.K. KAVIRAJ, S.). Cambridge University Press, Cambridge.

only one system. According to this perspective, if it is true that the communal level is the source of the identity-conflict, it is therefore necessary to work at this level in order to overcome the condition of conflict among the different ethnic or religious communities. On the other hand, supporters of the individualistic account of conflicts see civil society as the space, where individual autonomy and shared political pursuits emerge. In this perspective, civil society represents such a ‘middle ground’⁸² between individuals and the state; and it functions both as constraint to state power and means of realization of individuals’ capacities. According to the individualistic account, a strong civil society is supposed to be a ‘*conditio sine qua non*’ for modern and viable democracies.

Cultural reductionism & Cultural Stream:

(1) Thus, following the culturalist perspective, civil society represents that intermediate ground where it is possible to mediate between a condition of pluralism, understood as different groups with their interests and goals, and the state. Rather than in antithesis to the governmental authority, civil society is therefore understood as a sort of ‘anticipation’ of the more extensive experience of the state. It is a crucial stage in the development of people belonging to different communities, who have to deal with diversity. Therefore, before that at the state-level, it is at the level of civil society that it is possible to mediate collective claims through the emergence of ‘civic links’⁸³ across different communities.

The involvement of people belonging to different ethnic or religious groups in one cooperative system represents a way to create trust and a certain level of social solidarity and inclusiveness within society.⁸⁴ Accordingly, the emergence of new ‘inter-communal civic links’ are supposed to foster the reconciliation process among different ethno-religious groups, giving people the chance to recognize and include the “others” in activities and shared experiences.⁸⁵ Furthermore, the voluntary basis of the associational mechanisms of civil society improve people’s living conditions

⁸² BELLONI R. 2001. Civil Society and Peace-building in Bosnia and Herzegovina. Op. cit.: 168.

⁸³ VARSHNEY A. 2003a. *Ethnic Conflict and Civic Life: Hindus and Muslims in India*. Op. cit.: 47.

⁸⁴ *Ibid.*

⁸⁵ See also LEDERACH J.P. 1997. *Building Peace: Sustainable Reconciliation in Divided Societies*. Op. Cit. and LEDERACH J.P. 2001. Civil Society and Reconciliation. Op. Cit.

reducing the economic marginalization and the inequalities within different groups, which constitute underlying causes of frustration and conflict⁸⁶. In general, since its ‘corporative’ understanding of civil society, this first approach recognize as civil society all those formal and informal institutions and organizations aimed at ‘educating people for citizenship’.

Individualist Reductionism & Economic and political streams:

(2) Conversely, according to the second account, which considers civil society as the sphere of individuals’ freedom in antithesis to that of the state, civil society is supposed to function as key feature in supporting democratic transition, balancing individuals’ aspirations and state authority. In this context, civil society is alleged to be the realm of toleration where the pluralistic integration of individuals is due to its participative and communicative mechanisms. These mechanisms provide the balance between private interests and governmental power insuring people freedom and offering them a wide set of opportunities for participation in social life.

In this context, supporters of the economic approach to “greed versus grievance” tend to give priority to an understanding of civil society as ‘counterweight to state authority’, stressing its constructive potential in addressing accountability and transparency in both political and economic sectors. Conversely, supporters of the political version of individualist reductionism see civil society as the sphere of civility and liberal values. According to them, a strong civil society that promote non-sectarian identities – such as cosmopolitan groups, human rights groups or women groups – is needed for overcoming the nationalist ideologies emerged during the conflict. It allows the process to move toward a common political culture based on peace and human rights values (M. Kaldor, 2003a; M. Kaldor, & Kostovikova, D., & Said, Y., 2007). Therefore, with reference to individual reductionism, a first group of scholars invokes civil society intervention to control over state authority,

⁸⁶ CHARNEY C. 1999. Civil Society, Political Violence, and Democratic Transitions: Business and the Peace Process in South Africa, 1990 to 1994. *Comparative Studies in Society and History* **41**: 182-206, WOOLCOCK M. & NARAYAN D. 2000. Social Capital: Implications for Development Theory, Research, and Policy. *World Bank Res Obs* **15**: 225-249, FISHER M. 2006a. Civil Society in Conflict Transformation: Ambivalence, Potential, and Challenges. In: *Berghof Research Centre for Constructive Conflict Management*, Berlin, PICKERING M.P. 2006 Generating social capital for bridging ethnic divisions in the Balkans: Case studies of two Bosniak cities *Ethnic and Racial Studies* **29**: 79-103.

while the second group tends to emphasize the independence of civil society from the state (see table 3, below).

CULTURAL IDENTITY/ CONFLICT THEORIES/ CS APPROACHES	PSC THEORY	GREED VS GRIEVANCES	NEW NATIONALISM
CULTURAL REDUCTIONISM	<p>Civil Society as ‘anticipation’ of the state:</p> <ul style="list-style-type: none"> • facilitating the inter-ethnic dialogue, • endorsing reconciliation among different communities, • reducing economic inequalities among different groups 		
INDIVIDUALIST REDUCTIONISM		<p>Civil society as ‘counterweight’ to state authority</p> <ul style="list-style-type: none"> • introducing a greater transparency in the resource sector (in particular in primary commodity) • promoting social and humanitarian services as alternative to the overbearing state 	<p>Civil society as ‘private sphere’ of individual autonomy and liberal values</p> <ul style="list-style-type: none"> • promoting non-sectarian identities • developing civility within society • information politics • accountability politics

Table 3: *Different approaches to civil society in conflict transformation*

2.6 Identity Conflicts and Civil Society

The theoretical premises of the present work are based on two alternative understandings of identity-conflicts and civil society. Both the perspective of individual identity understood as overlapping of different plural affiliations⁸⁷ and the idea of civil society as equilibrium among the three domains of culture, politics, and economy are supposed to replace both individualistic and cultural reductionisms emerged in contemporary literature on civil society' engagement in conflict transformation. The assumption that individual's identity is made up of plural identitarian affiliations introduces an idea of identity-conflict that, even accepting an individualistic-rooted understanding of violence, does not underrate the existing relation between identity-based claims and violence. Furthermore, the idea of civil society seen as equilibrium among the three domains of culture, politics, and economy allows overcoming the problems raised by the two reductionisms as well as the limits of an understanding of civil society as product of the West.

In the theoretical framework of the present work, the idea of plural affiliations plays a crucial role in defining cultural identity, which is assumed to be a key feature in both identity-conflicts and civil society. Two main approaches to cultural identity have been applied in turn to identity-conflict and civil society. I have called those approaches individualistic reductionism and cultural reductionism. The first shows a complete lack of interest about cultural identity. It looks at the individuals as fundamental subjects of any political action. Conversely, the second represents its opposite version. It looks at individuals not as separate units, but as integral part of a larger and more complex group (i.e., extended family, village, ethnic or religious community). In the light of this, individuals' actions and motivations can hardly be described without considering the significance of their shared cultural identity. Both views are extremely dangerous and, what is more relevant, do not help to explain the content of cultural identity and the significance of the quest of recognition in contemporary deeply divided societies.

⁸⁷ SEN A. 2006. *Identity and Violence: The Illusion of Destiny*. Op.cit.

The idea that individuals are independent islands is hardly arguable in real life. This assumption becomes even stronger with regard to conflicts. As Kalyvas pointed out, if there is no doubt that new civil wars have an individualistic root, based on private interests and actions; nonetheless, it seems difficult to isolate this element from the collective and ideological dimension of violence.⁸⁸ At the same time, it is extremely dangerous to maintain that individual's actions are deeply rooted in shared experiences within groups or communities. A strong emphasis on cultural differences among groups, would lead to the extreme thesis that cultural heterogeneity itself is at the root of the conflict⁸⁹.

Following Amartya Sen, it seems more plausible to argue that each individual holds a plurality of identitarian affiliations⁹⁰. Ethnic as well as religious features represent just some attributions of individual identity. An individual recognizes himself in terms of age, gender, profession, level of education, political ideology, religious beliefs, nationality, race, caste, and ethnic affiliation. Accordingly, each individual is the result of a complex set of different identitarian affiliations. Without considering the emotional side of their shared identities, it would be impossible to explain the human experiences of such people as Nelson Mandela, Mother Teresa or Gandhi.⁹¹ At the same time, focusing the attention on one affiliation – for instance the religious one- is not enough in order to explain the complexity of such human experiences.

⁸⁸ KALYVAS S.N. 2003. The Ontology of "Political Violence": Action and Identity in Civil Wars. Op.cit.

⁸⁹ HUNTINGTON S.P. 1996. *The Clash of Civilizations and the Remaking of World Order*. Op. cit.

⁹⁰ SEN A. 2006. *Identity and Violence: The Illusion of Destiny*. Op.cit.

⁹¹ In order to clarify this point, I use to make the example of Mother Teresa. It is difficult to describe her decision to become a missionary in rational terms, at the same time, it is clear that her religious attribution, Christianity, is not enough for understanding her human experience. She used to define herself as a woman ("I am a woman), as Albanian ("by blood, I am Albanian") but also Indian by adoption ("by citizenship, an Indian"), as catholic ("By faith, I am a catholic nun") and, what is more important, as part of the human community ("As to my calling, I belong to the world."). Mother Teresa's experience can be hardly understood without considering that it was the result of the peculiar combination of all those attributions. The idea of plural identitarian affiliations does not deny an individualistic account, indeed, such an understanding is meant to grasp all the different attributions that make each individual unique and unrepeatable.

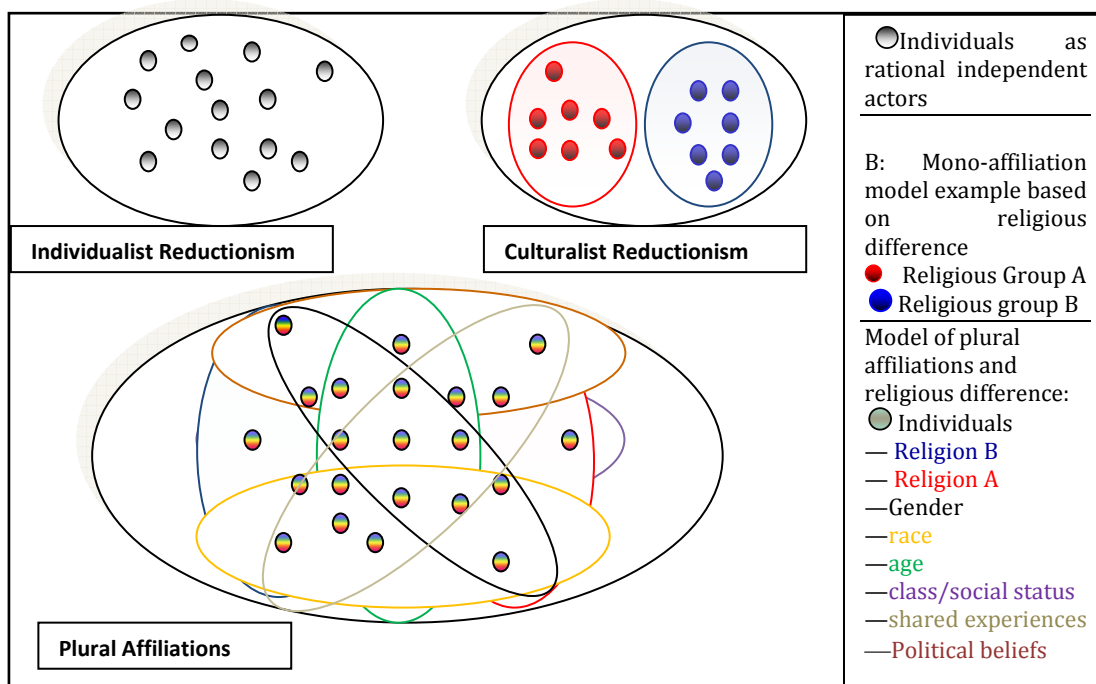


Figure 5: Identity and plural affiliations

As such, the idea of plural affiliations does not say anything about the link between identity and violence. Therefore, if it is true that each individual identity is due to the overlapping of plural affiliations, it becomes important to understand how and why in several internal conflicts some cultural features- as for instance ethnicity, race or religion- are likely to overcome the other attributions fuelling violence. I seek to explain this phenomenon in the light of three distinct arguments: the cultural rooted idea of nation, the spread condition of capability-deprivation within society, the role of cultural-war entrepreneurs in fuelling sectarian violence.

(1) The first issue entails an historical explanation of the link between territory and cultural features. Before deepening the content of any identity-conflict, it is necessary to make clear that if the issue of recognition of some specific affiliations- namely ethnic, religious, or linguistic affiliations- affects the territory and, therefore, any kind of conflict over its boundaries; this is due to a specific historical development of the idea of nation over the centuries. In order to clarify this point, it can be useful to make an example. One person can be Italian citizen, French-speaking and residing in the USA without any contradiction. Nevertheless, within Italian boundaries that person might be considered as part of a minority group, because in the alleged definition of Italian nationality the language represents a

factor of strong cultural identification.⁹² In everyday life, one might discover a boundless variety of combinations of different affiliations. However, within national boundaries such affiliations are likely to become more relevant. This is because, in the last two centuries, the idea of Nation has increasingly overlapped with a notion of territorially based political unity combined with a greater or lesser degree of cultural unity. Since its Latin usage, the word *natio*, which derived from the verb “*nascor*,” was actually related to an idea of ‘birth’⁹³. Then, when the word came back into use in the end 18th Century, the first supporters of the idea of Nation - such as Rousseau, Herder, Fichte, and Mazzini - recovered from the ancient tradition such an idea of birth. Suddenly, the idea Nation started to indicate the association of cultural and historical developments of societies with the territory where those societies used to live.

Conversely, contemporary scholars tend to make a distinction between civic nations, based on the idea of political community – i.e. France or the United States- and cultural nations, based on a certain degree of cultural unity – i.e. Iran or Israel. Even if suggestive, this kind of distinction is based on the false assumption that some contemporary examples of nationalism are concerned with political principles rather than cultural features.⁹⁴ In truth, the role of cultural features, as for instance the language, in the alleged civic nations cannot be dismissed as mere administrative convenience or method of unifying communication across society. If we look at the French case, which is often employed as typical example of civic nation, it is relevant to note that at least one cultural feature, namely the common language, was brutally imposed on Basques, Bretons and other linguistic minorities with the clear purpose of creating a “common French identity.”⁹⁵ Thus, French nationalism, as many other cases of alleged civic nationalism, has been rooted not only in political principles, such as equality and freedom, but also in a shared French culture, based

⁹² With reference to this, Hobsbawm emphasized, “for Germans and Italians, their national language was not merely an administrative convenience, or a means of unifying state-wide communication [...] It was even more the vehicle of a distinguished literature and of universal intellectual expression. It was the *only* thing that made them Germans or Italians [...]”. Hobsbawm, E., *The Rise of Ethno-Linguistic Nationalisms*, p. 177 HUTCHINSON J., & SMITH, A. 1994b. *Nationalism*. Oxford University Press, Oxford.

⁹³ The Romans employed this word to indicate barbarian or people belonging to distant territories.

⁹⁴ KYMLICKA W. 2001. *Politics in the Vernacular*. Op. cit.

⁹⁵ *Ibid.*

on the linguistic homogeneity. That is, nationalism is always concerned with culture; the only thing that is possible to add to this assumption is that such cultural features are likely to become even more relevant in absence of a strong democratic system. Actually, in a liberal democratic country, the special link between some specific cultural features and the idea of nation is mitigated by the democratic principles themselves. Conversely, in contexts of failing-failed states - mostly post-colonial countries or former multinational states – where the balance between democratic principles and cultural features is still weak or totally absent cultural attributions strongly influence the idea of nation, and the conflicts over its boundaries.

(2) Since the idea of nation embodies the link between cultural community and territory, this can explain why several cases of conflict over the territory, either intrastate or inter-state conflicts, are fought with strong cultural motivations.⁹⁶ Furthermore, although nationalism necessarily entails cultural features, there is a significant inverse relation between the relevance of those cultural affiliations and democracy. In a democratic state, the guarantee of civil and political rights and freedoms that enable people to lead the lives they value offers a “detailed and more satisfying substitute”⁹⁷ for identitarian violence.⁹⁸ In addition to this, an elected government is less likely to create situations of social grievances and inequalities, because it would lose the support of citizens⁹⁹.

Conversely, in absence of democratic rules or in contexts in which democracy is still weak and the level of inequality is high, the weight of cultural features becomes more significant; very often, the line of inequality overlaps with the cultural fault lines, and the issue of recognition becomes dramatically important. However, in the perspective of the plural affiliations, the problem of recognition has to be understood in a peculiar way. The condition of spread inequalities and lack of substantive freedoms affects individual’ s freedom and ability to choose about the relative weight

⁹⁶ At this stage, it does not matter whether those motivations are constructed or not, what matters here is that those motivations find their origins in that *imagining link* between cultural unity and territory, suggested by the idea of nation.

⁹⁷ BARNETT J. 2008. *Peace and Development: Towards a New Synthesis*. Op. cit.: 82.

⁹⁸ *Ibid.*

⁹⁹ With regard to this, see the argument about the role of democracy in preventing famine, *Famine and Other Crises*, in SEN A. 1999. *Development As Freedom*. Op.cit.

to confer to the different affiliations, leading individuals to deny the existence of a plurality of affiliations for themselves and the others. Societies are therefore redesigned into rigid schemes of incompatible mono-affiliations.

Therefore, it is possible to readapt Azar's argument on basic needs deprivation assuming that the condition of capability-deprivation,¹⁰⁰ understood as lack of basic political rights and freedoms, economic opportunities and cultural recognition and free expression, is the actual root of identitarian violence. Again, in contrast to the supporters of the economic approach to "greed versus grievance," grievances and frustrations within society represent the preconditions for violent identity-conflicts. This kind of readaptation of Azar's arguments is meant to introduce the argument of freedom and the rise of violence deriving from freedom-deprivation. In this perspective, the role of the 'state', understood as super-partes authority, is still crucial: the presence of democratic rules able to support individuals' free expression and self-determination is actually an important condition for peace. At the same time, this approach is meant to emphasize the role of individuals with their plural affiliations as main subject of the analysis, rather than 'identity groups' as such. When in a society, the level of inequalities is high, in terms of poverty, unfair access to political institutions and denial of political and civil rights, high and unequally distributed levels of illiteracy, and high levels of exclusion and identitarian segregation, an identity conflict is more likely to happen. Contrarily to the thesis of greed proposed by political economy school, the notion of capability- deprivation considers poverty in terms of lack of substantive freedoms. In this sense, the idea of incapability involves a series of factors, such as inequalities or deprivation of political and civil rights, which were neglected in both versions of individualist reductionism.

(3) However, as stated by constructivist scholars, the underlying causes of an identity conflict can hardly be understood without reference to those private forms of violence that emerge and find space in contexts of deeply divided societies. Very often, the master cleavages, based on ethno-religious arguments, are employed by private – sometimes criminal - individuals or associations, which I call cultural-war-

¹⁰⁰ SEN A. 1999. *Development As Freedom*. Op.cit.

entrepreneurs, in order to create a certain level of support to their violent actions¹⁰¹. Frequently, those actors take advantage of the spread condition of capability deprivation within society, fuelling the outbreak of sectarian violence. Thus, the impact of such actors in conflict can be explained as an odd combination of two distinct ideas of war: a Hobbesian perspective of private war – homo homini lupus – and a Rousseauian conception of *public interest*¹⁰². Accordingly, private interests overcome and manipulate collective claims.¹⁰³ In the long-period, such actors create new local powers based on what Foucault called “bio-power”, based on race/ethno- or religious supremacy, able to protract the condition of war in situations of “presumed peace”.¹⁰⁴ This perspective reverses the Clausewitzian understanding of war, since it introduces Foucault’s idea that in such deeply divided societies the so-called “peace” is a “continuation of war by other means.” The case of Bosnia is illustrative of how such a process of “continuation of war by other means” works in a transitional society.¹⁰⁵

Similarly, the idea of plural affiliations translates into the notion of civil society. Contemporary literature on civil society’ engagement in post conflict transition is deeply influenced by both reductionisms. Supporters of cultural reductionism emphasize the corporative character of civil society; while, those who maintain an individualist position offer, in turn, two interpretations of civil society, as a counterweight to state authority and as an independent sphere of individual autonomy and liberal values. Conversely, the assumption of the plural affiliations reverses the problem: if each individual identity is unique since it is the sum of a complex set of plural affiliations - in terms of race, age, gender, ethnicity, religion, experiences, class and so on; nonetheless, each individual shares some of those affiliations¹⁰⁶ with others. Individuals can hardly be understood as rational automata, neither it is possible to assume the existence within society of well-defined

¹⁰¹ BRUBAKER R..2004. *Ethnicity without Groups*. Op. cit.. Op.cit.

¹⁰² On this point, see also KALYVAS S.N. 2003. The Ontology of "Political Violence": Action and Identity in Civil Wars.Op. cit.

¹⁰³ *Ibid.*

¹⁰⁴ FOUCAULT M. 2003. *Society Must Be Defended*. Op.cit.

¹⁰⁵ See the role of nationalist parties in Bosnia, in the next chapter, *Bosnia Case study*.

¹⁰⁶ With greater or lesser emphasis.

identitarian groups where individuals share all the same affiliations. This line of thought entails a more complex understanding of society; neither a perspective based on the idea of individuals, understood as rational and independent actors, nor cultural reductionism, as such, are able to explain the complex variety of links and affiliations that each individual holds (see Figure 5, p.126). With reference to idea of civil society, this standpoint allows overcoming the dualism suggested by the two reductionisms. Civil society is, thus, not only a kind of ‘anticipation’ of the more extensive experience of the state, but also a constraint to state authority; it is both the sphere of individual autonomy and that of shared and conflicting values and interests.

In order to understand the actual content of civil society, it is necessary to dismiss both collectivist and individualist assumptions, prioritizing an idea of society in which individuals are connected to each other through a plurality of affiliations. In general, the idea of civil society has been associated to the three spheres of culture, economy, and politics. Each of these domains has been considered by the respective supporters as the actual domain of it. But, speaking in terms of plural affiliations, each of those perspectives gives priority to only one set of affiliations over the others, respectively economic affiliations, socio-political affiliations, or cultural affiliations. Therefore, in order to guarantee the condition of the plural affiliations civil society has to be understood as a complex ‘equilibrium’ among the all three domains. In this perspective, civil society is that sphere operating among the state, the family, and the market comprising each one of those dimensions. It is supposed to produce two relevant outcomes. First, the tension among those forces guarantees the realization of freedom, and, therefore, the separation between civil society and state. Second, the balance between individualistic presuppositions and collectivistic nature of the affiliations guarantees that individuals in civil society are actually experiencing a kind of anticipation of the more extensive practice of pluralistic integration of the state.

(1) Again, the idea of plural affiliations introduces an understanding of civil society as the realm where individual interests compete with collective aspirations; in this context, the mediation between groups and individuals is guaranteed by the presence of the three spheres of politics, culture, and economy. (2) Furthermore, the fact that civil society is the product of specific historical development of a given society –

made up of cultural, political, and economic features- implies that it is possible to begin the democratic path with those features of “civility” already existing in a given society that can deeply vary with regard to different contexts. (3) Finally, the condition of equilibrium in civil society entails an idea of “common culture of civility”, which represent an intermediate step between a private ‘background culture’ and a public ‘political culture’, able to sustain the process of pluralistic integration within society.

2.6.1 Civil society and democratic transition: a ‘common culture of civility’

The idea of equilibrium, rooted in an understanding of individual identity based on plural affiliations, entails a conception of civil society complex and historically rooted. If it is true that civil society represents a precise step in the development of the state, therefore an approach to conflict transition based on the idea of civil society is supposed to take into consideration all those associational mechanisms and market organizational modalities already existing within society.

This line of thought gives priority to a comprehensive understanding of civil society that involves all those associational mechanisms existing between state and family. Thus, the alleged role of ‘civil society’, as bearer of liberal and non-sectarian values, can work in practice only if those organizations are actually embedded in the social reality of the context of intervention. In the same way, the ability of those organizations to represent an actual counterweight to the state crucially depends on their actual capacity to represent the people. Thus, the idea of equilibrium entails an approach to civil society primarily aimed at strengthening those forms of civility and pluralism already existing at the local level.

Therefore, the effectiveness of civil society involvement in post conflict transition crucially depends on how much it actually represents the specificity of the country of intervention and the people living that country. However, although such an idea entails much of the Hegelian assumptions, it would be misleading to think that it denies any possibility for a synthesis between the specificity of historical traditions

and the universality of values such as tolerance, and freedom.¹⁰⁷ As in Hegel's frame the individualistic assumption of the 'system of needs' mediates the sense of place, of local, of religion and identity embodied by the idea of 'corporation'¹⁰⁸, here the balance among cultural, political and economic domains guarantees a mediation between individualism and cultural identifications and, therefore, between universalism of values and particularism of shared experiences and traditions.

The approach to conflict transition based on civil society has thus to take into consideration those aspects of 'civility' compatible with an autonomous democratic development of the country, especially with those universal values, such as freedom, tolerance, and protection of human dignity, understood by people as necessary in order to overcome the boundaries emerged during the conflict.

In this perspective, the notion of equilibrium entails an understanding of civil society where it is possible to recognize some aspects of a 'common culture of civility' that represent the basis for an autonomous democratic development. I consider this kind of 'culture' as an intermediate step between what Rawls have called 'public political culture' and 'background culture'¹⁰⁹. However, while Rawls places those two kinds of culture at the public level in the first case and at the private level in the second one, here such 'common tradition of civility' is supposed to function as ground for mutual recognition that is in between those levels.

In my understanding, such a tradition of civility is made up of all those shared values, such as tolerance, common sense of justice, non-violence but also traditional behaviors and customs of a society, which constitute the basis of the democratic

¹⁰⁷ For a further reading on such a liberal understanding of Hegel's civil society see RAWLS J. 2000. *Lectures on the History of Moral Philosophy*. Op. cit..

¹⁰⁸ See 2.5.1 *From Hegel' bourgeois society to the idea of equilibrium*.

¹⁰⁹ "[...] The third feature of a political conception of justice is that its content is expressed in terms of certain fundamental ideas seen as implicit in the public political culture of a democratic society. This public culture comprises the political institutions of a constitutional regime and the public traditions of their interpretations (including those of the judiciary) as well as historic texts and document that are common knowledge. Comprehensive doctrines of all kinds belong to what we may call the 'background culture' of civil society. This is the culture of the social, not of the political. It is the culture of daily life, of its many associations: churches and universities, learned and scientific societies, clubs and teams [...]. In a democratic society there is a tradition of democratic thought, the content of which is at least familiar and intelligible to the educated common sense of citizens generally. Society's main institutions, and their accepted forms of interpretation, are seen as fund of implicitly shared ideas and principles." RAWLS J. 2005. *Political Liberalism*. Op. cit.:13-14.

practice of public reasoning. As said, this culture is not yet 'political' or still 'private'. Nevertheless, it represents that ground, where specific traditions shape those universal values, which constitute the basis for an autonomous democratic development of the society.

Thus, a last crucial feature concerns the link existing between the idea of equilibrium and democracy. It is necessary to clarify that 'civil society' cannot replace 'democracy'. In contemporary pluralistic societies, democracy requires an 'overlapping consensus' over a fundamental political conception. Furthermore, such a consensus is meant to include all the major democratic institutions, namely the basic structure of the society. Of course, the idea of 'common culture of civility' is not supposed to replace that overlapping consensus required to democracy. It is rather that "dialogic part of the common human inheritance,"¹¹⁰ on which it is possible to build an autonomous path toward democracy.

What we need in post-conflict transition is to emphasize the 'common tradition of civility' already existing in the society. Accordingly, the argument proposed in this work is that an effective approach to democratic transition has to start from below and has to take into account the cultural specificity and the common sense of justice emerging from those people who are actually involved in the democratization process. In those contexts, an ideal and universal value of democracy emerges as deeply linked to the preservation of human dignity and the restoration of a pluralistic dialog based on public reasoning and tolerance.

¹¹⁰ SEN A. March 2006. Democracy isn't "Western". Op. cit.

Map of Bosnia-Herzegovina



Base 802729A1 (R00389) 2-02

Figure 6: Map of Bosnia-Herzegovina (CIA 2002)

*And, from whatever time of day and from whatever corner you set your sights on
Sarajevo, you always and without specific intention think the same thing.
That is a city. A city that both nears its end and is dying, yet simultaneously is being
born and growing"*

Ivo Andrić

Chapter 3

III. BOSNIA CASE STUDY

The role of civil society in post-conflict reconstruction:

The case of the Associations of Mothers and Relatives of Missing Persons in Bosnia

3.1 Introduction

The war in Bosnia-Herzegovina was the most deadly conflict in Europe since the Second World War. Thousands of victims, refugees and displaced persons; spread of criminality; destruction of cultural and artistic symbols and monuments; hundreds of concentration camps: such were the shocking costs of the “dirty war” fought in Bosnia from May 1992 to December 1995. Today, 13 years after the end of the war, the path toward a viable and pluralistic democracy in Bosnia-Herzegovina 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 Bosnia-Herzegovina still presents signals of deep instability at both economic and political levels. Most of the institutional reforms planned after the end of the war are blocked, and the old bureaucratic and administrative system, mostly based on corruption and patronage-system, has remained mainly unchanged. The political system shows the traits of a “hybrid regime,”¹ in which democratic institutions coexist with un-democratic mechanisms. In this system, both forces are necessary in order to sustain a certain level of stability in the country². Furthermore, despite the international efforts, an actual dialogue among the three former warring parties is still far to be fully achieved. The ethnic division of the population remains the major challenge to the territorial integrity and political unity of the country, while nationalist

¹ BOJKOV V.D. 2003. Democracy in Bosnia and Herzegovina: Post-1995 Political System and its Functioning. *Southeast European Politics* 4: 41-67.: 42

² BOJKOV V.D. 2003. Democracy in Bosnia and Herzegovina. Op.cit.

parties are maintaining a predominant role in the political realm, which is guaranteed by the absence of an actual political alternative to nationalist grouping and by the huge popular support.

Recently much scholarly work has been done on the 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”³. Furthermore, civil society is understood as that sphere where it is possible to pacify society by handling all conflicts non-violently and democratically⁴. Such positive expectations for civil society engagement 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. In this context, engaging civil society actors in peace transition process was supposed to promote more substantive levels of democratic stability combined with higher degree of tolerance and pluralistic integration within society. In the light of this, one can understand why in recent years Bosnia has become a ground for testing several approaches to civil society engagement in the region. 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.

Because of the ‘external’ financial and political dependence of most of civil society actors operating in Bosnia, civil society’ actual impact has been mostly unproductive of those results invoked by international community. Additionally, due to the strong emphasis placed on NGOs sector, such an approach has largely ignored all those associational mechanisms, participation modalities and market structures, which represent an important side of civil society in the perspective of a genuine involvement of people in the democratic transition⁵. International efforts in ‘building civil society’ have constantly obstructed the inclusion of local forms of civil society in a constructive dialogue with governmental institutions. This has contributed to create that model of “governance

³ BELLONI R. 2001. *Civil Society and Peace-building in Bosnia and Herzegovina*. Op.cit.

⁴ ORJUELA C. 2003. *Building Peace in Sri Lanka: A Role for Civil Society?* Op.cit.

⁵ POULIGNY B. 2005. *Civil Society and Post-Conflict Peacebuilding: Ambiguities of International Programmes Aimed at Building 'New' Societies*. Op. cit.

without participation,”⁶ which has characterized recent Bosnian political developments. Furthermore, this approach to civil society has sensibly reduced the possibility for Bosnian people to develop, at the private level before that at the public one, a common sense of civility necessary for sustaining the democratic transition. Actually, the lack of participation has led Bosnian citizens to perceive such civil society, as it was being fostered by international community, as an external attempt to impose ideals and values inapplicable to Bosnian context. Thus, they have increasingly looked at nationalist parties and movements as genuine expression of Bosnian reality in contrast to the ‘externality’ of non-governmental actors ⁷.

In the present chapter, I apply the theoretical framework discussed in the previous chapters to the actual case of Bosnian society. Such framework has been rooted in two fundamental assumptions. First, it has entailed an 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 have emphasized the necessity to understand civil society as complex ‘equilibrium among cultural, political, and economic domains’, where individual interests and pursuits meet collective claims and shared experiences. In this perspective, civil society is neither the sphere of non-governmental sector nor a private sphere as such. Following Hegel’s understanding, civil society is the intermediate sphere existing between ‘family’ and ‘state’, it comprises all those forms of economic linkages, associational modalities and cultural expressions. It represents the antistate, since there emerge all those forms that constitute a counterweight to the ‘tyranny of the state’(Taylor 1995); but it also corresponds to a kind of ‘anticipation’ of the more extensive experience of the state. In this second sense, civil society is supposed to be the sphere where a ‘common culture of civility’ emerges. I define ‘common culture of civility’ as a specific kind of culture on which it is possible to build an autonomous democratic development of a society.

With reference to Bosnian context, the idea of equilibrium is meant to reduce the emphasis on non-governmental sector, understood as NGOs, giving priority to that set of associational modalities and market actors and structures that represent the specificity of

⁶ BIEBER F. 2002. Aid Dependency in Bosnian Politics and Civil Society: Failures and Successes of Post-war Peacebuilding in Bosnia-Herzegovina. *Croatian International Relations Review*: 25-29.

⁷ BELLONI R. 2001. Civil Society and Peace-building in Bosnia and Herzegovina .Op.cit.

Bosnian society. Such an approach is aimed at stressing those features of ‘civility’, such as pluralism, non-violence, and sense of justice, which actually constitute a ‘Bosnian common culture of civility’.

The chapter is divided into three sections. The first section is meant to represent an introduction to the general case study of Bosnia-Herzegovina. After a brief historical account concerning the years of the war until the Dayton Agreement, I outline some of the major challenges to the democratic development of the emerging state: institutional hybridism, institutionalization of ethnicity, international dependency, and lack of justice in the process of reconciliation. In the second section, the theoretical framework is applied to Bosnian context. I show how such an approach is more likely to emphasize those features of ‘civility’ existing in Bosnian realm. Finally, in the third section 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.

In Bosnian context, individualist reductionism has been vastly supported by scholars and practitioners. Thus, I first test the effectiveness of the theses of both versions of individualist reductionism to the case of the associations of victims and relatives. I therefore illustrate the problems raised by the application of those approaches. Then, I show how an approach rooted in the ideas of equilibrium and plural affiliations is more likely to emphasize the constructive potential of those actors in Bosnian democratic transition. Even being relatively linked to nationalist parties and movements, those actors show to be aware of the relevance of their shared experiences and affiliations over their religious differences, in particular I refer to the experiences of “being victims” and “motherhood”. Finally, I place emphasis on their struggle against impunity. Those actors are developing a common struggle for justice, understood as recognition of the human dignity of all human beings, which is becoming part of “Bosnian common culture of civility”.

3.2 Understanding Bosnian case: ethnic groups, nationalism in politics and international involvement

The lack of a durable reconciliation among the three major ethno-religious forces still constitutes the main obstacle to the democratic development of Bosnia-Herzegovina. Four major issues are deeply questioning the peaceful coexistence of the three ethnic groups, and these problems are, in some way, connected to each other. (1)The first problem concerns the territorial division of the country into two ethnic entities, the Serb RS and the Croat-Bosniak FBiH.⁸ In theory, the recognition of the two entities, as formulated in the Dayton Agreement, was supposed to offer a solution to the ethnic division of the country, without affecting the territorial unity of the emerging state of Bosnia-Herzegovina. However, since its actual application to Bosnian territory, it was clear that the decision to recognize a relative autonomy to the two ethnic entities was likely to frustrate the expectations of both, Serb and Croat-Bosniak, sides. Actually, on one hand the Bosnian Serbs have always looked at the notion of “entity” as the outcome of the international community’ intention to deny their right to self-determination, narrowing their status of “people” to that of “minority group”⁹. On the Croat-Bosniak side, instead, the institution of the two entities has been perceived as the most important challenge to the territorial integrity of Bosnia-Herzegovina. In sum, the institution of the two entities has represented a hybrid “territorial compromise” between an approach to conflict transition aimed at bringing together ethnic differences, based on the ideas of territorial autonomy and power-sharing¹⁰, and a more traditional approach directed to put emphasis on the relevance of the territorial integrity of the newly emerged state.

⁸ The FBiH is further split into ten ethnic cantons.

⁹ See on this point the second section of *Human rights in identity-conflicts: the meaning of ‘human dignity’*, first chapter, about the issue of minority rights.pp.12-18.

¹⁰ This kind of approach follows Lijphart’s idea of ‘consociationalism’. According to the Dutch scholar, a *consociational system* guarantees a form of government based on the idea of group representation. Considering the case of Netherlands, he emphasized the way in which that system was divided into four “non-territorial pillars”: Calvinist, Catholic, socialist and liberal LIJPHART A. 1991. *Constitutional Choices For New Democracies. Journal of Democracy* 2: 72-84, LIJPHART A. 2004. *Constitutional Design for Divided Societies. Journal of Democracy* 15: 96-109 . This kind of approach has been recently applied to contexts of deeply divided societies in order to guarantee a fair representation of different ethnic groups at the governmental level. As several scholars pointed out, the Dayton Agreement designed a typical consociational model for the institutions of the emerging state of Bosnia. See also BELLONI R. 2001. *Civil Society and Peace-building in Bosnia and Herzegovina*. Op. cit.

(2) The role of nationalist parties in the political life of contemporary Bosnia constitutes the second fundamental challenge to the democratic transition in the country. Since the end of the war, the weight of nationalist actors has increased, this phenomenon is both cause and effect of the ethnic tensions in the territory. Actually, the power of nationalist parties in the political arena translated not only into a general ethno-religious approach to politics, but also into a kind of ‘institutionalization of ethnicity’ in the country through the introduction of settlements and mechanisms, both at local and state levels, directed to the protection of a special representation of the three major ethno-religious groups. Although Bosnian political realm suffers of the lack of actual alternatives to ethnic forces, it is relevant to note that nationalist parties effectively represent a vast part of Bosnian population, especially in the rural areas.

(3) However, the revival of nationalist forces of the last few years cannot be understood without taking into account the strategy of ‘interventionism’ adopted by international community in the country. Although the intention of international actors was to weaken the influence of nationalist parties in Bosnian politics, this practice of intervention had the opposite effects to relieve nationalist leaders of responsibility for their political actions, and to increase people’s detachment from the political life. Actually, the external interventionism has not only undermined the endogenous political and economic development of the country, but it also contributed to further emphasize the link between people and nationalist forces.

(4) The lack of an integrate reform of the civil and criminal justice suggests a last feature of instability for Bosnian political system. In spite of the efforts for reforming the police system¹¹, the path toward a substantial reorganization of the system of justice is still far to be achieved. Again, the major effects of this deficit of justice fall on the ethno-religious divisions in a dramatic way. In this context, the main obstacle concerns the reluctance on the part of both entities to cooperate with each other in order to create an integrated and accountable system of justice. Accordingly, representatives of both sides have increasingly boycotted any development in this sense. The effects of this form of boycotting are evident especially with regard to criminal justice: in this case, notwithstanding the international

¹¹ On April 11 2008, after years of disputes, the lower house of the Parliament of Bosnia-Herzegovina finally approved the final document of the police reform, which aims at integrating the country’s two police forces. For more information, see <http://news.bbc.co.uk/1/hi/world/europe/7341857.stm>.

efforts, representatives of both entities have constantly obstructed any action of the ICTY, not only by refusing to collaborate with the international institution, but also by hiding and protecting most of the people charged with war criminal actions. The fact that most of the war criminals are still at large deeply questions the possibility to overcome the divisions imposed by the conflict and to develop a path of reconciliation among the three ethno-religious groups.

The following section aims at understanding the political and institutional developments that have brought the state of Bosnia-Herzegovina to such a difficult political situation. After a brief historical account concerning the years of the war until the achievement of the peace agreement, namely the Dayton Agreement; I seek to explain the present political situation of Bosnia in the light of both internal and external features. I reconstruct the institutional and political recent history of Bosnia sketching some relevant features of the post-conflict settlements, which I call institutional hybridism, international dependency, and institutionalization of ethnicity. This first section has to be understood as an introduction to the general case study of Bosnia-Herzegovina, and, undoubtedly, it does not offer a comprehensive analysis of the political situation of Bosnia today. However, in my view, it would be extremely difficult to consider this case and formulate possible directions for Bosnian civil society in the transition toward democracy without considering the socio-political and institutional situation of the country. If it is true in principle that democracy cannot flourish without effective state institutions and a strong political culture, in practice these developments cannot be achieved without considering the social and political reality of a specific context and without recognizing the mistakes of the past.

3.2.1 Historical background: from Bosnian Conflict to the Dayton Agreement 1992-1995

On April 5 1992, thousands of people gathered in Sarajevo to participate in one of the most important demonstrations for peace after the end of the Cold War. They wanted the resignations of the government members and an international protectorate in Bosnia-Herzegovina. Nevertheless, that day was the first day of war in Bosnia-Herzegovina. The war started when the snipers began to shoot at the crowd, killing a young woman. The day

after, while international community was recognizing Bosnia-Herzegovina as independent state, war extended into the Country and Serbs forces started their siege of Sarajevo¹².

During the first phase of the conflict, the Army of Republic Srpska (VRS) was supported by former Yugoslav army, Serbs paramilitary groups,¹³ and Serb government (led by Slobodan Milosević). They fought against the coalition of the Army of the Republic of Bosnia-Herzegovina (ARBiH) and the Croat Defense Council (HVO). In the course of this first period, the Serbs began to implement their plans of ethnic cleansing in the north of the country.

One year later, the coalition between Croats and Bosniaks ended when the HDZ intervened in the war proclaiming the “Croat Republic of Herceg-Bosnia” (*Hrvatska Republika Herceg-Bosna*). Such a proclamation led the two groups to fight in Herzegovina and in Central Bosnia. Croats learned from Serbs the practice of ethnic cleaning and applied it against Bosniaks in those regions.¹⁴ The conflict between Bosniaks and Croats lasted until March 1994, when the U.S. intervention brought to the Washington Agreement. The agreement established the FBiH divided into ethnically defined cantons. From March 1994 to December 1995 (the Dayton Agreement was signed on 14 December 1995), the morphology of the conflict showed again, at least formally, two warring parties the Serbs on one side and the coalition of Croats and Bosniaks on the other.

The tremendous experience of Bosnian war has displayed new forms of violence and cruelty associated to ethnic or religious features involved in contemporary conflicts. *Ethnic Cleansing (etničko čišćenje)*, which implied ethnic rapes, executions, violent expulsions, psychological and physical tortures in order to create ethnically homogeneous territories, was applied systematically by the different warring parties. According to data furnished by the UN Commission of Experts¹⁵, 633 concentration and detention camps were active in Bosnia during the three years and a half of war. Nearly half of them were run by the

¹² See BOUGAREL X. 1996. *Bosnie: anatomie d'un conflit*. Op. cit., BOUGAREL X.H., E., & DUIJZINGS, G. . 2007. *The New Bosnian Mosaic*. Op. cit., KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op. cit.

¹³ Among the others, it is relevant to refer to Arkan's “Tigers” and Šešelj's “White Eagles.” These two paramilitary groups have committed the largest number of human rights violations in the region.

¹⁴ KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op. cit.

¹⁵ Annex VIII of which contains the most detailed source of evidence, much of it corroborating the camp system from a variety of non-partisan sources.

Bosnian Serbs, 83 (12%) by the Bosnian government – led by the Bosniak side - , 51 (8%) by the Bosnian Croats, 31 (5%) by both Bosnian Croats and Muslims¹⁶. The results of this ethnic policy were the displacement of more than 2,100,000 people and the murder of 100,000 -150,000 people¹⁷. The war created territories ethnically homogeneous everywhere in the country. Only two cities maintained certain religious heterogeneity, Sarajevo and Tuzla. Nevertheless, while Tuzla, thanks to the support of the municipality, maintained a status of relative neutrality during war,¹⁸ Sarajevo was under siege for years, and the outcome was the division of the city into two parts according to ethnic lines, each part linked to one of the two entities. Mostar was divided into two sectors, a Roman Catholic Croat district in the West, and a Muslim district in the East, on the opposite sides of the river Neretva. Banja Luka, as well as many other villages and major cities of the region, became ethnically homogeneous.

The cultural connotation of the war had a further outcome: the intentional destruction of historical buildings and monuments¹⁹. The symbolic meaning of these acts of ‘cultural vandalism’ was clear: the warring parties wanted to destroy any symbol that could have been read as bearer of a shared culture of one national state. This can explain the destruction of the Ivo Andrić monument in Višegrad by the Bosnian Muslims, the shelling of the 16th century Ferhadija and Arnaudije mosques in Banja Luka and the bombardment of the Bosnian National Library, the *Većnica*, based in Sarajevo by the Bosnian Serbs, as well as the destruction of the 16th century stone bridge, *Stari Most*, in Mostar by Croat artillery.²⁰

¹⁶ U.N. 1994. Final Report of the Commission of Experts Established Pursuant to Security Council Resolution 780 (1992). In: *S/1994/674, 27 May 1994* (Ed. by U.N.S. COUNCIL), CAMPBELL D. 2002. Atrocity, memory, photography: imaging the concentration camps of Bosnia – the case of ITN versus Living Marxism, Part 2. *Journal of Human Rights* 1: 143-172.

¹⁷ BOUGAREL X.H., E., & DUIZINGS, G. . 2007. *The New Bosnian Mosaic*. Op. cit.

¹⁸ See in the chapter 1st the case of Tuzla, which is discussed in the section, *Plural affiliations and lacks of freedoms*. p.70. Kaldor defines Tuzla’s case as a “zone of civility” that struggled to escape the polarization imposed by the logic of war. At the same time, it would be misleading to think that Tuzla was not involved in the conflict. On May 25 1995, a grenade, fired by the Bosnian Serbs on Mount Majejica, fell in the city-centre killing 72 people and injuring 236 people, most of them between 18 and 25 years old. KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op. cit.

¹⁹“By the end of 1992 up to 70% of the architectural inheritance of Bosnia-Herzegovina had been damaged or destroyed, including over 300 mosques, 150 Orthodox churches and 50 Catholic churches” NATION C.R. 2003. *War in The Balkans, 1991-2002*. US Army War College, Carlisle, PA..

²⁰ *Ibid.*

3.2.2 Post-conflict transition: Bosnia-Herzegovina after Dayton

The Dayton Agreement followed several attempts to stop the hostilities between 1992 and 1995. In spring 1992, the Carrington-Cutileiro Peace Plan²¹ represented the first attempt in such a sense. In order to prevent a war in Bosnia, the plan suggested the partition of the territory into three parts along ethnic lines²². The second plan, Vance-Owen, was presented at the end of 1992. It proposed to split the territory of Bosnia-Herzegovina into ten cantons, 9 of them had to be differentiated on the basis of the ethnic domination of one group on the others²³. From the summer 1993 to December 1994, other three attempts to establish peace still failed, Joint Action Plan, Owen-Stoltenberg Plan and Contact Group Plan. All these plans followed the structure of Carrington- Cutileiro's proposal.²⁴ On the Croat- Bosniak side, a separate settlement, namely Washington Agreement, was negotiated and signed in March 1994. According to this treaty, the territory held by Croats and Bosniaks, the *Federation of Bosnia and Herzegovina*, was divided into ten cantons.

Rather than a mere cease-fire/peace settlement, the General Framework Agreement for Peace in Bosnia-Herzegovina, namely Dayton Agreement, was supposed to be one of the most "comprehensive constitutional modeling exercises ever undertaken"²⁵. The agreement was adopted by the three warring parties under a strong international community's pressure²⁶. It represented a huge experiment of constitutional engineering, based on a compendium of contemporary theories on conflict resolution, human rights theory, and protection of the collective rights of the three ethnic communities²⁷. A hybrid document resulted from such an experiment; the agreement represented an odd arrangement between

²¹ Named for its creators Lord Peter Carrington and the Portuguese Ambassador Jorge Cutileiro.

²² KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op. cit. NATION C.R. 2003. *War in The Balkans, 1991-2002*. Op.cit.

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ COX M. 2003. Building Democracy from Outside. The Dayton Agreement in Bosnia & Herzegovina. Op. cit.: 253.

²⁶ CHANDLER D.G. 2000. *Bosnia: Faking Democracy After Dayton*. Pluto Press, London.

²⁷ CONCES R.J. 2002. Unified Pluralism: Fostering Reconciliation and the Demise of Ethnic Nationalism. *Studies in East European Thought* 54: 285-302. COX M. 2003. Building Democracy from Outside. The Dayton Agreement in Bosnia & Herzegovina. Op.cit.

an international treaty and a domestic constitution.²⁸ On one hand, the document secured the parties' consent to the existence of a Bosnian state, namely the state of Bosnia-Herzegovina; basically, it ratified the division of the territory into two distinct "entities" along ethnic lines, the FBiH based on the Bosniak-Croat alliance, on one side, and the RS under the control of the Bosnian Serbs, on the other. On the other hand, it provided the parties with a domestic constitution,²⁹ extensive human rights provisions - including the establishment of a Human Rights Commission³⁰ - and a specific agreement on Refugees and Displaced Persons and their rights to return.³¹

One can describe the period after Dayton Agreements in three phases. A first phase of consolidation of peace, from 1995-1997, was followed by a phase of strong international community's intervention in domestic politics, from 1997-2001. Finally, a third phase started in 2002, when nationalist parties regained power and the international community's intervention became more hesitant.³² In turn, the three phases can be interpreted in the light of three fundamental criticisms: "institutional hybridism" (1), international dependency (2), and ethnic-based institutionalization (3).

(1) Although the international community expectations were to extend the breadth of the Dayton Agreement beyond the first phase of cease-fire by prescribing the post-conflict constitutional order, the reality of the early implementation of the treaty demonstrated the huge difficulty in dealing with the three leaders of the former warring parties that *de-facto* were involved as key-parties of the agreement. This kind of accommodation between the constitutional-transitional pursuit of the agreement and the acceptance of nationalist

²⁸ With reference to this, Cox argued "rarely can a democratic constitution have been produced in such undemocratic circumstances" COX M. 2003. *Building Democracy from Outside. The Dayton Agreement in Bosnia & Herzegovina..* Op. cit.: 258.

²⁹ See the Annex 4 of the General Agreement, OHR. 1995. *The General Framework Agreement for Peace in Bosnia and Herzegovina [Dayton Agreement]*. (Ed. by O.O.T.H. REPRESENTATIVE), Sarajevo..

³⁰ The Commission comprised two bodies: the Office of the Ombudsperson and the Human Rights Chamber. *The Office of the Ombudsperson*. The Ombudsperson was appointed by the OSCE. Two staff members of the Council of Europe Secretariat had been put at the disposal of the Human Rights Ombudsperson, Mrs. Gret Haller. *The Human Rights Chamber*. The Chamber comprises fourteen members, of whom four were appointed by the FBiH, two by the RS and eight by the Council of Europe's Committee of Ministers. See OHR. 1995. Op.cit.: Annex 6.

³¹ See the Annex 6 & 7 of the General Agreement, OHR. 1995. Op.cit.

³² BASTIAN S., & LUCKHAM, R. 2003. *Can democracy Be Designed? The Politics and Institutional Choice in Conflict-Torn Societies*. Zed Books, London. BELLONI R. 2001. *Civil Society and Peace-building in Bosnia and Herzegovina*. Op. cit.; BIEBER F. 2002. *Aid Dependency in Bosnian Politics and Civil Society*. Op. cit., BOUGAREL X.H., E., & DUIJZINGS, G. . 2007. *The New Bosnian Mosaic*. Op. cit.

leaders' involvement in the institutional and political arrangements of the emerging state of Bosnia-Herzegovina represents what I call "institutional hybridism." Actually, in spite of the international efforts, in terms of military presence, economic investments, and institutional building, in order to bring to an end the hostilities and to begin with a process of actual democratic transition, such a phase highlighted the substantial weight that the agreement recognized to the three nationalist parties. The three leaders Izetbegović, Milošević, and Tuđman – respectively representing the interests of Serb Bosnians and Croat Bosnians - asked and obtained the recognition of the *status quo* of the war. The institutionalization of the criminal economy of the war, involving illegal interests, corruption and nepotism, was accepted by international actors.³³ Furthermore, the territorial and institutional settlements³⁴ reflected a certain level of reluctance of international community to take actions against the nationalist parties.

The hesitation of the international actors, in this phase, can be understood in the light of two reasons. On one hand, reducing the sphere of influence of nationalist parties in that moment was supposed to be dangerous for a new outbreak of violence; in this sense, the Dayton Agreement functioned as cease-fire treaty, aimed at accommodating the contrasting claims of the three warring parties, rather than as a comprehensive constitutional covenant. On the other hand, since it was quite clear that nationalist parties were strongly supported by the population, international community seemed to be afraid to put Bosnian citizens in front of a decision between nationalist parties on one side and democratic institutions on the other³⁵. Thus, the arrangements of the first phase of implementation of the treaty put the basis for an enduring ambiguous behavior of international community regarding the possibility of reconciliation among the different ethnic groups.

³³ As pointed out by Belloni, "Together, the humanitarian aid industry and the new criminal economy form a 'political economy of abnormality' that maintains the material basis for ethnic nationalism". BELLONI R. 2001. *Civil Society and Peace-building in Bosnia and Herzegovina*. Op. cit.: 165.

³⁴ The decision to accept the split of the territory into two ethno-based entities, the *FBiH* and the *RS*, reduced sensibly the unitary vocation of the constitution. Such a hybrid compromise, between the idea of international community to maintain, at least formally, a whole state of Bosnia-Herzegovina and the demand of *territorial autonomy* of nationalist forces, produced, *de-facto*, a situation of institutional paralysis with regard to special issues, such as criminal and police reform, reconstruction of the system of justice and the reform of the public administration. All these institutional decisions were systematically stopped or vetoed by one or more nationalist parties.

³⁵ BIEBER F. 2002. *Aid Dependency in Bosnian Politics and Civil Society*. Op. cit.

(2) The second period, from July 1997 to the end of 2001, was marked by a strong international community's intervention. During these years, the external involvement weighted heavily on the economic, political, and social processes of the emerging state of Bosnia-Herzegovina. Although foreign investments and humanitarian aids deeply questioned the possibility for an endogenous economic development of the region, it was on the political-institutional and the social sides that the external pressure created the worst effects on the autonomous democratic transition of the State³⁶. With reference to this, Bieber has rightly pointed out that such a second phase can be described in terms of *governance without participation*³⁷.

Actually, the external interventionism affected the political and institutional development of the country in two different ways. On one hand, such a period was marked by the emergence of an increasing interventionism of the High Representative in the political and institutional affairs of the country at both the national and the local levels³⁸, best known as the era of the 'Bonn Powers'³⁹. This new strategy, which aimed at constituting a sort of temporary-international protectorate in Bosnia-Herzegovina, was supposed to be a necessary condition in order to reduce the influence of nationalist parties in the institutional and legislative processes of the new state. On the other hand, a second kind of external interventionism emerged at the level of civil society.

³⁶ BELLONI R. 2001. Civil Society and Peace-building in Bosnia and Herzegovina. Op. cit., BIEBER F. 2002. Aid Dependency in Bosnian Politics and Civil Society. Op. cit., POULIGNY B. 2005. Civil Society and Post-Conflict Peacebuilding: Ambiguities of International Programmes Aimed at Building 'New' Societies. Op. cit.

³⁷ BIEBER F. 2002. Aid Dependency in Bosnian Politics and Civil Society. Op. cit.: 26.

³⁸ During the special elections of December 1997 in RS, the pressure of the High Representative facilitated the election of Milorad Dodik, person of moderate tendencies and leader of the Party of Independent Social Democrats (SNSD). In the following years, this kind of interventionism, which was supported and advocated by international non-governmental organizations and Bosnian intellectuals who wanted to reduce the role of nationalist parties, became even stronger. In 1998, the High Representative Westendorp imposed various initiatives and laws – such as the imposition of a new common currency, the institution of new state symbols and personal identification documents- aimed at reducing the separatist purposes of the two entities. Most of these actions were directed towards independence movements in RS.

³⁹ The expression 'Bonn Powers' refers to the extended powers conferred to the High Representative for Bosnia-Herzegovina since 1997, when it became clear that the involvement of nationalist parties of the first period was paralyzing the democratic development of the new state. According to international community, nationalist parties were creating two main obstacles to the democratic transition of the country: first, both entities – and each nationalist party - were hindering the prosecution of war criminals, protecting them and refusing to collaborate with the ICTY; second, the three nationalist parties were blocking any institutional reform by mean of the veto power.

During such a second phase, the territory of Bosnia-Herzegovina became, *de-facto*, the ground to test a new kind of approach to conflict transformation rooted in the idea of the positive role of civil society actors in fostering reconciliation and democratic transition. Once more, international community's purpose was to reduce the influence of nationalist leaders through the support of civic "non-political" actors, such as non-governmental organizations⁴⁰. However, despite the international efforts, the new emphasis put on the concept of civil society translated into a condition of 'dependency' of Bosnian non-governmental sector from external financial aids and international organizations' expertise⁴¹. Actually, the economic dependency and the massive presence of international non-governmental organizations (INGOs) deeply questioned the actual participation and potential of local civil society actors. The lack of autonomy, perceived at the institutional level as well as at the level of civil society, not only produced a condition of institutional and political paralysis,⁴² but it also emphasized the limits of an external-led transition, which involved a top-down management of Bosnian internal affairs without an effective participation of Bosnian citizens. The consequences of the strong interventionism of this period would have brought to a revival of nationalist policies and ethnic violence.

(3) In the third phase, started in January 2002, nationalist parties have regained power. International actors abandoned the interventionist strategy, emerged in the second period, giving priority to an alternative approach to ethnicity based on the twofold idea of

⁴⁰ Such a kind of understanding of civil society represents a tough issue of the approach to conflict transformation focused on civil society's role. To be more precise, the thought that non-governmental sector embodies the ideas of pluralism, civility and democracy raises, at least, two kind of problems. First, even accepting the relevance of NGOs in contemporary Western societies, it would be misleading to believe that the non-governmental sector, as such, embodies the idea of civil society. Civil society is a complex phenomenon. It is deeply related to the historical developments and the associational mechanisms of a specific context. In this perspective, the non-governmental sector represents just one aspect of the phenomenon. This first clarification relates to the second issue, which questions the idea of civil society as expression of democratic and non-nationalist values in conflict transformation. If it is true that civil society's sector embodies a complex combination of historical developments and associational mechanisms of a given society, it becomes hard to exclude cultural features from the realm of the civil society. In opposition to the idea expressed by scholars of post-conflict transition, in the case of Bosnia, ethnicity and nationalism play a fundamental role in associational mechanisms and in characterizing civil society in this country.

⁴¹ According to Bieber, international involvement affected local civil society in two different ways: (1) "Bosnian citizens, especially those best educated and with language skills, were often recruited to work for international institutions or organizations, this reduced the possibility for local organizations to hire specialized personnel. (2) Several programs implemented in the country were based on Western decisions rather than on local needs." BIEBER F. 2002. Aid Dependency in Bosnian Politics and Civil Society. Op.cit.: 27-28.

⁴² I refer to the problem of the 'return to home' for millions of refugees, which showed the huge difficulties related to the reintegration of people into ethnically homogeneous communities, or to the constitutional and the criminal justice reforms, which followed being blocked by nationalist parties.

cooperating with and restraining nationalist parties⁴³. The emergence of this new attitude is related to two distinct phenomena. On one hand, the renewed power of nationalist parties reflected the development of settlements and dispositions provided by international community during the first period of conflict transition. In this perspective, it would be possible to stress a certain kind of continuity between the first of the third phases, in which the contingency of the “hybrid compromise” of the first period became the rule of the “ethnic-institutionalization” of this phase. On the other hand, the new emphasis put on nationalist discourses and practices can be considered as a direct consequence of the lack of participation of the second phase. In this sense, the ‘international interventionism’ brought to the eventual separation between an international-led public politics and an endogenous nationalist politics closer to the three ethnic groups’ interests and needs.

Even if the external intervention became more hesitant, this process of ethnic institutionalization⁴⁴ was still supervised by international actors⁴⁵. Furthermore, in this phase the same nationalist parties were more interested in recovering Bosnian economy and in ensuring an *entente cordiale* with European Union, rather than in fighting against each other. Nevertheless, the ethnic-based institutional design of these years has raised problems at both the group and individual levels. At the group level, the new process of institutionalizing ethnicity has stressed the distance among the different ethno-religious groups, rather than addressing new forms of cooperation and integration.

⁴³ It would be inappropriate “to label such a phase a return to the beginning” BOUGAREL X.H., E., & DUIZINGS, G. . 2007. *The New Bosnian Mosaic*. Op. cit.: 10. Actually, while in the first period, the relations between international community and nationalist leaders can be described as an attempt to mediate conflicting positions in order to avoid new episodes of ethnic violence; such a third period can be understood in the light of a new awareness of international actors about the necessity to involve nationalist forces in the institutional and political processes of the new state of Bosnia-Herzegovina. International actors realized that nationalist parties, which would have otherwise obstructed any attempt of to perform a coherent strategy of development for the country, represented the most important political forces in the territory.

⁴⁴ The idea of *institutionalization of ethnicity* can be understood as “the representation of ethnic groups as *ethnic groups* in state institutions” BIEBER F. 2004. *Institutionalizing Ethnicity in the Western Balkans Managing Change in Deeply Divided Societies. ECMI Working Paper 19.*: 2. As highlighted before, this approach refers to Lijphart’s consociational model, according to which the power-sharing system was guaranteed by four major mechanisms: grand coalition, minority vetoes, proportional representation, and segmental autonomy. In the case of Bosnia, as well as in other contexts in the Balkans, this approach has been implemented only partially to the state’ institutions, this raised several problems in terms of governance. In contrast to the idea of power sharing, the institutionalization of ethnicity in Bosnia has brought to an institutional mechanism, in which the power exercised by multi-ethnic government is mainly divided rather than shared.

⁴⁵ In 2004, after the further RS’s refusal to arrest war criminals, the new High Representative – Paddy Ashdown – dismissed several members of the SDS, generating a new institutional paralysis in the Serb entity.

Actually, the emphasis put on the principle of the ethnic representation and its rigid application to the major institutions of the country translated into a practice of power dividing that neglected crucial issues, such as group inclusion and institutional legitimacy. Most importantly, the practice of ethnic representation has had important consequences at the individual level. The mechanism of the minority representation and the principle of 'ethnic citizenship' had not only deeply undermined the sense of unity of Bosnian citizens, but these procedures had also led to major individual rights violations.⁴⁶ In other terms, the application of principle of ethnic belonging to Bosnian political realm has had the dramatic consequence to prioritize minority rights and settlements over the individual rights of Bosnian citizens.⁴⁷

⁴⁶ Several civil rights (i.e.: the right to be elected to the higher positions, to work in the public administration, etc) are subjected to the declaration of belonging to one of three major ethnic groups (Croats, Bosniaks, and Serbs). It is important to consider that a moderate percentage (around 10% of the population) of Jewish, Roma, Bulgarian, Albanian groups, and mixed Bosnians are still living in Bosnia. Despite their Bosnian citizenship, most of the political and civil rights of these citizens are *de-facto* violated. This happens because these minor groups, defined "others", are excluded from the ethno-representation both at the state and local levels.

⁴⁷The violation of individual rights involves not only the Bosnian citizens belonging to the group of the "others", but this kind of approach also led to the violation of the rights of refugees and displaced persons of the three major ethnic groups. A clear example of this is offered by the system of election in the House of People. According to the constitution, each ethnic group is entitled to elect five members of the House of People. The problem of this norm is mainly related to its application to the regions that after the war became ethnically homogenous. In the case of RS, for example, this norm prescribes that all five members elected have to be Serbs, without considering that according to the prewar demographic data the Serbs were roughly 50% population in that region. Accordingly, if the process of return of refugees and displaced person in the region will be completed, their political rights to elect their representative will be denied by this provision. See, BELLONI R. 2001. Civil Society and Peace-building in Bosnia and Herzegovina. Op. cit. COX M. 1998. Strategic Approaches To International Intervention in Bosnia and Herzegovina.

3.3 Post-conflict transition and civil society in Bosnia

Recently, much scholarly work has highlighted the constructive potential of civil society in the processes of conflict transformation and democratic transition, with particular emphasis on the role of CSOs in deeply divided societies. However, the way in which scholars look at civil society's intervention in such societies deeply varies with regard to their views about one relevant issue: their understanding of cultural identity linked to the idea of civil society. In the present work, I have distinguished two main reductionisms related to the understanding of cultural identity in conflict⁴⁸: individualist reductionism and cultural reductionism. The first shows a complete lack of interest about cultural identity. It looks at the individuals as fundamental subjects of any political action. Conversely, the second represents its opposite version. It looks at individuals not as separate units, but as integral part of a larger and more complex group (i.e., extended family, village, ethnic or religious community). Then, I have selected three major approaches to ethno-religious conflicts, which are extremely influencing contemporary literature on civil society's role in supporting conflict transformation: the Protracted Social Conflicts theory, the economic approach to "greed versus grievances," and the political approach to "new nationalism."

While one can look at the first approach through the lenses of cultural reductionism, the two further approaches seem to reflect two different versions of individualist reductionism. In fact, according to the PSC theory, the emergence of identity-conflicts imposes to reconsider the levels of the analysis focusing on the group level; in such a view, identity groups – i.e. ethnic, religious, or racial groups – are considered as the most useful unit of analysis. Conversely, with reference to both the economic approach to "greed versus grievance" and the political approach to "new nationalism" the emphasis is placed on individual' rational choice, rather than on collective claims.

⁴⁸ It is relevant to note that this distinction primordialism/constructivism is often employed by scholars of conflict analysis HOROWITZ D.L. 1998. *Structure and Strategy in Ethnic Conflict*. Op. cit. HOROWITZ D.L. 2001. *Ethnic Groups in Conflict*. Op. cit. Sometimes other categories have been added to this antithesis; Varshney, for example, recognizes four categories *essentialism, instrumentalism, constructivism, and institutionalism* VARSHNEY A. 2003a. *Ethnic Conflict and Civic Life: Hindus and Muslims in India*. Op. cit.: 23-39. In my interpretation, instead, both primordialism and constructivism are considered in their broadest versions. Actually, I recover the two terms from the scholarly debate in order to show how different understandings of cultural identity translate into two different kinds of reductionism: cultural reductionism and individualist reductionism.

With reference to the second issue, in spite of its centrality to classical Western political theory, in contemporary discussions there is not agreement about the definition of civil society and its extension. As I noted in the second chapter, it is possible to summarize at least three main positions. A neo-liberal approach places civil society in the economic realm. A political account locates an independent civil society between both state and economy, in this context civil society is supposed to be a crucial means for performing shared political interests and for informing governments of citizens' fundamental needs. Finally, a third cultural-oriented account recognizes a kind of 'civility' in those sets of cultural traditions and historical heritage held by each society, it implies the possibility to have different versions of civil society with regard to different contexts.

The concept of civil society has been recovered only recently in the field of conflict transformation. All the above-mentioned approaches have in turn deeply influenced contemporary literature on conflict transformation; however, what seems to be more relevant in such a context concerns the application of both reductionisms to the notion of civil society. On one hand, scholars who look at identity conflicts through the lenses of cultural reductionism tend to underline the "collective" character of civil society. In such a perspective, civil society is understood as fundamental stage of development in which different groups can recognize each other and cooperate in one whole system. According to this perspective, if it is true that the communal level is the source of the identity-conflict, it is therefore necessary to work at this level in order to overcome the condition of conflict among the different ethnic or religious communities. On the other hand, supporters of the individualistic account of conflicts see civil society as the space, where individual autonomy and shared political pursuits emerge. In this perspective, civil society represents such a 'middle ground'⁴⁹ between individuals and the state; and it functions both as constraint to state power and means of realization of individuals' capacities. According to the individualistic account, a strong civil society is supposed to be a *conditio sine qua non* for modern and viable democracies. (See table 3, p.123)

⁴⁹ BELLONI R. 2001. Civil Society and Peace-building in Bosnia and Herzegovina. Op. cit.: 168.

3.3.1 Identity as plural affiliation and civil society as equilibrium among Culture, Politics and Economy: theoretical framework

The theoretical premises of the present work are based on two alternative understandings of identity-conflicts and civil society. Both the perspective of individual identity understood as overlapping of different plural affiliations⁵⁰ and the idea of civil society as equilibrium among the three domains of culture, politics, and economy are supposed to replace both individualistic and cultural reductionisms emerged in contemporary literature on civil society' engagement in conflict transformation. The idea of plural affiliations plays a crucial role in defining cultural identity, which is assumed to be a key feature in both identity-conflicts and civil society. According to this idea, ethnic as well as religious features represent just some attributions of individual identity. Accordingly, each individual is the result of the overlapping of a complex set of different identitarian affiliations.⁵¹ (See Figure 5 p. 126). In the light of the idea of plural affiliations, I offer two alternative explanations of identity conflict and civil society.

First, taking more seriously the idea of plural affiliations, identity-conflicts can be understood in the light of three main features: the cultural rooted idea of nation, the spread condition of capability-deprivation within society, and the role of cultural-war entrepreneurs in fuelling sectarian violence. (1) Thus, the issue of recognition of some specific affiliations- namely ethnic, religious, or linguistic affiliations- affects the territory and, therefore, any kind of conflict over its boundaries due to a specific historical development of the idea of *nation* over the centuries. Unlike many contemporary scholars, who tend to make a distinction between *civic nations* and *cultural nations*, I argue that nationalism is always concerned with culture. Nevertheless, such cultural features are likely to become even more relevant in absence of a strong democratic system.

(2) Thus, although nationalism necessarily entails cultural features, there is a significant inverse relation between the relevance of those cultural affiliations and democracy. In a democratic state, the guarantee of civil and political rights and freedoms that enable people to lead the lives they value offers a “detailed and more satisfying substitute”⁵² for

⁵⁰ SEN A. 2006. *Identity and Violence: The Illusion of Destiny*. Op. cit.

⁵¹ See the example of Mother Teresa in the previous chapters.

⁵² BARNETT J. 2008. *Peace and Development: Towards a New Synthesis*. Op. cit.:82.

identitarian violence.⁵³ The condition of spread inequalities and lack of substantive freedoms affects individual's freedom and ability to choose about the relative weight to confer to the different affiliations, leading individuals to deny the existence of a plurality of affiliations for themselves and the others. Societies are therefore redesigned into rigid schemes of incompatible mono-affiliations.

(3) Finally, as stated by constructivist scholars, the underlying causes of an identity conflict can hardly be understood without reference to those private forms of violence that emerge and find space in contexts of deeply divided societies. Very often, the master cleavages, based on ethno-religious arguments, are employed by private – sometimes criminal - individuals or associations, which I call cultural-war-entrepreneurs, in order to create a certain level of support to their violent actions.

Similarly, the idea of plural affiliations translates into the notion of civil society. Contemporary literature on civil society' engagement in post conflict transition is deeply influenced by both reductionisms. Supporters of cultural reductionism emphasize the corporative character of civil society; while, those who maintain an individualist position offer, in turn, two interpretations of civil society, as a counterweight to state authority and as an independent sphere of individual autonomy and liberal values. Conversely, the assumption of the plural affiliations reverses the problem: if each individual identity is unique since it is the sum of a complex set of plural affiliations - in terms of race, age, gender, ethnicity, religion, experiences, class and so on; nonetheless, each individual shares some of those affiliations⁵⁴ with others. With reference to idea of civil society, this standpoint allows overcoming the dualism suggested by the two reductionisms. Civil society is, thus, not only a kind of 'anticipation' of the more extensive experience of the state, but also a constraint to state authority; it is both the sphere of individual autonomy and that of shared and conflicting values and interests.

Civil society is that sphere operating among the state, the family, and the market comprising political, cultural, and economic dimensions. It is supposed to produce two relevant outcomes. First, the tension among those forces guarantees the realization of

⁵³ With regard to this, see the argument about the role of democracy in preventing famine, *Famine and Other Crises*, in SEN A. 1999. *Development As Freedom*. Op. cit.

⁵⁴ With greater or lesser emphasis.

freedom, and, therefore, the separation between civil society and state. Second, the balance between individualistic presuppositions and collectivistic nature of the *affiliations* guarantees that individuals in civil society are actually experiencing a kind of anticipation of the more extensive practice of plural integration of the state⁵⁵.

(1), the idea of plural affiliations introduces an understanding of civil society as the realm where individual interests compete with collective aspirations; in this context, the mediation between groups and individuals is guaranteed by the presence of the three spheres of politics, culture, and economy. (2) Furthermore, the fact that civil society is the product of specific historical development of a given society – made up of cultural, political, and economic features- implies that it is possible to begin the democratic path with those features of ‘civility’ already existing in a given society that can deeply vary with regard to different contexts. (3) Finally, the condition of equilibrium in civil society entails an idea of ‘common culture of civility’, which represent an intermediate step between a private ‘background culture’ and a public ‘political culture’, able to sustain the process of pluralistic integration within society.

3.3.2 Bosnia after Dayton: a role for civil society?

In recent years, “strengthening civil society” has been an imperative vastly invoked by international community with reference to Bosnian post-conflict context. Bosnia-Herzegovina has actually become a kind of ‘testing ground’ for different approaches to conflict transformation based on the idea of civil society’s engagement. In this context, civil society structures and mechanisms have functioned as both means to mediate between international community and the three ethnic groups and tools to experience a ‘bottom-up’ approach to democracy in the region. Although the Dayton Agreement largely ignored the issue of civil society, international actors have strongly encouraged and supported civil society engagement so as it has become integral part of the international involvement.⁵⁶ Growing amounts of financial and human resources have been concentrated in Bosnia through local and international NGOs and, accordingly, the number and relevance of those actors in the socio-political realm has strongly increased. This country, which before the

⁵⁵ Such a perspective of equilibrium among political, cultural, and economic domains is deeply influenced by Hegel’s understanding of civil society.

⁵⁶ BELLONI R. 2001. Civil Society and Peace-building in Bosnia and Herzegovina. Op. cit.

war did not know an actual non-governmental sector, has experienced in the last few years what is considered the most ambitious experiment of civil society engagement in transitional society ever existed.

Both kinds of reductionism have found, in turn, their empirical application to Bosnian case⁵⁷. Nevertheless, it has been recognized a certain priority to individualist reductionism over the other approach. Actually, both scholars and practitioners have increasingly looked at Bosnian conflict as the prototype of individualistic-rooted identity-conflict where constructed sectarian ideologies functioned for supporting interests and actions of those leaders, mostly criminals, who wanted to gain power⁵⁸. In this perspective, the emergence of a 'strong civil society' sector has been supposed to contrast sectarian forces, stimulate new socio-economic links that would have facilitated the emergence of trust, and create a counterweight to state power in order to introduce greater transparency and accountability. In particular, in the last years, international observers have looked with growing attention at the increased presence of local and international grass roots NGOs that foster non-sectarian ideologies based on liberal and pluralistic values as an actual alternative to nationalist power.⁵⁹

In truth, in spite of the international efforts, Bosnian experience has shown the ambivalences raised by such an approach to civil society, as it has been understood by supporters of individualist reductionism. First, the efforts to impose a model of civil society bearer of a 'Western civility' have constantly clashed with local values and traditions; this has increasingly demonstrated the inadequacy of such a model.⁶⁰ Such a 'top-down' imposition of an external model of 'civility' led citizens to refuse such a model. Thus, while international community was prioritizing the process of 'civil society building' understood as indispensable feature for the long-term stability of the region, increasingly Bosnian people were not recognizing that 'external' civil society as actual expression of their interests and needs. Furthermore, most Bosnian citizens have started

⁵⁷ IGNATIEFF M. 1993. *Blood and Belonging: Journeys into the New Nationalism*. Op.cit.; IGNATIEFF M. 1997. *The Warrior's Honor: Ethnic War and the Modern Conscience*. Op.cit.; KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op.cit.; KAPLAN R. 1993. *Balkan Ghosts: A Journey through History*. Op. cit.

⁵⁸ KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Op.cit.; KALYVAS S.N., & SAMBANIS, N. 2005a. *Bosnia's Civil War*. Op. cit.

⁵⁹ KALDOR M. 2003a. *Global Civil Society*. Op. cit.

⁶⁰ *Ibid.*

looking at this external imposition as an attempt to deny their own tradition of ‘civility’, rooted in a long history of tolerance and pluralism.⁶¹ Because of this, in the last few years, in spite of international community expectations, nationalist forces have progressively regained strong popular support. The failure of international actors in building a crucial space, where civic participation and freedom would have been fostered, has led Bosnian people to look at nationalist parties as the sole ‘typical’ Bosnian alternative to international interventionism.

Furthermore, the approach to ‘civil society building’ in Bosnia has raised a further kind of criticism. Besides the psychological impact on Bosnian citizens due to the ‘externality’ of such an approach, there is also a theoretical problem connected to the very content of the idea of civil society. The Western-oriented approach to ‘civil society building’, as it has been applied to Bosnian case, has seemed to neglect the historical variety of representations of social reality and conceptions of interaction among the three domains of culture, market and state that have always been linked to the notion of civil society⁶². The same idea of ‘civil society building’ clashes with an understanding of civil society that takes into account the specific traditions of civic engagement, market actors, and the local mechanisms of participation and pluralistic integration. Actually, in Bosnia the practice of ‘civil society building’ has had a main consequence. It has actually excluded local organizational modalities, giving priority to the non-governmental sector – NGOs- over any other associational sector. Rather than an actual means to overcome ethnic fragmentation, non-governmental sector has functioned as mere “technical task” a feature for “allocating financial resources and delivering services”⁶³. Furthermore, the exclusion of local representations of social participation deeply questions the possibility to overcome years of ethnic violence and restore a pluralism and tolerance in the region.

⁶¹ DONIA R.J., & FINE, J. V. A. JR. 1994. *Bosnia-Herzegovina: A Tradition Betrayed*. Op. cit. BELLONI R. 2001. *Civil Society and Peace-building in Bosnia and Herzegovina*. Op. cit

⁶² POULIGNY B. 2005. *Civil Society and Post-Conflict Peacebuilding: Ambiguities of International Programmes Aimed at Building 'New' Societies*. Op. cit.

⁶³ BELLONI R. 2001. *Civil Society and Peace-building in Bosnia and Herzegovina*. Op. cit.:163.

3.3.3 Defining civil society in Bosnia: a third way between militarism and ethno politics

The idea of equilibrium, rooted in an understanding of individual identity based on plural affiliations, entails a conception of civil society more complex and historically rooted. First, this kind of approach implies to dismiss the idea of ‘civil society building’, as such. If it is true that civil society represents a precise step in the development of the state, therefore an approach to conflict transition based on the idea of civil society is supposed to take into consideration those associational mechanisms and market organizational modalities already existing within society. This line of thought sensibly reduces the relevance of non-governmental sector, giving priority to a comprehensive understanding of civil society that involves all those associational mechanisms existing between state and family. Thus, the alleged role of grass roots NGOs, as bearer of liberal and non-sectarian values, can work in practice only if those organizations are actually embedded in the social reality of the context of intervention. In the same way, the ability of those organizations to represent an actual counterweight to the state crucially depends on their actual capacity to represent the people. Thus, rather than ‘civil society building’, the idea of equilibrium entails an approach to civil society primarily aimed at strengthening those forms of civility and pluralism already existing at the local level.

Therefore, the effectiveness of civil society involvement in post conflict transition crucially depends on how much it actually represents the specificity of the country of intervention and the people living that country. However, although such an idea entails much of Hegelian assumptions, it would be misleading to think that it denies any possibility for a synthesis between the specificity of historical traditions and the universality of values such as tolerance, pluralism, and freedom.⁶⁴ As in Hegel’s frame the individualistic assumption of the ‘system of needs’ mediates the sense of place, of local, of religion and identity embodied by the idea of ‘corporation’⁶⁵, here the balance among cultural, political and economic domains guarantees a mediation between individualism and cultural identifications and, therefore, between universalism of values and particularism of shared

⁶⁴ For a further reading on such a liberal understanding of Hegel’s civil society see RAWLS J. 2000. *Lectures on the History of Moral Philosophy*. Op. cit..

⁶⁵ See Chapter 2nd, *From Hegel’ bourgeois society to the idea of equilibrium*, pp.104-110.

experiences and traditions. The approach to conflict transition based on civil society has thus to take into consideration those aspects of ‘civility’ compatible with an autonomous democratic development of the country, especially with those universal values, such as freedom, tolerance and respect of human dignity understood by people as necessary in order to overcome the boundaries emerged during the conflict. In this perspective, the notion of equilibrium entails an understanding of civil society where it is possible to recognize some aspects of an emerging ‘common culture of civility’⁶⁶.

In the case of Bosnia, it is possible to recognize at least two of those features of ‘civility’. Bosnian history of the last century has been marked by two dramatic experiences: the militarization due to the totalitarian regime imposed by Tito and the identitarian violence fuelled by the ethno politics. Frequently, those phenomena have overlapped producing dramatic consequences in terms of lack of substantive freedoms. Furthermore, both militarization and ethno-politics have fuelled a culture of violence within society, which has deeply questioned the possibility for the emergence of a pluralistic political culture.

Nevertheless, a reaction to both militarism and ethnic hatreds comes up from history of Bosnian society. Actually, one can discover a tradition of ‘civility’, deeply rooted in Bosnian context, which can be seen as the answer to such expressions of ‘power’. This tradition has been articulated into two specific ways. First, the actual usage of the term ‘civil society’ in Serbo-Croat language has to be understood as something different from the military sphere.⁶⁷ Rather than participation or any other classical meaning, in its traditional usage ‘*Civilno Druvsto*’ was referred “to something not from the military.”⁶⁸ In the face of the depersonalized military structures, the idea of civility, as understood by Bosnian people, is supposed to reform the human relationships⁶⁹ in opposition to those forms of despotic interference operated by the authoritarian regimes.

⁶⁶ See Chapter 2nd section , *Civil society and democratic transition: a ‘common culture of civility’*, p.131.

⁶⁷ LARGE J. 1997. *The War Next Door: A Study of Second-Track Intervention during the War in Ex-Yugoslavia*. Hawthorn Press.

⁶⁸ *Ibid.*: 112

⁶⁹ *Ibid.*: 113

Then, the second tradition of ‘civility’ concerns the peculiar Bosnian forms of pluralism and tolerance, inherited from the Ottoman Empire and its Millet system⁷⁰. Bosnian civil society has always been characterized by a kind of ‘institutionalized communitarianism’⁷¹. As Donia and Fine pointed out in their *Bosnia and Hercegovina a tradition betrayed*, even belonging to different religious groups, Bosnians share a common culture, which is the product of ages of common history. Bosnia has been a coherent entity for centuries, and it “has shown over these centuries that pluralism can successfully exist even in a Balkan context”⁷². In such a context, the idea of ‘*komšiluk*’ still expresses a notion of friendly relation “based on respect and reciprocity between people belonging to different communities”⁷³. This expression of ‘civility’ can be seen as counterweight to the state power, since such a tradition of pluralism is in contrast to both the ‘institutionalization of ethnicity’ at the state level and that silent practice of fuelling ethnic hatreds increasingly employed by political leaders⁷⁴. However, such a tradition also introduces an idea of civil society understood as ‘anticipation’ of the more extensive shared experience of the state, with reference to the mutual recognition of people at a private level before that at the public one.

⁷⁰ The millet system was a complex set of administrative arrangements that the Ottomans put into action in order to deal with non-Muslim communities, which lived under the protection of the sovereign Muslim State. In particular, this system was thought with respect to specific religious minorities the so-called *Dhimmis*, made up of those non-Muslims who believed in the Bible, namely Orthodox Christians, Catholic Christians and Jews. The constitution of different Millets, which were based on the religious difference rather than their ethnic or linguistic affiliations, was aimed at guaranteeing a certain degree of autonomy to those religious communities, in terms of rights and liberties. In turn, they had to pay a special tax for this religious autonomy. See also ARAL B. 2004. The Idea of Human Rights as Perceived in the Ottoman Empire. *Human Rights Quarterly* 26: 454-482.

⁷¹ BOUGAREL X. 1996. *Bosnie: l’anatomie d’un conflit*. Op. cit.

⁷² DONIA R.J., & FINE, J. V. A. JR. 1994. *Bosnia-Hercegovina: A Tradition Betrayed*. Op. cit.: 9.

⁷³ BELLONI R. 2001. Civil Society and Peace-building in Bosnia and Herzegovina. Op. cit.: 169.

⁷⁴ Sometimes before and, in significant degree, after Tito’s regime.

3.4 A case study: Associations of Victims and Relatives of Missing Persons in Bosnia⁷⁵

Therefore, it is necessary to understand how this idea, which imposes to refer to those traditions of ‘civility’ already existing in specific contexts, can be applied to the actual Bosnian case. Such an idea entails an approach to civil society completely different from the current practices promoted by international community. In order to clarify how this idea works in practice and why other kinds of approach are more likely to be ineffective, one might compare the effects of different approaches, considered in the light of a concrete case of civil society actors. In the present work, a peculiar kind of Bosnian civil society is presented: the Association of Victims and Relatives of Missing Persons. It is possible to divide those actors into two main categories:

- Association of Victims, Inmates, and Displaced Persons (AVIDP): The first association of victims was created in Bosnia & Herzegovina in 1971 – the Union of the Associations of Civilians Victims of the War - for the victims of the Second World War. After the 1992-95 war, a huge number of such a kind associations emerged. Their composition became larger including as victims, former camp inmates, refugees, and displaced persons. The first aim of this kind of associations is to give support and public recognition to those people deeply affected by the war. These associations try to help their members to face the material, social and economic consequences of the war. They deal with the economic problems of the victims, with the issue of the return and with their psychological and physical reintegration in society. Most of these associations are made up of people from the same region/village/suburb, rather than differentiated along ethnic lines. (Delpla 2007)
- Association of Relatives of Missing Persons (ARMP): Such associations are emerged after the last war. They are made up mostly of women, in general wives, or mothers of missing persons. Their first aim is to find missing persons and recover their bodies for proper burial. They are fighting a political struggle for the public recognition of the memory of the victims, arranging commemorative ceremonies and demonstrations. Furthermore, they give support to their members for the psychological consequence of

⁷⁵ This section is based on a qualitative research carried out during a field-trip in Bosnia-Herzegovina from November, 30th 2007 to December, 6th 2007. The interviews were based in Sarajevo. Due to my poor knowledge of Bosnian, most of those were carried out with the support of the interpreter. For this case study, some associations of victims and relatives and some local and international institutions cooperating with them have been selected. The exact name of the associations and institutions I am referring to are: Association of Citizens *Srebrenica Mothers*- based in Srebrenica; Association of Families of Missing Persons of Sarajevo-Romanija regio- based in Eastern Sarajevo; Board of Families of Captured Soldiers and Missing Civilians, Istocno Sarajevo- based in Eastern Sarajevo; Association of Citizens *Women of Podrinje* –based in Ilidža ; Association of families of missing persons *Visegrad 92*–based in Sarajevo; Association for tracing captured and missing from Hadzici –based in Hadzici; Association *Mothers of Srebrenica and Zepa Enclaves* –based in Sarajevo; Association of families of missing persons of Municipality Vogosca- based in Vogosca; Association of Citizens *Women of Srebrenica*- based in Tuzla; ICMP; FCMP.

the war. Some of them, like the case of the “Associations of mothers of Srebrenica and Zepa Enclaves” provide their members also with economic and social aids. Most of these associations have an intra-ethnic composition.

Those actors have been selected for several reasons. First, they embody a peculiar example of Bosnian civil society. They actually offer the possibility to understand the complexity of contemporary Bosnian socio-political realm: on one hand, they are linked to the respective nationalist parties; on the other, they show to be deeply aware of the necessity to cooperate with each other in order to overcome the atrocities of the war. Second, even representing *prima facie* the cultural domain, those associations operate in the three domains of politics, culture, and economics. They play a fundamental role in fostering economic links and cooperation in the territories highly affected by the war, in facilitating economically, politically and psychologically the return process of displaced persons, and in addressing common political issues, such as the reform of the system of justice and the arrest of all war criminals still at large. Third, those associations offer the possibility to understand the complex links existing among individuals by virtue of their plural affiliations.

With reference to such associations, one might show the limits of the most popular approach based on the idea of ‘civil society building’, and the relevance of an approach rooted in the ideas of equilibrium and plural affiliations. As already noted, particularly significant in Bosnia is the trend, which has led international scholars and practitioners to pay growing attention to those grass roots NGOs that promote non-sectarian identities focusing on liberal universal values, such as human rights groups or women’s groups etc. In general, the idea of ‘civil society building’ has thus been associated to the alleged mission of NGOs to ‘civilize civil society’. With reference to this kind of associations, those scholars who support ‘civil society building’ approach might follow two distinct strategies.

A first strategy, less interesting for our purpose, tends simply to ignore those associations. According to this perspective, they represent too locally based interests and, what is even more important, they present ambivalences and disintegrative potentials when they are associated to nationalist parties. The second strategy, which is largely argued by scholars of the second form of individualist reductionism, is more likely to take into consideration those actors emphasizing their non-sectarian practices. Accordingly, such scholars might select a specific group among those associations in order to show the universality of the values fostered by those actors and the international links existing among those actors and

other similar groups in the world. Let us focus the attention on the second group of associations. Since their predominantly female composition, the second approach might lead to label such groups as bearer of universal values, such as women rights. In line with the experiences of other groups of women in other regional contexts⁷⁶, supporters of this approach are likely to interpret the presence of those groups cooperating with international grass roots NGOs as a crucial feature in order to divert the attention from sectarian ideologies.

In truth, those kinds of analysis fail in considering the actual impact of those groups in Bosnian socio-political realm and override the real content of such actors' claims. The first strategy, simply ignoring those actors, gives them no alternative to nationalist parties. However, also the second strategy raises some problems. Let us focus here on two relevant points. First, although those associations predominantly have a female composition, it would be misleading to believe that this is enough in order to ensure a certain agreement over such universal values as women's rights. In Bosnian society, feminism as ideology is still deeply weak and, in general, the role of women in the socio-political realm continues to be perceived as regrettable⁷⁷. The category of 'woman' at the public level is generally allowed only when it is associated to the 'victimization' of the period of the war. This explains why in the last years several associations of mother, widows, and victims of wartime rapes have emerged in Bosnia-Herzegovina. Those associations of women represent the archetype of such 'victimization', rather than to be an attempt to claim higher levels of political recognition. Most of the women, involved in those associations, look at politics in a skeptical way and insist that they do not have anything in common with feminist movements or other kinds of grass roots activities, they often tend to emphasize "the apolitical and therefore noble character of their work"⁷⁸. An approach so focused on universal values is at least an ineffective one, since it entails Western categories- in this case women groups or feminist values - which do not necessarily reflect Bosnian women's claims.

⁷⁶ See KALDOR M. 2003a. *Global Civil Society*. Op. cit.; KECK M.E., & SIKKINK, K., . 1998. *Activists Beyond Borders: Advocacy Networks in International Politics*. Op. cit.

⁷⁷ HELMS E. 2007. "Politics is a Whore": Women , Morality and Victimhood in Post-War Bosnia & Herzegovina. In: *The New Bosnian Mosaic. Identities, Memories and Moral Claims i a Post-War Society* (Ed. by X. BOUGAREL, & HELMS, E., & DUIZINGS, G.). Ashgate, London.

⁷⁸ HELMS E. 2007. "Politics is a Whore". Op. cit.: 241.

The second argument can be understood as consequence of the ineffectiveness discussed before. The fact that both scholars and international observers tend to give priority to the universal values that should be fostered by those actors implies that the actual claims of those women often go unheeded. Actually, the women engaged in those associations have two main purposes: to find the body of their relatives and to see arrested all the criminals still at large. In addition to this, most of them are uneducated, do not speak foreign languages and often are not able to understand those discourses based on ‘rights’ so common in the well-structured and well-educated non-governmental sector.

This mismatch translates into frustration and lack of confidence in non-governmental system, which is perceived as too external with respect to Bosnian reality.⁷⁹ As consequence of this, very often such associations tend to see nationalist parties as more confident and reliable partners. Obviously, nationalist leaders take advantage of this situation. By supporting those associations, nationalist leaders get the confidence of people belonging to the respective ethnic groups. In other terms, they gain the chance to perform their sectarian ends, manipulating public opinion and using those associations. Thus, besides the ineffectiveness, the approach to ‘civil society building’ is often likely to create a ‘vicious circle’: since their externality, grass roots NGOs and International Organizations cannot establish a durable cooperation with those associations⁸⁰; consequently, those actors find in the respective nationalist parties more collaborative and stable partners.

Conversely, the approach based on the idea of equilibrium and plural affiliations not only allows overcoming the limit of ineffectiveness, since it imposes on us to start from Bosnian reality; but it is also aimed at facing the challenges of the ethno-politics, giving those associations the chance to be involved in the democratic development of the Bosnian society. First, in the light of previous observations, the ambivalent attitude of those actors, with specific regard to their links with nationalist parties, can be understood as a reaction

⁷⁹ Most of the women interviewed in Sarajevo declared to be unconfident in non-governmental sector and international institutions, in general.

⁸⁰ One can also refer to the ambivalent relation between those associations and the ICTY. London. Although most of those associations actively collaborate with the ICTY and with some of the main partners of it in Bosnia, namely the ICMP and the FCMP, most of the interviewed declared to be disappointed with the way in which the trials are conducted. About this point, see the section *Human dignity and quest of Justice*. pp.166.

to the external notion of ‘civility’ imposed on them by international community, rather than as expression of ‘un-civility’, as such.⁸¹

According to this perspective, the issue of the links with their respective nationalist parties can be challenged giving them a more detailed and satisfying substitute for nationalist politics. Second, an approach that takes seriously into account the specificity of Bosnian ‘civility’ is more likely to be understood by those actors, since it entails traditions and values publicly recognized as part of Bosnian culture. It is interesting to note that most of the women who I met in Sarajevo were more likely to recognize themselves and their associations in terms of non-military and non-violent movements, in line with the tradition of non-militarism discussed before, rather than in terms of women’s group.

“We were all victims of that dirty war.” “Our husbands were killed, our sons murdered, our daughters raped. There is no difference between mothers or wives of soldiers and mothers or wives of civilians, we all have shared the same terrible fate.” “Our associations have to be understood all in the same way: we represent a non-military and peaceful response to that dirty war, our aim is to find the persons who are still missing, for giving them proper burial and peace, and to see arrested all those war criminals still at large”⁸².

Furthermore, such an approach based on Bosnian specificity is prone to produce positive effects in terms of mutual recognition and in developing a Bosnian ‘common culture of civility’ based on common knowledge and a shared sense of justice. In my interviews, representatives of those associations showed to recognize the necessity to foster a certain degree of inter-group dialogue and cooperation. Most of them mentioned the ancient tradition of the *komsiluk* and stressed the urgency to *restart* from the recognition of the existence of common values and traditions in order to achieve their purpose.

⁸¹ An idea of ‘un-civil society’ has been vastly invoked in the recent years by scholars who work on civil society engagement in post-conflict transition. Even accepting a general constructive role of civil society, those scholars argue that civil society groups can also present ambivalences and disintegrative potentials when they are associated to criminal or violent groups. According to them, especially in contexts of deeply divided societies a so-called ‘un-civil society’, namely mafia-like groups or xenophobic groups, would emerge in some cases overcoming and manipulating civil society groups BELLONI R. 2006. *Civil Society in War-to-Democracy Transitions*. Op. cit. ANHEIER H.E., & KALDOR, M., & GLASIUS, M. 2006. *Global Civil Society Yearbook 2006-7*. Op. cit. PAFFENHOLZ T., & SPURK, C. 2006. *Civil Society, Civic Engagement, and Peacebuilding*. Op. cit.

⁸² These quotations are fragments of different interviews. I am referring to the interviews with Hedija Kasapović, “Association Visegrad 92”, interview of Saturday 1th of December 2007 ; Milan Mandić, “Association of Sarajevo-Romanija regio” interview of Saturday 1th of December 2007; Miriana Simanić & Staka Vukmanović, “Association of Istocno Sarajevo” interview of Sunday 2th of December 2007; Munira Subasić, “Association of Srebrenica and Zepa enclaves”, interview of Monday 3th of December 2007.

“[...] before the war we were friends, we all share the same traditions, in Visegrad, my village, ethnic hatred did not exist.”⁸³ “We are all following the same purpose: we want truth and justice for our relatives and all the victims of that war. We should appeal to the ancient Bosnian tradition of the *komšilik*; we should cooperate as individuals, as mothers as victims and as people belonging to different religious groups. Only when associations from different groups will understand the necessity to support each other and to exchange information about missing persons, it will be possible to see in jail all war criminals and our quest justice will be satisfied.[...]”⁸⁴

In this last section, I develop the argument in favor of an understanding of civil society, rooted in the idea of equilibrium, applied to the case of the Associations of victims and relatives of missing persons. First, I seek to show the relevance of the shared experiences and identities in contrast to the religious affiliations. The second section is aimed at illustrating how those actors articulate discourses on justice and human dignity, and on economic cooperation and mutual support, diverting the attention from cultural differences. In conclusion, I place such associations in the general context of Bosnian democratic development.

3.4.1 Shared experiences and identities versus ethnic identity

The associations of victims and relatives of missing persons reflect contemporary Bosnian socio-political realm, since the emergence of those associations is both a reaction and a consequence of the ethnic conflict. Those people were among those who paid the highest price for that war, nevertheless, most of them currently reflect those hatreds emerged during the conflict, showing to be closely linked to their respective nationalist parties. As I have noted before, such ambivalences raise several problems for contemporary approaches based on the idea of ‘civil society building’. Such a linkage between those actors and nationalist leaders is either overemphasized by the scholars who follow the first strategy, or underestimated by those who support the second strategy. However, both strategies lead to the same consequence. Instead of offering an actual alternative to nationalist parties, both approaches are brought to enhance this link. With reference to this point, an approach based on the ideas of equilibrium and plural affiliations is not only more likely to understand those ambivalences but also more prone to emphasize the already existing wide range of available alternatives to ethno-religious affiliations.

⁸³ Hedija Kasapović, “Association Visegrad 92,” interview of Saturday 1st of December 2007.

⁸⁴ Miriana Simanić, “Association of Istocno Sarajevo,” interview of Sunday 2nd of December 2007.

First, if it true that many of those associations recognize a relative weight to religious-nationalist affiliations, nonetheless it is interesting to note that all those actors are aware of the similarities of their experiences as victims, as mothers, as relatives of missing persons. The relevance of the shared experiences over the sense of belonging to a specific ethno-religious group is particularly evident with reference to the case of the first group of associations, the Associations of Victims, Inmates, and Displaced Persons. The regional/local bases of those associations suggest that those people place the emphasis on being all victims of the war, rather than on ethno-religious differences. The president of the Association of Victims of Hadžići, a suburb of Sarajevo strongly highlighted the fact that he was supposed to represent all the victims, the inmates and the displaced persons of his town⁸⁵. During the interview, he referred to the list of people captured with him, in May 1992, at the beginning of the war. His name was in a list of people who had been selected for several reasons, namely their level of education, their social and economic status, their gender – only men-, their affiliation to the military world. Surprisingly, the selection was not based on religious- nationalist discrimination, in that list Bosniaks and Serbs had been put all together.⁸⁶ In one year and a half of detention, he was held in seven different concentration camps where he was constantly abused and tortured. Just after he was exchanged for a Serb soldier and released in the free territory of Tarcin, he started working for the other victims and missing persons of his town.

As for the case of the association of Mr Musić, those associations are supposed to represent anybody who was affected by the war: the idea of “being victim”, as human being, associated with the strict localism of those associations enables people to overcome the ethnic boundaries emerged during the war. Members of those groups are actively involved in the process of return to home of refugees, by providing economic cooperation to those people who were displaced during the war; they also facilitate the socio-economic reintegration of former inmates. Finally, they are strongly collaborating with the ICTY and national tribunals producing a constructive effort in the direction of an interethnic and fair system of justice.

⁸⁵ Mehmed Musić, “Association of Victims of Hadžići,” interview of Friday 30th of November 2007.

⁸⁶ “In that list there were Serbs and Bosniaks all together, they captured all those people who did not want that war”. Mehmed Musić, “Association of Victims of Hadžići,” interview of Friday 30th of November 2007.

Conversely, the issue of the weight to the ethno-religious affiliations seems to represent an evident obstacle for the second group of associations, the associations of relatives of missing persons. Those groups often present a mono-affiliation structure, and sometimes their religious connotation is a requirement for the membership. This means that all those who are neither Bosniaks, nor Serb Bosnians, nor Croat Bosnians are often excluded from being part of those associations. In spite of the prominently female composition, those actors strongly emphasize the rhetoric of “victimhood” extending it as far beyond from sexual/gender matters as to include their respective ethnic groups. Nevertheless, also in this case it is possible to emphasize some relevant features in the light of the idea of plural affiliations.

Although a Western-oriented approach that would emphasize the affiliation of gender does not work when it is applied to Bosnian society, several affiliations and shared experiences, which link those actors to each other, emerge both within and among such associations. Probably, the most important one is represented by the affiliation of ‘motherhood’ associated with the tragic experience of the war; all those women were mothers in war, they lost their children or saw them being captured, tortured and raped. All the women I interviewed in Sarajevo strongly emphasized such a point,

“One can be Serb, Muslim or Christian, from the urban areas or the rural ones, more or less educated, but we all share at least one thing, we are all mothers.”⁸⁷

Furthermore, most of them showed to be aware of the necessity to collaborate with each other; and some ‘mothers’ emphasized the lack of a formal institution aimed at coordinating their actions.⁸⁸ In particular, the president of the association of Istocno Sarajevo insisted on the opportunity to create a kind of association-umbrella in order to facilitate communication and the exchange of information among the associations.⁸⁹

⁸⁷ Hedija Kasapović, “Association Visegrad 92,” interview of Saturday 1st of December 2007, Ema Čekić, Association of Municipality Vogosca”, interview of Sunday 2nd of December. Munira Subašić, Association of Srebrenica and Zepa enclaves, interview of Monday 3rd December 2007.

⁸⁸ Since there is no institution that coordinates the activities of those associations, the ICMP is actually functioning as structure of reference for those associations at the national level, putting in contact actors belonging to different ethnic groups and arranging conferences and focus groups. Conversely, both the Federal Commission for Missing Persons FCMP and the Office for Tracing Detained and Missing Persons of Republic of Srpska OTDMPRS work in close collaboration with the governments of the two entities.

⁸⁹ Miriana Simanić, “Association of Istocno Sarajevo,” interview of Sunday 2nd of December 2007.

Further experiences of group of mothers have shown the relevance of concepts like motherhood, non-violent action, resistance, and quest of social justice in the practice of peace and human right protection. On April 30, 1977, a group of mothers of Argentinean *desaparecidos* gathered in the Plaza de Mayo, the main square in Buenos Aires. This square would have been the scene of an historical political transformation. The mothers of Plaza de Mayo carried out this transformation; through a new kind of non-violent protest they acted in the social and the political spheres against the military regime⁹⁰. In the case of Bosnia, this is still far to be achieved and the influence of nationalist parties on those associations' activities is still strongly felt; however, the recognition of the 'motherhood' in public discourses and the actual collaboration among mothers of different associations represent a concrete improvement toward a kind of common struggle for justice and truth.

3.4.2 Human dignity and quest of Justice

While both composition and territorial activities differentiate those actors into two different kinds of associations, what all those people have in common is their denunciation of the actual impunity of most of the war criminals and the low level of arrests and indictments actually carried out since the end of the war. In contemporary Bosnia-Herzegovina, the issue of impunity represents an actual challenge to the democratic and peaceful development of the country, the number of the war criminals at large is still high, and they continue to threaten violence upon citizens. Such a phenomenon that affects the whole territory is deeply questioning the process of return of victims and displaced persons to their former homelands.⁹¹ All the associations of victims and relatives of missing persons consider the struggle against impunity their first aim; those actors are actively cooperating with national and international institutions (ICTY, ICMP, FCMP, and OTDMPRS) and promoting national campaigns in favor of a more close collaboration among nationalist parties about those issues.

⁹⁰ RUDDICK S. 1980. Maternal Thinking. *Feminist Studies* 6: 342-367, RUDDICK S. 1985. Maternal Work and the practice of peace. *Journal of Education* 167: 97, FEMENIA N.A.G., C. A. 1987. Argentina's Mothers of Plaza de Mayo: The Mourning Process from Junta to Democracy. *Feminist Studies* 13: 9-18, RUDDICK S. 1989. *Maternal Thinking: Toward a Politics of Peace* Beacon Press, Boston, ABREU HERNANDEZ V.M. 2002. The Mothers of La Plaza de Mayo: A Peace Movement. *Peace & Change* 27: 385-411.

⁹¹ In some case, people declared to be still victims of the threats of people who attacked them during the war. Ajiša Bektić, one of the few women who returned to Srebrenica, denounced that most of the people who carried out the ethnic cleansing in the city are still living there and increasingly threatening the few Muslim people returned to their houses after the war. Ajiša Bektić, "Association of mothers of Srebrenica," interview of Monday 3rd of December 2007.

However, in spite of the above-mentioned collaboration with ICTY, the idea of justice as perceived and fostered by those actors does not exactly overlap with that embodied by the International Tribunal. Most of the interviewed referred to an understanding of justice that is concerned with a general attempt to recognize the intrinsic value of the human dignity. On one hand, it entails a strong refusal of any manifestation of violence⁹² as attempt to forgive the atrocities of the conflict; on the other, it corresponds to a quest of recognition of those victims who have seen their human dignity torn because of such violence. In general, those actors tend to make a distinction between their general pursuit of justice (*pravda*) and an idea of law (*pravo*) fostered by ICTY's lawyers. What is perceived by ICTY's lawyers and judges as a technical task, aimed at convicting criminals according to the "principle of proportionality with the crime"⁹³ committed, is understood by those actors as an attempt to educate Bosnian people to a culture of peace that places at its core the respect of human dignity of all human beings.

In particular, some of the interviewed people referred to the "depersonalization adopted by lawyers and investigators working for the ICTY"⁹⁴, which, according to them, would clash with their first purpose that is concerned with the recognition of the individual identity of the victims, rather than merely with the causes of the death. In this perspective, more relevant seems to be the work promoted by the ICMP, FCMP, and OTDMPRS. Even collaborating with the ICTY, those institutions, based in Bosnia, represent a kind of mediation between victims associations' interests and claims and the ICTY's judiciary activities. The ICMP is strongly collaborating with victims associations by providing means and structures for the exhumation and recognition of bodies, in the last years it has also launched a huge DNA identification program based in Sarajevo and Tuzla⁹⁵.

⁹² As rightly pointed out by Delpla, in this context "[...] justice is not an intermediate category between vengeance and forgiveness; rather it is placed in opposition to vengeance and can also include forgiveness." DELPLA I. 2007. In the Midst of Injustice: The ICTY from the Perspective of Some Victim Associations Op. cit.:217-218. With reference to this, see also MINOW M. 1998 *Between Vengeance and Forgiveness: Facing History After Genocide and Mass Violence*. Beacon Press, Boston..

⁹³ DELPLA I. 2007. In the Midst of Injustice: The ICTY from the Perspective of Some Victim Associations. Op. cit.:231.

⁹⁴ Munira Subašić, Association of Srebrenica and Zepa enclaves, interview of Monday 3rd December 2007.

⁹⁵ For more information, see also http://www.ic-mp.org/?page_id=13.

The issues of the quest of justice and recognition of human dignity are relevant for our analysis for two reasons. First, in the light of this example one can show how the idea of civil society understood as equilibrium among cultural, economic, and socio-political domains works in practice: those associations emerged as expression of Bosnian cultural domain carry out relevant activities in other domains. In particular, such a demand of justice from below marks a clear involvement of those actors in the political realm: as highlighted by most of them, those associations are actually doing what politicians are either not able or not willing to do. Second, those issues can be understood as expression of those general ideas of justice and democratic thinking, which represent the content of that ‘common culture of civility’ of civil society discussed before. Thanks to the work of those associations, a pluralistic consent over such issues as justice and human dignity is emerging. This means that those fundamental values fostered by those actors are becoming part of the ‘Bosnian tradition of civility’, which is supposed to shape the basis of the ‘public political culture’ of the emerging Bosnian democracy.⁹⁶

⁹⁶ As I noted before, I associate the idea of equilibrium within civil society to the emergence of a “common culture of civility” that is supposed to work as an intermediate step between the private ‘background culture’ and the “public political culture” of a democratic society. For an understanding of both concepts of “background culture” and public political culture” see RAWLS J. 2005. *Political Liberalism*. Op. cit.

CONCLUSIVE REMARKS

Civil society and democratic transition: victims' experiences in bosnian society

In this last chapter, I outlined four major challenges to Bosnian democratic transition: the 'institutional hybridism'; the power of nationalist parties in the political realm due to both the 'institutionalization of ethnicity' and the international interventionism; the condition of deep dependency of Bosnian politics and economy from international community; and the deficit of justice in the process of reconciliation. The institution of the two entities and the relevance of nationalist parties in the political realm are strongly undermining the pluralistic integration of Bosnian citizens; while the external interventionism and the deficit of a justice not only are increasingly alienating people from 'official politics', but these are questioning the development of people's sense of justice and democracy.

In this context, the alleged constructive role of civil society crucially depends on its capacity to represent the sphere where individuals are able to recognize and deal with those problems by appealing to Bosnian shared tradition of civility and by developing that sense of justice required for the democratic development of the country. The approach to civil society I have suggested is not aimed at emphasizing those features of democracy already present at the societal level. The assumption that civil society, as such, is the expression of democratic and universalistic values is questionable. Furthermore, it would be misleading to believe that civil society, understood as expression of democratic values, can substitute actual and fair democratic institutions. However, in this work, I have referred to an idea of civil society that can represent the specificity of Bosnian tradition of 'civility', where some of those universal values that should constitute the 'public political culture' of a liberal democracy are emerging in the form of a 'Bosnian common culture of civility'. This culture is understood as ground on which an autonomous Bosnian democratic development may emerge.

With reference to the case of the associations of victims and relatives of missing persons, I have shown how this approach is likely to display the relevance of those actors in Bosnian context. They actually represent Bosnian social reality since they are independent from

external aids both economically and politically. However, most of them still relatively depend on nationalist parties moreover in financial terms; nationalist parties have been inclined to ensure the favor and the support of those associations by funding campaigns of exhumation of the bodies and events and sepulchral monuments to the memory of the victims. Nevertheless, the common pursuit of justice and truth that holds together those associations in their struggle against impunity and for the recognition of the human dignity of all victims is weakening those links between them and their respective nationalist parties. Surprisingly, those actors are progressively articulating a common strategy in the direction of truth and justice for the victims of the war and for Bosnian society, as such. Rather than a judicial issue, such a struggle is becoming a fundamental warning to Bosnian citizens; it is supposed to signify ‘never again’. New affiliations and shared experiences, such as ‘motherhood’ or ‘being victim’, are becoming meaningful in this struggle.

In this sense, the constructive potential of those associations for Bosnian democratic development is threefold. First, they are effectively addressing a crucial issue for Bosnian democracy, which is linked to a substantial reform of the system of justice aimed at emphasizing the value of human dignity of all human beings. Second, such a common struggle for justice is displaying new possibilities for the actual cooperation among human beings who, even belonging to different religious groups, share many other affiliations and, moreover, a common tradition of Bosnian ‘civility’. Third, through their efforts in addressing values such as human dignity and justice they are translating those issues from the private level of their own experiences to the public level of the experience of all those potentially and actually threatened and victimized by the inhumanity of the ethnic violence. In doing so, those values are becoming part of the “common tradition of civility” of Bosnian society.

Bibliography

- AALL P. 2001. What Do NGOs Bring to Peacemaking. In: *Turbulent Peace. The Challenges of Managing International Conflict* (Ed. by C. CROCKER, A. , & HAMPSON, F. O., & AALL, P.). United States Institute of Peace Press, Washington, DC.
- AALL P. 2007. The Power of Nonofficial Actors in Conflict Management In: *Leashing the Dogs of War. Conflict Management in a Divided World* (Ed. by C. CROCKER, A. , & HAMPSON, F. O., & AALL, P.). United States Institute of Peace Press, Washington D.C.
- ABREU HERNANDEZ V.M. 2002. The Mothers of La Plaza de Mayo: A Peace Movement. *Peace & Change* **27**: 385-411.
- ANDREAS P. 2004. The Clandestine Political Economy of War and Peace in Bosnia. *International Studies Quarterly* **48**: 29-51.
- ANHEIER H.E. 2000. Managing Non-Profit Organizations: Toward a New Approach. In: *LSE CCS Working Papers Collection, n. 1*, London
- ANHEIER H.E., & ISAR, Y. R. 2007. *Conflicts and Tensions*. Sage, London.
- ANHEIER H.E., & KALDOR, M., & GLASIUS, M. . 2006. *Global Civil Society Yearbook 2006-7*. Oxford University Press, Oxford.
- ARAL B. 2004. The Idea of Human Rights as Perceived in the Ottoman Empire. *Human Rights Quarterly* **26**: 454-482.
- ARENDT H. 1958. *The Human Condition*. University of Chicago Press, Chicago.
- ARKOUN M. 2002. Locating Civil Society in Islamic Contexts. In: *Civil society in the Muslim World, Contemporary Perspectives* (Ed. by A. SAJOO, B). Tauris Publishers, London.
- AYOUB M. 1996. State-making, state-breaking and state failure. In: *Between Development and Destruction*, (Ed. by L. VAN DE GOOR, & RUPESINGHE, K., & SCIARONE, P.), pp. 67–86. Palgrave, London:.
- AZAR E.E. 1972. Conflict Escalation and Conflict Reduction in an International Crisis: Suez, 1956. *The Journal of Conflict Resolution* **16**: 183-201.
- AZAR E.E. 1990. Protracted Social Conflict: An Analytical Framework. In: *The Management of Protracted Social Conflicts: Theory and Cases* (Ed. by E.E. AZAR). Dartmouth, Aldershot.
- AZAR E.E. 1991. The Analysis and Management of Protracted Social Conflict. In: *The Psychodynamics of International Relationships* (Ed. by J. VOLKAN, & MONTVILLE, J., & JULIUS, D.), pp. 93–120. D.C. Heath, Lexington, KY.
- AZAR E.E., JUREIDINI P. & MCLAURIN R. 1978. Protracted Social Conflict; Theory and Practice in the Middle East. *Journal of Palestine Studies* **8**: 41-60.
- BARNETT J. 2008. Peace and Development: Towards a New Synthesis. *Journal of Peace Research* **45**: 75-89.

-
- BASTIAN S., & LUCKHAM, R. 2003. *Can democracy Be Designed? The Politics and Institutional Choice in Conflict-Torn Societies*. Zed Books, London.
- BATES T. 1975. Gramsci and the Theory of Hegemony. *Journal of the History of Ideas* **36**: 351-366.
- BECK U. 2002. The Cosmopolitan Society and Its Enemies. *Theory Culture Society* **19**: 17-44.
- BELLAMY A.J. 2002. The Great Beyond: Rethinking Military Responses to New Wars and Complex Emergencies. *Defence Studies* **2**: 25-50.
- BELLONI R. 2001. Civil Society and Peace-building in Bosnia and Herzegovina. *Journal of Peace Research* **38**: 163- 180.
- BELLONI R. 2006. Civil Society in War-to-Democracy Transitions. In: *War-To-Democracy Transitions: Dilemmas of Democratization and Peace-Building in War Societies* (Ed. by A. JARSTAD, & SISK, T.). Cambridge University Press, Cambridge.
- BENNETT P. 2007. The media and the war: seeing the human. In: *Open Democracy*.
- BIEBER F. 2002. Aid Dependency in Bosnian Politics and Civil Society: Failures and Successes of Post-war Peacebuilding in Bosnia-Herzegovina. *Croatian International Relations Review*: 25-29.
- BIEBER F. 2004. Institutionalizing Ethnicity in the Western Balkans Managing Change in Deeply Divided Societies. *ECMI Working Paper 19*.
- BISOGNO M. & CHONG A. 2002. Poverty and Inequality in Bosnia and Herzegovina After the Civil War. *World Development* **30**: 61-75.
- BOBBIO N. 1988. Gramsci and the Concept of Civil Society. In: *Civil Society and the State. New European Perspectives* (Ed. by J. KEANE). Verso, London.
- BOJKOV V.D. 2003. Democracy in Bosnia and Herzegovina: Post-1995 Political System and its Functioning. *Southeast European Politics* **4**: 41-67.
- BOUGAREL X. 1996. *Bosnie: anatomie d'un conflit* La Découverte, Paris.
- BOUGAREL X. 1999. Yugoslav Wars: The 'Revenge of the Countryside' Between Sociological Reality and Nationalist Myth. *East European Quarterly* **33**: 157.
- BOUGAREL X.H., E., & DUIJZINGS, G. . 2007. *The New Bosnian Mosaic. Identities, Memories and Moral Claims i a Post-War Society*. Ashgate, London.
- BRUBAKER R. 2004. Ethnicity Without Group. In: *Facing Ethnic Conflicts:Toward a New Realism*. (Ed. by A. WIMMER, & GOLDSTONE, R. J., & HOROWITZ, D. L., & JORAS, U., & SCHETTER, C.). Rowman & Littlefield Publishers, INC, Oxford.
- BRUBAKER R., & LAITIN, D. D. 1998. Ethnic and Nationalist Violence. *Annual Review of Sociology* **24**: 423-452.
- CALLAHAN D. 1998. *Unwinnable Wars: American Power and Ethnic Conflict*. Hill and Wang, New York.

-
- CAMPBELL D. 2002. Atrocity, memory, photography: imaging the concentration camps of Bosnia – the case of ITN versus Living Marxism, Part 2. *Journal of Human Rights* **1**: 143-172.
- CARLSON M., & LISTHAUG, O. 2007. Citizens' Perceptions of Human Rights Practices: An Analysis of 55 Countries *Journal of Peace Research* **44**: 465-483.
- CHAMBERS S. 2002. A Critical Theory of Civil Society. In: *Alternative Conceptions of Civil Society* (Ed. by S.K. CHAMBERS, W.). Princeton University Press, Princeton, NJ.
- CHANDHOKHE N. 2005a. What the Hell Is "Civil Society"? In: *Open Democracy*.
- CHANDLER D.G. 2000. *Bosnia: Faking Democracy After Dayton*. Pluto Press, London.
- CHARNEY C. 1999. Civil Society, Political Violence, and Democratic Transitions: Business and the Peace Process in South Africa, 1990 to 1994. *Comparative Studies in Society and History* **41**: 182-206.
- CHATTERJEE P. 2001. On Civil and Political Society in Postcolonial Democracies. In: *Civil Society History and Possibilities* (Ed. by S.K. KAVIRAJ, S.). Cambridge University Press, Cambridge.
- CLAUSEWITZ K.V. 1989. On War. In: *On War /Wordsworth Classics of World Literature* (Ed. by M.E. HOWARD, & PARET, P. (TRASLATORS)). Wordsworth Editions, Kent, UK.
- COHEN J. 2006. Is There a Human Rights to Democracy. In: *The Egalitarian Conscience: Essays in Honour of G. A. Cohen* (Ed. by C. SYPNOWICH). Oxford University Press, Oxford.
- COHEN J., & ARATO, A. 1994. *Civil Society and Political Theory*. MIT Press, Cambridge MA.
- COLLIER P. 2007. Economic Causes of Civil Conflict and Their Implications for Policy. In: *Leashing the Dogs of the War* (Ed. by C. CROCKER, A. , & HAMPSON, F. O., & AALL, P.). United States Institute of Peace Press, Washington DC.
- COLLIER P., & HOFFLER, A. 2004. Greed and grievance in civil war. *Oxf. Econ. Pap.* **56**: 563-595.
- COLLIER P., & HOFFLER, A., & SÖDERBOM, M. 2006. Aid, Policies and Risk in Post-Conflict Societies In: *Working Paper Collection, Centre for the Study of African Economies*. University of Oxford, Oxford.
- COMAROFF J., & COMAROFF, J., [EDS]. 1999. *Civil Society and the Political Imagination in Africa*. University Press, Chicago.
- CONCES R.J. 2002. Unified Pluralism: Fostering Reconciliation and the Demise of Ethnic Nationalism. *Studies in East European Thought* **54**: 285-302.
- COX M. 1998. Strategic Approaches To International Intervention in Bosnia and Herzegovina.
- COX M. 2003. Building Democracy from Outside. The Dayton Agreement in Bosnia & Herzegovina. In: *Can democracy Be Designed? The Politics and Institutional Choice in Conflict-Torn Societies*. (Ed. by S. BASTIAN, & LUCKHAM, R.). Zed Books, London.
- COX R.W. 1999. Civil Society at the Turn of the Millennium: Prospects for Alternative World Order. *Review of International Studies* **25**: 3-28.

-
- CRAWFORD B. 2007. Globalization and Cultural Conflict: an Institutional Approach. In: *Conflicts and Tensions* (Ed. by H.E. ANHEIER, & ISAR, Y. R). Sage, London.
- DAHL R.A. 2000. A Democratic Paradox? *Political Science Quarterly* **115**: 35-40.
- DELPLA I. 2007. In the Midst of Injustice: The ICTY from the Perspective of Some Victim Associations In: *The New Bosnian Mosaic. Identities, Memories and Moral Claims i a Post-War Society* (Ed. by X. BOUGAREL, & HELMS, E., & DUIJZINGS, G.). Ashgate, London.
- DIAMOND L.J. 2005. Lessons from Iraq. *Journal of Democracy* **16**: 9-23.
- DONIA R.J., & FINE, J. V. A. JR. 1994. *Bosnia-Hercegovina: A Tradition Betrayed*. Hurst & Company, London.
- DONNELLY J. 1982. Human Rights and Human Dignity: an Analitic Critique of Non-Western Human Rights Conception. *Political Science Review* **76**: 303-316.
- DONNELLY J. 1984. Cultural Relativism and Universal Human Rights. *Human Rights Quarterly* **6**.
- DONNELLY J. 2007a. *International Human Rights (Dilemmas in World Politics)*. Westview Press, Boulder.
- DONNELLY J. 2007b. The Relative Universality of Human Rights *Human Rights Quarterly* **29**: 281-306.
- DUFFIELD M. 1998. Post-modern conflict: Warlords, post-adjustment states and private protection. *Civil Wars* **1**: 65-102.
- DUFFIELD M. 2001. *Global Governance and the New Wars*. Zed Books, London.
- DUFFIELD M. 2002. Social Reconstruction and the Radicalization of Development: Aid as a Relation of Global Liberal Governance. *Development and Change* **33**: 1049-1071.
- EDWARDS M. 2004. *Civil Society*. Polity, Cambridge.
- ERIKSSON M., & WALLENSTEEN, P., & SOLLENBERG, M. 2003. Armed Conflict, 1989-2002. *Journal of Peace Research* **40**: 593-607.
- FALK R. 1995. *On Humane Governance: Towards a new global Politics*. Pennsylvania State University Press, University Park, P.A.
- FALK R. 2002. Trends towards Transnational Justice: Innovations and Institutions. In: *Human Development Report 2002*. UNDP Human Development Report Office.
- FEARON J.D. 2005. Primary Commodity Exports and Civil War. *Journal of Conflict Resolution* **49**: 483-507.
- FEARON J.D., & LAITIN, D.D. 2003. Ethnicity, Insurgency, and Civil War. *American Political Science Review* **97**: 1-16.
- FEMENIA N.A.G., C. A. 1987. Argentina's Mothers of Plaza de Mayo: The Mourning Process from Junta to Democracy. *Feminist Studies* **13**: 9-18.
- FERGUSON A. 1767. An Essay on the History of Civil Society (Ed. by F. OZ-SALZBERGER). Cambridge University Press, Cambridge.

-
- FETHERSTON B. 1999. The Transformative Potential of NGOs: The Centre for Peace Studies in Croatia. *NGOs in the Field of International Peace and Security: Problems and Perspectives* 12: 10-12.
- FISHER M. 2006a. Civil Society in Conflict Transformation: Ambivalence, Potential, and Challenges. In: *Berghof Research Centre for Constructive Conflict Management*, Berlin.
- FLOTTAU R., & KRASKE, M. . November 7, 2005. Apartheid in Bosnia. In: *Der Spiegel*.
- FOLEY M.W., & EDWARDS, B. . 1996. The Paradox of Civil Society. *Journal of Democracy* 7: 38-52
- FOUCAULT M. 2003. *Society Must Be Defended. Lectures at the College de France, 1975-1976*. St. Martin's Press, New York.
- FROST M. 2002. *Constituting Human Rights: Global Civil Society and the Society of Democratic State*. Routledge, London.
- FUKUYAMA F. 1992. *The End of History and the Last Man*. Free Press, New York.
- FUKUYAMA F. 1999. Social Capital and Civil Society. The Institute of Public Policy, George Mason University.
- GALTUNG J. 1969. Violence, Peace and Peace Research. *Journal of Peace Research* 3: 167-192.
- GALTUNG J. 1990. Cultural Violence. *Journal of Peace Research* 27: 291-305.
- GRAMSCI A. 1910-1926. Lettere dal Carcere. In: *Selection from the Prison Notebooks of Antonio Gramsci* (Ed. by Q. HOARE, & NOWELL-SMITH, G.). Lawrence & Wishart, London.
- GURR T.R. 1994. Peoples against the State: Ethnopolitical Conflict in the Changing World System. *International Studies Quarterly* 38: 347-377.
- GURR T.R. 2001. Minorities and Nationalists: Managing Ethnopolitical Conflict in the New Century. In: *Turbulent Peace. The Challenges of Managing International Conflict* (Ed. by C. CROCKER, A. , & HAMPSON, F. O., & AALL, P.). United States Institute of Peace Press, Washington, DC.
- HABERMAS J. 1989. *The Structural transformation of the Public Sphere: an Inquiry into a Category of Bourgeois Society (Studies in Contemporary German Social Thought)*. MIT Press, Cambridge MA.
- HABERMAS J. 1996. *Between Facts and Norms. Contribution to a Discourse Theory of Law and Democracy*. MIT Press, Cambridge MA.
- HABERMAS J. 2001. *Postnational Constellation*. MIT Press, Cambridge, MA.
- HALL J., & MELANDER, E., AND ÖBERG, M. Forthcoming 2008. "New Wars" More Atrocious? Battle Severity, Civilians Killed and Forced Migration Before and After the End of the Cold War. *European Journal of International Relations*.
- HELMS E. 2007. "Politics is a Whore": Women , Morality and Victimhood in Post-War Bosnia & Herzegovina. In: *The New Bosnian Mosaic. Identities, Memories and Moral Claims i a Post-War Society* (Ed. by X. BOUGAREL, & HELMS, E., & DUIJZINGS, G.). Ashgate, London.

-
- HOBBS T. 1668 *The Leviathan*. (Ed. by C.B. MACPHERSON). Penguin, Harmondsworth, Middlesex, UK.
- HOROWITZ D.L. 1998. Structure and Strategy in Ethnic Conflict. In: *World Bank Conference on Development Economics*. World Bank, Washington DC.
- HOROWITZ D.L. 2001. *Ethnic Groups in Conflict*. University of California Press, Berkeley, CA
- HUMANRIGHTSWATCH. 1992. *War Crimes in Bosnia Hercegovina: A Helsinki Watch Report*. Human Rights Watch, New York.
- HUNTINGTON S.P. 1993. The Clash of Civilizations? *Foreign Affairs* **72**: 22-49.
- HUNTINGTON S.P. 1996. *The Clash of Civilizations and the Remaking of World Order*. Simon & Schuster, New York.
- HUTCHINSON J. 1994a. Cultural Nationalism and Moral Regeneration. In: *Nationalism* (Ed. by J. HUTCHINSON). Oxford University Press, Oxford.
- HUTCHINSON J. 1996. *Ethnicity*. Oxford University Press, Oxford.
- HUTCHINSON J., & SMITH, A. 1994b. *Nationalism*. Oxford University Press, Oxford.
- ICG. 2000. War Criminals in Bosnia's Republika Srpska: Who Are People in Your Neighbourhood? . (Ed. by I.C. GROUP). ICG, Brussels/ Sarajevo.
- ICG. 2002c. The Continuing Challenge of Refugee Return in Bosnia & Herzegovina (Ed. by I.C. GROUP). ICG, Brussels/ Sarajevo.
- IGNATIEFF M. 1993. *Blood and Belonging: Journeys into the New Nationalism*. BBC Books, London.
- IGNATIEFF M. 1997. *The Warrior's Honor: Ethnic War and the Modern Conscience*. Henry Holt & Co, LLC, New York:.
- JOVANOVIĆ M.A. 2005. Recognising minority Identities through Collective Rights. *Human Rights Quarterly* **27**: 625-651.
- KALDOR M. 1999. *New and Old Wars: Organised Violence in a Global Era*. Polity, Cambridge.
- KALDOR M. 2002. Civil Society and Accountability. In: *Human Development Report 2002*. UNDP Human Development Report Office.
- KALDOR M. 2003a. *Global Civil Society : an Answer to War*. Polity, Cambridge.
- KALDOR M. 2003c. The Idea of global Civil Society. *International Affairs* **79**: 583-593.
- KALDOR M. 2004. Nationalism and Globalisation. *Nations and Nationalism* **10**: 161-177.
- KALDOR M. 2005. Old Wars, Cold Wars, New Wars, and the War on Terror. *International Politics* **42**: 491-498).
- KALDOR M., & KOSTOVIKOVA, D., & SAID, Y. 2007. War and Peace: The Role of Global Civil Society. In: *Global Civil Society Yearbook 2006/2007* (Ed. by H.E. ANHEIER, & KALDOR, M. & GLASIUS, M.). Sage, London.

-
- KALDOR M., & MURO, D. 2003b. Religious and Nationalist Militant Groups. In: *Global civil Society Yearbook 2003* (Ed. by H.E. ANHEIER, & KALDOR, M. & GLASIUS, M. [EDS.]). Oxford University Press, Oxford.
- KALYVAS S.N. 2001. "New" and "Old" Civil Wars A Valid Distinction? *World Politics* **54**: 99-118
- KALYVAS S.N. 2003. The Ontology of "Political Violence": Action and Identity in Civil Wars. *Perspectives on Politics* **1**: 475-494
- KALYVAS S.N. 2007. Ethnic Cleavages and Irregular War: Iraq and Vietnam. *Politics & Society* **35**: 183-223.
- KALYVAS S.N., & SAMBANIS, N. 2005a. Bosnia's Civil War: Origins and Violence Dynamics. In: *Understanding Civil War: Evidence and Analysis* (Ed. by P. COLLIER, & SAMBANIS, N.), pp. 191-229. The World Bank, Washington, DC:.
- KAPLAN R. 1993. *Balkan Ghosts: A Journey through History*. St. Martin's Press, New York:.
- KAPLAN R. 1997. Was Democracy Just a Moment? In: *The Atlantic*.
- KAPLAN R. 2000. *The Coming Anarchy: Shattering the Dreams of the Post Cold War*. Random House, New York.
- KAVIRAJ S., & KHILANI, S. [EDS.]. 2001. *Civil Society: History and Possibilities*. University Press, Cambridge.
- KEANE J. 2003. *Global Civil Society?* Cambridge University Press, Cambridge.
- KECK M.E., & SIKKINK, K., . 1998. *Activists Beyond Borders: Advocacy Networks in International Politics*. Cornell University Press, Ithaca New York.
- KEEN D. 1998. The Economic Functions of Violence in Civil Wars. In: *Adelphi Paper*. International Institute of Strategic Studies, London.
- KENDALL J. & KNAPP M. 2000. The third sector and welfare state modernisation: Inputs, activities and comparative performance. In: *LSE CCS Working Papers Collection*, London.
- KHILNANI S. 2001. The Development of Civil Society. In: *Civil Society, History and Possibilities* (Ed. by S.K. KAVIRAJ, S.). Cambridge University Press, Cambridge.
- KOLIND T. 2007. In Search of Decent People: Resistance and Ethnicization of Everyday Life among Muslims of Stolac. In: *The New Bosnian Mosaic* (Ed. by X. BOUGAREL, & HELMS, E., & DUIJZINGS, G.). Ashgate, London.
- KYMLICKA W. 1995. *Multicultural Citizenship*. Oxford University Press, Oxford.
- KYMLICKA W. 2001. *Politics in the Vernacular: Nationalism, Multiculturalism and Citizenship*. Oxford University Press, Oxford.
- LARGE J. 1997. *The War Next Door: A Study of Second-Track Intervention during the War in Ex-Yugoslavia*. Hawthorn Press.
- LEDERACH J.P. 1997. *Building Peace: Sustainable Reconciliation in Divided Societies*. United State Institute for Peace Press, Washington, DC:.

-
- LEDERACH J.P. 2001. Civil Society and Reconciliation. In: *Turbolent Peace. The Challenges of Managing international Conflict* (Ed. by C. CROCKER, A. , & HAMPSON, F. O., & AALL, P.). United States Institute for Peace Press, Washington, DC.
- LIJPHART A. 1991. Constitutional Choices For New Democracies. *Journal of Democracy* **2**: 72-84.
- LIJPHART A. 2004. Constitutional Design for Divided Societies. *Journal of Democracy* **15**: 96-109
- LOCKE J. 1824. Two Treatises on Government. Printed for C. and J. Rivington, London.
- LUTTWAK E.N. 1995. Toward Post-Heroic Warfare. *Foreign Affairs* **74**: 109-122.
- MAFFETTONE S. 2006. *La Pensabilita' del Mondo, Filosofia e Governanza Mondiale*. Il Saggiatore, Milano.
- MAFFETTONE S. 2007. Human Rights and Cultural Diversity. In: *Forthcoming*. Luiss University, Rome.
- MAMDANI M. 1996. *Citizens and Subject, Contemporary Africa and the Legacy of Late Colonialism*. Princeton University Press, Princeton NJ.
- MAY S., & MODOOD, T., & SQUIRES, J. 2004. *Ethnicity, Nationalism, and Minority Rights*. Cambridge University Press, Cambridge, UK.
- MIN B., & WIMMER, A. . 2007. Ethnicity and War in a World of Nation-States In: *Conflict and Tensions* (Ed. by H.E. ANHEIER, & ISAR, Y. R). Sage, London.
- MINOW M. 1998 *Between Vengeance and Forgiveness: Facing History After Genocide and Mass Violence*. Beacon Press, Boston.
- MONTESQUIEU C.L. 1758. De L'esprit des Lois In: *The Spirit of the Law* (Ed. by T. NUGENT). Hafner, New York.
- MOSHER M.A. 1984. The Particulars of a Universal Politics: Hegel's Adaptation of Montesquieu's Typology. *The American Political Science Review* **78**: 179-188.
- NATION C.R. 2003. *War in The Balkans, 1991-2002*. US Army War College, Carlisle, PA.
- OBADARE E. 2004. The Alternative Genealogy of Civil Society and its Implication for Africa. *Africa Development* **29**: 1-8.
- OECD-ORG. 2007. Trends In International Migration Flows And Stocks, 1975-2005. In: *OECD Social, Employment And Migration Working Papers*. Organisation for Economic Co-operation and Development, Paris.
- OFFICEHIGHCOMMISSIONERHUMANRIGHTS. 1976a. International Covenant on Civil and Political Rights. (Ed. by U.N.). General Assembly Resolution 2200A (XXI), of 16 December 1966.
- OFFICEHIGHCOMMISSIONERHUMANRIGHTS. 1976b. International Covenant on Economic, Social and Cultural Rights. (Ed. by U.N.). General Assembly Resolution 2200A (XXI), of 16 December 1966.
- OFFICEHIGHCOMMISSIONERHUMANRIGHTS. 1996. General Recommendation No. 21: Right to self-determination : . 23/08/96. Gen. Rec. No. 21. (General Comments) (Ed. by UN). General Assembly A/51/18, in Agenda Item 108: Elimination Of Racism And Racial Discrimination.

-
- OHR. 1995. The General Framework Agreement for Peace in Bosnia and Herzegovina [Dayton Agreement]. (Ed. by O.O.T.H. REPRESENTATIVE), Sarajevo.
- ORJUELA C. 2003. Building Peace in Sri Lanka: A Role for Civil Society? *Journal of Peace Research* **40**: 195-212.
- PAFFENHOLZ T., & SPURK, C. 2006. Civil Society, Civic Engagement, and Peacebuilding. In: *Social Development Papers: Conflict Prevention and Reconstruction, n. 36*, Washington, DC: The World Bank.
- PARIS R. 2004. *At the War's End: Building Peace After Civil Conflict*. Cambridge University Press, Cambridge.
- PARKER K. 2000. Understanding Self-determination: The Basics. In: *First International Conference on the Right to Self-Determination*. U.N. , Geneva.
- PIA E., & DIEZ, T. 2007. Conflict and Human Rights: A Theoretical Framework. In: *Luiss - SHURwp1/07*, Rome.
- PICKERING M.P. 2006 Generating social capital for bridging ethnic divisions in the Balkans: Case studies of two Bosniak cities *Ethnic and Racial Studies* **29**: 79-103.
- POULIGNY B. 2005. Civil Society and Post-Conflict Peacebuilding: Ambiguities of International Programmes Aimed at Building 'New' Societies. *Security Dialogue* **36**: 495-510.
- POWERS G.F. 1996. Religion, conflict and prospects for reconciliation in Bosnia, Croatia and Yugoslavia. *Journal of International Affairs* **50**: 221.
- PUTNAM R.D. 1995. Bowling Alone: America's Declining Social Capital. *Journal of Democracy* **6**: 65-78.
- PUTNAM R.D.P., S. J. [EDS.]. 2000. *Disaffected Democracies, What's Troubling the Trilateral Countries?* . Princeton University Press, Princeto NJ.
- RAMSBOTHAM O. 2005. The Analysis of Protracted Social Conflict: a Tribute to Edward Azar. *Review of International Studies* **31**: 109–126.
- RAMSBOTHAM O., & WOODHOUSE, T., & MIALL, H. 2006. *Contemporary Conflict Resolution. The Prevention, Management and Transformation of Deadly Conflicts [Second Edition]*. Polity, Cambridge.
- RAWLS J. 1971. *A Theory of Justice*. Harvard University Press, Cambridge MA.
- RAWLS J. 2000. *Lectures on the History of Moral Philosophy*. Harvard University Press, Cambridge MA.
- RAWLS J. 2005. *Political Liberalism. [Expanded Edition]*. Columbia University Press, New York.
- RICHMOND O., & CAREY, H. 2005. *Subcontracting Peace: the Challenges of NGO Peacebuilding*. Ashgate, Aldershot.
- ROTHMAN J. 1997. *Resolving Identity-Based Conflict: In Nations, Organizations, and Communities*. Jossey-Bass Publishers, San Francisco.

-
- ROTHMAN J., & OLSON, M. L. 2001. From Interests to Identities: Towards a New Emphasis in Interactive Conflict Resolution. *Journal of Peace Research* **38**: 289-305.
- RUDDICK S. 1980. Maternal Thinking. *Feminist Studies* **6**: 342-367.
- RUDDICK S. 1985. Maternal Work and the practice of peace. *Journal of Education* **167**: 97.
- RUDDICK S. 1989. *Maternal Thinking: Toward a Politics of Peace* Beacon Press, Boston.
- RUPESINGHE K. 1998. *Civil Wars, Civil Peace: An Introduction to Conflict Resolution*. Pluto, London
- RUSSETT B.M., & ONEAL, J. R., & COX, M. 2000. Clash of Civilizations, or Realism and Liberalism Deja Vu? Some Evidence *Journal of Peace Research* **37**: 583-608.
- SAMBANIS N. 2001. Do Ethnic and Nonethnic Civil Wars Have the Same Causes?: A Theoretical and Empirical Inquiry (Part 1). *Journal of Conflict Resolution* **45**: 259-282.
- SELIGMAN A.B. 1992. *The idea of Civil Society*. Princeton University Press, Princeton, NJ.
- SELIGMAN A.B. 2002. Civil Society as Idea and Ideal. In: *Alternative Conceptions of Civil Society* (Ed. by S.K. CHAMBERS, W.). Princeton University Press, Princeton, NJ.
- SEN A. 1999. *Development As Freedom*. Oxford University Press, Oxford.
- SEN A. 2006. *Identity and Violence: The Illusion of Destiny*. W.W. Norton & Company, New York, London.
- SEN A. 2008. Violence, Identity and Poverty. *Journal of Peace Research* **45**: 5-15.
- SEN A. March 2006. Democracy isn't "Western". In: *The Economist*.
- SEUL J.R. 1999. Ours Is the Way of God: Religion, Identity, and Intergroup Conflict. *Journal of Peace Research* **36**: 553-569.
- SMITH A. 1776. The Wealth of Nations. In: *Adam Smith. Wealth of Nations* (Ed. by R.H. CAMPBELL & A.S. SKINNER). Oxford University Press, Oxford.
- SPINI D. 2006. *La Societa' Civile Postnazionale*. Meltemi, Roma.
- STUBBS P. 1996. Nationalism, Globalization and Civil Society in Croatia and Slovenia. *Research in social Movements, Conflicts and Changes* **19**: 1-26.
- TAYLOR C. 1994. The Politics of Recognition. In: *Multiculturalism* (Ed. by C. TAYLOR). Princeton University Press, Princeton, NJ.
- TAYLOR C. 1995. Invoking Civil Society. In: *Philosophical Arguments* (Ed. by C. TAYLOR). Harvard University Press, Cambridge MA.
- THOMS O.N.T., & RON, J. . 2007. Do Human Rights Violations Cause Internal Conflict? *Human Rights Quarterly* **29**: 674-705.
- TOCQUEVILLE A. 1840. Démocratie en Amérique. In: *Democracy in America*. David Campbell, London.

-
- U.N. 1994. Final Report of the Commission of Experts Established Pursuant to Security Council Resolution 780 (1992). In: *S/1994/674, 27 May 1994* (Ed. by U.N.S. COUNCIL).
- UNITEDNATIONS. 1948. Universal Declaration of Human Rights. (Ed. by U.N.). Adopted by General Assembly Resolution 217 A (III) of 10 December 1948.
- VÁRADY T. 1997. Minorities, Majorities, Law, Ethnicity: Reflections of the Yugoslav Case. *Human Rights Quarterly* **19**: 9-54.
- VARSHNEY A. 2001. Ethnic Conflict and Civil Society , India and Beyond. *World Politics* **53**: 362-398.
- VARSHNEY A. 2003a. *Ethnic Conflict and Civic Life: Hindus and Muslims in India*. Yale University Press, New Haven, CT.
- VARSHNEY A. 2003b. Nationalism, Ethnic Conflict, and Rationality. *Perspectives on Politics* **1**: 85-99.
- WALTZ K. 1959. *Man, the State and the War*. Columbia University Press, New York
- WALZER M. 1995. *Toward a Global Civil Society*. Berghahn Books, Oxford.
- WEISS J.N. Tuzla, The Third side and Bosnian War. (Ed. by THIRDSIDE.ORG).
- WIMMER A. 2004a. Introduction: Facing Ethnic Conflicts. In: *Facing Ethnic Conflicts: Toward a New Realism* (Ed. by A. WIMMER, & GOLDSTONE, R. J., & HOROWITZ, D. L., & JORAS, U., & SCHETTER, C.). Rowman & Littlefield Publishers, INC, Oxford.
- WIMMER A., & GOLDSTONE, R. J., & HOROWITZ, D. L., & JORAS, U., & SCHETTER, C. 2004b. *Facing Ethnic Conflicts: Toward a New Realism*. Rowman & Littlefield Publishers, INC., Oxford.
- WOOLCOCK M. & NARAYAN D. 2000. Social Capital: Implications for Development Theory, Research, and Policy. *World Bank Res Obs* **15**: 225-249.
- ZUBAIDA S. 2001. Civil Society, Community and Democracy in the Middle-East. In: *Civil Society: History and Possibilities* (Ed. by S. KAVIRAJ & S. KHILNANI). University Press, Cambridge:.

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