

The Politics of Atrocity and Reconciliation

From terror to trauma

Michael Humphrey

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The Politics of Atrocity and Reconciliation

How does the experiencing and witnessing of violence shape contemporary social and cultural worlds?

The Politics of Atrocity and Reconciliation examines contemporary political violence and atrocity in the context of the crisis of the nation-state. It explores the way violence is used to unmake the social world and how its product, suffering, is used to try to remake the social world. Humphrey considers both the unmaking of the world through torture, war, uricide and ethnic cleansing and the resultant remaking of the world through testimony and witnessing in the forums of truth commissions and trials. The discussion thus moves from terror to trauma.

Humphrey argues that ‘suffering’ is the interface between war and peace. Suffering is both an objective of violence—‘terror’—as well as a legacy of it—‘trauma’. Thus suffering remains a central issue in any resolution of violence. In the project of national reconstruction testimony to violence constructs the victim through which a community of suffering is forged. The book argues that by emphasising reconciliation over justice violence tends to be neutralised by putting it in the past. The dilution or negation of past violence potentially jeopardises the project of recreating the moral community, the declared purpose of national reconstruction.

This book has an innovative approach, providing a theoretical and comparative analysis of the legacies of violence for social reconstruction. It includes a number of case studies focusing on Bosnia, Rwanda, Northern Ireland, South Africa, Chile, Vietnam and Cambodia, among others.

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Preface

This book is about contemporary political violence. Its particular focus is the politics of atrocity, acts of face-to-face violence to torture, rape, massacre and mutilate victims as a political strategy.¹ Atrocities are acts of excessive violence which identify and victimise categories of individuals in order to terrorise both potential victims and those who become its spectators. The excess is in the transgressive character of the acts; against innocents (non-combatants), public places, in its bodily mutilations. The violence is transgressive because it is beyond any expectation of the victims and beyond their comprehension, or the comprehension of witnesses. The very horror of atrocity terrifies those who face it and causes disbelief in distant audiences.²

The victims are produced as spectacles of horror, pain and suffering to amplify the threat of violence and death. The spectacle of violence is a strongly rhetorical politic because it is created largely for its effect on victims and witnesses. The victim's wounds make visible, and real, the violence done. These wounds produce the horror of the 'tortured body' (Foucault 1977) as a sign of power. Thus pain, through violence, is made a spectacle and projected as power. The effects of atrocities are no longer confined to local or even national arenas but are now visible through the global reach of media communications. Single acts of atrocity now have enormous reach through the capacity of global witnessing potentially making all of us familiar with the diverse and distant victims of 'terrorism', 'ethnic cleansing', and 'disappearance'.

The politics of atrocity has emerged in the context of internal wars between states and their populations, between rulers and ruled. These wars can involve contests over state power or escape from it. The key issue is that sections of the national society feel that they do not have the same rights, protection or opportunities as others. What the politics of atrocity pushes to the fore in these internal wars is 'body horror', something which today is usually concealed in conventional warfare between states (Taylor 1998). 'Body horror', the abject image of the violent transgression of bodily integrity, is the focus of political strategy in atrocity.

The rhetorical power of 'body horror' is acknowledged by its increasing censorship in conventional warfare (Keeble 1997). Of course 'body horror' remains a disturbing reality for those who experience combat zones, as the trauma of war veterans and survivors of city bombardments reveals. However, the terrible injuries and disfigurement of human bodies caused in combat are rarely projected for wider public consumption as a rhetorical device in contemporary war, except occasionally if they are the enemy's wounds. Since the media crisis of the Vietnam War the 'body horror' of combat has been made less 'televisable' through the censorship imposed by militaries restricting media access to

combat zones and through the capacity to conduct hi-tech warfare at a distance (Taylor 1998). The disturbances stirred by images of bodily horror are politically too volatile to permit their free circulation. Are we killing innocents? Are our soldiers dying for an immoral cause?

Yet at the same time that we are usually denied even glimpses of the 'body horror' of conventional war, even if we are the 'enemy', we are constantly exposed to that carried out by others in internal wars (Taylor 1998). Spectacular violence when carried out by others is sensational, and even entertaining. However mass death through slow degradation of bodies through starvation, especially as the result of international sanctions as in Iraq, remains invisible, i.e. it's not really the suffering that's at issue.

In this foregrounding of the atrocities of others we are blinded to the landscape of violence against which it takes place. The crisis of the nation-state is under close scrutiny in the bodies of its victims.

In internal wars the politics of atrocity produces 'body horror' as a central strategy to terrorise a target population. Even if a state wanted to conceal its atrocities the escalation of reciprocal terror makes 'body horror' conspicuous as a rhetorical weapon on all sides. Moreover, even though it might be politically localised, the ubiquitous presence of outsiders (relief workers, military observers, journalists, etc.) and the reach of global communications technology (television, the Internet) make it internationally televisible (Humphrey 1999b). Consequently the effects of atrocities touch audiences well beyond the geographical reach of physical harm. Genocide in Rwanda, ethnic cleansing in Bosnia, village massacres in Algeria, sectarian killing in Lebanon or militia atrocities in East Timor have become matters of international concern and involvement, not merely the nightmares of the victims and their communities.

Television has greatly amplified the reach and effects of atrocities by making them everyday matters of news. However the connection televisibility creates between victims and outside witnesses is often morally ambiguous. On the one hand, visibility can bring outside witnesses closer to victims and engender compassion, charity and a sense of responsibility for their suffering. Intervention in the form of relief for refugees, international diplomacy to achieve ceasefires and the organisation of UN peacekeeping missions are expressions of individual and collective concern (Kumar 1997). On the other hand, the images of horror engender fear, and set victims and witnesses further apart. The violence is essentialised as an attribute of the society rather than as the outcome of real material and political interests and the breakdown of national institutions. Hence the violence itself is seen as an attribute of those living in 'danger zones', and they threaten chaos.

What appears to separate the worlds of the victim and witness is violence. For audiences in the North violence demarcates the boundary between 'civilisation' and 'barbarism', order and chaos. Audiences oscillate between feelings of compassion and fear, which in turn compromises the victims who come to be seen as implicated in the violence, contaminated by it. They are no longer unambiguously innocent and therefore deserving of compassion. The world is thereby compartmentalised between 'zones of safety' and 'zones of danger' (Ignatieff 1997a).

The 'body horror' of atrocities readily distorts any understanding of the politics of which it is a part. Audiences in the North forget how and why they can be horrified by atrocities in distant places and hold their morally ambiguous position. The portrayal of

'ethnic cleansing' in Bosnia is a case in point. Rather than being seen as a descent into tribal brutality—back to the 'primitive'—it should be understood as a tactic in a 'very modern war' (Sorabji 1995). Even though 'ethnic cleansing' was often carried out in random fashion by militaries, paramilitaries and communities throughout the former Yugoslavia there was a political goal: to make a modern nation-state through forging an exclusive (and incontestable) relationship between people and territory. Moreover this goal was largely realised through a combination of territorial expansion, population removal/displacement, the enactment of new exclusionary national constitutions (Hayden 1996), and its outcome subsequently affirmed in the Dayton Accords.

The visibility of violence in Bosnia was made possible by the presence of international relief agencies, NGOs, the media and even UN military observers in the war zone. Their witness to the atrocities made them an integral part of the conduct of the war itself.³ Local political and military leaders included in their own calculations how Western leaders and publics would respond according to perceptions of regional security, the impact of refugee flows and the threshold of direct military intervention. In other words, the extreme and personalised violence of Bosnia, while primarily directed at specific populations, could not be removed from the wider international setting which included Western public opinion and the likelihood of intervention by Western governments (Sorabji 1995). This growing symbiosis between atrocity and intervention was also expressed in President Clinton's description of the 'Kosovo War' (read aerial warfare against Serbia) as the 'first human rights war'. In other words, can the politics of atrocity be separated from the forms of intervention it now provokes?

The polarised division of the world into 'zones of safety' and 'zones of danger' is a post-Gold War mapping of the nation-state in crisis. During the Cold War era internal conflicts occurred in the spheres of influence shaped by deterrence and superpower client arrangements (Krasner 1999). Since 1990 many postcolonial states and successor states of the former Warsaw Pact countries and the Soviet Union have experienced serious internal conflict and civil war which has been hard to resolve. The nature of the crisis relates to the capacity of those states to carry out redistributive functions and to protect their citizens but also to changes in the international basis for regime support. The connection of victims and witnesses through television, however, is only the latest technological enhancement of a politics of intervention that has always been part of international relations—i.e. the readiness of states to intervene in the relationship between ruler and ruled of other states (Krasner 1999).

What the politics of atrocity has engendered is a connection between 'zones of safety' and 'zones of danger', but with great uncertainty about kinds of nation-states and societies that are emerging and what the possibilities and consequences of intervention will be. Are these 'zones of danger' experiencing the breakdown of the nation-state or its renewal after the collapse of Cold War international relations? Are the present conflicts in the postcolonial and successor states simply an extension of earlier European patterns of state-making?

It is important to contrast the role of violence in nation-state formation in European and postcolonial states to contextualise the current politics of atrocity. Political violence has been an integral part of European nation-state formation (Tilly 1990, Mann 1987). Tilly distinguishes three different forms of violence associated with its development. First, 'primitive violence', which occurs in autonomous communities prior to the growth

of the state and includes feuding. Second, 'reactionary violence', which arises from the encroachment of national political and economic control over previously autonomous groups and may include food riots, machine breaking, peasant occupations of land and community resistance to conscription. Third, 'modern violence', which takes the form of struggles for control of the state rather than reaction to it. New systems of alliances and oppositions emerge in complex and shifting patterns.

In addition state consolidation involved war-making organised around extraction and protection activities (Tilly 1985). Whereas war-making was directed against external rivals, state-making involved the elimination or neutralisation of rivals internally and the protection of their clients. Extraction involved acquiring the means of carrying out war-making, state-making and protection.

The consolidation of European state power, however, involved long struggles with subject populations in which there was a trade-off between protection and political power. Agreements on protection constrained the rulers themselves, making them vulnerable to courts, to assemblies, to withdrawals of credit, services and expertise. Citizenship rights represented concessions states granted as protection to their own populations (Mann 1987).

By contrast the relationship between ruler and ruled in postcolonial states was often derived from former colonial institutions of power. In many postcolonial states the military remained the central institution of power but without any countervailing civil institutions establishing social and political rights. The military was used to pacify subject populations and to defend regime power unconstrained by internal struggles between the 'rulers and ruled'. Without a counterweight to the military their capacity to seize power was great (Tilly 1990). The European model of nation-state development which balanced external war-making and democratic citizenship rights turned out not to be readily 'available for export' to the former colonial states.

The dominant pattern of violence in postcolonial states has involved internal struggles over state control. The increase in internal wars since 1945 is largely the product of the pattern of postcolonial state formation through violence against their own populations.⁴ Where the military remained the dominant political force the postcolonial state consolidated power through pacification, often resorting to inherited colonial instruments of social control—colonial legal instruments (martial law, detention without trial), aerial bombing and land dispossession. Instead of forging alliances with their own people through political compromises regimes pursued political guarantees by forging alliances with external states, including the former colonial power. Hence decolonisation produced states whose 'sovereignty was circumscribed by the international relations they had become dependent on.

The question of national membership highlights the dilemma of political legitimacy in many postcolonial states. Minimalist citizenship rights and exclusionary politics based on selective patronage limited national participation and identification. Ethnic, tribal or sectarian identities differentiated access to political power and resources, and made membership a collective experience of being part of minorities or majorities. In Africa, for example, the colonial legacy of racialised administration persisted after decolonisation as a racialised civil society creating an enduring distinction between civic and ethnic citizenship (Mamdani 1996).

The internal differentiation of citizenship along ethnic or sectarian lines invariably produced contests over state control along the same lines. The politics of atrocity emerged as a strategy in these unresolved (maybe unresolvable), and usually long-standing, internal contests over state power. The escalation of violence through atrocity has only entrenched the cleavages and proposed solutions based on the complete elimination, through death or displacement, of the Other as an homogenised enemy—i.e. ‘ethnic cleansing’.

The other context of the politics of atrocity is the international setting in which it takes place. First, there is the character of post-Cold War international relations and second, there is the international discourse of human rights and intervention.

Postcolonial states have generally not had allies who have been able and/or willing definitively to determine the basis of a client’s political legitimacy. They have not supported client states with sufficient resources conclusively to defeat rivals to state power (Krasner 1999). The post-Cold War environment seems to have made the more powerful even less capable, or less willing, to intervene effectively. The emphasis in recent peace negotiations on reconciliation—e.g. truth commissions, limited trials—is a function of the fact that in postcolonial internal conflicts political negotiation emerges from political stalemate in which there is no absolute winner or loser.

The international discourse on human rights emerged as the key focus in intervention in the relations between rulers and ruled in the post-1945 world (Krasner 1999). The politics of atrocity directly confronts this mechanism of international relations by testing the capacity and willingness for intervention in internal conflicts to shape relations between ruler and ruled. To what extent are international organisations willing and able to intervene to defend or rebuild disintegrating states?

The politics of atrocity brings together major anthropological themes in ‘late modernity’. First, the crisis of ‘decolonisation, postcolonialism, and the reconstruction of societies after social trauma’, and second, ‘the role of new electronic and visual media’ (Fischer 1999:455). What will emerge in the context of nation-states in crisis in which large-scale violence has dislocated the previous basis for social regeneration and ‘tradition’ becomes re-anchored in the suffering of victims? In what way will visual medias help shape international moral and political agendas by connecting victims and comfortable witnesses? What will be reconstructed from social trauma? Can victims become the centrepiece of moral reconstitution in which they too are healed? Are the rituals of political transition involving the production of truth going to achieve reconciliation between former enemies?

Acknowledgements

This project has grown out of my work on societies in crisis. It originates in my anthropological work with Lebanese migrants and subsequent studies on civil war in Lebanon and the postwar reconstruction of the society and state. The unfolding national crises in the former Yugoslavia, Sri Lanka and Rwanda led me to broader studies of the processes of violence and the legacies of violence. This book comes directly from that work, which over the years has explored communal massacre, the destruction of cities and forums for national reconciliation and justice. My aim was to explore the transcendence of violence rather than be trapped in the strategies of violence. The book's focus is on atrocity, the political uses of cruelty so conspicuous in recent internal wars. It explores the interrelationship between the process of violence and legacies of violence in post-conflict situations.

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1

Politics of atrocity

‘Atrocity’ is compelling and disturbing for victims and witnesses in the way that excessive violence against individual human bodies is made a spectacle. The marks of injury and death on living bodies are elemental in this politics designed to engender horror and to disrupt confidence in a normative reality. Through horror individuals, as victims and witnesses, are confronted by the fragility of their individual and social existence. The politics of atrocity challenges the very basis of modern political life: the belief in the sacredness of human life, of bodily inviolability in law, and that our humanity confers rights which stand in opposition to the political sovereignty of the state. Moreover, atrocity produces a legacy of individual suffering which itself remains a political resource for both reinjuring and healing.

This study explores the contemporary politics of atrocity through an analysis of the relationship between pain, political power and suffering. Pain is the bodily feeling produced by violence, political power is the source of violence, and suffering is the legacy of violence remaining as a memory in individual bodies. The approach taken is a phenomenology of violence—how violence is experienced both as a victim and witness. It is concerned with the way violence disturbs the normal relationship between sentience and meaning, between affect and culture.

This chapter frames the study by outlining the relationship between pain, political power and suffering created through contemporary politics of atrocity. It explores terror, rituals of originating power and victimhood. It charts the micro-politics of violence from the impact of pain on individuals to an exploration of the political and cultural institutions created from the legacy of pain and suffering. It is a study in the production of human suffering through extreme cruelty and horror, and its political uses in contemporary nation-states.

Cruelty and horror

Atrocities horrify and terrify by producing wounded and mutilated bodies as political signs and victims. Torture, rape, mutilation and massacre are acts of excessive violence whose effects flow from the production of horror in victims and witnesses. Taussig (1992:19) describes this project as ‘an impossibly contradictory need to both establish and disestablish a centre, a motive force, or a reason to explain everything’. Atrocities

confront individuals with an existential crisis of the self and the need to make sense of the world. This unanchoring moment of horror is the 'space of terror', a liminal space between consciousness and non-consciousness, in which the limits of subjectivity are exposed. It is a fundamental human psychological limit that Kristeva (1982) refers to as 'the abject'. It is an internal bodily experience of fear, horror and pain in which the very self is brutality confronted and threatened with the reality of its own extinction. Pain stands in at the limits of felt experience for death (Scarry 1985).

The central mechanism of atrocity is to threaten life by cruelly disfiguring human bodies. This act of injuring addresses the vital reality of human sentience—our internal life of senses and emotions—and our ability to communicate them. Through pain and fear the very basis of our phenomenological attachment to the world and our apprehension of it is challenged.

The political opportunity of violence arises from the impact of pain on individual subjectivity. Through pain the voice of the victim is silenced because pain itself resists expression in language. The inherent difficulty of communicating pain appears to make it difficult to describe accurately any event that involves bodily injury (Scarry 1985). The political opportunity of pain arises from the instability of communication that allows the objectification of pain and appropriation of its meaning by others. This may occur at the moment of violence or later, in the legacy of the victim's suffering.

How pain is used to construct social reality is the key political issue. Scarry (1985) argues that the appropriation of the extreme attributes of our sentient bodies—pain—is made the basis for re-anchoring cultural reality by juxtaposing the wound (the opened body) and the idea (the cultural artifice).

That is, instead of the familiar process of substantiation in which the observer certifies the thing in his own body (seeing it, touching it), the observer instead sees and touches the hurt body of another person (or animal) juxtaposed to the disembodied idea, and having sensorily experienced the first, believes he or she has experienced the reality of the second.

(Scarry 1985:125)

Thus for victims and witnesses alike political power is made real in the wounds of the body; a dictatorship's power is made real in the pain of the torture victim; the 'ethnic nation' is made real in the victims (living or dead) of 'ethnic cleansing'. The wounded/dead victim is put forward as an irresistible source of substantiation when other cultural sources are in doubt.

It is as though the human mind, confronted by the open body itself (whether human or animal) does not have the option of failing to perceive its reality that rushes unstopably across his eyes and into his mind, yet the mind so flees from what it sees that it will with almost equal speed perform the countermovement of assigning that attribute to something else at hand made ready to receive the rejected attribute, ready to act as its referent.

(Scarry 1985:126)

The creative source of social life, the sentience of being, is emptied out in the wound and made to signify the thing juxtaposed to it. In the moment of horror the existential need to fill the void of the 'abject' accepts this form of substantiation as a protective/defensive act.

Violence creates the opportunity for this reading of the body as cultural artifice by first challenging the existential connection between feeling (sentience) and meaning. While conventionally expressed as inside and outside the body, sentience and meaning (cognition) are experienced as a more integrated phenomenon that is both of the world and embodied (Merleau-Ponty 1962). The rupture dislodges the comfort of experience as integrated affect-cognition of the world. The self-awareness of the body is constituted in fear. 'The victim's senses become objects to the victim, things in themselves, pointing to disturbances in the world of the victim as disturbances of the victim's own organism' (Kapferer 1997:259).

While all violence threatens normative reality, atrocity—excessive violence—shakes the very foundations of both self and social existence. Atrocity is a traumatising violence because it leaves an unassimilable memory in the victim and exceeds cultural discourses of law or morality which manage the circulation of everyday violence.

Sovereignty and human life

Atrocity, as an act of violence against individual bodies, is a political act which brings to the fore the conflict in the relationship between modern state power and individual life. The modern state puts control of individual life at the centre of their sovereign power, what Foucault (1977) calls 'biopolitics'. At the same time they sign up to international human rights conventions which declare the 'sacredness of individual life' as a right in opposition to sovereign power. By attacking individual life atrocity reveals the vulnerability of power centred on the care of life, and the limits to rights individualised on the basis of 'humanity'. It also reveals the constitutive possibilities of violence through its claim to determine the value of particular life.

The politics of atrocity challenges political sovereignty based on the care of individual life. In the modern state the sanctity of life has become a centrepiece of sovereignty. Death cannot happen without causes and consequences being carefully charted by medicine and law. The moment of death and limits of life are constantly under state legislative review as medical science stretches life out as it lingers, making the determination of the end of life more and more difficult. Life-creating and modifying technologies such as organ transplants, in vitro fertilisation (IVF) or biogenetics are all controversial. Thus the modern state has not only monopolised the use of violence but also the prerogative of the control over life and death.

Historically Foucault (1977) identifies atrocity as a mechanism used to display the absolute power of the sovereign. The spectacle of the 'tortured body' was a dramatically staged and tightly scripted event based on the triadic structure of ruler—ruled—victim. Atrocity—causing pain and suffering in the victim—was made a spectacle as a ritual of state power. Public torture demonstrated the sovereign's privilege and prerogative to absolute power over life and death. Atrocity, expressed in the excess of violence against

the victim's body, demonstrated the sovereign's embodiment of the law and violence.¹ He was both the law and above the law.

Atrocity as ritual of power may have largely disappeared from many modern states where more subtle forms of self-disciplining have taken root, but not completely.² For example, when European states have experienced terrorism they have resorted to forms of atrocity in retaliation—e.g. the use of torture and assassination by the British government against IRA suspects and by the Spanish government against ETA suspects. In those states where social and political membership is tenuous or contested atrocity has remained an instrument of power in the form of public executions, assassination, torture, rape, abduction, disappearance and massacre. Sometimes these are public displays (e.g. as shown by Russia in Chechnya) of atrocity as a public terror; in other cases it is done secretly and hangs as a hidden menace of state terror over the population (e.g. as demonstrated by death squads and abduction in Latin America, and post-dictatorship 'cleansing of street kids and the homeless').³ A glance at the annual human rights reports of Amnesty International or Human Rights Watch reveals the scale on which this continues.

However, while states may still resort to atrocity the 'spectacle of violence' is no longer the prerogative of state power. The marriage of terrorism and television has demonstrated that any act of atrocity can be amplified as an act of power by increasing its public visibility. Moreover, today the 'tortured body' is produced in a triadic structure of power, public and victim, and this structure is loose. First, anyone with the means to terrorise can make a claim to power through acts of atrocity which, momentarily at least, usurp the prerogative of state biopolitics and sovereignty. Second, the audience of atrocity is made multiple, diverse and transnational via media witnessing. Third, the victim signifies a contested category that stands in different relationships to protagonists and diverse audiences generated locally, nationally and internationally.

The sovereign power of the state is challenged or defended through attacks on 'individual life'. Moreover, atrocity starkly reveals, in its excessive violence, the vulnerability of individual life to all claims to power. And by making a spectacle of violence atrocity places the protection of individual life at political centre-stage and asks who has power over life and death? Who has sovereign power?

Acts of atrocity against the state's 'citizens' do not challenge merely its monopoly over violence but also its political sovereignty. Terror against citizens exposes what lies at the centre of state sovereignty: the coexistence of law and violence (Agamben 1998). It reveals who is protected and who is not protected by the sovereignty of the law; who has real rights, i.e. enforceable rights; who is inside and who is outside the political community; whose life has value and whose has little or none. It also reveals that it is violence that ultimately preserves these rights. Atrocity poses the question: who can/dares protect this life?

What is at issue here is the politically constitutive nature of violence. Atrocity fundamentally challenges, or asserts, the prerogative of state control of violence and thereby political sovereignty through its selection of victims. According to Agamben (1998) the selection of victims is at the heart of the question of political sovereignty because the victims signify who determines the value of individual life. He argues that the origins of political sovereignty lie in the indistinction between law and violence, and

that this relationship is expressed in the symmetry between the 'sovereign' and the figure of *homo sacer* (sacred life/bare life).

'Homo sacer' is the 'one who may be killed and yet not sacrificed' (Agamben 1998:8). *Homo sacer* embodies the indistinction between law and violence, condemned by the sovereign to exist as 'life that could be killed', the living dead (Agamben 1998:84). As the 'living dead', the figure of *homo sacer* can be killed with impunity by anyone making everyone sovereign to 'homo sacer'. In his book *The Mute's Soliloquy* Pramoedya Ananda Tore, the Indonesian writer and former political prisoner, captures the predicament of *homo sacer*.

The basic fact is that for the person without civil rights, death is always present in the background, forever during each second of the day, before your eyes. Look on death if you will, but only silently. There's no need to beckon; the darkness that is death will soon come to you uninvited.

(Aglionby 2000:20)

This figure is made 'sacred' by virtue of being put outside the profane world, by existing in a 'state of exception'. The status of the victim is not just marked as 'different' or 'excluded' but stands in a tied and symmetrical political relationship to sovereign power. The sovereign and *homo sacer* are at opposite ends of the political spectrum yet both in the realm of the 'sacred': 'the sovereign is the one with respect to whom all men are potentially *homines sacri*, and *homo sacer* is the one with respect to whom all men act as sovereigns' (Agamben 1998:84). Both exist in spaces beyond the law—e.g. General Pinochet sought exemption from trial for crimes against humanity as a head of state; Iraqi asylum seekers become 'condemned' in exile simply by leaving Iraq.

What Agamben holds to be the underlying source of political sovereignty is a category and domain created through ritual separation. Agamben's 'homo sacer' is the 'living dead'; it is a category of person to whom the law does not apply.

Political sovereignty is founded in the space occupied by 'homo sacer'.⁴ The relationship between sovereign and sacred life is tied. In this sense it resembles the concept of the 'sacrificial victim' in being 'sacred' yet tied to the power that condemns it (Girard 1987). The victim's death makes possible the reconciliation of the community permitting the re-establishment of a moral order. The moral order is made conditional on the sacrifice. In contrast to Girard's concept of 'sacrificial victim' which founds society through ritual murder, Agamben's 'homo sacer' founds political power. 'Homo sacer' preserves sovereign power as the natural right to do anything to anyone. He is the figure of the one abandoned—the outlaw, the exile or the refugee. He defines sovereign power as the liminal category of life, life that can be killed with impunity.

In the politics of atrocity 'homo sacer' is the victim abandoned by the nation-state—i.e. the individual emptied of their citizenship and reduced to their mere humanity or having only human rights (bare life). As Hanna Arendt noted, the 'human rights' embodied in the refugee break down at the moment they can no longer take the form of 'rights' belonging to the citizen of a state (Agamben 1998). Declarations of rights as such form the basis of a passage to other rights defined through national citizenship. 'Rights are attributed to man (or originate in him) solely to the extent that man is the immediately

vanishing ground (who must never come to light as such) of the citizen' (Agamben 1998:128).

Refugees represent such a disruptive element in the modern nation-state because they break the original fiction of the modern nation-state by revealing the distinction between birth and nation. Consequently 'human rights' have become increasingly separated from the context of citizenship. For example, international humanitarianism focused on relief is quite separate from the political requirements for peace. Ignatieff (1997a) describes this mass process of denationalisation and desocialisation as a new kind of victimhood in which violence is no longer distributed on national, religious or ethnic lines. 'Famine and ethnic war pulverise huge numbers of different individuals into exactly equal units of pure humanity.... [These are all]...reworked on the anvil of suffering into the sameness of victimhood' (Ignatieff 1997a:19). In the suffering image of the refugee we (who have the means to give or withhold) are all given the power of life and death (sovereignty). In this sense humanitarian intervention reveals a global relationship of power in which the centre (North) has the capacity to support life or not.

The claim to power through atrocity (the 'spectacle of violence') plays on the paradox that sovereignty embodies both law and violence. As Benjamin notes in his 'Critique on Violence', there is the violence that posits the law and the violence that preserves it (Benjamin 1978). Violence is not therefore simply an act against the law but also implies a claim to law (Agamben 1998).⁵ Of course from the perspective of the state, there is a difference between legitimate and illegitimate violence. However violence cannot simply be put outside, or juxtaposed to, the law. Violence is a matter of morality, and violent acts often involve moral claims—i.e. they posit a different 'law', as in self-help remedies (Weisberg 1992). While they may be judged 'criminal' in (state) law, they can also posit particular gender relations—e.g. honour killings. Euthanasia is another example of just such a moral claim to the right to violence—i.e. the right to determine which life is worth living beyond the prerogative of the state to decide on matters of life and death.

Law does not displace violence as a way of resolving differences. The rule of law is not premised upon the absence of violence but upon the monopoly of violence by the state. The law itself deals in pain and death through making decisions that cause injury and loss by taking away liberty, property, children and even life (Cover 1986). The violence of the law circulates within society through legal decisions. Through its institutional mechanisms and discourses law manages violence within parameters of normative behaviour and justification. Thus, for example, the concept of 'proportionality' in criminal law seeks to delimit legal (condoned) from illegal violence used in self-defence. The state accepts a level of violence beyond which it imposes its own forms of violence as punishment.

The boundary the law charts between legal and illegal violence differs according to how an individual's life is valued socially. But social valuation is not necessarily shaped by discriminatory law so much as how and when the law is actually applied. Often the injury and suffering of social categories remain quite invisible and unheard because of their powerlessness and/or widespread collusion with categories of devaluation in everyday life. Thus, for example, violence towards women and children—e.g. domestic and sexual abuse—has only fairly recently become criminally prosecuted in the courts in many Western countries. Previously violence towards women and children was treated as invisible and left as a private family matter. Similarly, violence towards migrants and

‘foreigners’—e.g. non-citizens, people who are not like you—has been accepted with indifference or politicised.

Even in the most democratic and developed societies there are compartmentalised categories/groups subject to violence with impunity (de Swaan 1999). This boundary between who is protected and who is not protected defines the symmetry of power, sovereignty and membership. Distance from full citizenship is measured by the accepted level of violence against particular individuals/social categories who are treated formally (legal discrimination) or informally as if they occupied social spaces beyond the law.

This compartmentalisation of social life charts the ‘threshold of life’ which modern biopolitics constantly seeks to delineate (Agamben 1998). The politicisation of human life by declarations of rights means that ‘the distinctions and thresholds that make it possible to isolate sacred life must be newly defined’ (Agamben 1998:131). The ultimate bureaucratisation of this process of selection and exclusion is the ‘camp’ as the state of exception.⁶ This is a space created in those acts of ‘rounding up’ social categories for exclusion (expulsion or extermination)—the Jews of the Warsaw ghetto; the leftist activists collected in the stadium in Santiago in 1973; the safe haven of Srebrenica 1995; the remote desert detention camps for ‘temporary’ refugees in Australia 2000.⁷ The ‘camp’ is a ‘dislocating localisation’ which compartmentalises ‘bare life’ at the centre of political sovereignty in the face of the disjunction between nativity and nationality.

Atrocity represents violence that far exceeds the normal mechanisms—political, legal and ritual—that contain and incorporate violence within particular politico-juridical orders. Such excesses of violence are experienced as unbearable because they are incomprehensible and out of all proportion (Greenhouse 1992). They can no longer be accommodated within legal or cultural discourse—they are no longer amenable to interpretation. They have gone beyond law in that law fails in its task of textual interpretation ‘to discover the contours of the text against the unspeakable that it [the law] claims to keep at bay’ (Greenhouse 1992:123).

Atrocity, as an excess of violence on the body, achieves its political claims through extending the political and cultural processes violence precipitates. Atrocity inflicts pain on victims, reduces them to their ‘humanity’, turns their bodies into cultural signs, and contests political sovereignty while at the same moment making violence a constitutive act of power. Life is made sacred through the act of reducing it to ‘bare life’.

Suffering and victimhood

Pain and suffering arise from the contingencies of life that we cannot escape. While they are merely part of natural processes of life they are produced and distributed in society unequally. But pain and suffering can also be produced through violence. The politics of atrocity selects its victims, who then bear the legacy of suffering as trauma, a memory of pain in the body. It is this individual memory of pain that remains a political resource to shape the future.

The trauma of victims has increasingly become a focus of intervention in post-violence reconstruction. The traumatic violence produced in dictatorships, revolutions and civil wars has become a major issue in the social rehabilitation of individuals and communities. The focus on individual trauma assumes a humanitarian perspective which

holds that the victims and communities can be healed by being given the opportunity publicly to express their pain. But can the valence of victimhood created by terror be transformed by making the same pain a vehicle for healing?

There are two opposing perspectives on the social significance of pain as a vehicle for submission or resistance. Pain produces a memory which can either be used as a vehicle to establish society's ownership of the individual or as a vehicle for individual social criticism and resistance (Das 1995). Whether suffering becomes a resource to legitimate or challenge the social order depends on the theology of suffering adopted.

Submission involves conditionality of personhood: for example, painful initiation rituals which scar the body to remind individuals and others of their social membership (Clastres 1972). The cruelty of the initiation is seen as necessary to avoid more dreadful cruelty threatened by the absence of law (moral relationships). Resistance occurs through the memory of trauma expressed as stories and medical symptoms. Das (1995) argues that trauma can be understood as a criticism by the body of social injustice done to it. By remembering there remains the possibility of sharing the pain caused and establishing a different social morality. On the one hand pain guarantees social belonging and on the other it is a mechanism through which the individual resists complete incorporation.

However, both submission and resistance can be interpreted as possible mechanisms of healing. On the one hand the individual becomes socially incorporated by their acceptance of the terms of membership and on the other the individual establishes a social dialogue which results in the recreation of the conditions of moral life. In both cases what healing means is to make bearable what has been unbearable. These are distinctive and divergent processes with different costs and consequences that we will discuss in detail in later chapters.

The political opportunity of suffering arises from the need for life to be meaningful and the isolating impact of trauma on individuals. The victim represents a source of meaning in two senses. The victim may be a source of 'truth' as a bearer of the experience of suffering or as a 'sign' of suffering attributed with meaning independently of their own voice. Because trauma often isolates and silences individuals it actually facilitates the wounded body's social appropriation as a political sign. It also makes political censorship of victims' voices easier. As Das (1995:184) summarises, 'because violence annihilates language, (and)... terror cannot be brought into the realm of the utterable, ...it invites us to constitute the body as the mediating sign between the individual and society, and between past and present'.

At the same time that suffering can be made socially bearable it can remain individually unbearable for the victim—i.e. unhealed. The example Das (1995) provides is the case of the silent and hidden suffering of Hindu and Muslim women raped and mutilated during Partition. They were used as political signs to found the new nations of India and Pakistan but were left marginal to it in their social isolation and silence about their injuries and suffering.

Because suffering is a condition of existence we cannot avoid it; we can only make our own and others' pain and loss sufferable. Thus the emphasis on 'healing' of traumatised victims and societies must be understood as making life sufferable once again, not overwhelmed and isolated by fear and horror. But because trauma is an intended outcome of atrocity the question of making life sufferable is an individual existential question as well as a political one. What is the meaning of insufferable pain?

Can it ever really have meaning? Das (1995) suggests that one resolution of suffering is the abandonment of the search for meaning.

When people talk about healing trauma what is usually meant is the traumatised victim. Yet in practice the fulcrum of pain connects the production of pain and its social meaning. If regimes produce suffering through violence then they also offer social legitimation for that suffering. Thus from the Argentine dictatorship's perspective the suffering of the 'disappeared' and their families was just punishment for the injury they caused the nation (Graziano 1992).

In similar fashion the social discourse of healing is also used to legitimate the post-conflict moral order founded in the pain of the victim. The victim becomes re-marked, albeit differently, as the basis for the re-establishment of the rule of law. Das (1995) talks about the 'conversation of law' on injury and compensation becoming frozen, at which point the amount of suffering is calculated and the meaning fixed. Similarly the identification of suffering as post-traumatic stress disorder (PTSD) medicalises pain in the body, thereby isolating it and offering the victim a narrative of illness to live by (Kleinman 1995). Through this public sharing of pain the victim of atrocity, rather than being freed from insufferable pain, can become a double victim, a sacrificial victim in whose suffering the new social and moral order is legitimated.

The politics of victimhood is the corollary of the politics of atrocity. The spectacle of pain is replaced by the spectacle of suffering, the response of fear is replaced by the response of compassion and the voice of the perpetrator is replaced by the voice of the victim. In the same way that the politics of atrocity manipulates our sentient bodies through pain, victimhood draws on our compassion for another's pain.

Conclusion

The politics of atrocity has been expanded beyond the sovereign's (state's) prerogative to produce the 'tortured body'⁸ as an insignia of power. Instead atrocity has become part of a wider political crisis of state sovereignty and international order prompting intervention to try to bring an end to violence. The victims of atrocities have been the focus to create new nations, to consolidate state power, or to build an effective regime of international law in defence of human rights. The production of the tortured body has multiplied in the context of political uncertainty.

In the crisis of sovereignty the 'presence' of the suffering victim has become the new *habeas corpus* used to re-found political authority and law. The victim provides personal testimony in the form of memories and scars to substantiate the often widely previewed visual evidence in the form of graves, corpses, injuries, destroyed villages and refugees. In the absence of other forms of evidence and justice the *habeas corpus* of the suffering victim makes a 'trial' possible (Haverkamp and Vismann 1997). The forums for this suffering are diverse and they have different kinds of political and legal consequences. Victims are brought before trials and truth commissions to reconcile the pain in a new order in which the past lives on in an uneasy reality of compromise produced by political stalemate. Trauma stories are also produced as truth to contest these compromises (torture victims, families of disappeared) by refugees seeking exile in a safe haven.

The body in pain, the victim, has been reintroduced as the focus of the contest of political power in many states. Where juridical and political institutions are in crisis the body of the victim has once again been made the centrepiece to contest power and define morality. The very creation of the victim through violence and pain ritually reproduces the 'trial-body', which embodies the sovereign's power to produce and dispose of bodies, the sovereign's original writ of *habeas corpus* (Haverkamp and Vismann 1997). The sovereign needed the 'body' (*habeas corpus*) to perform the law and demonstrate his power over life and death.

In this very original sense, *habeas corpus* calls forth the body in the face of violence to enact the possibility of legal performance. However, the dilemma is the ambiguity of the victim in this fertile and fluid moment. But is the victim or the state being empowered by bringing the victim to centre-stage?

2

Horror, abjection and terror

Atrocity, the use of excessively cruel and violent acts against the human body, produces effects on human bodies and on social relationships. It scars the flesh and memory and redefines social reality. It is a political strategy which confronts people with cruelty, horror and death to achieve political ends. Its structure is triadic, involving a perpetrator, victim and audience, and its political efficacy depends not so much on the scale of injuries inflicted on victims as on the rhetorical impact of pain, suffering and even death on the audience. It is through a 'carnival of cruelty' that the meaning and political effects of atrocity flow. Atrocity is designed to create stubborn memories in victims (survivors) and witnesses alike to paralyse their will to resist and make them acquiesce in the new reality. It is designed to produce a 'culture of terror' (Taussig 1984).

Atrocity produces horror through cruelty. This chapter explores the micro-politics of horror as it impacts on victims, their social worlds and wider audiences. Drawing on Elaine Scarry's (1985) study of the psychological and political impact of pain, it explores the phenomenology of violence on the victim. It explores the deconstruction of the world through pain and the way power disorients and dislocates the self. It is this body, the one diminished and scarred by pain, which will become the focus of later chapters when we explore the recovery of the victim and the reconstruction of the social.

Violence inflicts physical injuries and thereby causes pain and suffering. Through pain violence reaches into the sentient body and threatens the victim's identity and existence. Pain undermines the existential certainty founded in the 'aliveness' of our body by attacking its consciousness and sentience (Wittgenstein 1969). We can lose our consciousness, the self-knowledge of our existence, by being overwhelmed by pain. The experience of pain confronts individuals with the 'space of terror', the abject limits where meaning collapses.

Violence isolates the victim from the social world in two ways. First, pain deconstructs language, thereby silencing the victim, and second, it reduces the body of the victim to an abject sign. The pain and abjectness of the victim are conveyed through the signs of the 'weapon' and the 'wound'. The weapon refers to power—the source of the violence—and the wound to the body's aliveness as a source of cultural substantiation (Scarry 1985). The wound refers to sentience, the inside, the vital source which is projected out into the world as cultural meaning. Violence reduces the victim from subject to abject object.

The capacity of the sign of the weapon and/or wound to evoke horror and abjection in the audience is well appreciated by modern art. Dali and Buñuel use the filmic image of a weapon wounding to shock the viewer—an eye being cut by a razor blade. The thin sharp blade cuts not only a delicate and precious living membrane of the eye but sight and seeing itself. Edmund Munch's image of *The Scream*, in contrast, shows the abject through an expressive wound, the contorted face which is no longer able to speak, just scream. Here the intensity of internal pain is made visible in the swirling and resonating distortions of the face and an echoing cry that utters no sound.

The central proposition of this chapter is that the political opportunity of atrocity derives from its capacity to produce horror in and through the victim. Violence confronts individuals with life's shadowing reality of death and plays with its meaningfulness. In a de-sacralising world the question of meaning is no longer determined by stabilised signs and systems. The 'sacred canopy' is torn. By confronting individuals with the abject, with the victim's pain and suffering, violence challenges social reality by exposing the void against which cultural meaning is founded. All suffering is an existential challenge that threatens to dissolve the meaningfulness of particular patterns of life (Geertz 1977).

Selfhood and the abject

Extreme cruelty uses the conscious and sentient body against itself to make it a vehicle to experience the abjectness of pain. The experience of pain threatens the radical deconstruction of the self by taking the body to the limits of consciousness. Pain threatens the loss of self because it both threatens to eclipse consciousness and brings the individual to the borders of existence beyond which lies abjection.

The abject is a limit experience which one can only 'approach'. Its formlessness makes it essentially unidentifiable because it is where consciousness fails, where meaning collapses. 'It lies there, quite close, but it cannot be assimilated' (Kristeva 1982:1). The abject stands in opposition to the self and to existence. It is nameless but it is not nothing. 'On the edge of non-existence and hallucination, of a reality that, if I acknowledge it, annihilates me. There, abject and abjection are my safeguards. The primers of culture' (Kristeva 1982:2). The relationship between the abject and culture will be discussed later. Here we will consider the experience of pain as abjection.

Pain is often said to mimic death and is used as a substitute for a felt experience which is unfeeling. Bataille (1961) describes the experience of pain as 'the little death'. Scarry (1985) talks about the 'kinship of pain and death' which are found at the boundaries they create. If pain can be said to mimic death then the phenomenology of pain, as a product of violence, provides a methodology for describing the de-realisation of the self. The self is diminished and the concerns of the world shrink to the limits of the body itself. The experience of pain involves the unmaking of the world for the individual (Scarry 1985). It unmakes the world, first, because as an interior state it is objectless (i.e. has no external referent), and second, it eclipses other interior states (feelings) which might help connect the self to the exterior world. Consequently pain is silencing because of the difficulty in communicating the state it induces. The problem doctors have in establishing the location and intensity of pain in a patient's body is one example. 'To have pain is to have certainty; to hear about pain is to have doubt' (Scarry 1985:13). Pain thus undermines the

connections between feelings and meanings—what Scarry refers to as sentience and culture—by isolating and silencing the internal life of the body. Pain causes the implosion of the self and the individual's social world.

Phenomenological accounts of overwhelming pain produced by violence are rare probably because in many ways they are incommunicable. The large and growing literature on trauma emphasises the difficulty of communication after overwhelming pain. However, while the experience of pain may be difficult to communicate, the nature of the crisis to self and subjectivity caused by such pain can be imagined if we understand the experience of pain as mimicking dying, life contracting, shutting down.

The loss of self and subjectivity through pain can be understood as shrinking activity, emotional range and communication. The ageing process involves the slow contraction of the world as the concerns of the self contract to the body's wellbeing.

As the body breaks down, it becomes increasingly the object of attention, usurping the place of all other objects, so that finally, in very old and sick people, the world may exist only in a circle two feet out from themselves; the exclusive content of perception and speech may become what was eaten, the problem of excreting, the progress of pains, the comfort or discomfort of a particular bed.

(Scarry 1985:32–33)

The loss of self takes place as the inhabited world contracts to the intimate space of home and the needs of the sick body. The shift from living in the world to living in the home and then one's body reflects a loss of self-extension and external connection.

Great pain and death come together in the act of suicide. Personal suicide notes, which communicate the final concerns of individuals in great pain, reveal how their worlds have imploded. The women write about rooms, objects, people, and interpersonal relationships, and all their concerns, both in this and the other life, are expressed through these domestic terms. Their world has shrunk to nothing but their home' (Utriainen and Honkasalo 1996:201).

The sense of loss is a strong feature of accounts of dying and ageing. The loss of self is expressed as loss of objects, of people and things by their increasing absence. The loss of things signifies the loss of meaning. Kristeva (1982) juxtaposes 'object' and 'abject' to highlight the connection between meaning and meaningless, between presence and absence. 'The ab-ject is, by definition, the sign of an impossible ob-ject, boundary and limit' (Kristeva 1982:154). The loss of objects is the loss of meaning and contraction of the inhabited world.

Implicit in the loss of objects is the loss of sentience—our aliveness. This is because our interior states—hunger, thirst, pleasure, fear, happiness, etc.—have their referents in the exterior world, in cultural objects. It is through the projection of the interior life of the body (feelings) that cultural objects are made and our experience of living becomes endlessly sharable. 'In civilisation, as in the early altars of a religious culture, the body is turned inside-out and made sharable' (Scarry 1985:252). The bonding between our interior states and 'companion objects' in the exterior is the way we have of inhabiting the world.

The interdependence between interior states and external cultural objects is supported by psychological formulations of affect and cognition. Affect is understood as 'subjective positive/negative feeling' and cognition as an evaluative act based on thoughts, beliefs and judgements (Hill and Hood 1999). Neither can really be prior in any meaningful sense. Affect is always shaped by the socialisation of the senses (Seremetakis 1994). We may feel emotions but we must learn their cultural objects. However, the source of meanings remains affect, which links 'the world of people, objects and events to that which is important to the person' (Hill and Hood 1999:1021).

This bonding between sentience and cultural objects is an expression not only of self-extension but also of bodily comfort and protection. The nature of this 'protection' is more clearly understood when we appreciate what forms the projection and objectification of sentience take. Projection may assume the form of bodily parts such as a bandage to replace skin or a telescope to extend the vision of the eye; of bodily capacities and needs such as printing, computers, photography, photocopying as materialisations of the bodily capacity for memory; and projection itself which makes animate the inanimate world (Scarry 1985). Through this objectification of sentience the self is both extended and fortified. The self is made 'thicker' by these object relations, and thereby more secure in its identity and being.

This attribute of cultural thickness of the self affects our vulnerability to suffering. Our 'cultural capital'—our possessions, learning, skills, employment, health insurance—help protect us.

To describe a difference in the mode of suffering to which one is vulnerable (the capitalist suffers in his money; the worker suffers in his very existence) is to describe a difference in the density of objecthood, the thickness of the margin of the artifice, that separates oneself from oneself. Further, this already 'given' difference in the degree of self-extension is self-amplifying: it conditions the degree to which new forms of self-extension can be initiated, acts of initiation that are variously expressed by the words 'aspiration,' 'desire,' 'will,' 'risk-taking,' 'creation,' and 'self-creation'.

(Scarry 1985:262)

They create object distance to lessen the impact of illness or an accident. They allow us to comfort ourselves through memories. Thus our suffering is alleviated by our own 'resources', by our capacity to bear misfortune, by our ability to recall memories, by our ability to pay for medical attention, by our rights to worker's compensation, by our citizenship guaranteeing us a minimum standard of living, etc. In compensation law the idea that 'things' (e.g. money, medical treatment) can alleviate suffering is central to redressing loss and injury—i.e. remaking/substituting with objects what has been lost bodily

The value of objects to us is very evident in our desire for consuming things. Our 'materialistic' values offer us a way to project ourselves into the world. We use 'taste' in cultural objects to distinguish ourselves and socially to distance ourselves from consuming on the basis of bare 'necessity' (Bourdieu 1986). 'Cultural capital', the acquisition of cultural knowledge and objects, is comforting, protecting and distancing

from necessity since the more we have the more we can consume without having to think of economic necessity. Taste (an aesthetic disposition) separates negatively on the basis of distance from necessity. 'In matters of taste, more than anywhere else, all determination is negation; and tastes are perhaps first and foremost distastes, disgust provoked by horror or visceral intolerance ("sick-making") of the tastes of others' (Bourdieu 1986:56).

Taste becomes assimilated as something natural, a *habitus* or social disposition, distinguished from those that are 'unnatural'—i.e. the tastes of other classes. At the opposite pole of object abundance, a world full of comforting and reassuring things, is the abject, the world empty of things and meaningless. This is the world produced by pain through violence.

The threat of abjection is perpetuated by the isolation of the individual produced by pain's command of the body. By eclipsing other senses it invades the body and multiplies its effects and ruptures subjectivity and social continuity.

Physical pain is able to obliterate psychological pain because it obliterates all psychological content, painful, pleasurable, and neutral. Our recognition of its power to end madness is one of the ways in which, knowingly or unknowingly, we acknowledge its power to end all aspects of self and world.

(Scarry 1985:34)

Pain's mastery of the body is expressed through its invasiveness. Its pervasiveness and persistence are 'suggested by the failure of many surgical attempts to remove pain pathways because the body quickly, effortlessly, and endlessly generates new pathways' (Scarry 1985:55). The multiplication of pain is recognised in the medical treatment of it with pain-killing drugs designed to blanket its effects. Ironically, in the medical quest to make pain more bearable and to prolong life through drugs, the living self, the one recognisable by close family and friends, is often lost more quickly.

Pain also isolates the individual through rupturing social continuity. Fear in the form of panic can be understood as having the same effect as contracting the world to the immediate present and context, heightening the moment as separated with syncope effect (Clément 1994).¹ Panic refers to the experience of absolute powerlessness in which life is reduced to survival (Blum 1996). The now is magnified as the moment of finality as if the past and future no longer have meaning. Survival means, however, being left with a sense of malleability and even emptiness because we are made aware that we can alter ourselves according to life's contingencies. The fear of panic is that the effect of the action of relieving the emerging will inscribe the easy acceptance of compromise upon the soul in such a way as to bring it forever under the control of externals' (Blum 1996:691). As Dumm (1990) observes, 'fear is the experience of being outside one-self, being profoundly self-alienated'.²

So far we have argued that atrocity represents an existential challenge to social life. The experience of pain creates a crisis of individual communication but not social communication. The victim's wounds mediate the abject and represent an existential challenge to social life by destabilising the connection between interior life and the exterior world, between sentience and culture. Phenomenological experience of violence

reveals its capacity to alter the body and thereby alter reality, at least momentarily. By inflicting pain, violence diminishes the self and, by inflicting intense pain, threatens its total disintegration. Atrocity projects power by holding up society to its mirror, death, and challenging its cultural foundations.

The abject and the sacred

The victim's 'tortured body' is produced as a sign of the abject and as a source of terror. The suffering body terrorises because it confronts the living with what they most seek to avoid, death, and reveals the vulnerability of our lives, that which we seek to defend (Lifton 1976). The fact that violence can produce death makes it an awesome power for the living, and has long made violence a focus for ritual containment in religion and law. The production of the victim through violence is very threatening not just to individual life but to social life.

The explosive force of violence makes it a background fear in all social life, even if in reality it is a remote possibility. Taussig (1992) coins the expression 'terror as usual' to describe the way political violence is able suddenly to expose the abject that underlies the apparent surface normality. His vignettes include Colombia but also the first-world city suburbs. Terror, he says, 'tears normality'. Blum (1996) states that 'panic' inflates the overwhelming importance and contingency of the present above all else. This creates a 'state of emergency' which is not the exception but the rule.

In our 'state of emergency' 'terrorism' and 'atrocity' are not aberrant phenomena running against modernity but amplifications of an existing widespread condition of late modernity/postmodernity (Baudrillard 1983). The prevailing logic of 'panic' that requires the renunciation of value as a compulsory response in favour of a 'situational ethics' (pragmatism) of survival is but another face of the 'state of emergency'. The political benefit of panic, which inflates the 'emergency', flows to those who can invoke it and have their definition of the crisis prevail.

Violence exposes the threatening abject as a meaningless void and thereby returns us to existential questions and states of anxiety and fear. We are faced with a void we must fill with stories to defend ourselves against the terror of its nothingness (Canclini 1995). Ricoeur (1984) goes further, arguing that 'narrative' and 'story' are human responses to the sheer absurdity of the experience of time. These stories become fabrics of consciousness helping to create temporal continuity to provide a safety net against the dissolution of the world. They are founded against the abject itself, which becomes the border of life. Stories map out a space which would otherwise not exist (de Certeau 1984).

For Kristeva (1982) the abject is the 'primer of culture' where individual subjectivity and meaning are established against the meaninglessness and horror of 'the abject'. Kristeva's concept emphasises the visceral response of the body in defining the abject. However, Davenport (1999) seeks to found meaning against a more originary and fundamental sense of impurity which is prior to ethical evaluation of any kind. He adopts the term *chthonic*, 'all that is negative in the sense of unintelligible, life-destroying, chaotic, dark and terrifying, and most of all *dead*' (Davenport 1999:185). While being *chthonic* may be disgusting or repulsive, 'what makes them *chthonic* is their more basic

connection to a dispersion of meaning, an absorption into the deathly, the unconscious darkness that is loss of selfhood' (Davenport 1999:185). The term's origin is in Greek myths, the very myths conceived of as a way of overcoming the *chthonic* as archetypal chaos—'as horrifying unintelligibility, or exposure to pure contingency or total unpredictability, or meaningless randomness magnified to the point of oppressive totality' (Davenport 1999:194). The theme of the *chthonic* is present in Sartre's 'existential nausea' deriving from the 'insecurity of life', the 'liquidity' of our existence.

Of things abject the corpse is the most abject. 'The corpse, seen without God and outside of science, is the utmost abjection' (Kristeva 1982:4). Death signifies the collapse of the border between living and not living. Alive our bodies are constantly expelling waste to preserve themselves. In death the internal bodily boundaries between aliveness and waste collapse, and everything is expelled.

Death is used to illuminate meaning. 'Death acts as a shaping principle for an existence fraught with a fear of shapelessness: if nothing else can be relied upon, at least death provides a boundary' (Barreca 1993:175).³ Even suicide, the act of self death, can paradoxically be understood as an act of last resort (using death) to deny the loss of self-identity, to defend the boundaries of the known self.

The abject experience of dying threatens to destroy the autonomous subject who understands itself as a giver of meaning. This death has made life its dwelling and nourishment, and death gnaws at life, revealing it to be brittle and fragmentary. The moment when the subject sees the edge of its autonomy and the failing of its ability to give meaning provokes the desire to deny. The denial, the act of suicide, aims paradoxically to preserve the image of a whole self.

(Utraiainen and Honkasalo 1996:206)

The abject is the line where the bearable becomes unbearable, where the sufferable becomes the insufferable. It is the terrifying threshold of the disintegration of meaning and identity. One approaches the abject but must turn away. But how do we recognise the abject? Can it be anticipated so that it doesn't sneak up and shock us?

The main strategy of cultural defence against the abject is through objectification and separation. Through cultural signification we create a world that is 'good to perceive' to reduce its complexity and ambiguity (Burkert 1996). Things and people are classified as polluting and defiling (Douglas 1970). Food taboos, described by Kristeva (1982) as the most 'elementary and archaic form of abjection', are one example of cultural rules of separation. They are elementary because they refer to the act of putting things into the body. Their efficacy, however, is not as moral rules of prohibition (laws) but as assimilated boundaries of identity. Food taboos chart a line between the clean and unclean, the pure and impure, by objectifying the abject as prohibited food. The cultural rule prohibits/defends through a deeply embodied rejection of prohibited food that is expressed in the somatic response of vomiting. The abject thing is expelled involuntarily because it cannot be assimilated. It cannot be allowed to become part of the body for fear of self-destruction.

Food taboos construct a binary division between purity and impurity which provides a boundary to give meaning and order against the threat of none. They culturally chart a

line that the body unconsciously assimilates as the markers that stand for the limits of social identity and existence. Rules of cleanliness are cultural creations that stand in for the border of the abject that threatens not health so much as existence.

Political ideologies of exclusion, especially nationalism, also objectify and thereby separate those defined as abject. The abject is the 'irreducible waste product' of homogenising and hegemonising systems (Taylor 1987). Categories of people are made hated objects:

the reified essence of evil in the very being of their bodies, these figures of the Jew, the black, the Indian, and the woman herself, are clearly objects of cultural construction, the leaden keel of evil and of mystery stabilising the ship and course that is Western history.

(Taussig 1984:470)

Social order is defined and defended through classificatory systems of pollution. Genocide of the Jews in the Holocaust and the subsequent massacres and genocide in Cambodia, Lebanon, Rwanda and the former Yugoslavia (to name only a few) explicitly formulated national renewal in terms of contamination and elimination/expulsion of 'hated' categories.

The cultural objectification of the abject permits the strategy of creating a surrogate abject which serves to defend us against the shock of being overwhelmed by the abject, a kind of fire-wall against the threat of meaninglessness and chaos. The logic of prohibition thus founds the abject (Taylor 1987). The objectification of the abject embodied in categories of things or persons gives the illusion that its boundaries can be made visible.

The recognition of these boundaries takes place on different levels of awareness through affect and cognition. The recognition of the prohibited food outside the body invokes an inner affective (visceral) response. Yet this appears so because the meaning of the prohibited food is already culturally fixed and the socialised body responds viscerally. However the senses are not culturally speaking only 'inner'. The external world is animated by a sensory landscape full of meaning-endowed objects which 'bear within them emotional and historical sedimentation' (Seremetakis 1994:7). The senses themselves can become object-like. Eyes can convey fear ('his eyes witness fear') or fear is 'smelled' as if it were external to the body and involuntarily marked on the senses (Seremetakis 1994). The interpreter (perceiver) must necessarily complete the act of meaning. The interpretation can be a *poesis*, 'the making of something out of that which was previously experientially and culturally unmarked or even null and void' (Seremetakis 1994:7).

The cultural work of colonising the abject—the cultural elaboration of the abyss, the objectification of the abject—as a strategic defence is never complete. The abject 'can never be totally repressed; it forever returns to deconstruct every construction—be it philosophical, theological, psychological, social, political, cultural, or economic' (Taylor 1987:183). Despite all their cultural efforts to keep it at bay humans remain vulnerable to the abject which constantly roots and uproots social reality. This vulnerability is the opportunity of violence, the ever-present capacity to expose and undermine the foundations of cultural life in the abject.

Atrocity culturally defines the abject through selective acts of violence. This selective production of victims through violence and killing repeats the structure of 'sacrificial ritual', but in the largely de-sacralised and de-traditionalised modern world. Atrocity invokes, through the abject victim, the sacred in a desacralised world. It invokes the strategy of sacrifice and separation as a mode of ethical resolution through the awesome power of violence which can take life away and produce victims who are tied to the power that condemns them.

The ethical crisis of atrocity is the violent act. Is the violence right or wrong? Can violence redeem society or the victim? Violence creates the choice 'between becoming a victim or executioner, inflicting or submitting to violence' (Dahl 1987:2). The act of violence entails someone killing and someone dying for an idea/meaning.

Ritual sacrifice has a structure that connects the profane and the sacred through an act of violence (Hubert and Mauss 1964). The sacred here is an ambiguous category because it refers to that which is beyond the human domain. Sacrifice reveals the ambiguity of the victim's status. Freud in *Totem and Taboo*⁴ noted that the Latin term 'sacer' (sacred) meant 'sacred and damned' and Durkheim (1965) observed that the impure is transformed into the pure through sacrifice.

The ambiguity of the sacred is expressed in Arab culture as both 'forbidden' (*haram*) and 'revered' and is also central to the workings of 'honour' (Bourdieu 1977). The protection of honour (*hurma*) is the protection of the group's most sacred possession, that which makes the group vulnerable. Honour then is vulnerable because, as sacred, it is exposed to sacrilegious outrage. Hence actions which encroach on honour, such as slights against women, threaten not just family respectability but the very continuity of patrimony, of the possibility of social existence itself.

Because sacrificial violence is recognised as unleashing an ambiguous and terrible force it must be carefully ritually directed and contained. The essential elements of the ritual specify the time, place, implements, offering (victim), sacrificer (executioner) and beneficiary (an individual or community). The beneficiary of the sacrifice or their representative is the one who performs the killing (execution).

Through an act of selection and execution the victim is separated from the profane world. This transforms the victim by making them sacred by irretrievably exiling them from life. Being made victim transforms their value for the community. For example, in Girard's analysis of sacrificial violence the 'surrogate victim' makes possible the reconciliation of the community (Girard 1977). The victim is held to be both the cause of disorder and the origin of order:

in the founding murder, the victim is held responsible for the crisis; the victim polarises the growing mimetic conflicts that tear the community apart; the victim breaks the vicious cycle of violence and becomes the single pole for what then becomes a unifying, ritual mimesis.

(Girard 1987:40)

Through his sacrifice the victim is transformed from the abject to the sacred, from the source of evil (violence) to the origin of good (peace).

Agamben (1998) describes another example of sacrificial ritual in which the victim is 'condemned' to a living death. He identifies the figure of 'homo sacer' (bare life), the one

expelled (banned, abject) and made sacred, as the focus of rituals of sovereign power. He argues that political sovereignty is founded in the category of *homo sacer*, those who have only their life (humanity), and may be killed with impunity (i.e. exist without protection of law). They represent a category of individuals whose marginality (exclusion) founds sovereign (state) power by defining the basis of membership. Thus, for example, in the contemporary world of nation-states the refugee (a person with only human rights) has become the limit which defines national citizenship, membership.⁵

While the individual victim may experience the abject in pain, for those who watch, the abject is projected through the victim's body as a sign. The victim mediates between the profane and sacred worlds opening up, through the painful opening of his own sentient body, the very foundations of cultural life. The violent act mimics ritual sacrifice with its parallel structure of executioner/victim/beneficiary and its transformation of the victim through the ambiguity of the sacred.

Atrocity invokes the sacred in the crisis of a de-sacralised world. The political solutions offered, however, are constantly circumscribed by a logic of panic in which the contingency of the moment overwhelms them.

The politics of the abject

Although the politics of atrocity is experienced as a contemporary 'state of emergency', its form echoes that of ritual violence, a longstanding concern of both religion and drama. The violent act is a form of enactment. In classical political tragedy *pathos*, 'an act which is destructive to life or painful, such as killings, paroxysms of pain, woundings, and all that kind of thing in the visible realm' (Aristotle), is the violent act.⁶ Individuals must kill or die to save humanity. However, violence carries with it a sense of violation. If one kills,

the dead are at once representatives of an idea and individual human being: attack the idea and attack the man.... Should the activists die, the dilemma remains, for how can the death of one of the family of man—one who loves men—aid the living?

(Dahl 1987:2)

In sacrificial ritual violence enacts the moral order. The executioner (individual or collective) kills the victim for the good of the community.

What contemporary atrocity brings to the fore however is the crisis of violence in a de-sacralised world. 'Political solutions displace religious solutions to the problems of human suffering' (Dahl 1987:7). Violence must be contained, directed and justified. Yet violence still retains magical qualities. 'Violence strikes man as at once seductive and terrifying: never as a simple means to an end, but as an epiphany' (Girard 1977:152). It remains a mysterious force that eludes human control like natural disasters such as famine, drought, fire and flood.

The political efficacy of atrocity, the way it both fascinates and repels, is the way it works through the individual. Acts of excessive violence work inter-subjectively, confronting individuals and provoking horror and fear. Excessive violence disturbs

because it overturns our sense of control and apprehension of cultural and social reality, and the normal process of negotiating and acting in it. Violence threatens not only injury (the fear of bodily mutilation) and pain, but also the very continuity of meaning and social life. Its shocking or confrontational style also fits with a postmodern disposition that seeks to communicate through rupture and discontinuity. The violent act is thus a means of syncope, a way to interrupt to create the expectation of transformation.

Violence uses the sentience of the body—i.e. its aliveness—as an instrument to transmit the reverberations of fear into the comfort zones of social normality. Its shock adjusts ‘normal’ perspective and challenges our relationship to the wider cultural world in which we affirm our existence and identity, by threatening its immanent loss. This fear of being disconnected from the larger world is the core of the micro-politics of terror. The cultural mechanism of violence is the manipulation of terror—the fearful individualising confrontation with the threat of self-extinction—not necessarily, or even usually, through actual threat of physical harm/death but through the terror engendered by the threat of self-negation, self-disintegration. Terror confronts individuals with the possibility of their immanent negation, their non-existence.

While violence is not aberrant it usually surprises. For most people violence is held at a distance by conventions and avoidance established by social normativity and compromise. Nevertheless violence is an ever-present opportunity for power because of its capacity to expose the abject through terror. It can conjure up the uncertainty that underlies living. This duality of the everyday world is captured in Benjamin’s expression ‘state of emergency’ and in Taussig’s ‘terror as usual’:

a state of doubleness of social being in which one moves in bursts between somehow accepting the situation as normal only to be thrown into panic or shocked into disorientation by an event, a rumour, a sight, something said, not said—something that even while it requires the normal in order to make its impact, destroys it.

(Taussig 1992:18)

The terror lies in the fact that the abject is close to the surface of the everyday and can suddenly be glimpsed through an unexpected ‘tear in reality’ (Taussig 1992). There is a constant movement between the idea that reason and a centre exist and a diffuse decentred randomness. In trying to write about terror Taussig (1992) notes that it is ‘a question of distance’, to keep at a safe distance yet not be too removed. It is difficult to get a handle on because it is potentially invasive and overwhelming. Its naming is misleading because it objectifies it. Since the politics of terror always involves its objectification, its identification in a person or thing, can anthropological naming result in anything different? With terror there is always the problem of setting the terms, defining the field, identifying the subject/object. And there is always the comfort zone we establish in order to approach it, a strategy of self-deception that allows us to believe there is something to protect us in between.

Through a ‘carnival of cruelty’ atrocity demonstrates the tenuousness of particular subjectivity and meaning, and the availability of the abject to reshape it. The seduction of atrocity in the ‘society of the spectacle.’⁷ is that it doubly makes real, first through the verification of violent acts as significant by being noticed (publicity, newsworthiness),

and second, in the truth of suffering victims (their bodies turned inside out) in which the 'new' reality becomes anchored (Scarry 1985).

The abject may be used to terrorise its selected victims but how far does the inter-subjective effect of violence collectively terrorise? Does, as Taussig (1992) suggests, the politics of the abject produce a 'culture of terror'? Is terror totalising through the violent production of serial victim/s? That is, does 'terror and fear, made cultural, saturate a social group's vision and distort its capacities to act' (Margold 1999:64)?

Margold (1999) argues that Taussig's (1992) use of 'culture of terror' too quickly becomes 'an inflationary and reductive trope'. In practice, Margold argues, terror is unevenly distributed and experienced, and is not directed at everyone in the same way. Moreover, once terror is collapsed into culture it suggests no agency is possible, 'the mind has no safe corners within a repressive system and no moments of release' (Margold 1999:65). Instead, she argues, it is more useful to view political violence as a practice that manipulates cultural meaning through 'performed displays of threats'. In the case of state repression violence is used selectively to create punishable categories of people (Nagengast 1994).

But does everyone live in fear of being the next victim in a 'culture of terror'? Margold (1999) answers no, only some. Yet the extent to which everyone fears being a victim depends on the visibility of victims and the ambiguity of categories created through violence. Under the Argentine military dictatorship, for example, the 'disappeared' were transformed into 'subversives' (guerrillas, terrorists) by the very fact of their abduction and disappearance. Here everyone was potentially a victim, no matter how much comfort they took in being persuaded by the state's sacrificial performance that harm only came to the 'guilty'. But as in the case of belief in witchcraft, no one can ever be certain who is free from witchcraft and therefore who can harm you (Das 1998).

While it is true that the 'culture of terror' is selective, the way in which it terrorises is as much through constitutive acts of violence as through prescriptive rules defining difference. Individuals become recognised as categorically separate by virtue of being made victims. They are identifiable because they have been produced by ritual acts of transformation (Das 1998). The widespread terror lies in the ambiguity of the category and in never being sure that your 'identity' will not be 'mistaken'.

Being made a victim of atrocity (and surviving) is also constitutive of a separate traumatised reality. Excessive violence socially ruptures and individually traumatises, putting the victim's experience outside the social discourse and negotiation in which lesser (normalised) violence takes place (Das 1998).

Another dimension of the 'culture of terror' is the pervasive crisis in social communication engendered. Excessive and traumatising violence creates a problem of communication and meaning for victims and witnesses. What meaning can violence have when it goes beyond 'human' limits? And if traumatised victims manage to speak, their words are often 'burnt or numbed' (Das 1996). If they do not speak, they may remain invisible, already excluded from challenging the normalised violence which allows their fate. Isn't this collusion of silence also part of a 'culture of terror'? This question will be returned to later.⁸

Another dimension of the crisis of communication is the crisis in the 'knowability' of the social world. There is a gradual dissolution of social consciousness as the elaboration of fear undermines trust and de-authorises the world. The world becomes decentred as

rumour circulates taking the place of absent authorisation—the government, a free press, independent experts, critical views. The tenuousness of social reciprocity is revealed in the contraction of public space.

De Certeau's (1984) notion of 'spatial stories' helps us understand how this contraction and dissolution takes place. Spatial stories resemble maps in that they found social space. These stories include narratives about institutions such as law, but also biography which maps individuals' networks. We extend ourselves into the world by our actions and movement, by what we do and what we say. Our spatial self is who we create through our self-projection into the world. We found ourselves through our interactions with others and the things we do. We found ourselves spatially in a biographical space. When that space contracts we are diminished. When stories disappear there is a loss of space: 'deprived of narrations...the group or individual regresses toward the disquieting, fatalistic experience of a formless, indistinct, and nocturnal totality' (de Certeau 1984:123).

As the social authorisation of reality becomes unanchored rumour stands in as information whose origin and context is lost. Increasingly, words are distrusted. As a mode of communication, rumour has two aspects, the enunciative and the performative:

The indeterminacy of rumour constitutes its importance as a social discourse. Its inter-subjective, communal adhesiveness lies in its enunciative aspect. Its performative power of circulation results in its contiguous spreading, an almost uncontrollable impulse to pass it on to another person.

(Bhabha 1995:201)

What is highlighted is that the 'culture of terror' has constitutive and communicative dimensions that are pervasive and corrosive of more contained and normalised violence. This includes the success of violence not only in selecting its victims but also in making them invisible so that they fall below the threshold of moral vision. Writing on the terror of the everyday life of the poor in Rio de Janeiro, Scheper-Hughes (1992) describes them as 'missing from the urban map' with 'no account in life and no account in death'.⁹ Their constant fear is death, the loss of themselves or their loved ones to state violence. Police torment the poor and 'mutilate, castrate, make disappear, misplace or otherwise lose their bodies' to actualise their worst fears. The 'culture of terror', then, not only terrorises but also silences and thereby makes invisible victims whose lives are made marginal and abject through violence.

It is precisely over the question of meaning (culture) that violence raises the stakes. The collapse of culture into terror describes the way reality becomes unanchored. Meaning is being contested through foundational struggles anchored in violence and its products of pain, suffering and death. Taussig's (1992) point is that the everyday normality is the illusion which tears and reveals the abject below. Was our neighbour who just disappeared innocent or guilty? And if you disappear, are you innocent or guilty? After all your absent body will be marked in just the same way.

Conclusion

It is the body's capacity for pain that makes it available for objectification (Scarry 1985). Pain contracts the world to the present and disconnects individuals from their environment. In that moment of abjection and non-communication the body is made a contested sign. The juxtaposition of the sign of the 'wounded' body with an idea or meaning is, Scarry (1985) argues, the most fundamental strategy for cultural substantiation. The sentence which is normally mediated through shared cultural forms is here appropriated and set against an externally determined meaning. The body is thus made an indexical sign.

The capacity of the body for memory means that the abject remains available in victims as a source for social transformation. The affectivity of the body can be used to produce greater terror through more violence or to heal through empathy for the victims' suffering.

3

The atrocity of torture

For the purposes of this Convention, the term ‘torture’ means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes of obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

(United Nations: Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 1(1))¹

This chapter explores torture as a particular expression of contemporary atrocity. Today torture is usually understood to be the clandestine interrogation of prisoners with extreme cruelty to the point of threatening death to extract confessions. However, while it is understood as a secret act, contemporary torture converges with the more general term ‘atrocity’, which seeks to use the display of cruelty on the human body to produce consent through terror.

Historically, torture used to be a very public atrocity. It was employed by the state as a form of judicial punishment in a very public display of sovereign power and justice (Foucault 1977). The victim’s detention, torture, confession and death were witnessed by a terrorised public. Today, however, the clandestine character of contemporary torture means that victims’ agonies and confessions are heard only by their torturers and, if they die as a result of torture, their deaths are publicly unknown, except perhaps to close relatives. What is the political significance of acts of atrocity that are largely hidden? This question is the focus of this chapter.

The centrepiece of the politics of atrocity is the ritual display of the injured, dead or suffering bodies of victims. Torture can be located at one end of the spectrum of

contemporary atrocities differentiated by the degree of visibility of the 'tortured body'. These include disappearance, torture, rape, mutilation, kidnapping, massacre, ethnic cleansing and genocide. All atrocities require some visibility to have political effect even if, as in the case of the 'disappeared', it is the unexplained absence of victims. The secrecy of contemporary torture does not make the act unknown but it does protect perpetrators by hiding their identities and those of their victims. Ironically, atrocities are both extended and challenged by making them visible. Perpetrators need to make their victims visible in order to terrorise target populations and journalists and human rights organisations need to identify victims to expose the use of torture and who is responsible. Thus, for example, Security Council Resolution 771, which organised a committee to look into atrocities in the former Yugoslavia, cited media revelations about atrocities as an important factor in the decision to investigate (Gane and Mackarel 1997).

The 'torture' of victims is never about them just as individuals but as politically selected victims, as political signs. The fact of their selection as victims marks them off as belonging to an 'excluded' or 'abject' social category—a political opposition group, an ethnic minority, terrorist, subversives, women, etc. Torture usually occurs in a 'state of emergency'—dictatorship, insurrection, civil war or even national war—in which the state circumscribes normal legal rights and extends its powers. Torture is an opportunity of power in a moral space whose boundaries of inclusiveness have been changed through violence.

The purpose of torture as a display of power is to achieve political consent the affirmation and/or acceptance of power—through violence against selected victims. Consent is a verbal act that takes many forms including contract, signature, promise, voting and warranty (Scarry 1990). But expressions of consent acts and words which indicate agreement—range from the negative to the positive. Individuals may acquiesce in silence but collectivities can affirm through voting in national elections.

Violence produces consent through the distortion of voice. The torture victim speaks the forced words of confession. The corpse is silenced but still speaks through words attributed to it as a sign. Such coerced words are distortions of voice but achieve their effect through misrecognition—deception or denial. Confession under torture mimics a comparable speech act in the legal process to found the 'truth'. Similarly, a violent death mimics the fate of the dead soldier as if the victim too consented for the state to use their body (to be injured/killed or to injure/kill others) for the nation (Scarry 1985). So too an electoral outcome (collective consent) shaped by intimidation/fraud mimics the consensus of an election produced without violence.

The public appearance of consent is produced through the individual victim forfeiting his voice and personhood. Consent produced as a tortured confession is achieved at the cost of self-betrayal and even self-destruction (Scarry 1985, Feitlowitz 1998, Villa 1999). The case of 'disappearance' is perhaps the starkest example of public consent extracted by the absolute sacrifice of the individual victim, their very existence. With no accused and no body to be found, there is no victim.² Moreover, anonymous death permits no martyrdom, no focus for remembrance.³ In Argentina terrorised relatives, especially those who had witnessed the abduction of their family members, were disconnected from a disbelieving public who, in the face of daily government denials of knowledge or responsibility, acquiesced in the victims' fate. 'Sure people were disappearing. *Por algo será* ("there must be a reason")' (Feitlowitz 1998:98). Consent was produced from those

no longer present and therefore unable to give it—i.e. they were reduced from subjects to objects.

Torture and human rights

One measure of the continuing widespread use of torture internationally is its documentation in human rights reports;⁴ another is the ongoing need to refine the instruments of human rights law against its use as well as other innovations in cruelty. The first points to the fact that governments continue to resort to atrocity and terror as a strategy of power, and the second that international law is expanding in response to the erosion of individual rights based on citizenship. But this continuation of the use of torture and terror by states is not merely an expression of underdevelopment. While in most cases torture is practiced by politically insecure and repressive regimes it has also been practised by the security forces of politically secure states such as Britain, Spain and Israel against the IRA, ETA and Palestinian detainees, respectively. Torture cannot be taken as an index of modernity (Rejali 1994).

Human rights law was developed to defend the sovereignty of the individual against the failure of nation-states to guarantee them through citizenship. The Universal Declaration of Human Rights (UDHR) was proclaimed at the United Nations in 1948 after the atrocities of the Second World War, which had demonstrated the frailty of inclusive national citizenship and the possibility of radical de-nationalisation of individuals through dispossession, displacement, disappearance and even mass murder. The post-totalitarian experience of the possibility of mass death and mass de-humanisation created a world in which human rights developed out of fear, not hope.⁵

Human rights instruments were developed by regional UN bodies in Europe, Africa and the Americas, and subsequently elaborated on the fundamental freedoms articulated in the UDHR in their own regional charters. The Council of European States established the Convention for the Protection of Human Rights and Fundamental Freedoms (1950), the Organisation of American States made the American Declaration of the Rights and Duties of Man OAS Resolution 30 (1948), and the Organisation of African Unity established the African Charter on Human Rights and Peoples' Rights (1986).

In the second half of the twentieth century the currency of political terror and atrocity was mapped in the introduction and ratification of a wide range of human rights instruments by UN bodies. Thus, for example, in response to the continued widespread use of torture a more focused treaty elaborated on Article 5 of the UDHR which condemned the use of torture, cruel inhuman and degrading treatment or punishment.⁶ The Organisation of American States subsequently developed the 'Inter-American Convention to Prevent and Punish Torture (December 1985)', addressing the particular Latin American experience of military dictatorship in the 1970s and 1980s. In this regional instrument the definition of torture is more elaborated and includes both the physical and psychological impacts of torture. Article (2) states that

for the purpose of this Convention, torture shall be understood to be any act intentionally performed whereby physical or mental pain or suffering is inflicted on a person for purposes of criminal investigation, as a means

of intimidation, as personal punishment, as a preventive measure, as a penalty, or for any other purpose. Torture shall also be understood to be the use of methods upon a person intended to obliterate the personality of the victim or to diminish his physical or mental capacities, even if they do not cause physical pain or mental anguish.

(Gane and Mackarel 1997:522)

This last reference to ‘obliteration’ of the personality of the victim is a constant theme in reports on the torturers’ stated intentions towards their victims (Feitlowitz 1998).

In response to growing international concern over the widespread use of ‘enforced disappearance’ as a form of organised terror⁷ during the 1970s and 1980s, the UN introduced the Declaration on the Protection of all Persons from Enforced Disappearance (1992). Article (1) describes ‘enforced disappearance’ as an ‘offence to human dignity’, and emphasises the way it places the ‘disappeared’ outside the protection of the law. It constitutes a

violation of the rules of international law guaranteeing, *inter alia*, the right to recognition as a person before the law, the right to liberty and security of the person and the right not to be subjected to torture and other cruel, inhuman or degrading treatment or punishment. It also violates or constitutes a grave threat to the right to life.

(Gane and Mackarel 1997:539)

Enforced disappearance was made one of the most serious atrocities for which there was to be no immunity.⁸ A similar treaty was adopted by the Organisation of American States: Inter-American Convention on the Forced Disappearance of Persons (1994), but this is not yet in force (Gane and Mackarel 1997).

The large-scale atrocities that happened in the former Yugoslavia and Rwanda resulted in Security Council Resolutions that established two international criminal tribunals to prosecute gross violations of human rights. The statutes focus attention on Grave Breaches of the Geneva Conventions 1949 (Art. 2), Violations of the Laws or Customs of War (Art. 3), Genocide (Art. 4), and Crimes Against Humanity (Art. 5).

There are different perspectives on the development and elaboration of human rights instruments. From a legal perspective they can be seen as the extension and application of international law in response to political circumstances, moral concerns and legal need. However, from a political perspective the very elaboration of human rights instruments addressing specific practices—torture, enforced disappearance, detention, genocide—is itself evidence of the growing crisis of national citizenship as a guarantor of individual rights in many parts of the world. Arendt (1979) in fact raised the question about the relationship between citizenship and human rights soon after the UDHR. She argued that the fate of human rights and the nation-state were tied together and that the decline of one meant the decline of the other.

The conception of human rights based upon the assumed existence of a human being as such, broke down at the very moment when those who professed to believe in it were for the first time confronted with people who had indeed lost all other qualities and specific relationships—except that they were still human.

(Arendt 1979:299)

What the politics of atrocity has dramatically revealed in the twentieth century has been the limitations of citizenship to ensure the integrity of ‘personhood’ (Scarry 1990). What the UN elaboration of human rights instruments has constantly demonstrated is the number of people who continue to fall outside the protection of legal justice through citizenship. The politics of atrocity has put many millions of people into the liminal space of ‘homo sacer’. The contemporary currency of atrocity is a measure of the crisis of national citizenship as a source of protection for individual rights. The continual elaboration of human rights seeks to retrieve the juridical person lost through the erosion of citizenship.

Publicly and secretly ‘tortured bodies’

The politics of atrocity projects political agency through the display of violence and cruelty on victims’ bodies. This holds for publicly as well as secretly ‘tortured bodies’. Torture, in both cases, aims to produce a ritual victim whose confession affirms the validity, at the least for the state, of his selection and fate. What varies is the way in which the triadic structure of torture involving power/victim/audience is able to define political reality, the way in which meaning is produced in victims through torture, confession and death. Secret torture is a product of the limits of impunity (the autonomy of political power) and of public scepticism of confession as a staged truth. It terrorises not through the awesome power of the sovereign, nor the totalitarian ruler, but through a biopolitics which threatens the obliteration of individual subjectivity and social identity by reducing the individual psychologically and symbolically to an inanimate object.

Historically, the very public ritual of judicial torture was a tightly scripted event amplifying the sovereign’s absolute power and justice in an excess of violence displayed on the body of the accused. The victim was an integral part of the ritual performance of power through their confession, bodily destruction and public agony. The technique of torture was also measured to produce graduated pain which itself was part of the punishment.

By contrast contemporary ‘secret’ torture is rarely such a publicly authored and tightly scripted event, and the violence inflicted is often much more unrestrained than the regulated inquisitorial approach of penal torture (Foucault 1979). Instead, torture is used to produce different things—a public confession after torture, an empty grave, a broken victim. In all cases the links between power, victim and audiences are concealed or ambiguous. Thus, for example, a confession obtained by torture is used in a trial to create the façade of legality through interrogation techniques designed to leave no bodily traces on the victim.⁹

Secret torture creates ambiguity about power. Through uncertainty terror is magnified and state power is inflated amongst potential victims. Yet secrecy also indicates the limit to state impunity, to its restricted sovereignty. The resort by a state to secret torture is usually an expression of the fragility rather than the assuredness of political power. In fact, clandestine torture is usually justified on the grounds that there is a serious threat to 'national security', a threat to the very existence of the state (Rejali 1994, Feitlowitz 1998, Graziano 1992, Dassin 1998). The very use of torture stems from the suspension of the law justified by a 'state of emergency'.¹⁰ Hence the contemporary resort to atrocity indicates a crisis in governance and political power rather than the confidence of absolute power. The author of atrocity is hidden. The hand that commits torture is concealed. Car bombs are used to terrorise urban populations without attribution and massacres are conducted by hooded paramilitaries of unknown origin. The resort to 'enforced disappearance' leaves 'empty graves'.

What does the contemporary resort to 'concealed' atrocity signify as a strategy of power? Torture is always an expression of crisis in the techniques of power and in the production of political consent. The resort to public torture may have been historically obviated in the modern state by the disciplining of the body through 'techniques of real or perceived surveillance', as Foucault (1977) argues, but the resort to secret torture has not. Contemporary torture seeks to terrorise through the existential threat of individual obliteration. It colludes with the state biopolitics that places individual life itself at the centre of power. The social, political and judicial affirmation of the 'individual' in the modern state is the context in which secret torture sows its terror by threatening the loss of subjectivity and identity. The terror of contemporary torture is amplified by the gulf it reveals between our social and political celebration of individuality and the extreme vulnerability of those rights and qualities anchored in the individual. In an era when 'individual life' has become the measure of temporal and moral worth, torture's terror is only more magnified.

The most extreme version of secret torture is 'disappearance', a term which has come to mean individual oblivion. It involves the organised abduction, interrogation, torture and frequent death of victims in clandestine detention centres, it is a 'torture complex'. This will be discussed further below. The point here is that it represents a form of terror that closely resembles what Arendt (1979) described as the 'radical evil' of totalitarian regimes. 'Radical evil' refers to the use of the concentration camp as the central instrument of terror where 'everything is possible'. The 'camp' demonstrated that there were no limits to human power and that there is nothing permanent or in-built about human dignity. The strategy of terror deployed in the concentration camps was dehumanisation (Arendt 1979). The 'camp' was a 'hole of oblivion' where the fate of individuals was lost as if they never existed. The camps were 'a gigantic machine for the manipulation of the human body' which required an endless supply of victims (Villa 1999:27).

Arendt (1979) delineates three stages in the de-humanisation and obliteration of the individual, in the preparation of 'living corpses'. The first is the 'murder of the legal persona' through disenfranchisement, the second is the 'murder of the moral person' by making conscience either inadequate or irrelevant (e.g. by being offered tragic choices of betrayal), and the third is the murder of human individuality through torture, distress and deprivation. Through this process of de-humanisation the experiment in total domination

transforms into objects individuals whose ultimate death occurs at a point at which their lives have been made inconsequential.

Secret torture in its most extreme expressions reintroduces the method of terror of the 'concentration camp', but in states where power is not totalitarian. The resort to the 'camp' can only reproduce the strategy of totalitarian power in microcosm. The terror of the 'camp'—officially non-existent—reminds the public of the principle of contemporary state power anchored in the control over individual life. It also refers it to the legacy of totalitarianism, the collective memory of the possibility of mass disenfranchisement and mass death. Alongside the economy of discipline and efficiency is an economy of superfluousness and waste. And in an increasingly technological world the production of waste takes highly technological forms, including the destruction of life (Foucault 1979).

Contemporary secret torture reveals that through administrative terror state power can push individuals beyond the protection of law and below the threshold of moral vision into the liminal space of 'homo sacer'. Torture deconstructs individual subjectivity, but it is the process of selection which obliterates them legally and morally by making them part of an excluded social category. Individual deconstruction completes the social deconstruction, and the social category so selected anchors the state's claim to power over life and death, and defines the threshold of moral vision.

The terror of the threat of torture, only amplified by 'disappearance', is the obliteration of individuality through legal, moral and subjective murder. The terror is publicly inferred from the dreadful ambiguities of unexplained events—abductions, shoot-outs with urban guerrillas, human rights reports, media censorship, etc. The spectacle of 'disappearance'—seeing but not *seeing*, knowing but not *knowing*—is a tear in reality through which can be glimpsed the horror of the abyss—the very loss of one's own existence.

The question of 'seeing' and 'knowing' raises the issue of moral vision. By placing individuals beyond the law they are put out of sight or below the threshold of moral vision. In other words, their suffering is not recognised because they fall outside any moral relationship of care or responsibility. Thus the political exclusion of individuals makes their suffering invisible and, as a consequence, conceals the very basis for their exclusion. They then suffer the double injustice of the brutal loss of individual rights and being made invisible to moral view (Connolly 1999). Unless their suffering crosses the threshold of moral purview, it continues to go unrecognised and remain invisible. Moreover, it is only able to be recognised as unjust once the victim becomes recognisable—as having personhood and a moral claim to have suffering alleviated.

The impunity of those (individuals, institutions) inflicting injury or suffering flows from the victims going unrecognised. While in a practical sense this is contrived through secrecy (torture is hidden) it is also the product of wider collusion. Acceptance or rationalisation of 'enforced disappearance', for example, permits the denial that there are victims, or that their suffering is your responsibility. For Arendt (1979) this was an integral part of the strategy of totalitarian terror—to create the fear that everyone was ultimately interchangeable, that everyone could be the victim.

Our moral predicament, according to Connolly (1999), is that we always have culturally and politically restricted vision.

For it is extremely probable that all of us today are unattuned to some modes of suffering and exclusion that will have become ethically important tomorrow after a political movement carries them across the threshold of cultural attentiveness and redefinition.

(Connolly 1999:147)

What the politics of atrocity manipulates through terror is the threshold of moral vision.

The manipulation of the threshold of moral vision takes place through the mnemonic of violence. First, the target of terror is society at large, not just the individual victims. In counter-insurgency specific social groups are proactively targeted to prevent protest or opposition to government actions.¹¹ Second, the process of terror is a ‘torture complex’ with bureaucratic structures, procedure and techniques which only states have the resources and organisation systematically to deploy (Chomsky and Herman 1979). Torture becomes a technique of administrative terror, alongside other bureaucratic agencies, designed to transform individuals. In the most extreme form of the ‘camp’, victims are made objects but they can also be treated as subjects to be transformed through redemption, conversion and healing. Administrative terror rationalises the selection of victims, adjusting the moral threshold of social vision through fear—i.e. we too could become victims. Moreover, the legal and administrative discourse, once accepted, makes it extremely difficult to speak against.

In contemporary torture there is a double blindness which must be overcome if victims are to regain justice and subjectivity. First, suffering must be made morally visible and second, once injustice is recognised, there must be process of redress—i.e. a change in moral perspectives and social relationships. What we are witnessing in contemporary torture is the political exposure of ‘homo sacer’ as a principle of state power—the revelation that you too can fall below the threshold of moral visibility. It does this by effectively lowering the threshold of moral vision, thereby permitting a ruthless contraction in moral responsibility to another’s suffering. The question of how suffering is brought above the threshold of moral vision will be the subject of later chapters.

This chapter focuses on the more concealed forms of atrocity—‘disappearance’, torture and murder. Collective forms of atrocity such as massacre, ethnic cleansing and genocide will be explored in subsequent chapters.

The chapter’s exploration of the use of torture to deconstruct individuals and social worlds and create ‘the camp’ foreshadows the broader argument about impact of the ‘culture of terror’ and the post-violence responses to it. The counter-politics to the production of the ‘camp’ is the recovery of victims as individuals with rights. This is frequently referred to as ‘regaining voice’. They are made visible again through their suffering (their ‘trauma’) and denied ‘human rights’.

The moral refocussing on victims, however, involves a change in the threshold of moral vision and therefore the basis of political consent. In the post-violence period things become framed as if the structure of consent was based purely on terror or repression—e.g. the military dictatorship was based on the absolute polarisation of power between the state and the people. The victims, traumatised and denied ‘human rights’, tend to construct a picture of power in which the guilty ones were in power and the innocent were not. In Argentina the senior military officers prosecuted and convicted for the ‘Dirty War’ claimed they were made the ‘scapegoats’ (Graziano 1992). They were, in

the sense that their power rested on a wide acceptance of a normalised level of violence which permitted arbitrary torture and murder of the 'guilty ones' (the victims), but they were also guilty of the crimes of which they were convicted. In other words, in Argentina many people consented to the politics of exclusion in the name of *la patria*.

Torture

Human rights organisations such as Amnesty International and Human Rights Watch have a difficult time documenting the use of torture as an instrument of state repression precisely because it is carried out in secret. Yet while torture might be hidden it does not remain a secret. It surfaces as terror in public glimpses such as witnessing unexplained events on the street, reports about missing people, rumours about torture, the appearance of unexplained graves in cemeteries and the muted presence of returned torture survivors. Eventually the practice of torture does emerge, either through personal testimonies of survivors after the repressive regime has retired from power, or when state bureaucratic archives on torture are breached (Agger and Jensen 1996).¹²

The distinction between public and secret torture is about the way the state is able to use terror to project its power. Public torture displayed the absolute and centralised power of the sovereign and the sovereign's justice. In contrast, the 'secret' and hidden character of contemporary interrogation and torture suggests modern state power is more circumscribed. States can no longer publicly torture with impunity. They must conceal their use of violence against their own societies. They do this through a process of selection which excludes a social category and which puts them beyond law and moral care ('homo sacer'). Secret torture is part of this political process of selection and exclusion which exercises power by its ability to make particular social categories invisible. To become invisible means to fall below the threshold of moral vision and social responsibility, to become less-than-human waste. Secret torture is part of an administrative terror that secures tacit social consent for the persecution of particular individuals in an economy based on human waste.

Absolute power implies impunity from law. Historically, the impunity of sovereigns was located in their absolute power, in the fact that they were both the law and above the law. However the head of a modern state has no such absolute impunity because international law, UN treaty conventions and international relations circumscribe all national sovereignty. It was noted earlier that the idea of the autonomy of the Westphalian state has long been illusory and that since the Second World War international law in the form of human rights instruments has been used to intervene in states to shape the relations between ruler and ruled (Krasner 1999).

The surviving prerogative of sovereign power in modern constitutions that made the head of state exempt from prosecution¹³ has been seriously eroded by the attempt to extradite General/Senator Pinochet to Spain. The indictment of the Serbian President Slobodan Milosevic for 'crimes against humanity' by the International Criminal Tribunal has also indicated the limitations of the impunity of the head of state. And even the 'death penalty' as a form of punishment for the most serious criminal offences is internationally challenged by UN conventions promoting its abolition.¹⁴

Because no modern state has absolute sovereignty and no ruler absolute impunity, even 'dictatorships' usually conceal their atrocities. Torture occurs in a space beyond the law, the space of 'the camp' (Agamben 1998). The 'camp' is a prison beyond the scrutiny of the law, where torture and death occur with legal impunity. The most extreme form of the 'camp' is the clandestine prison holding the 'disappeared'. And within the 'camp' impunity is reinforced by a process of incrimination which bonds the perpetrators in silence.¹⁵ Thus the 'camp' is the space of exception and impunity created in the context of circumscribed state power. It is a space of terror which makes victims and their terror socially invisible but marks them off as a stigmatised category through their absence/silence.

Historically, public torture was a form of penal punishment used against those who transgressed the law and thereby the will of the sovereign. It represented the sovereign's revenge against an affront to their absolute power. It publicly affirmed the centralised nature of power through a very public ritual of excessive violence against the accused. 'His body, displayed, exhibited in procession, tortured, served as the public support of a procedure that had hitherto remained in the shade; in him, on him, the sentence had to be legible for all' (Foucault 1977:43). The public execution was the ritual moment of truth and the mechanism to reconstitute the sovereign's power. Through this public ritual of terror the sovereign's overwhelming power was expressed in the complete impotence of the victim: 'A body effaced, reduced to dust and thrown to the winds, a body destroyed piece by piece by the infinite power of the sovereign constituted not only the ideal, but the real limit of punishment' (Foucault 1977:50). Thus even after the torture of the living body the criminal's corpse was made the object of further violent excess (Naffine 1999).

Public confession was an integral part of penal torture. The confession represented the oral affirmation of the magistrate's initial secret written investigation. The victim's public confession and agony formed a necessary part of the ceremonial display of power and truth. Public torture was not an expression of 'lawless rage' but was regarded as a judicial technique that produced pain as a 'quantitative art' to realise the 'truth'. The victim's confession and agony were an expression of the sovereign's justice and absolute power. Public torture (execution) is still practised today by states in the form of the 'death penalty', but the execution is not produced as a spectacle of prolonged pain, public confession with large audiences. Executions are usually instantaneous—electric shock, gas, poison or beheading—and witnessed by a few state officials and recorded on camera.

By contrast all stages of modern torture—detention, interrogation, torture, confession and death—are usually either secret or put beyond public scrutiny by the state's assumption of extraordinary legal powers. Secrecy allows the state to make war on its own people to purge those individuals considered 'subversive' with impunity. Secret torture is used as a form of political terror which 'must create fear without creating a scandal, legitimise the system without toppling it'.¹⁶ The extent to which any stage of secret torture can become public depends on whether its public revelation will affirm or undermine its political claims.

Take, for example, the role of confession produced by secret torture and interrogation. In Argentina during *el Proceso* (the process) between 1976 and 1983 the Argentine dictatorship declared war on subversives and pursued political terror to produce social conformity. 'Silence is health' was an expression that captured the regime's political project of public erasure of memory (Feitlowitz 1998). In this process detention,

interrogation and torture were hidden and confessions were rarely used publicly to justify *el Proceso*, only to deny its reality. Confessions were extracted through extraordinary excesses of cruelty with the primary aim of personal destruction, not redemption. The public confession was politically too ambiguous for an Argentine public very attuned to distrusting the face value of any official statement. The confessing prisoner was, after all, living evidence of a process that was continually officially denied. When confessions were used publicly it was to conceal the reality of the very power and space that produced them. For example, Major Ernesto Barreiro, the director of the notorious *La Perla* camp, put on a show for a Red Cross delegation investigating human rights abuses.

He had three prisoners—all kidnapped in 1976, brutally tortured and then, after two years of captivity, released under tight surveillance—testify before the delegation. On pain of death to themselves and their families, they all reported that they had been arrested but three days ago and were being very well treated.

(Feitlowitz 1998:64)

In contrast, the public confession was an integral part of the Islamic Republic of Iran's use of torture to affirm its religious project. Secret torture, under close clerical supervision, was a vehicle to produce the truth and to redeem individuals through recantation. In the early years confessions were videotaped, edited and publicly broadcast on state television. These recantations were used to affirm, in the confession produced by public torture, the regime's claims about the fact of conspiracies against the Islamic revolution, and to humiliate the victims and mark them as traitors amongst their former allies. However, the public recantations on television were soon met with such public cynicism that they stopped broadcasting them. Traditionally the term *e'terafat* (confession, recantation) had connoted betrayal and defection, but by the late 1980s it came to mean 'a measured response to unbearable pain' (Abrahamian 1999:225). Once recantation had lost its quality as grand theatre it lost its lethal ability to destroy the victim's *aberu* (honour, reputation and self-respect). Instead of seeing them as truth, penance and redemption, people began to view confessions as expressions of 'torture, brutality and state terror' (Abrahamian 1999:225). Tortured confessions continued to be archived on videotape, but their broadcast was restricted to close-circuit prison television.

Detention

The first step towards torture is detention. This usually occurs during extraordinary political conditions such as internal conflict or a state of war in which normal political and judicial processes have been suspended—e.g. the writ of *habeas corpus* is rendered ineffective.¹⁷ In Latin America the military dictatorships created the condition for torture by declaring a 'state of emergency' in defence of the state. The Islamic Republic of Iran assumed exceptional powers in defence of the revolution (Abrahamian 1999).

The method of detention can itself be a form of political terror. In the 1970s and 1980s the phenomenon of 'disappearance' as a method of detention was so widespread that it became the focus of international investigation, UN humanitarian law-making and, in the

post-dictatorship period, national inquiries and survivor support groups. ‘Disappearance’ referred to the abduction of individuals by unknown and unidentified groups and came to imply unlawful arrest, torture and extrajudicial killing.¹⁸ Disappearance assumed a systematic form of terror under most Latin American dictatorships, especially Brazil, Argentina and Chile. One major report described ‘disappearance’ as

a doubly lethal form of torture, for the victims who are ignorant of their fate, and for the family members who wait and wonder, and may never receive any news. And the victims know that their families are unaware of their whereabouts.¹⁹

It states that ‘disappearance’ was coined in the context of the ‘national security state’ which put ‘civilians’ in the frontline. It made ‘national security’ inversely proportional to ‘individual security’.²⁰

‘Enforced disappearance’ made the victim immediately invisible and beyond outside help. The Argentine military dictatorship’s use of ‘disappearance’ as a form of detention took one of the most extreme forms, although its extent only really became known through the work of the Argentine National Commission on the Disappeared (CONADEP) after the restoration of democracy in 1983. Its report, *Nunca Mas* (Never Again) estimated that between 15,000 and 30,000 people had ‘disappeared’ during the dictatorship between 1976 and 1983. However, CONADEP could only verify the fate of 8,961 victims whose names were listed in the report. In Argentina ‘disappearance’ meant abduction, clandestine detention, torture and usually murder.²¹ The moment of abduction was usually known—witnessed by relatives at night—but nothing else: why it was happening, who was behind the abduction, where the ‘disappeared’ were held and if they still lived. The relatives of the disappeared were left with ‘empty graves’. The official channels they used to inquire about the fate of the ‘disappeared’ were useless. The police had no records of them and writs of *habeas corpus* filed in the courts had no effect.²² The dictatorship’s response was to declare that there were no ‘missing’: they had gone into exile or had assumed false identities. Officially they were ‘neither alive nor dead, neither here nor there’ (Feitlowitz 1998:49).

The meaning of ‘disappearance’ was made clear to the victims on their arrival at the secret detention centres. As one survivor testified at the CONADEP investigation: The first thing they told me was to forget who I was, that as of that moment I would be known only by a number, and that for me the outside world stopped there’ (Feitlowitz 1998:51). Their arrival at a clandestine centre was the first step in their painful obliteration as individuals. In the lexicon of Argentine torturers, the ‘disappeared’ were *perejil* (parsley), something, as one mother explained, ‘so abundant here, so cheap, greengrocers traditionally give it away.... That’s how they thought of our children—cheap little leaves made for throwing away’ (Feitlowitz 1998:49).

Detention through arrest or abduction during a ‘state of emergency’ meant social isolation and the first step on the path to individual obliteration. For the ‘disappeared’ it usually meant immediate social obliteration because the clandestine detention centres where they were held officially, like them, did not exist. No-one outside could find them and few survived the experience to confirm their reality. The clandestine detention centres resembled the ‘camp’, a space of impunity that was beyond the law (Agamben

1998). The ‘camp’ appears historically as an extension of a ‘state of emergency’: permission to take exceptional measures in exceptional times. ‘The camp is the space that is opened when the state of exception begins to become the rule’ (Agamben 1998:169). It is a space of lawlessness constituted through law. Individual rights are suspended in the name of the protection of freedom (national security) by denying freedom. The ‘camp’ is created through secrecy, lawlessness and impunity.

The distinction between law and lawlessness collapsed in the clandestine centres. As mentioned above, they resembled ‘Nazi concentration camps’ in as much as they were spaces where anything became possible in the goal of producing the confession, usually referred to as ‘information’ or ‘intelligence’. ‘Whoever entered the camp moved in a zone of indistinction between outside and inside, exception and rule, licit and illicit, in which the very concepts of subjective right and juridical protection no longer made sense’ (Agamben 1998:170). In these spaces the issue was not how one human being could commit such atrocities against others in the camps but how ‘juridical procedures and deployments of power’ could so completely deprive individuals of rights that no act against them would appear a crime.

The legal and social compartmentalisation of the ‘camp’ made it a world unto itself. It was a vortex that sucked in victims selected by a self-generating process of torture and betrayal, and then expelled them. It was an administrative system which generated more victims through a chain of torture and forced betrayals. The end product of the ‘camp’ was human waste in the form of broken individuals or corpses buried anonymously in mass graves, burned in fires (*asado*, barbecues) and dumped drugged from aircraft over the sea.²³

Interrogation and torture

The primary purpose of detention was to extract the confession. The confession, referred to as ‘information’ or ‘intelligence’, is the torturer’s rationale for interrogation and torture, but in reality it is the product. Torture inflicts pain on the body, makes it visible in the victim’s agony, and then misrepresents it as power in the confession (Scarry 1985). Through the confession the victim is made a ‘witness for the prosecution’, confirming guilt already determined by the fact of the detention. In the ritual structure of secret torture the ‘confession’ marks the transformation of the victim into a ‘dead ritual object’ and a broken person, the moment of self-betrayal and defeat (Graziano 1992).

The victim is made an object through pain. What torture teaches is ‘the futility of acting like a subject, of aspiring to anything beyond the abject object’ (Weschler 1997:166). It does this by the deconstruction of subjectivity using the sentience of the body as a ‘theatre for operations’ (Graziano 1992). Its sentience makes the body extremely vulnerable to injury and pain: weapons wound it, its own sentience can be used against it (all forms of physical deprivation), and its consciousness can be eroded or extinguished.

But contemporary torture is not accidental or casual. Moreover, the pain inflicted, even if excessive and brutal, is part of an apparatus of planning, budgeting and training. Torture is an administrative technique designed to alter individual perceptions and consciousness. Perhaps the most thorough documentation of the organisation of

administrative terror through torture is summarised in the *Brasil Nunca Mais* project. The project reveals that torture was a scientific technique to be learned as part of the Brazilian military training curriculum and that live victims were used in torture classes.²⁴ The study shows that the police and military applied almost a hundred different tortures which involved both physical and psychological pain. To extract the confession, they sought 'to bring about the victim's moral destruction by breaking down emotional ties of kinship. Children were thus sacrificed before their parents' eyes, pregnant women had miscarriages, and wives were subjected to suffering to make them incriminate their husbands' (Dassin 1998:25). In this a range of specialists, including psychologists and doctors, were involved.²⁵ In Brazil these personnel were directly involved in torture and provided authorities with false reports to cover up the evidence of torture, especially in cases when it proved fatal. Torture as a technique to produce confessions was also well integrated into the judicial procedures of the military courts. The confessions provided were accepted as evidence to convict the victims for long prison sentences.

Interrogation and torture took place in the context of detention which itself was de-humanising. The 'camp' produced what one survivor described as a psychic torture which 'was constant and inescapable; and your death was always more likely than not' (Feitlowitz 1998:76). In the clandestine Argentine detention camps the prisoners were isolated from the world, hooded and chained and walled up in tubes. One survivor commented on the difficulty of believing you were human. 'The physical evidence goes against you, you're so weak, so sick and so tormented, you think, if you *can* still think: I *am* my shit; I *am* these stinking wounds; I *am* this festering sore...' (Feitlowitz 1998:66). Moreover even when prisoners glimpsed the outside world from a window they were too alienated to connect with the reality they saw.

When we saw life, on the other side of the window, it was hard for us to believe what we were seeing, that life went on and we returned to torture and death. Life came to be something belonging to others that had nothing to do with us.²⁶

Through torture the world is inverted. Things (cultural objects) that usually comfort the body are made into weapons against it—e.g. the voice, the elementary means of communication, which cries out for help is denied as pain and read as power. 'In compelling confession, the torturers compel the prisoner to record and objectify the fact that intense pain is world-destroying' (Scarry 1985:29). As one's world disintegrates 'so the content of one's language disintegrates; as the self disintegrates, so that which would express and project the self is robbed of its source and its subject' (Scarry 1985:35).

Betrayal is not just a question of individual resilience and courage in the face of interrogation and torture but an integral part of the incriminating process of selection. From the moment of detention victims become implicated in their own betrayal and are made to feel guilty about extending the chain of victims. Others are implicated simply by association. Mario Villani, a long-term survivor of *La Perla*, a clandestine detention centre in Córdoba, Argentina, recalled that on the day he was abducted he condemned a close friend to the same fate simply because he had kept an appointment to meet. This, Villani comments, was 'one of their favourite tricks. An infernal "sharing of responsibility"' (Feitlowitz 1998:77). Moreover in the 'camp' survival itself was a

difficult path between remaining 'useful' and being a 'collaborator'. 'You had to walk a fine line, making them believe you were useful, but without abetting them in a way that, morally, was going to do you in...That's how it was,...Our choices were from a range of unthinkable options' (Feitlowitz 1998:77). The capacity to preserve self-integrity was extremely limited.

Prisoners were daily facing the experience of betrayal and death. They were under constant surveillance and subjected to small tests that could be self-incriminating. Mario Villani²⁷ talks of *La Perla* in the following terms:

It was a completely insane situation. The torturers and victims were all living together. Torturers were in constant contact with those they tortured. That is the basic difference between jails and concentration camps. In a jail, on one side of the bars you have the guards, the police, the administrators. On the other, you have the prisoners. In a *campo*, the two worlds intermix. The guards were there all day. When they wanted a break, they'd come play *trucco* with the prisoners.

(Feitlowitz 1998:72)

This shifting between sociality and brutality made the prisoners the absolute playthings of their torturers. One minute the torturers were playing and chatting; the next they were torturing; and the next 'transferring' (scheduled for death) prisoners because they were no longer 'useful'. The blurring of the relations between guards and prisoners produced some very masochistic results. One torturer in *La Perla* identified too closely with the tortured—he brought his daughter to visit some of the 'disappeared'—and disappeared himself. Other torturers even ended up married to their victims (Feitlowitz 1998).

The tortured confession had the cruel effect of betrayal and contempt of self and others. 'In confession one betrays oneself and all those aspects of the world—friend, family, country, cause—that the self is made up of' (Scarry 1985:29). Yet the betrayal of confession occurs at the point when, for the victim, the world being betrayed no longer exists. Pain has reduced all reality of things outside the body to nothing. Instead of earning the victim compassion this loss of world through tortured confession usually brings them contempt (Scarry 1985).

In practice there were very different kinds of victims and few had vital 'information'. Only a minority were actual activists while most were either sympathisers or belonged to social groups considered suspect (students, unionists and members of certain professions such as lawyers, journalists and academics).²⁸ The political activists knew full well that torture usually meant confession/betrayal and had organised themselves accordingly in small cells to contain the potential damage. Yet even amongst them the virtue of resistance could produce their own heroic myths. As one Chilean activist commented: 'Only the "disappeared" did not talk.'²⁹ Amongst the others confessions were produced out of an attempt to stop the pain and survive. Their confessions were more often than not trivial yet had the same effect on those named as if they had really been militants and subversives. The confessions produced a chain of victims and became the means for helping to select those condemned to the 'camp'.

In the pursuit of 'confessions' victims died of the injuries sustained in the process of interrogation. Others who were considered 'useful' were detained and tortured for long

periods in the hope that more ‘information’ could be extracted.³⁰ However, most were killed after their confessions because they were considered no longer ‘useful’ and were given their ‘ticket’, meaning: ‘We’ll kill you. We’ll kill you for nothing. We’ll kill you because we feel like it’ (Feitlowitz 1998:82). Others were released back into their communities marked by the personal scars and trauma of torture as well as the suspicion of betrayal. In Argentina these were the ‘abduction victims whom detention centre personnel deemed “innocent” or useless in intelligence terms’ (Graziano 1992:80–1). In *La Perla* detention camp in Córdoba only 137 out of 2,000 prisoners survived.

Conclusion

The secrecy of modern torture does not mean it goes unnoticed. The ‘culture of terror’ and consent engendered by torture requires at least some public recognition. The public is terrorised by what Graziano (1992) calls the ‘absent spectacle’. They are spectators of unseen acts through glimpses of terror, those unexplained violent events in which individual life goes unaccounted for—the ‘disappeared’, the unmarked graves, the ‘terrorist’ killed in a shoot-out, the *perejiles*. In Argentina there were conspicuous efforts to put the ‘disappeared’ on the public agenda. In Córdoba there was popular resistance in the form of “relatives” committees, street protests, work stoppages in important factories, including Renault’ (Feitlowitz 1998:214–5). There were lists of the ‘missing’ published in the press. And early on there were writs of *habeas corpus* presented to courts and published in the press. And there was the women’s movement for the ‘Disappeared’, *Las Madres de Plaza de Mayo*.

When the state denies knowledge of or responsibility for such events this only serves to deepen the terror because the individual imagination inflates what it has no way of verifying. The widespread adoption of forms of political terror such as ‘disappearance’ and the subsequent high-profile investigations into the practice in Brazil, Argentina, Chile and Guatemala now mean the term is internationally recognised as meaning abduction, torture and murder. In its most extreme form in Argentina the ‘disappeared’ signified the existence of a ‘torture complex’ which most closely resembled the de-humanising methods of the Nazi ‘concentration camps’ from which few escaped with their lives. In other words, disappearance was about the threat of individual obliteration either literally or at least psychologically.

Graziano (1992) argues that secret torture is projected and that the public is terrorised by its power. The torture room, called the *quirófano* (operating theatre) was a metaphor for the Argentine public’s concealed vision. Thus the glimpses were to be read as power and everyone was supposed to be watching: ‘In this decisive moment no one has the right to be absent’ (Graziano 1992:81). Terror through ‘disappearance’ was a strategy of social conformity in *la patria*.

However, secret torture does not work only through public fear but through consent that is then generated out of the disbelief about what could really happen there. Argentine citizens were terrorised by the clandestine detention centres in their neighbourhoods but these dropped below the threshold of moral vision. ‘In a closed system without exits, public knowledge terrorises as much as public ignorance. The boundaries between knowing and supposing, between knowing and denying fade’ (Graziano 1992:82). Arendt

also observed that the German public of course knew that ‘concentration camps exist, that people disappear, that innocent persons are arrested’ (1979:435) yet they submitted to ‘the common-sense disinclination to believe the monstrous’ (437).

In Argentina the public consented by adopting the military’s discourse: ‘*Por algo será*’ (“It must be for something”), *Algo habrá[n] hecho* (“He/she/they must have done something”)...they conceded in bad faith that the military knew “something” that the public did not know, the “something” that made atrocity just and necessary’ (Graziano 1992:77). The extent of public consent to such a discourse is suggested in the recent results of provincial elections in Argentina. General Bussi, the former notorious military governor of Tucumán and later the commander of all the northern provinces during the dictatorship, was democratically elected as governor of Tucumán with 45 per cent of the vote on a law-and-order platform in July 1995 (Isla 1998). On his election he commented: ‘I cannot repent... It would be like repenting for having been born, for having lived, and triumphed honestly against subversive aggression’ (Feitlowitz 1998:249).

To acquiesce, however, involved a further step. It was no longer even a matter of justice for unspecified crimes but the fact that the victims, the ‘disappeared’, became invisible to moral view. The horror of the excesses of torture in the ‘camp’ was a tear in reality that could not be looked into. What the ‘camp’ represented was a space of individual obliteration where individuals disappeared, even to the extent of doubting they ever existed, by being pushed below the threshold of moral vision. It revealed that the principle of the sanctity of individual life is actually defined by exclusion. Alternatively, ‘disappearance’ and clandestine detention led to the criminalisation of victims through a façade of legality. Hence in Brazil disappearance mostly resulted in either a public death—fatalities caused by torture were attributed to police shoot-outs—or a prison conviction in a military court, thereby assimilating the excluded social category as ‘criminal’ (Dassin 1998).

The ‘confession’ in secret torture is primarily an exercise of power. In reality, the victim’s world, self and voice are almost lost through the self-disintegrating impact of pain. But as Scarry (1985:29) notes, ‘the content of the prisoner’s answer is only sometimes important to the regime, the form of the answer, the fact of his answering, is always crucial’. Moreover, the misinterpretation of the confession inverts the moral reality.

The ‘question’ is mistakenly understood to be ‘the motive’; ‘the answer’ is mistakenly understood to be ‘the betrayal’. The first mistake credits the torturer, providing him with a justification, his cruelty with an explanation. The second discredits the prisoner, making him rather than the torturer, his voice rather than his pain, the cause of the loss of the world.... The one is an absolution of responsibility; the other is a conferring of responsibility...

(Scarry 1985:35)

The inversion of moral responsibility occurs in a space of impunity, the ‘camp’. The space is produced by the selection and detention of victims accused of subversion of the state. This segregated space is ultimately unconstrained because torture is no longer a

juridical tool to produce evidence, but a source of state power directed at individuals. Moreover, in the modern state 'the camp' is the only domain of absolute power, where torture, gross cruelty and murder can be committed with impunity. The prisoners are made an abject social category that is essentially de-nationalised and de-humanised. They are reduced to 'bare life' (i.e. just their humanness) and their lives turned into what is at stake for state power.

The mnemonic of violence through torture leaves traumatised victims and morally blinded societies. Modern torture is an extension of the 'radical evil' of the totalitarian experiment of administrative terror. The too-ready focus on individuals as a source of memory (victims), the site for healing and the source of responsibility (perpetrators) conceals the way torture is integrated into the bureaucratic and administrative strategies of state power. What 'disappearance' reveals is the way in which the very protection of the modern state centres on the individual also makes the individual extremely vulnerable. Secret torture reveals there are not just perpetrators and victims, but also a whole political and administrative system through which the logic of the biopolitics of *homo sacer* is launched.

The idea that there are not just victims and perpetrators will re-emerge later. The over-emphasis on the legacy of victims simply readopts the premise of torture—that individuals are malleable. The much more difficult problem is the legacy of the state administrative structures and personnel which are necessary for torture's implementation. Moreover, it is the mundane nature of decisions and actions within familiar bureaucratic structures (instrumental rationality) that is the more intractable legacy, one that has generally been set aside as too difficult in the post-dictatorship period. The debate about amnesty is not only about the difficulties of convicting individual perpetrators but also about transforming bureaucracies collectively incriminated in the 'torture complex'. As Abrahamian (1999:228) observes on the use of tortured confessions to redeem prisoners, 'Forced confessions have left their imprint on the regime as well as on the opposition—on the torturers as well as on the tortured'.

4

War, horrors, beliefs

In the recent media reporting on war there is a clear distinction between the atrocity and barbarity of internal ‘ethnic wars’ expressed in the horrors of ethnic cleansing, and the measured violence of modern warfare between states fought at a distance according to the laws of war. The juxtaposition of these forms of violence is meant to suggest that ethnic war harks back to an earlier Hobbesian world, before law regulated war and made it more humane. The comparison focuses on the intensity of violence deployed. The former is characterised by atrocity—arbitrary, excessive and cruel violence—while the latter involves only the necessary amount of strategic violence to achieve specific political goals (i.e. instrumental violence). Yet in reality the high-technology capacities of modern war have vastly more potential to inflict bodily injury (to the extent of total atomisation of the body) and cause mass and indiscriminate death than hand combat weapons.

In this chapter I will explore the paradox of contemporary war that the actual scale of atrocity perpetrated is in inverse proportion to its visibility. In other words, what we call ‘war’ involves concealing the scale of brutal destruction of combatants and non-combatants alike, a contest in cruelty involving the horror of opening up of bodies (injuring) to substantiate a ‘reality’. I am not restricting the idea of ‘atrocity’ in war to ‘war crimes’—i.e. the transgression of rules which distinguish how much violence can be ‘legally’ used and against whom. The ‘visibility’ or ‘invisibility’ of atrocity in contemporary war is usually a measure of its political usefulness—i.e. de-legitimises the other’s cause, undermines the state’s war effort. But even if the atrocity of war remains invisible during the course of the war it inevitably surfaces once war is over as a legacy of bodily memories and scars in veterans and victims alike—so many private memories of pain and loss which are collectively commemorated. The redemption of sacrifice (death, injury and loss) then emerges as an important dimension of the postwar reality, a process which can go on for generations. This chapter focuses on the concealing of ‘atrocity’ in war, while a subsequent chapter focuses on the display of atrocity in ‘ethnic cleansing’.

The theme that atrocity is associated with the savagery of earlier forms of violence that has been curtailed by the ‘civilisation’ of violence through law and technology is well-trodden ground. Bataille (1961), for example, argues that war was formerly a much more visceral experience which engaged the passions in orgiastic killing encountered in hand-to-hand combat. For Bataille modern war had lost touch with the horrors and

passions of face-to-face killing and dying through the distancing impact of technology and organisation.

The cruelty of intensified war and a suffocating discipline reduced the element of lawless release and relief that war had formerly accorded the victors. Conversely, added to the slaughter was the rotting horror, the stinking horror of the camps. Horror resolutely acquired a sense of depression: the wars of our century have mechanised war, war has become senile. The world finally gives in to reason. Even in war, work becomes the guiding principle, its fundamental law.

(Bataille 1961:143)

Perhaps Bataille would see the contemporary atrocities of ethnic war as evidence of people getting back in touch with the orgiastic passions at the root of violence, and that it is the reawakening of these passions that really underlies the recurrence of atrocity. Yet the resort to atrocity can be interpreted differently. As revealed in the discussion on torture, passion is not an essential ingredient of atrocity. What is central is the display of cruelty to the body for political effect—to terrorise the victim and witnesses. To focus on atrocity overlooks the issue of the level of violence employed. Ethnic wars are actually on the low-technology weapons end of the spectrum of violence deployed in modern warfare, and the visibility of atrocity—the deliberate display of cruelty against bodies—supplements violence with terror.

Although modern war may have constrained and rationalised the use of violence, it has also become more intensified and potentially more total. The application of high-technology weapons allows war to be waged in a more intensive, awesomely destructive and remote fashion—e.g. round-the-clock bombing, satellite surveillance, smart weapons. We noted a similar pattern of intensification in the character of contemporary torture, which has become more brutal, excessive and intense (continuous) through technology and secrecy. Through its scale and intensity modern warfare's capacity for atrocity—terror inflicted by modern weapons on military and civilians—is much greater rather than less—and that is despite the claim that violence can be used more 'surgically', thus producing fewer civilian casualties. The legacy of twentieth-century totalitarianism is the capacity for mass death through bureaucratic (administrative terror) and/or technological (nuclear weapons) means. As Ignatieff (1997a:19) points out, new forms of war no longer discriminate along the lines of 'tribe, race, religion and nation'. Rather, 'modern moral universalism is built upon the experience of a new kind of crime: the crime against humanity'.

In this chapter I will argue that the capacity for atrocity—the use of cruel violence on the human body—in modern warfare far exceeds that of ethnic cleansing in scale and in terms of destruction of human bodies. The power and reach of weapons used in modern warfare have a much greater capacity for material and human destruction than those usually used in local wars. However, what distinguishes modern war and ethnic war is not just the scale of injuring and atrocity but also the reasons why in the former it is largely concealed while in the latter it is displayed. The atrocity of war is concealed by a process of separation, through the physical distancing of weapons technology, and social distancing, through a discourse on war which conceals its primary objective of out-

injuring the enemy (Scarry 1985). It is the media's capacity publicly to reveal (make visible) the battlefield which becomes a critical factor in the perception of atrocity—to make visible the interior horror of war.

In the history of modern war public visibility of the atrocity of war has been an important factor in constraining it. The first Geneva Convention in 1864 represented moral intervention by civilians in the military's domain of war. The Convention sought to civilise war by neutralising hospitals, ambulances and medical staff and by establishing the principle that all wounded soldiers, irrespective of their uniform, deserved the same medical attention. This occurred at a time when warfare was becoming both 'more savage and more visible' (Ignatieff 1997a:112). The public were being made aware of the battlefield through print and photographic images. Today the 'CNN factor' mobilises public support for military intervention by revealing atrocity carried out by others. However, the revelation of atrocity is selective. Since the Gulf War the military domain has become cordoned off and the public have been distanced from the battle-zone through greater media controls. Military lawyers now scrutinise the selection of targets and shape public relations so as to provide a legal discourse to justify hi-tech warfare—e.g. in Kosovo (Danner 1999).

War as injuring

War is a contest that involves reciprocal injuring (Scarry 1985). Through the contest of injuring, the incontestable reality of the body—the body in pain, the body maimed, the body dead and hard to dispose of—is made the source of substantiation of the issues fought over. 'War is relentless in taking for its own interior content the interior content of the wounded and open human body' (Scarry 1985:81). The winning issue is determined by the mass opening of bodies which are translated into war casualties. Soldiers consent to die and be injured for a cause/belief and thereby become a collective sacrifice.

But although the main purpose and product of war is injuring and death it readily disappears from accounts of war. Individual pain and suffering are concealed and the atrocity of modern war, the awesome destruction of bodies by the power of modern weapons, becomes invisible. Injuring disappears from accounts of war because war is primarily about collectivities, not individuals. War

requires both the reciprocal infliction of massive injury and the eventual disowning of the injury so that its attributes can be transferred elsewhere, as they cannot if they are permitted to cling to the original site of the wound, the human body.

(Scarry 1985:64)

The structure of war seeks to displace individual suffering and submerge it through translation into quantification as casualty figures. In this way individual bodies are turned into interchangeable political bodies.

The primary object of war, injuring, also disappears through omission and through redescription. The absence of injuring in the language of those who seek the continuation of war contrasts with the emphasis on injuring and suffering by those opposed to war or

by those seeking to humanise it by restricting the use of particularly cruel weapons—i.e. those weapons which heighten the intensity and duration of pain before they kill. Similarly, injury disappears through the redescription of an event. An opponent is ‘disarmed’ rather than shot, a battlefield is ‘mopped up’, a bombing mission over North Vietnam with napalm is described as ‘Pink Rose’ (Scarry 1985). Individual experience is also omitted because it is an army or population whose fate is at stake. Consequently whole armies are instead personified and they are spoken about as if they too were living entities able to suffer wounds. And even weapons are given human attributes and suffering wounds—e.g. a crippled aircraft.

Another way in which injury is diminished or disowned is by shifting it to the margins. Metaphors are used to suggest that injury is not a central but an accidental outcome—e.g. waste/a by-product, an accident or a cost (Scarry 1985). Since the Gulf War the idea that ‘smart’ weapons can deliver surgical strikes—and that we can watch them do it in real-time through the nosecone video—renders civilian injuries ‘collateral damage’. When injury is reduced to a form of exchange for something desired it appears as a necessary expenditure rather than the thing itself—e.g. ‘war is the cost of freedom’ (Scarry 1985).

Yet another dimension of the disappearance of injuring is the problem of grasping the experience of mass violence and its atrocity on individual bodies. For the participants, war involves the reduction of them from subjects to objects, from people into corpses, through violence to their bodies. The parallel process whereby torture de-humanises was described in the previous chapter.

There is an unbridgeable gulf between the reality of combat and the public back home. In his books on the First World War (*The Great War and Modern Memory*) and the Second World War (*Wartime*) Paul Fussell notes how the real horror of combat rarely surfaces publicly because of the limits of language, because of censorship, and because of the unshareable nature of the experience. From the interior of combat war often starts to seem endless. In the First World War the mass slaughter of infantry in trench warfare led to the resigned impression that The War had won, and would go on winning.¹ As if war were a genie and once its full horror and atrocity were released it could never be put back in the bottle. The distance between public perceptions of war and the experience is well conveyed by Robert Graves: ‘We held two irreconcilable beliefs; that the war would never end and that we would win it.’²

Moreover, there was a collision of events and the language available—or thought appropriate—to describe them, especially the experience of trench warfare. The application of language deformed events because it created meaning where there was none. ‘Is there any way of compromising between the reader’s expectations that written history ought to be interesting and meaningful and the cruel fact that much of what happens—all of what happens?—is inherently without “meaning”’ (Fussell 1975:172)? Infantry soldiers found language inadequate to the task: To the foot-soldier, war is almost entirely physical. That is why some men, when they think about war, fall silent. Language seems to falsify physical life and to betray those who have experienced it absolutely—the dead.³ Irony was the dominant response;—‘Sassoon speaks for the whole British Expeditionary Force when he says “I didn’t want to die—not before I’d finished *Return of the Native any how*”’ (Fussell 1975:164).

In the First World War the failure to communicate the grotesque levels of injury inflicted on bodies reflected the official British tendency towards making war grandiose and heroic. All injury, no matter what the circumstances, was assimilated into heroic sacrifice—even in the case of those court-marshalled and shot for desertion at the front!

Retreat or advance, win or lose, blunder or bravery, murderous folly or unyielding resolution, all emerge alike clothed in dignity and touched with glory.... Everyone is splendid: soldiers are staunch, commanders cool, the fighting magnificent. Whatever the fiasco, aplomb is unbroken. Mistakes, failures, stupidities, or other causes of disaster mysteriously vanish.⁴

Even in personal communications by card or letter back home the authorities took care to construct a standardised and minimalist 'Field Service Post Card' to reinforce this penchant for stoicism, thereby preventing any real communication about a loved one's health. The 'Field Service Post Card' allowed soldiers to communicate by deleting the unwanted phrases—'I am quite well; I have been admitted to hospital; I am being sent down to the base; I have received your (card/letter/telegram)...' (Fussell 1975:184).

Yet despite the disappearance of injury in accounts of war and the horror of war's interior, the legacy of injury shapes the outcome and the way the world is remade after the war has ended; how the contest is remembered. 'The bodies of massive numbers of participants are deeply altered; those new alterations are carried forward into peace' (Scarry 1985:113). These legacies of war persist in private memory as trauma, physical scars and gross bodily deformities, and are selectively turned into collective memories through commemoration in war memorials, war memoirs, literature, family biography and archived testimonies. But not all victims are publicly acknowledged. And those defeated have the meaning of their injuries and losses overturned, their legacy of injury evidence of the other's victory.

War as consent to injuring

War is a constitutive act based on substantiation through injuring. It is a political strategy of last resort in which the winner writes history, brings into existence the thing challenged. War means reality is 'up for grabs' and the solution it offers is the substantiation of cultural constructs through injuring. An essential element in this contract between citizen and state is the consent to have one's body 'altered' for the state.

In the mobilisation and organisation of the population for war the state reveals the way it can make bodies explicitly political. Citizens are asked to consent to kill and to die on behalf of the state for the war effort. 'He consents to "unmake" himself, deconstruct himself of civil content "for his country"' (Scarry 1985:122). Through consent individual pain and suffering are subordinated to the issues over which the state goes to war. This self-alteration involves fundamental changes in the socialisation of civilians not to kill. However, consent alone is not necessarily enough successfully to conscript the individual to be a state-sanctioned killer. The very large numbers of soldiers who have failed to fire their weapons in combat in twentieth-century wars demonstrate the reluctance in many to kill (Grossman 1995).

The quantification of war casualties is intended to memorialise the war and thereby publicly affirm the consent of the soldiers to have their bodies used to substantiate particular beliefs and ideas. The details of actual individual injuries disappear in the body count, which becomes the source of substantiation of the contest—who won and whose issues prevail. The quantification of casualties also indicates the way in which individuals are made interchangeable through war, something brought home to Fussell (1989) during his training in the Second World War. He was sent to the ‘Replacement Training Centre’, so named without the slightest hint of irony. ‘What was going to happen to the soldiers they were being trained to replace? Why should so many “replacements”—hundreds of thousands of them actually- be required?’ (Fussell 1989:279). They of course filled vacancies created by casualties in frontline units. The war contest produced casualties and the military bureaucracy produced the necessary replacements.

Casualties memorialise the fact of war: that a contest took place based on injuring, whose outcome they substantiate. This process of memorialisation reveals the referential instability of injury. First, through the quantification of casualties individuals forfeit control over the meaning of their actions and experience. ‘Only alive did he sing: that is, only alive did he determine and control the referential direction of his body, did he determine the ideas and beliefs that would be substantiated by his own embodied person and presence’ (Scarry 1985:118). Second, the practice of adding all casualties together at the conclusion of the war means that they eventually only serve to substantiate those of the political beliefs and issues of the winner.

However, the extent to which wars mobilise and gain the effective consent of the population varies. And if there is division over the objectives and reasons for war then the state itself becomes vulnerable to having its war objectives undermined. The referential instability of the injured body is available to be used by opponents to challenge the state’s war effort. Is this a just war? Are our soldiers dying for good reason?

In external wars of intervention, in contrast to national wars of defence at the border, the question of public commitment to the state’s military objectives is often vulnerable. Wars of decolonisation have all been vulnerable to public opinion at home, as have the imperial wars in defence of client states (Vietnam). This is because, in democratic states, it is ‘public opinion’ that authorises the degree and level of injury to be sustained in war. The state’s vulnerability lies in the extent to which the killing, but especially the dying, can continue to substantiate the issues it went to war over. Thus the outcome is not determined by whether or not a nation is totally defeated in the sense of having no resources or will to fight, but precisely according to what level of injury is determined as acceptable for the issues at stake. In the case of the Vietnam War, the US body count and the visual reality of the horror of combat combined to mobilise the population against the US war commitment. The US government could no longer ask for sacrifices to be made to defeat ‘communism’ ‘over there’ once the pain and suffering of US soldiers, as well as the effect of the war on the Vietnamese and Vietnam, had been so vividly personalised through television, and once the casualty count had grown without a conclusive military victory in sight.

The question of casualties has become an extremely sensitive issue for Western intervention in all kinds of armed conflicts ranging from military intervention to peacekeeping. The so-called covert wars utilising ‘low-intensity conflict’ largely fought by proxies has been one way of pursuing war without suffering casualties of one’s own.

Another way of avoiding casualties is to use overwhelming force delivered at a distance through hi-tech weapons, such as has occurred in wars of intervention (e.g. in the Gulf, Bosnia, Kosovo, the second war in Chechnya, Afghanistan). In the case of US and NATO military interventions the issue of minimising casualties (one's own) resulted in the use of remote warfare through hi-tech weapons—cruise missiles, heat-seeking missiles, high-altitude bombing. In NATO's 'humanitarian' intervention/(war) against Serbia to stop the 'ethnic cleansing' of Kosovo there was not a single NATO casualty, yet more than 38,000 combat sorties were carried out, including 10,484 strike sorties, against targets in the provinces of Kosovo and Vojvodina, Serbia proper and the Republic of Montenegro.⁵ Moreover, the clear indication that NATO gave that it did not want to engage in a land war, to avoid large casualties, meant that the massive destruction and population displacement continued for seventy-eight days.

In much more limited military deployments single incidents (military disasters) which produced unexpected casualties have seen rapid retreats. The truck bombings of the US and French military barracks in Beirut in 1983, which produced 241 US and 58 French military casualties, led to the immediate withdrawal of the international military contingent.⁶ The UN peacekeeping mission to Somalia was similarly seriously undermined by US casualties after their failure to capture a local warlord. Moreover, reluctance to accept casualties has led to some humiliating military withdrawals with disastrous consequences. Recent investigations into the role of UN peacekeeping troops in Bosnia and Rwanda have become moral blackspots on the 'national consciousness' of the troops involved—in particular the Dutch contingent in the UN-declared safe haven of Srebrenica and the French contingent in Rwanda.⁷

War, victims and memorialisation

War involves the destruction of people and their worlds, it involves laying waste life and property. And when the war is over its legacies live on in personal memories, bodily scars and destroyed cultural landscapes. People and landscapes remain contaminated by war for the long term. Veterans carry chronic illnesses, psychological scars and physical disabilities. Former battlefields—the countryside and the city—continue to injure, kill and cause illness (through mines, toxic substances, weapons radiation). It is the endurance of the record of damage to people and property which is used to construct the postwar world (Scarry 1985).

When the war is over the 'concealed' injuring at the centre of war surfaces through the memorialisation of death, injury and suffering. What, up until then, has been submerged in the massive quantification of casualties begins to be individuated through the gradual recognition of the individual character of injuries and suffering. Death and injury become re-socialised as unique instead of multiple, equivalent and interchangeable. Veterans and victims begin to be remembered, but selectively, since not all victims of war gain public recognition. To be commemorated, injury and suffering must be considered worthy or blameless (innocent), or at least able to be represented as such.

Mass death in the major wars of the twentieth century—especially the First and Second World Wars—has made commemoration of war dead a major cultural and political theme. The First World War introduced the century to the phenomenon of mass

death in war, and produced the problem of the commemoration of more than a million dead and missing. Thus, for example, the Imperial War Graves Commission was established to give individual commemoration to everyone—the more than one million who died in the service of the empire. In France they established more than 900 military cemeteries and further cemeteries were set up on other battlefields—e.g. thirty-three cemeteries on the Dardanelles Peninsula at Gallipoli (Anzac Cove) (Inglis 1998). However, the reality of mass death in the First World War was that around half the one million casualties remained missing—i.e. were unidentifiable or had simply vanished without corporeal trace on the battlefields. The solution to the huge number of missing—empty graves—caused by mass death was the entombed ‘Unknown Soldier’, although the strong sentiment remained that all war dead should have their own individual graves.⁸ Consequently, the symbolic tomb to the Unknown Soldier inaugurated at Westminster Abbey in 1920 did not settle the issue and memorials to the missing continued to be erected by individual regiments and by national governments for twenty years after the war, often with markers much more splendid than those that had been erected for battles (Inglis 1998). First World War memorials remain popular sites of pilgrimage even today; the annual 25 April memorial to Australian and New Zealand dead at Anzac Cove (Gallipoli, Turkey) is attended by Australian prime ministers and young backpackers in such numbers that tour companies have now extended the ‘pilgrimage season’, advertising the commemoration of different battles on the Peninsula!

Place names such as ‘the Somme’, ‘Guernica’, ‘Auschwitz’ and ‘Hiroshima’ have become symbols of mass death in the twentieth century. They signify respectively mass death in combat (trench warfare), mass death of civilians in cities through aerial bombardment, mass death of cultural communities through genocide, and indiscriminate mass death from atomic weapons. These places collectively commemorate the horror of the very possibility that such massive atrocity against life could occur—i.e. the level of death of innocents/civilians, the extent of humiliation and degradation of individual human life, the obscenity of the gross mutilation, dismemberment of human bodies and the anonymity of mass death (empty graves).

However, memorialising the atrocity of mass death confronts the limits of cultural representation of the abject. Efforts of commemoration often end with the faint hope—‘Lest We Forget!’—that this latest catastrophe of mass death ends such events or banishes their future possibility. With no irony, the remembering of the ‘fallen’ at the ‘going down of the sun’ actually refers to a very sombre daily ritual on the Western Front: the stand to arms at dawn and dusk in anticipation of an attack. Dawn and dusk were the most advantageous moments for attack and the daily rituals commemorated the anticipation of imminent death (Fussell 1975).

These commemorations are inspired by the hope that somehow this latest example of mass death has actually engendered in humanity the realisation of the utter futility of the project of war based on the mass opening of bodies. Thus we have the ‘Great War’, a shortened version of the epitaph on the imperial war service medals, the ‘Great War for Civilisation’, the war to end war; or the ‘Holocaust’, a term suggesting the climactic and final attempt to resolve national pluralism through genocide. Subsequent acts of genocide have dispelled the hope of finality but the term ‘Holocaust’ still retains the sense of incomparability. In fact these two events, the Great War and the Holocaust, have historically contributed to the very opposite: the idea of ‘endless war’ and the horror of

genocide as inevitable conditions of modern life. Any war now threatens the possibility of interminable conflict or, as the military-speak now puts it, the danger that there is no 'exit-strategy'. As Fussell (1975:74) summarises, 'the drift of modern history domesticates the fantastic and normalises the unspeakable. And the catastrophe that begins it is the Great War.'

The problem of public commemoration of the 'unspeakable' troubled Walter Benjamin. The crisis of war experience led him to reject the 'revitalisation of the dead'. His personal sense of loss of friends in the 'Great War' made him acutely aware of the way public memory was produced as 'narrative memory'—what he called *Erfahrung*, integrated and narratively meaningful—which for him closed the mourning of the dead too quickly. He argued against 'digestive remembering' because it was premised on 'a certain forgetting, the forgetting of everything that resists incorporation into its system, such as the suicides of anti-war protestors, which are then abjected as so much unnecessary waste' (Jay 1999:232). He proposed instead 'traumatic remembering' (*Erlebnis*, discontinuous and lived experience) which repeated the past. In this he sought to retain in remembering the very character of the traumatic event a temporally delayed memory which refuses to be located. Thus Benjamin argued: 'The true fraud...is thus the very belief in the resurrection of the dead, their symbolic recuperation through communal efforts to justify their alleged "sacrifice" and ignore their unrecuperable pain' (Jay 1999:239).

After the war the legacy of injuries, and the trauma left from war experience, is a political and not merely a personal one. The instability of the wounded body, the dead and injured from war, is used to anchor the reality produced through war. The war dead are recognised in and engraved on cenotaphs and memorials. Their war death as sacrifice is set in stone. However the injuries of the survivors—the veterans, their families and other victims—remain as private memory which may or may not be assimilated into the 'narrative memory' of war. The public recognition of war suffering gives survivors meaning through the coherence and historical significance of the event, but not all private suffering is recognised because it is either not politically acceptable or morally visible.

The importance of a significant public 'event' in providing a mechanism for narrative integration of the private memories of trauma is highlighted in child abuse cases. For the abused there is no overarching historical 'event' within which private memories may participate or contest (Ballinger 1998). Instead they are left with an alienating and morally stigmatising trauma. The lack of a contextualising narrative to give meaning and significance to their suffering and trauma leaves them with recourse to 'memory recall'. In clinical psychology the phenomenon of 'memory recall' has been given the name 'recovered memory'. In fact it is memory in search of a narrative structure which may or may not account for the trauma but provides the traumatised individual with a vehicle to articulate it (Engel 1997).

Yet the danger for the survivors of war is that their injuries may be too abject or may reveal things that they want to forget or would prefer not to know. First, the commemoration of war dead is usually much less problematic than the commemoration of survivors. Thus French veterans of the First World War whose mutilated and disfigured bodies—and especially faces—were 'too horrible to be loved' forged a fictive kinship of 'monsters' in their own associations and lived together in social isolation. Their sense of alienation is captured in the quotation of a grossly disfigured veteran's

comment to a child in Henriette Rémi's *Hommes sans visage*: 'Have a good look, little one, and don't ever forget that this is war, this is nothing else.'⁹

Defeat is particularly problematic for public commemoration of war. Prost (1999) notes how the Algerian war for national independence (1954–62) which cost around 35,000 French and 75,000 *harkis* (Algerian immigrants who fought on the French side) dead has remained a forgotten war in France. Despite the more than a thousand 'narratives of personal experience', there is no collective work of remembrance of the French defeat. In France the Algerian war, the 'dirty' colonial war that was lost, was ignored in favour of the good and noble war that was won (the Second World War). But even in the case of the latter, the question of who were the legitimate victims for public remembrance has been contentious. At first the French people were the 'community of victims' of Nazi occupation and their French collaborators. Now there is a new 'community of victims', the victims of the genocide of the Nazi policy of extermination of the Jews and their French collaborators (Prost 1999).

In Algeria the national war of liberation has also been treated as a 'zone of silence' and only in the context of the recent violent national civil war of the 1990s have the memoirs of the victims of the earlier war been produced. Meanwhile, the victims of the present violence are barely acknowledged. Only recently have they taken to the streets to force public remembering of the dead and living victims of terror: mothers of the most recent 'disappeared' gather in front of the National Observatory of Human Rights in Algiers asking for truth and justice and victims of terrorism demand compensation and demonstrate to keep the memory of their suffering alive (Mouffok 2000). The failure to address the centrality of injuring and atrocity in these wars leads some to argue that Algeria is condemned to a 'suicidal amnesia'. In the preface of a student memoir of the post-liberation period, Nourredin Saadi comments:

The history of Algeria continues to unfold: each generation must start all over again, reinventing everything, for the ruling caste takes various forms and yet is somehow unchanging, leaving no record of its passing, as if its political principle is that it is easiest to govern people who have lost their memory.¹⁰

Commemoration of war dead also suggests their redemption. The sacrifice of soldiers is redeemed in the outcome. However, in Vietnam the Americans found that by losing the war they were unable to redeem their war dead and the survivors, their veterans. Instead the public (media) expose of Vietnam revealed war as an atrocity, firmly establishing a 'Truth', with 'a moral certainty forged by television', that 'the deceitful arrogance of American leaders was causing us to ravage a distant land and waste the lives of so many Americans' (Chanoff 2000:34). As Caputo writes in his *Rumour of War*, 'The War is over, we lost it, and no amount of objecting will resurrect the men who died, without redeeming anything, on calvaries like Hamburger Hill and the Rockpile.'¹¹ What the graphic images of American casualties substantiated was the view that the war could not be won, was utterly destructive and even pathological. The public exposure to the horror of the interior of war (combat) as it unfolded and as the casualties mounted certainly undermined the national commitment to war, but, after the American withdrawal, it also left the sacrifices of the American war dead and war legacies of the veterans unredeemed.

As it turned out the war sacrifice was unredeemed on both sides. There was draft dodging and desertion and a resignation amongst troops that they had been condemned to an unwanted fate. The American troops' motto, inscribed on their helmets and flak jackets read 'Born to Kill.' The Vietcong motto, tattooed on their bodies, read 'Born in the North to Die in the South'. The casualties of both sides are being contested to see whether in the longer term history will redeem them—as Chanoff (2000) proposes, Vietnam was 'a battle lost in a war won', even if those who fought in it did so without ever really grasping why.

International law is also increasingly being used as a methodology to provide a more enduring and 'truthful' record of war's victims. Law provides a methodology to make more precise the ongoing activity in all conflict of accusing the other side of atrocities. Claims of atrocity—'torture', 'rape', 'ethnic cleansing', 'massacre'—seek to undermine the legitimacy of the war aims of the other side. However, in the First World War the exaggeration of atrocity as war propaganda was so great that it desensitised people and made them very sceptical about any news. Fussell (1975) suggests that this scepticism was a legacy that contributed to the disbelief during the Second World War that the monstrous horror of the Holocaust was real.

International law creates an enduring record of the conflict by documenting the legitimacy or otherwise of the violence used in war. Laws of war outline principles of immunity of civilians and civilian objects, the disproportionate use of violence, prohibited military tactics (e.g. shielding, hostage-taking, terrorism), responsibility for the care of all wounded and civilians displaced by war.¹² These are what 'legally' constitute atrocity: gross transgressions of law which seek to protect combatants and non-combatants and limit the use of violence in war. Thus prosecuting 'war crimes' usually substantiates, in fact enhances in law, the victor's issues. This is why such trials have often been referred to as 'victor's justice'.

The establishment of this record of war is based on the extensive documentation of violations, usually by human rights organisations, which provide the evidential basis subsequently to prosecute. This systematic collection of evidence of 'human rights abuses' creates the possibility, while events are fresh and evidence vital, of certain victims being recognised and even compensated. For example, Human Rights Watch (HRW) and Amnesty International produce reports providing the evidentiary basis for the prosecution of war crimes. Thus the primary focus of the HRW Report, 'War Crimes in Bosnia-Herzegovina', is the 'ethnic cleansing' conducted by Serb forces during 1992. It cites in detail the war atrocities, the fate of victims and the laws transgressed. Ultimately these sources, and many others, became the basis of prosecutions at the International Criminal Tribunal (ICTY) on the former Yugoslavia. And, in the final summary of convictions in the ICTY—crimes against humanity, etc.—the political project of state-making in Bosnia-Herzegovina will be reinforced and made to endure based on the commemoration of those injured and killed by their atrocities.

5 Urbicide

War in the twentieth century has produced an ever greater number of civilian casualties. It is estimated that now more than 80 per cent of all war casualties from external and internal wars are non-combatants. This vast shift in casualties from combatants to non-combatants has meant that the horrors of war's interior are no longer confined to the frontlines or the exclusive experience of combatants. The 'body horror' once only experienced in combat is now potentially experienced by anyone. The atrocity of war has invaded the city. Not only have ordinary people become more exposed to the atrocity of war they have also become the object of war atrocities. And this is despite the more than a century-long development of international humanitarian law to regulate the use of political violence by degree and circumstance against people and their habitats. Non-combatants and combatants are protected under international law and so is their cultural heritage.¹

Frontlines, where violent contests between combatants are contained, no longer exist, and injury and death are confined. In the mass trench warfare of the First World War death still had its place—the Front. It consisted of three zones, graduated in their danger:

the line where there were only fighting men; the next zone that was semi-immune to shellfire, where there were ancillary services, Army Service Corps, casualty clearing stations, horse lines, and possibly heavy guns. There were also some civilians and one could buy food, wine and women...and finally the back areas peopled by old men, cripples, children and virtuous women.

(Fussell 1977:125)

But now the frontline can be anywhere. Aerial bombing has brought war to the city, and nuclear weapons constitute a permanent threat to the lives of many millions of people globally. War enters into people's homes and lives uninvited, making all social space a potential zone of war and every place the site of potential invasion, destruction and death. There is no inside and outside, home and not home, there are no sanctuaries. Even in civil wars where frontlines divide cities they do not contain the violence. The Green Line, which divided Beirut into east and west during the civil war (1975–90), was a dangerous place defined by sniping, kidnapping and shelling, and created a dead heart to the city. But these forms of violence and others (car bombs) invaded all parts of the divided city,

producing a labyrinthine prison of defended enclaves. 'We are the inhabitants of the cages', writes Salman (1986), a Lebanese poet living in Beirut at war.² War was everywhere:

in the city and its streets, in its commercial and residential areas, in the apartments and houses of its inhabitants, in its schools, hospitals, mosques, churches, synagogues, shopping centres, cinemas, theatres, market places, swimming compounds, in its university campuses, museums, seaside promenades and forests. The ever-present threat of violence, in its multifarious forms (random and sudden shelling, sniping, kidnapping, car bombs), is everywhere and nowhere.

(Kassab 1992)

This chapter explores the politics of atrocity which has placed the frontline everywhere, and which has turned civilians and their habitats into the focus of war and communal terror. It looks at the way violence is used to diminish people by rupturing their connections with the social and cultural world. The focus is the destruction of cities; the most intensively inhabited and cultural worlds. The term 'urbicide', coined by the famous architect and former mayor of Belgrade, Bogdan Bogdanovic, describes the double project of the destruction of communities, their habits and cultural heritage as an integral part of warfare.³ Denitch includes the xenophobia of the rural against the urban world as a dimension of 'urbicide'.

The cities are where massive inter-marriage and denationalisation take place, where various national groups mix and make friends, where women enter professions, where the young reject tradition. They are the seats of political authority and the source of modernity. The villages have always hated and envied the cities, and this war permits the destruction of these dangerous places.

(Denitch 1994:184–5)

Although 'urbicide' is a recent term, the strategy of destroying communities and their habits in cities is not. What has today become commonplace in war was almost unheard of in the early twentieth century. Fussell (1977) notes that during the First World War Ypres, a French city destroyed because of its proximity to the frontline, became a byword for a 'city totally destroyed', a rare event in war. The aerial bombing of communities was first used as an economical military strategy on the vast colonial frontier in Iraq and India in the 1930s. It was then introduced to European warfare in the bombing of Guernica in 1937 during the Spanish Civil War, and was met with international public outrage, captured in the horror of Picasso's picture of that name. Mass aerial bombing was subsequently used against British, German and Japanese cities in the Second World War, culminating in the nuclear bombing of the Japanese cities of Nagasaki and Hiroshima by the United States. Military geographers zoned cities for their 'built-upness, inflammability and population density' (Hewitt 1994:2). What became known as 'slum raids' targeted the most densely working-class areas in the belief that the suffering

inflicted on the population would alienate them from their governments and cause them to rebel.

Today 'urbicide' is a feature of both external and internal wars. The difference, however, is that the atrocities it causes in external wars are largely concealed but are made visible in internal wars. The Serbian artillery shelling and siege of Sarajevo in the early 1990s and the Western Allies' aerial bombing of Baghdad during the Gulf War in 1991 may have produced similar outcomes—death, injury, suffering, physical destruction and homelessness—but they were not noticed in the same way. The atrocity of the former was televisable while the latter was not because the suffering is largely invisible, or otherwise excused as unintentional 'collateral damage'.⁴ Our (Western) threshold of moral vision discriminates when it comes to 'urbicide'.

Urbicide involves the destruction of living communities and their material environments. Indiscriminate violence is used to shatter familiar landscapes and people's attachments to them. Dizdarevic in the 25 June 1992 entry of his *Sarajevo: A War Journal* describes the gradual erosion of his personal world in a city under siege:

That's what this war is, nothing but a long goodbye. You say goodbye to your illusions and your past, your dreams, your habits, hopes, and projects, all things great and small, and all the places inseparable from days gone by. You even say goodbye to the simple things that make up a life.

(Dizdarevic 1994:61)

This chapter explores how war reshapes the topography of urban space and changes individuals and social life within. It draws on war literature, especially personal war diaries and memoirs, to illustrate the deconstruction and erosion of self, social relations and cultural worlds through urban violence. The main examples are Beirut and Sarajevo at war. The existential writing on the experience of urban destruction reveals the active character of inhabiting social and cultural worlds. Accounts of the destruction of cities reveal that the experience of loss and de-habitation—the radical emptying of space—is accompanied by an impetus to survive by reinhabiting space so as 'to be' in the world. They reveal the importance of imagination and creativity to surviving in the face of suffering and loss.

Confronted by urban destruction survivors seek to hold onto their shrinking worlds. Under siege the social world of the city contracts to neighbourhoods, streets and to the inside of houses. But in the face of loss there is also the impetus towards reinhabiting the world by moving about in it. This chapter explores the spatial practices of self-extension in the face of violence and destruction and the ever-vital impetus to extend the self, inhabit and share the world through cultural making.

Inhabiting urban space

Cities are ordered, regulated and inhabited spaces. The organisation and administration of life in the city is premised upon the idea that space can be made homogeneous and predictable in the 'grid'. Governments can administer populations according to rules and

regulations, business people can invest with confidence in property and industries, and movement around the city can be made secure and predictable through transportation and road systems—all through the application of rational knowledge and systems to order space.

The capacity to map and impose order on urban space, to define it as an autonomous place, confers power on those who command, those who govern, who invest and who produce. The powerful are able to define place, impose their definition of space and how it is used. By contrast, the spatial practices of the weak occur within these places ‘determined by the absence of a proper locus’ (de Certeau 1984:37). Their spatial practices are existential. ‘The street geometrically defined by urban planning is transformed into a space by walkers’ (de Certeau 1984:117). The city is lived on the street, ‘the threshold where visibility ends’ (de Certeau 1985a:124). Here urban living goes on beyond what the networks of administration and surveillance permit. No unifying narrative is possible, not one with the same tempo, nor the same origins, nor the same duration. Urban space does not fix time, the narratives evoked or the identity produced. Nor are the ways of knowing the city the same—our relationships with its physical and social environments and what these sustain.

At the street level we operate in ‘a blind domain of the inhabited city’ which cannot be captured by the ‘imaginary totalisations of the eye’ (de Certeau 1984:124). In other words, time and space are not totalised by a larger project whose vision is legible at a distance in the cityscape. The city cannot be easily mapped as it is lived at ground level.

Beyond the edges of the map we enter the localities of the vibrant everyday world and the disturbance of complexity. Here we find ourselves in the gendered city, the city of ethnicities, the territories of different social groups, shifting centres and peripheries—the city that is a fixed object of design (architecture, commerce, urban planning, state administration) and yet simultaneously plastic and mutable: the site of transitory events, movements, memories.

(Chambers 1994:93)

The stakes here are about the locating of the self in social space, about feeling attached, feeling at home. The most intensively inhabited space is home, the place of intimacy and daydreaming, the place where we can ‘comfort ourselves by reliving memories of protection’ (Bachelard 1994:6). At one level, the need to locate the self spatially is a repetition of a basic and decisive experience, the differentiation of the child from the mother’s body—‘Childhood, which determines the practices of space, then augments its effects, proliferates and inundates private and public spaces and defaces their readable surfaces, and creates in the planned city a metaphorical city or a city in movement’ (de Certeau 1985a:145). We are constantly challenged to establish our relationship with the external/spatial world.

Urban space and its architecture have to be peopled to have meaning—invested by personal lives, narratives, memories and dreams. ‘Like words, places are articulated by a thousand usages’ (de Certeau 1985a:131). We have to ‘pass by’ in order to inhabit places since, although often suggestive, they are not predetermining of experience or cognition. The city mapped by walking tours in tourist guidebooks is not our lived city but one

unified according to a single (official) historical narrative. The named sites—squares, streets, buildings and parks—which anchor such maps invariably come adrift from their original significance across generations. Haunted and silent, they become available for other uses and meaning. ‘Sites are convoluted histories, pasts stolen by others from readability, folded up ages that can be unfolded but that are there more as narratives in suspense, like a rebus: symbolisations encysted in the body’s pain or pleasure’ (de Certeau 1985a:144). This city is hidden:

[it] does not tell its past, but contains it like the lines of a hand, written in the corners of the streets, the gratings of the windows, the banisters of the steps, the antennae of the lightning rods, the poles of flags, every segment marked in turn with scratches, indentations, scrolls.

(Calvino 1974:11)

Social space is constructed on the basis of mutual expectations and constantly reaffirmed by such transactions. The city is constituted as socially alive in these spaces. Cultural practices and beliefs are temporal practices because they involve social exchange. But unlike the regulated and mapped space of modernity, social space is based on promise and not on law. One acts, addressing believers (an audience who recognises), in the expectation that the act will create some future return. These beliefs/traditions are investments in people, in social relations constructed on the basis of exchange engendering social duration (de Certeau 1985b:199).

Massive violence against cities challenges the command of the city as an ordered space and thereby forces people to rely on existential strategies for survival in localised worlds. Violence deconstructs function and order in the city and throws up individual improvisation as the principle of habitation. But these existential strategies are not independent of the world being reshaped by violence. The self is itself altered as the external world that sustains it is altered. Because we inhabit the world we are vulnerable to being disconnected from it.⁵ Violence traumatises, but also cuts the self adrift from its anchoring references to other bodies and things—cultural objects, gestures, thought, memories and human shelter.

Violence contracts the world through the processes of fear, injuring and pain. Although pain is experienced in the body, injuring also takes place outside the body, in the world in which we inhabit and anchor ourselves in a social and cultural reality. We can be injured in the world because the self is necessarily ‘in-the-world’ and not just ‘in-the-body’ (Heidegger 1977). We cannot ever imagine the self as somehow completely autonomous of its environment. The self must be understood as being part of a wider environment, flung out amongst things. Our personal experience of pain reveals to us that our bodies are vulnerable and that the world of cultural objects, our taken for granted world of comfort in embodied things, can be lost. Thus, inhabiting the world makes us vulnerable to being injured in it. We can feel violated, harmed and diminished by the destruction of places and people to which we feel attached—e.g. home, places of worship, family, neighbourhood, streets. The loss of cultural objects injures us because they embody sentience. If sentience becomes objectless, it approaches the condition of bodily pain. The more the self experiences loss of the object world, the more the body begins to experience it as physical pain (Scarry 1985).

We will now turn to consider the practices of inhabiting cities under destruction and reconstruction.

The destruction of cities by war has an apocalyptic quality because it involves the destruction of the most intensively made world. The world of things, especially in the architecturally commanding form of the modern city, is a world of comfort which suggests durability if not permanence. Picasso's painting *Guernica* conveys the utter confusion and horror of dismembered and mixed-up fragments of (once) living bodies and material objects in the Basque town bombed by the German air force during the Spanish Civil War.

The experience of urban devastation is very disorienting, transforming what is familiar and even intimate to something suddenly foreign. Accounts of the destruction of cities by aerial bombing reveal an enormous sense of personal loss and alienation. The geographical consequence of strategic bombing of cities during the Second World War was 'place annihilation'. People were left feeling their 'world had come to an end' (Hewitt 1994:19). The destruction of the city environment left people's 'internal map' adrift and no longer fitting the space to which it had previously corresponded. What remained were 'grey zones... worlds of a desperate, burnt-out domesticity; a starved or broken-backed civility' (Hewitt 1994:20).

Zlatko Dizdarevic in his *Sarajevo: A War Journal* comments about his incomprehension in trying to recognise the changing Sarajevo landscape:

the city no longer resembles the one we left. Some streets have simply disappeared; some street corners where we used to meet are no longer there; even some huge trees which for decades—no, centuries—blocked our view of the slopes of Trebevic, are gone.

It has taken me all morning to understand why I can suddenly see from my window certain parts of the city I've never been able to see before. The answer is stunning: buildings, walls, branches that were always part of my surroundings have simply vanished. Thus, my universe expands from hour to hour.

(Dizdarevic 1994:39)

The urban landscape Dizdarevic describes here had been produced by more than 2 million artillery shells fired at Sarajevo by the end of 1993.⁶

The world of cultural objects is rich and numerous, and their meaning is enmeshed in complex relations with other objects. The destruction is experienced as a disappearing world:

How to describe the sensation of things closing in on you, slowly but surely? It's as if you are standing in line, and the line is moving forward, and in the end you arrive at this ticket window where you have to pay for everything that had till now been priceless: love, happiness, intimacy, mad faith in people and humanity, trust, and generosity.

(Dizdarevic 1994:107)

The destruction of the made world is symbolically and effectively the silencing of it, the denial of a place in which to evoke memory of human comfort in the familiar and sheltering. Dizdarevic (1994) describes this as the 'wintering' of the cityscape:

We no longer live in the same places, we don't have the same neighbours, we no longer speak the same language, and we don't know each other the way we once did. We no longer go to the same bakery or the same newsstand. The hinges of entrance gates no longer squeak the same way, the birds that used to feed off our palms no longer alight on our balconies. Our relatives are buried in the same cemeteries, and we are unable to visit the graves of those who went before them. Who knows if those graves are still there?

(Dizdarevic 1994:101)

The recurrent images of urban destruction from Beirut to Sarajevo to Grozny, showing shattered skeletons of buildings defiantly holding together as facades, rubble-filled streets and burnt-out cars, leave the uninitiated with the query 'and how can these be "man"-made?' What is surreal for the outsider is utter disbelief for the insider. There is a feeling of impotence and endless sorrow as that "which couldn't happen anywhere in the world" takes place before your very eyes' (Dizdarevic 1994:88). After years of urban warfare the shelled buildings began to assume a natural instead of a man-made appearance. In the Balkan war the shell impacts were given the name 'Roses of Sarajevo'; their 'seeds... [had come] with the wind, and the weapons, from Beirut' (Møystad 1998). The war is imagined as a natural disaster.

Makhlouf (1988) describes the destroyed cityscape of Beirut as a 'death sculpture' (Kassab 1992). The abject quality of ruins however has to do with the memory that haunts them; otherwise they can be appropriated as art objects. For the survivors the ruins are awful reminders.

Ancient ruins are, somehow, beautiful and uplifting; the imagination works on them, restores them to their original state and function and brings those who built them to life. Modern ruins, however, are ugly and depressing, it is not the imagination but the memory that works on them, and there is nothing sweet in the memory of war. (Makdisi 1990:211-12)

Ruins are also profoundly disturbing because they signify the destruction of cultural objects that are expected to outlast individual lives. On the destruction of the Mostar bridge Slavenka Drakulic asks:

Why do we feel more pain looking at the image of the destroyed bridge than the image of massacred people? Perhaps because we see our own mortality in the collapse of the bridge. We expect people to die; we count on our own lives to end. The destruction of a monument to civilization is something else. The bridge, in all its beauty and grace, was built to outlive us; it was an attempt to grasp eternity. It transcended our individual destiny. (Schwartz 1994)

It is because the city is the place where the cultural world is most complex and diverse that it has become the focus of political and symbolic contest in contemporary civil wars. 'Urbicide' goes hand in hand with 'ethnic cleansing' in seeking to make the relationship between identity and place exclusive through terror. In 'ethnic cleansing' erasing the social presence and cultural signs of the 'Other' takes precedence over the destruction of the urban landscape. Identity is spatially remapped by destroying the living attachment of the Other to place through death—the death of embodied living cultural worlds of practices and memories.

The desecration and destruction of cultural symbols, which mark off community distinctiveness, are targeted in order to eradicate the memory of the Other and their living connection with place. Graveyards are destroyed, gravestones uprooted, monuments disfigured and place names changed. Often the destruction of the cultural world is justified by making the Other less than human. Propaganda about the subhuman character of the Other feeds the fear of self-degradation—e.g. the recent Bosnian Serb claims that 'live Serb babies were being fed to animals at the Sarajevo zoo' (Rieff 1995:99).

These embodied cultural worlds are destroyed by massacre or displaced through flight, thereby removing rival 'internal maps' of place. These rival maps survive only in exiled lives.

Killings may be acceptable in time of war, but deportations go beyond warfare. Deportation is the ultimate humiliation that can be inflicted on a human being. No one can go on living with the memory of it without a desire for revenge.

(Dizdarevic 1994:54)

The term 'ethnic cleansing' encapsulates the central elements of contemporary civil wars represented as struggles over (national) 'identity' and conceived as a spatial project realised through murder, humiliation and cultural destruction. But ethnic cleansing is necessarily interdependent of spatial relationship. As Beyhum (1988:297) observes, 'La logique qui domine l'espace de la ville est celle de l'exclusion de l'Autre, et de l'incorporation du Même dans le territoire' (The logic that dominates urban space is the exclusion of the Other and the incorporation of the Same in its territory).

With the loss of an integrated and governed national space urban space becomes the most important political domain for command. Urban warfare becomes the principal means of increasing political power based on territorial control. Urban warfare involves the use of communal terror—sectarian killing, urban destruction and forced displacement—to remap cities. In Beirut, for example, the urban and communal focus of the war was evident in the casualty figures. Some 75 per cent of deaths and 86 per cent of injuries occurred in urban centres; of the victims only 15 per cent were militiamen and 10 per cent were regular soldiers (Hanf 1993:339–40). The same pattern of urban warfare occurred during the break-up of Yugoslavia where separation took place through exclusive ('cleansed') territorial control in cities such as Vukovar, Dubrovnik, Sarajevo and Mostar.

Urban warfare in Beirut proceeded by securing urban territory through the murder or expulsion of categories of people identified as threatening or Other. Competing militias carved up control of the city, producing unstable territorial domains. The 'ethnic

cleansing' proceeded on the basis of sectarian identity and gender. Men were viewed as politically active and were killed or kidnapped on the basis of their identity card or sometimes family name. Men were seen as political actors and representatives of families and communities, while women generally retained their prewar cultural position as *harami*, under the protection of men and therefore political 'minors', and were never treated as representatives of their confession (Beyhum 1988). There were nevertheless exceptions—e.g. the Palestinian families in the camps of Tel al-Za'atar (1976) and Sabra and Chatila (1982), and the Christian families in Damour (1976). In Bosnia, by contrast, women were seen as culturally active, being potential mothers, and often became the focus of rape and murder in the project of 'ethnic cleansing', deepening the experience of social and cultural desecration and horror.

The destruction of the famous *Stari Most*, the sixteenth-century bridge that joined Mostar, reveals the lengths to which urbicide can be pursued to effect political control through cultural separation. The bridge was a symbol of the multi-ethnic character of the city. First Bosnian Serb forces began shelling the bridge in 1992 and then Bosnian Croat forces finally destroyed it in 1993. The declared aim of this scorched-earth policy was to make the east bank uninhabitable for its predominantly Muslim population and to wipe out all traces of the city's Turkish/Muslim heritage. The bridge's destruction stated that Mostar was to be a permanently separated city stripped of its cultural heritage.

The scale of urban displacement in internal wars has been particularly dramatic. During the war years (1975–90) almost one-third of the Lebanese population, some 790,000 people, were forced to flee their homes and were unable to return. The worst affected areas were in the south and the Beqaa valley (Hanf 1993). In Bosnia more than two million lost their homes through either the direct or indirect consequences of terror. In northern Bosnia the 'Bureaus of Population Exchange' even formalised the processes of terror, dispossession and eviction by forcing individuals to sign over the titles to property of all kinds before they could escape (Silber and Little 1995).

Urban warfare produced terror in those who were evicted as well as those who remained. The communities forged by terror were left isolated and dependent on the new forms of urban power, the militias which they could not escape.

(They)...accepted terror because they feared even worse terror if they yielded; they became determined to endure terror and to terrorise. For more than fifteen years, reciprocal terror in all its facets was part of everyday life in Lebanon.

(Hanf 1993:325)

In Beirut people lived under the neighbourhood control of militias which in many areas of the city changed more than once during the course of the war. The relationship between the militias and neighbourhoods varied. In some cases militias represented local self-defence groups, while in others they were the conquerors from adjacent suburbs. Militia presence was conspicuous and felt in a variety of ways: their armed presence, their symbols, their 'protection rent' and the eulogies to dead militiamen which decorated the walls of neighbourhood buildings.

These secured areas produced by urban warfare imprison as much as protect. Perhaps the most infamous protected spaces produced by 'ethnic cleansing' have been the UN-

sponsored 'safe havens'. These were towns under imminent threat of being 'cleansed' but saved by last-minute international intervention and protected by UN monitoring forces. Enclosed and cut off, they were effectively 'camps', dying communities made up of condemned people. Dizdarevic's entry for 15 June 1993 observes:

The first protected zone for Muslims, Srebrenica: thousands of people who have no idea what to do next packed into a small space, without work and without any foreseeable improvement in their deplorable condition. They stay at home and stare at the walls—if they still have walls to stare at. They are not given the chance to live lives of any dignity, or to work like everybody else; they are condemned to physical deterioration and a steady degradation.

(Dizdarevic 1994:176)

The Muslim population of Srebrenica, around 40,000 people, was eventually emptied and most of its male population slaughtered by Bosnian Serb forces.

Urban survivors

The destruction of urban topography changes people. The dirtiness, destruction and decay of the city offer a 'depressing decor of desolation' to daily life. The urban decay and desolation erode life but one is forced to respond to daily changes as a matter of survival. Dizdarevic (1994:132) notes how these changes are a nuisance and alarming: 'The new topography of the city has been a pain in the neck to all of us, with its hundreds of alleys and crossroads and quarters we had never heard of until now.' But this also meant the shrinking urban landscape: 'There are fewer and fewer streets in this city. Fewer and fewer buildings, and, unfortunately, fewer and fewer people' (Dizdarevic 1994:139).

The violent transformation of the landscape forces individuals to adjust their maps as a matter of survival. Writing on her responses to the destruction of Beirut around her, Jean Said Makdisi observes:

We noticed these physical changes around us long before we noticed the changes within ourselves. We had to draw up a new map of our world, and we had no instruments to assist us except our wits and our sense. And our lives often depended on the accuracy of our construction, so it was a serious business, drawing up this map.

(Makdisi 1990:77)

The old topography of the city is rapidly overturned and renamed in terms of the new strategy of urban habitation—survival. The meaning of places is completely inverted. Thus, in Beirut the National Museum changed from being a place where the cultural signs of civilisation were collected, displayed and admired to being a burnt-out shell of a building on the Green Line that marked the western departure point for those willing to brave crossing between East and West Beirut.

The urban landscape of Beirut was haunted by new painful memories:

The streets of Beirut, even those relatively intact, provide a shifting landscape of memories and sorrow. Whenever I walk by one house, for instance, I remember with fresh pain my friend who lived in it and who was killed at a barricade one night years ago. At a street corner, I remember when the shell landed and killed the mother of my son's friend. By another house, I think of the family that was kidnapped and has not been heard of since, and yet by another, I remember the friend who left the country and never came back. Each of these physical landmarks, and so many others like them, are milestones in my inner journey of pain. Memories wash over the map, and layers of time alter its shadings.

(Makdisi 1990:77-8)

Even the telephone, the symbol of the extension of the social self through voice, became a reminder of the social world that had been lost. 'I read the telephone book,' Makdisi (1990:212) writes, 'to remind myself of the existence of people whom I have forgotten, to see if there isn't someone around whom I can visit as a change from my few remaining friends.'

Violence is designed to destroy the possibility of imagining the coexistence of different sectarian cultural worlds. Fear silences the countenancing of a different cultural landscape and the evacuation of people, through killing and flight, confirms it in practice. Attachments to more expansive worlds are replaced by the hoped-for security of solidarity and narrower sectarian or ethnic community.

But the scale of the violence deployed against cities to rupture place and identity is as much a measure of the tenacity of individuals and communities to home and local cultural worlds as it is an expression of the depth of fear and hatred between sects/ethnic communities. Staying on and continuing to live 'normally' was a way of defying the rules of the civil war. A cynical statement in Beirut goes: 'You have to go on living until you are killed' (Kassab 1992). A stoic commitment to more inclusive social worlds was demonstrated by those 'who stubbornly cross(ed) over, day after day by the thousands, some to work, others to visit friends and relatives, and many just to make a point' (Makdisi 1990:77). Often the enduring attachment of families to neighbourhood and place meant that they had to be prised apart by strangers (outside militias and even mercenaries) to enforce the desired segregation of multi-sectarian communities.

For many the only existential choice for survival was to intensify their attachment to the remnants of the urban world. The option of leaving for them was a loss of identity. Dizdarevic equates leaving Sarajevo under siege with loss of identity:

There are people who are now beginning to deny their names and origin. The poor bastards believe that this will save them. I never imagined there were so many Jews and Slovenians in this city; I only found out when their convoys began to leave Sarajevo.

(Dizdarevic 1994:161)

By remaining Dizdarevic hopes for a less alienated future with the others that also stay put:

They all seem to share the same thought: one day this will be over, and there will be some mirrors left in town in which we will have to look at ourselves. And what shall we do then? Which bus would we depart on? With what collective passport, made out in whose name?

(Dizdarevic 1994:161)

The shrunken urban spaces of survivors generate a multiplicity of private and secretly shared worlds. In Beirut those who still lived in their houses—i.e. had not been bombed out or made refugees—often retreated to the intimacy of home to order their worlds. ‘We have made our interiors little, self-sufficient worlds, insulated as much as possible from the ravages outside’ (Makdisi 1990:213).

Much of social life becomes an intensely private, even secret world, created out of the experience of facing fear. Those who are outside looking in see only the war. For us there are people, friends, life activity, production, commitments, a profound intensity of meaning’ (Makdisi 1990:210). Membership in such communities is exclusive.

We are unforgiving judges of those who have not shared our experiences. We are like a secret society. We have our own language; we recognise signs that no one else does; we joke about our most intense pain, bewildering outsiders; we walk a tightrope pitched over an abyss of panic that a novice does not even perceive, let alone understand. We are provoked to anger and fear by the smallest detail while suffering calamity calmly...

(Makdisi 1990:211)

The contraction of social space is matched by the contraction of time. The obsession with safety and survival absorbs the future in the present. A Lebanese saying states: ‘We are people without a future; how can we have a future when our present is already stolen away from us?!’ (Kassab 1992). But the very adaptiveness of individuals to daily danger only serves to trap them more in the present. Their adjustment to the conditions indirectly contributes to preserving the very conditions from which they want to escape.⁷

While years of war may produce dramatic changes in a country and represent an ‘intense and accelerated period of history’, for the individual they represent a ‘frozen time, stolen from their lives’ (Kassab 1992). Their lives are suspended, waiting; they are unable to fulfil life projects. The war is spent waiting, ‘waiting for the war to end’ or just the next lull in fighting. Moreover, because from its interior war appears to be without end, survivors are denied the perspective of ‘after the war’. There is a ‘bracketing’ of time. Ghassan Salamé describes the Lebanese war experience as living in two parallel times: ‘that of their daily confrontation with violence, and that of their impatient waiting for a utopian peace’.⁸

But there are different kinds of waiting in internal wars. There is the ‘waiting in exile’ (in the diaspora), the ‘waiting to return’, and there is the ‘waiting for another’s return’. In Beirut urban microcosms were sustained by making those who remained curators of the past. These guardians of absented worlds included grandparents, wives and domestic servants. While entire Lebanese middle-class families left for temporary exile somewhere in the diaspora they ‘kept on’ their effectively trapped domestic servants, cleaners and

janitors to maintain their houses in a state of readiness for their imminent (when the war ends) return, as if they had simply gone away for the weekend (Fawaz 1993).⁹

Urban warfare produced new kinds of households and inverted domestic responsibilities and even authority. In Lebanon women, left at home by their husbands, sons or brothers who went into exile because of fear and/or economic need, became heads of household (women without men), something stigmatised before the war: 'Survival became the realisation that women stayed and men left; that women assumed responsibility for others through their determination to stay, that the men had assumed responsibility for themselves and left' (Cooke 1988:123).

'Going abroad' was no longer the expression of masculinity—adventurism, success and worldly experience—it had been in the prewar days. Now it was for personal survival and for the economic wellbeing of the family. Emigration meant labour contracts in the Gulf or support in diaspora communities around the world. The war had the effect of inverting gender roles. By staying on in the city and village, women 'transformed male emigration into cowardice and female waiting/staying into honour' (Cooke 1987:10). This process engendered the 'feminisation of a collapsing society' in which 'maternal thinking' put the survival of the whole—the child, Lebanon—before the survival of the self (Cooke 1987:22).

A new kind of urban community based on the synthesis of fear and sectarian identity was produced by war. The process of the collapse of national identity and contraction to sectarian identity was not simply the recovery of historically embedded cultural practices and knowledge. Sectarian identity had to be reinvented and relearned in new neighbourhood communities based on fear. But the forms produced were not always based on 'traditional' relationships. Families that stayed on were exposed to new forms of communal mobilisation. Political pressures of militia recruitment challenged parental authority over their sons. Only if families could afford to pay off militias or send their teenage sons to the safety of the diaspora could they guard the patrimony of the family.

The topography of urban warfare forged them into 'siege communities'. The cityscape resembled mountainous terrain—easy terrain to defend but difficult to attack. This was especially the case in Beirut where the identity and solidarity of defenders was emphasised by their clear tactical advantage over attackers, especially if they were strangers to the city—as the Syrian army discovered to its cost in Ashrafieyeh in 1978 (Fisk 1990). In fact, once certain fronts had been established and enclaves homogenised the city came to resemble the stalemate of trench warfare (Hanf 1993).

The stability of 'siege communities' depended on their location and particular topography. In the 'frontier' suburbs of Beirut the logic of expulsion was both an expression of defence and of the indivisible nature of the community. Territory and identity were fused through the politics of making the everyday world of the neighbourhood socially visible. The anonymity of the city was challenged by converting urban neighbourhoods into new small face-to-face communities, like defended city quarters of old but without gates. This strategy entrapped long-settled residents as well as the refugees who had become part of the new urban landscape. These socially marginalised people never fitted easily into the in-between spaces they occupied, even if they were from the same sectarian background. Their needs made them both pitiable and feared as new sources of potential danger and even intervention through their

militarisation. Homelessness became a condition which engendered suspicion and fear, something which also had to be spatially segregated.

Reconstruction

If violence produces 'place annihilation', haunted ruins and social contraction then resistance involves inverting that process, rebuilding. Individuals can respond initially by adjusting their interior worlds to the changing exterior world. This involves the existential practices already discussed, such as staying on, rehousing one's memories in intimate space, preserving memory of a more generous world through friendships, and moving about the city to inhabit it.

In addition to acting on themselves, people can act on the environment. During the war in Lebanon those who could afford it tried to secure their worlds by building fortified homes which were as self-sufficient as possible. This was an attempt to create urban islands of safety and security.

[A]ll new buildings would have a central generator or place for individual ones; a well would be drilled for an autonomous water supply; underground shelters would be built as such, and not just converted garages. Supplies would be stocked in protected areas, as would be the cars, vital elements when seeking medical help or fleeing. These new buildings were much sought-after as they were the last guarantee for more-or-less normal living conditions.

(Davie 1993)

They represented attempts by families to establish secure urban spaces independent of the social environments in which they were placed.

The postwar context, however, presents the problem of individuals and communities being made part of the city again. The state or its agents assume command of the city once more to impose a new grid, a plan for reconstruction. In Beirut planning for reconstruction went on throughout the war years, focused on the re-establishment of the political and economic command of the centre (Beyhum 1992b). When reconstruction began it was particularly controversial because the state abolished all individual property rights in the city centre and handed its reconstruction to a private real-estate enterprise, *Solidere* (Kabbani 1996). This reconstruction has effectively completed what the war failed to complete—the almost total destruction and alienation of the city's centre from the population (Møystad 1998). The rationale for private redevelopment was the lack of public funds (Kabbani 1996). The 'dead' centre was made a symbol for the rehabilitation of Beirut. Its reconstruction through destruction resembles an enormous mortuary rite in which the possessions of the dead are removed in order to hasten the decomposition of their identity (Weiss 1997). But here, through reconstruction, past identity and memory are being decomposed in the survivors, making them living dead.

The conflict between reconstruction planning and patterns of urban habitation produced by the war surfaced in the southern suburbs of Beirut (Yahya 1996). Here the state ran up against the autonomy secured by militias in control of homogenised

neighbourhoods. In this case, the area was controlled by Hizbollah and Amal, who effectively provided security and services to Shi'ite communities, many of whom had been displaced from other parts of the city and South Lebanon. What the state viewed as illegal occupants of land were communities enmeshed into the politico-social fabric of Beirut's war enclaves. Land that had become a protected sectarian refuge during war was now being treated as a commodity, real estate, whose value was being transformed by reconstruction. The 'projectising' of the reconstruction process ignored the socially enabling activity of inhabiting—i.e. building for rather than building with.

In Sarajevo the task of rebuilding is made more difficult by the legacy of the weapons used in the conflict—mines and unexploded shells. The strategy of urbicide injures and kills long after hostilities have been officially ended. There are an estimated 900,000 to 6,000,000 mines in Bosnia-Herzegovina as a whole. The cost of the de-mining process is enormous, running as high as 100 to 1,000 US dollars per mine (Gürsel 1997). It is estimated that cleaning Sarajevo of mines will take 100 years and that many will be maimed by this hidden danger.

In Bosnia the recovery of cultural heritage is being viewed rather differently. The reconstruction of cultural heritage buildings, districts and bridges is seen as refusal to accept their destruction and what they represented socially and culturally. The issue of cultural heritage had international attention throughout the Balkan wars. The destruction of the *Stari Most* bridge in Mostar was the most internationally recognised. The destruction of the Croatian city of Dubrovnik in the presence of UNESCO observers contemptuously demonstrated the ineffectiveness of international law protecting cultural heritage sites. It was, in fact, their cultural significance which was specifically being targeted for destruction. But if law fails to protect cultural heritage then the only choice is to rebuild, not to erase the memory of destruction but to deny any victory to those who caused the destruction (Schwartz 1994).

Reconstruction means reinhabiting. But in the transition from destruction to reconstruction there is opportunity for remaking society, not just buildings. A Lebanese saying goes 'We need to rebuild people, not just buildings.' The reimposition of the 'grid' can destroy the very things that need to be remembered, the memories that live in the haunted ruins.

6

Ethnic cleansing

He who shits forgets, but he who steps in it remembers it forever.¹

The popular understanding of the term ‘ethnic cleansing’ invokes the horror of tribal hatreds and primordial allegiances. The term was coined in the 1990s to describe war in Bosnia-Herzegovina, a war over the disintegration of one nation-state, the former Yugoslavia, and the formation of others—Serbia, Bosnia and Croatia. In fact ‘ethnic cleansing’ describes a deliberate process of massacre and population displacement designed to ‘cleanse the ground’ (*ciscenje terena*).² It is yet another example of the resort to mass death in the twentieth century. The term became synonymous for ‘civil war in Bosnia’ and was used as such by the Western media and human rights organisations. In the 1992 Helsinki Watch report on *War Crimes in Bosnia-Herzegovina*, for example, ‘ethnic cleansing’ is described as involving ‘the execution, detention, confinement to ghetto areas, and the forcible displacement or deportation (of ethnic groups)...’.³ It not only coded the conflict as ‘ethnic’, it also implied a sense of moral distance between the brutality of Bosnia and the ordered space of multicultural Western Europe just next door.

In the course of the war in Bosnia ‘ethnic cleansing’ developed a pattern. During 1991 to 1992 Serb forces would first lay siege to a town, execute local leaders and intellectuals, separate women, children and the aged from ‘fighting age men’ (sixteen to 60 years), evict (expel) these dependants, and finally execute the men.⁴ Integral to this process were atrocities including torture, rape, mutilation, disappearance and massacre. Bazar (2000) comments that ‘ethnic cleansing’ was in fact a euphemism for genocide, acts committed ‘with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such’.⁵ The *Interahamwe* militia in Rwanda used the expression ‘bush clearing’ for the ‘ethnic cleansing’ of Tutsis; however, the Rwanda massacres are always referred to as genocide (Prunier 1995).

While the expression ‘ethnic cleansing’ codes violence as ‘ethnic’ in practice, it refers to group violence in the context of nation-state formation/disintegration and is only the most recent term to describe the use of ‘organised atrocities’ in nationalist struggles. An earlier term is ‘intercommunal killing’. Lozios (1988), in a study of Greek and Turkish atrocities in Cyprus, distinguishes ‘intercommunal killing’ from more controlled and limited forms of killing such as feuding and vengeance. While the latter allow for the possibility of continued social relations (marriage is still possible), the former signifies a

total social rupture. The elimination of the other is justified through a ‘totalising doctrine of collective passive solidarity’ which sees the Other—combatant, non-combatant or innocent—as ‘dangerously active’. ‘If they are fertile women will produce and nurture children who will grow into fighting men, or producers in turn. Older men and women are givers of advice and succour, and children are simply potential adults’ (Lozios 1988:650).

The logic of intercommunal killing is social separation. Its recent occurrence in Cyprus continues a long history of reciprocal atrocity in the relations between Greek and Turkish nationalist struggles. Thus Lozios comments:

From 1821, at roughly ten-year intervals until their defeat in 1922 by a Turkish army, the Greeks fought a series of wars with their Turkish and Slav neighbours. It was a feature of these encounters that ethnic opponents were massacred regardless of their military or civilian status.

(Lozios 1988:642)

The logic of separation implicit in ‘intercommunal killing’ was completed in the mass transfers of Greek and Turkish populations (between two and three million people) under an internationally brokered (although not well supervised) agreement in 1923.⁶ In Cyprus intercommunal killing led, in 1974, to the division of the island and the transfer of Greek and Turkish Cypriot populations after the intervention of the Turkish military.

While ‘ethnic cleansing’ and ‘intercommunal killing’ both describe ‘organised atrocity’ in the context of nationalist struggles with the purpose of separation, they in general refer to different historical contexts of nation-state formation (Humphrey 1997). ‘Ethnic cleansing’ refers to organised atrocity in the context of the disintegration of ‘nation-states’ while ‘intercommunal killing’ refers to the context of nation-state formation through decolonisation (or de-imperialisation). Both involve nationalist projects, one coming out of the experience of the nation-state, the other out of the experience of imperial or colonial (pre-nation-state) orders. There may be dispute about what constitutes the moment of ‘de-colonisation’—e.g. Taylor (1999) argues that the Rwanda genocide occurred between groups who had not escaped the colonised cultures they still inhabited; however, what distinguishes contemporary atrocities is that they are occurring within existing nation-states. Ethnic cleansing has occurred in the context of struggles of state power as an instrument of mobilisation and displacement.

The international attention given to the ‘atrocities’ of intranational conflicts and the growing number of publications about them emphasise the very public and exposed nature of this violence. It is conspicuous because atrocity is used as a deliberate part of the strategy of power to terrorise individuals and communities, and also because the international media and human rights NGOs have exposed it as a moral nerve to mobilise international intervention. However, the ability of ‘ethnic cleansing’ to terrorise target populations has generally been much greater than its ability to engender compassion and effect international humanitarian intervention. Western commentators and audiences are either overawed or in denial that, after all the moral condemnation generated by the ongoing commemoration of the Holocaust, they too are witnessing mass ‘ethnic’ murder in the late twentieth century.⁷ The hope remains that being forewarned is being forearmed—i.e. that by knowing about humanity’s capacity for atrocity and cruelty we

can somehow forestall it. However amongst these secular Western audiences atrocity retains a sense of awe because it appears to elude human control, like natural disasters (flood, fire, drought), like the sacred (Dahl 1987).

The exposure of Western audiences to atrocity through the media may connect them to remote events but has uncertain results. Images of atrocity may engender outrage, compassion, fear, disgust or simply a blasé indifference. Any attempt to write about the spectacle of atrocity for remote audiences also raises ethical and political questions. What is one's purpose in trying to represent atrocity? To extend its effects, to give it meaning, to explain it? And there is the danger that in narrating atrocity you too contribute to its professional transformation in order to contain, isolate and distance its origins and consequences by individualising (psychologising) suffering.⁸ On writing about the horror of contemporary Sinhalese and Tamil violence E.Valentine Daniel comments:

many have died. To say more is to simplify, but to fathom the statement is also to make the fact more bearable.... Many have died. How to give an account of these shocking events without giving in to a desire to shock? And more important, what does it mean to give such an account?

(Daniel 1997:3)

And there is the silent embarrassment that yes, we too (in this case Sri Lankans) are capable of such atrocity.

Ethnic cleansing as an intranational war, in contrast to international war, displays its victims. Both forms of war resort to injuring/killing to contest issues and beliefs but ethnic cleansing maps its contest not so much by casualty figures as in international war as through 'marked' bodies. In international war the Other is already 'separated' historically, culturally and spatially beyond the border- the soldiers even have different uniforms—but in intranational war the Other is dispersed, and even socially and intimately intermingled, within the borders. The atrocity of 'ethnic cleansing' involves the collective act of selection, divination and elimination of the Other. It is a constitutive act of 'citizen-making' by resort to the 'corpse' to substantiate the nation-in-the making; a negative juxtaposition of the Other's corpse with the simplified and reductive idea of ethnic exclusivity of the nation.

War as a cultural institution is premised on the soldier's consent to kill/die for the nation. His sacrifice is represented as unproblematically 'patriotic' and is commemorated as such. However, in ethnic cleansing the murder of a selected social category (ethnic) is intended to bring into being what is still only imagined (yet to be established). The intensity and brutality of atrocities committed can perhaps be better understood as acts defending one's very existence in a world yet to be realised. Moreover, to make real what is imagined in the purity of identity requires an awful rendering and destruction of a heterogeneous social reality: the spatial separation of ethnically intermingled and intermarried populations through elimination or expulsion (Hayden 1996). Here the desecrated body is made the principal sign and spatial marker in reconstituting the nation or in founding it (Meznaric 1994).

The idea that 'ethnic cleansing' is a constitutive act (bringing the ethno-nation into existence) emphasises its ritual character which uses massacre as its central rite. It is ritual in the sense that while it involves collective violence it is not primarily a contest of

out-injuring the Other (i.e. instrumental violence), but a contest to establish the very reality of difference and existence through inscribed bodies. Killing the Other is an act of elimination and purification. The body is ritually transformed through violence and expelled from the community of the living. And in the process it is also de-humanised, de-nationalised and desacralised.

This chapter explores the phenomenology of the 'ethnically coded' corpse and the political process of signification in the context of the nation-state in crisis and in the making. It argues that 'ethnic cleansing' needs to be contextualised in the nation-state and in the project of state power focused on biopolitics—i.e. ethnic cleansing as both atrocity and ritual violence is a politically constitutive act based on selection. The capacity to select who lives and who dies is the most fundamental expression of the claim to power. If 'ethnic cleansing' is not politically contextualised in the nation-state it can appear that what needs to be explained are the 'ethnic' origins of the conflict (Brubaker and Laitin 1998). Ethnic cleansing is a form of atrocity which extends biopolitics—the centring of state power on the care/control of the individual—by selecting who can be killed with impunity (i.e. is considered beyond the protection of the law, *homo sacer*). The selection of the victim also invokes the ritual mechanism of the 'surrogate victim' (Girard 1977). Through this ritual violence the victim is made responsible both for the preceding chaos and the reconciliation that follows. However, as the cyclical character of much 'ethnic' violence reveals, there is a sacrificial crisis. Ritual violence does not achieve closure because 'sacrifice' cannot be translated into more enduring institutional and moral relationships.

The resort to massacre as a way to substantiate cultural identity/history is a politics of last resort. The instability of the body as sign and the use of the body to substantiate reality makes the contest of injuring so urgent and desperate. It is not merely a struggle to live but to determine how one lives. And rather than express a clearly delineated history of conflict and contested identity, massacre itself is a strategy to define a version of history. Violence is constitutive as an instrumental and communicative act. Thus while 'ethnic cleansing' is usually narrated as having origins in longstanding antagonisms and an almost inevitable event, it is the event which must be understood as constitutive of the history that allegedly creates it. Thus the eruption of intranational violence along 'ethnic' lines mobilises and defines the conflict as 'ethnic'. The increasing number of conflicts labelled 'ethnic' are not in themselves evidence that 'ethnic conflict', as a particular form of conflict, is increasing. The coding of violence as 'ethnic' describes a practice rather than provides the basis for conceptual analysis (Brubaker and Laitin 1998). The context of the nation-state and the 'right to self-determination' (the right for people to aspire to have their own state) is the international context in which 'ethnic' violence is represented as politically legitimate and is understood as a new claim to nationhood. (Humphrey 1993; Brubaker and Laitin 1998).

Of course, conflicts must have a potential to be made 'ethnic' and this, as Daniel (1997) puts it, relates to the history of the 'availability' of the nation to all—i.e. that everyone is equally included as citizens. In the Tamil case it was the experience of gradual marginalisation as citizens in the newly independent state of Ceylon that prompted conflict. The passing of the 1956 Sinhala Only Act made Tamils aware early on in postcolonial Ceylon that they were to be second-class citizens.⁹ Thus the communal

violence which erupted in 1983 between Singhalese and Tamils and the continuing civil war were the culmination of earlier forms of legislative exclusion.

In multi-ethnic states the conditions for ethnic violence can be produced in localised contexts such as a city. In Pakistan, for example, ethnic violence between Muhajirs and Pathans in Karachi is the product of the harshness of city life and the injustices people experience. Inadequate public services, economic exploitation and corruption produce an environment which can lead to spontaneous 'ethnic' riots between Muhajirs and Pathans even over road accidents. Ruthless competition in the minibus industry produces reckless driving and road fatalities. Muhajir passengers, humiliated by the overcrowding and lack of care for their safety, frequently riot, often killing the Pathan driver and setting fire to the minibus (Hussain 1990).

While the modernising forces of urbanisation and nationalisation may create appearances of social heterogeneity dissolving people into each other's lives through work, friendship, family liaisons and urban culture, hidden (or ignored) suffering amongst people without the protection of the state can create the conditions for the 'ethnicisation' of grievances. Thus we find behind recent intranational conflicts issues of suffering and difference which provide the potential for politicisation and 'ethnicisation' of violence: behind the Lebanese civil war was the issue of differential sectarian entitlements (Hudson 1968); behind the Rwanda genocide was the historical resentment of Hutus towards Tutsi power (Taylor 1999); behind ethnic violence in Sri Lanka is the history of Tamil marginalisation in the nation-state (Daniel 1997); behind 'ethnic cleansing' in Bosnia the superior/prior 'ethnic' claims of Croatian and Serbian nationalists and their right to extend their own territorial claims through the break-up of Yugoslavia (Rieff 1995).

Massacre

The term 'ethnic cleansing' suggests atrocity, purification, homogenisation, elimination, expulsion and ritual violence (sacrifice). It reduces social mapping to a question of pollution—that some people are out of place. The centrepiece of ethnic cleansing is massacre, the production of ethnically coded corpses. The 'mass grave' is the icon of ethnic cleansing and its forensic truth is captured first in topographical irregularities spotted in satellite photographs and eventually in exhumations for war crime prosecutions. The 'mass grave' is a metaphor for human waste, a mechanism for de-individualising and de-humanising the Other. It also declares the collective and intentional purpose of 'ethnic cleansing' to reduce individuals to an abject category in order to treat them as objects. Mass death in a mass grave signifies de-humanisation by making death anonymous. The mass grave is to ethnic cleansing what torture is to disappearance.

In 'ethnic' massacre the 'tortured body' is once again made a public spectacle. Atrocity is displayed for effect, making the body the site of violent closure in a sacrificial ritual. Massacre is a violent contest whose victims are usually the most vulnerable population—youth, women and the aged. It declares the absolute vulnerability of the victims: that they have no protection, that they are beyond law. The body is moved to centre-stage in ethnic violence and suffers the worst forms of degradation, 'involving

faeces, urine, body parts; beheading, impaling, gutting sawing; raping, burning, hanging suffocating...' (Appadurai 1998:909). The intensity and cruelty of these acts conveys not only the passions unleashed but also, more importantly, the fragility of the social and cultural worlds to which they belong. The combination of cruelty and uncertainty resonates through 'ethnic' massacres (Appadurai 1998).

The atrocity of massacre is intended as a communicative and constitutive act. It resorts to the sign 'opened body' at the very moment when the cultural world is in crisis. In moments of extreme crisis the cultural self-sufficiency of the everyday world is shattered and anxiety generates an overloaded sign world. Things normally unnoticed are grasped at for meaning. The sensitivity born of anxiety leads to an enlargement of the recognisable world, directed by the premise that everything has meaning' (Burkert 1996:162). In this context the body is used as a sign to reorientate and re-anchor meaning. Violence is used conspicuously to select and mark bodies, generate fear and redefine social worlds. In 'ethnic cleansing' massacre codes the 'ethnic body', makes obvious the reality of incompatible difference. But can the 'ethnic body' really be identified with enough certainty to kill?

In some cases the coding of the 'ethnic body' has a long history. During the 1972 massacres in Burundi the 'ethnic codes' used to identify Tutsi' and 'Hutu' were derived from simplified colonial taxonomies (Malkki 1995). These "necrographic" maps were the basis for detailed, technical recollections of the ways which death was administered to victims in specific, humiliating and drawn out ways' (Appadurai 1998:909). However, as in witchcraft, it is the outcome rather than the selection that usually determines whether the divination was correct. Thus, more often than not the 'ethnic body' is ultimately affirmed in the 'ethnic corpse'. The body is therefore not only coded by ethnic taxonomies but also by the violence that transforms individuals into the selected category for which they are made to stand. Violence is levelling by reducing individuals to objects.

The 'reading' of the corpse is made the final arbiter of the 'reason' for death, attributed to ethnicity. The body is made the 'site of violent closure in situations of categorical uncertainty' (Appadurai 1998:913). In practice, the intermingling of populations often makes the determination of difference impossible. Potential victims and survivors of ethnic massacre are well aware of the uncertainty and potential arbitrariness of ethnic mapping and death. In the face of 'ethnic cleansing' deception becomes the art of survival. For example, during the Lebanese civil war people responded to the threat of sectarian 'identity card' killings by carrying multiple identity cards—identity cards revealed 'sect' origin—as a kind of life insurance against random militia checks. Identity became something of a fateful game because one never really knew who the militia at checkpoints were and whether one's family name could be as unpredictably incriminating as one's sect. The 'checkpoint' (*hajez*), according to Jean Said Makdisi's wartime glossary was where 'militiamen check papers and, if they approve the passerby's identity, will wave him on. If not...' (Makdisi 1990:59). At roadblocks during the Rwanda genocide victims were also selected on the basis of their identity cards. If individuals had none, or claimed they had lost them, the militia would then determine their identity on 'appearances'.¹⁰

A moving story about 'ethnic' deception, misrecognition and survival in Sri Lanka is also an antidote to the idea of neat 'necrographic' mapping (Daniel 1997). A Tamil teacher found himself trapped in a train compartment as a Sinhalese mob boarded the

train intent on murder. The only other passenger in his compartment, a Sinhalese woman, moved to sit next to him and placed her hand on his just as the mob burst in. On seeing 'the couple' the mob turned and proceeded to the next compartment to continue their search for Tamils.

This woman did not let go of my hand until we reached Gampola (thirty-five minutes later). She didn't say a word. Not one word. I didn't say anything. I couldn't. Life passed through my head like a reel. All the schoolchildren, all the cricket games, all the prize-givings.

(Daniel 1997:225–6)

The use of massacre as an act of violent closure begs the question of its efficacy. How is the sign recognised and by whom? Can it be misrecognised? While the body (corpse) may be an 'obstinate' sign, as Desnoes (1985) observes, what kind of sign is it? How durable is it?¹¹

Atrocity is a politics of affectivity that deploys the victim—dead, mutilated or traumatised—as a seductive and terrifying event. It overturns the habitual (normative) in order to reconstitute social relations and meaning. Yet unlike the sovereign's act of judicial torture which reaffirms state power, ethnic massacre is a contested act. The act seeks to bring into existence something that does not yet exist—e.g. the hegemony of a particular ethnic nationalism or the aspirations of an oppressed one. Atrocity seeks to rupture stabilised meanings in order to resignify through the abject body. As noted earlier, the resort to the abject as a cultural primer is the forced linking of sentience to meaning, of affect to idea. Scarry describes this as the juxtaposition of the 'opened body' (sentience) with a belief or idea. However, the resort to the abject to re-signify the body is a violent claim which is highly volatile, escalating into a violent contest to establish meaning and morality in a more durable social order.

Yet the use of violence to establish the link between affect, sign and meaning is only a particular example of the general cultural process of signification. Daniel (1997), drawing on Peirce's theory of signs, makes good use of this insight to develop his analysis of ethnic conflict in Sri Lanka.¹² Peirce uses the term 'anthroposemeiosis' to describe human signification. Semeiosis is the 'activity of signs' and anthroposemeiosis is human awareness and knowledge of signification. This sense of knowing defines what it is to be human (Bauman 1992). The self is integral to the process of semeiosis in which inferences are drawn from experience. Inferences in turn generate expectations that in time appear as culturally normative and habitual. What become recognised as habits are patterns of feeling, action and thought that have achieved durability in social and cultural worlds. Bourdieu (1977) refers to these habituated patterns as *habitus*, 'systems of durable, transposable dispositions' which produce a 'commonsense world endowed with the *objectivity* secured by consensus on the meaning (*sens*) of practices and the world' (Bourdieu 1977:80).

According to Peirce, semeiosis is a triadic process that connects mood (affect), moment (present) and mind.¹³ He argues that whatever can be reflected upon has three aspects, Firstness, Secondness and Thirdness. Firstness refers to potentiality, Secondness to actuality (the here and now) and Thirdness to generality. Successful semeiosis produces a triadically constituted sign that, through inference, delivers the past and the

present into the future. The triadic process puts together signs that have different object-sign relations. The 'iconic sign' signifies by virtue of its resemblance to the object for which it stands; the 'indexical sign' signifies by virtue of its contiguity to the object for which it stands; and the 'symbolic sign' signifies by virtue of convention.¹⁴ Thus signs have meaning based on the kind of connection that exists between object and sign. Scarry's example of the sign of the 'opened body' juxtaposed with a belief is an example of an indexical sign in a moment of Secondness.

Violence has the effect of deconstructing the habitual and conventional sign order by 'prescinding' the whole sign. To 'prescind', according to Peirce's terminology, is to focus selectively on particular aspects of a phenomenon to the disregard of other aspects. Violence thus exposes us to the shock of Secondness, the abyss of the breached moment and the urgency of meaning by rupturing Thirdness, the habitual and conventional. In those moments of crisis when the conventional can no longer encompass experience there is an impetus to create new meanings.¹⁵ However, the desire and capacity to re-establish meaning can and do diverge for victims and witnesses. What has come to be called the 'healing' process—the integration of the past and present into the flow of the future—may be effected for witnesses (the community) but often at the expense of the victim. The question of 'healing' will be taken up in subsequent discussion of ritual violence and victimhood. However, the important point to recognise here is that what individuals and collectivities do with the experience of atrocity can be very different and can have very different outcomes for them.

For the victims of atrocity the rupture of meaning can produce experience that may never be able to be successfully reworked through semeiosis. The past remains available in the present in the form of trauma, isolated bubbles that remain unbroken: 'the arrhythmia, the tremors, the convulsions, the cataclysms in their lives are indicative of the continuing presence of the present in their lives, a present that has yet to be inferentially appropriated into the flow of time' (Daniel 1997:127). Individually victims can remain isolated and silenced because they are unable to incorporate their experience into the flow of time—a narrative that can assimilate the present through the past into the future.

Violence provokes a crisis in the semeiotic process by exposing the absolute contingency of Secondness. More than this, violence sets in motion an attempt to generate new meaning. Scarry (1985) refers to this impetus of the sentient to be shared as the 'awareness of aliveness'. However, because there are different kinds of object-sign relations there is a problem of stabilising meaning—i.e. establishing meaning through 'synibolic signs'. Stabilising meaning involves moving up the hierarchy of signs, from the iconic to the indexical and then to the symbolic, the phenomenological stage of Thirdness.

But the attempt to signify through violence occurs within a ritual complex, a cultural strategy to manipulate signs through particular actions to produce certain ends. In other words, violence is manipulating cultural bodies whose ontology is inseparable from their making as cultural beings (Kapferer 1988). The use of the body as a site of violent closure is not just about creating an indexical sign by juxtaposing the 'opened body' and idea. For the indexical to be translated into the symbolic the object-sign must endure beyond the experience, or even the memory of, the abject. Violence has a ritual character in that it is always carried out for social effect—changing perception and meaning through violent acts (injuring/killing)—and is never purely instrumental. It addresses an

audience through the mediation of the victim. Violence itself is used as a strategy to produce signs and to manipulate meanings. Thus, for example, massacre produces victims who are coded in serial acts of violence; one massacre evokes the memory of another, thereby creating the ahistorical logic of equivalent and therefore interchangeable events (Lozios 1988). Similarly, sectarian killing produces corpses as 'repeatable codes' which become acts of reciprocal ritual violence (Feldman 1991). Moreover, the hunger strike manipulates biological imagery: 'Going to the edge' is seen as going to the cusp of history (Feldman 1991:225). The cultural manipulation of the body was an integral part of the Rwandan genocide (Taylor 1999). The body is invoked as analogous to a cultural cosmology about bodily fluid flows and health. The dumping of victims' bodies in the north flowing rivers can be interpreted, according to Taylor (1999), as expelling human waste.

The idea that violence engenders a ritual structure is well appreciated in anthropology and drama (Dahl 1987). Violence produces the sacrificial victim who then mediates the connection between the profane and sacred. The direction of the mediation can be inwards or outwards, a communion or a catharsis.

The victim may serve to induct the power of the sacred into the human community; the victim may be a vehicle for expelling the malignant energies from the community. Whichever the direction of the mediation, the consequence is renewal: the beneficiary—individual or community—is either strengthened, cleansed or both.

(Dahl 1987:6)

But can contemporary violence successfully invoke the sacred as a source of social renewal in a de-sacralising world? In a secular world political solutions displace religious solutions to human suffering. Nevertheless, violence still retains its awesome qualities; people are still faced with the problem of containing it, and the resort to violence in the face of violence still needs to be justified through ideology and/or morality. René Girard suggests that the ritual mechanism of the 'surrogate victim' (the mediating victim) is still an integral part of violence, but that the crisis of the sacred has undermined its efficacy. Violence retains its awesome and seemingly magical qualities because 'it strikes men as at once seductive and terrifying; never as a simple means to an end, but as an epiphany' (Girard 1977:152). However, it lacks in itself the force of closure.

In Girard's theory of ritual violence the central figure is the arbitrary victim who is sacrificed to bring an end to violence. The sacrifice of the surrogate victim allows a double transference: the aggressive transference towards the victim and the reconciliatory transference towards the community (Girard 1987). The victim is sacralised by being made responsible for the disharmony (conflict/violence) thereby making the community possible once again. The victim is the sign of the 'exception', the one that stands out/apart. The 'magical' character of the 'scapegoat' mechanism allows the illusion of continuity of what is essentially discontinuous (Girard 1987). The scapegoat is about the loss of a part to preserve the whole, what Burkert (1996) describes as a biological principle of *pars pro toto*.

While Girard puts forward the 'surrogate victim' as a universal cultural mechanism he acknowledges its demystification in the secular world. If the ritual mechanism has broken

down, can violence be contained? Can directed violence be used to resolve a crisis engendered by violence? And how do we distinguish between legitimate and illegitimate violence?

Ethnic cleansing, the resort to massacre as a strategy of separation and social renewal, can be understood as an expression of the sacrificial crisis. If the surrogate victim can no longer mediate the relationship between sacred and profane then violence cannot be contained through this ritual mechanism. One response is the multiplication of victims to try again and again successfully to mediate the sacrificial crisis. Cycles of violence assume the character of an exchange of coded corpses intended to make claims and counter-claims to power. This violence appears as an endless exchange of coded corpses, which stretches into the past and into the future. Violent signification simplifies history as ever thus. 'They've always been at one another's throats'; 'There are no good guys here.' As pointed out above, the problem of victim 'identification' can be the means to continue administrative terror, each new round of violence representing a renewed effort of mediation through purification, identifying those who escaped detection the last time.

The failure of this ritual mechanism, Girard believes, is a consequence of the de-sacralisation of humanity. The sacrificial crisis means humanity is 'no longer capable of producing idols of violence around which it might achieve unanimity' (Girard 1987:136). He gloomily concludes that if humanity cannot find a way to become reconciled without violence (sacrificial intermediaries), it will face extinction.

However, even if there is a 'sacrificial crisis' which the surrogate victim fails to mediate, this does not mean that resort to atrocity is without ritual effect. Massacre has certainly transformed local social environments and nation-states even if it has not brought violence to an end. The mediation of sacrificial victims is still able to transform the way the world is perceived, and can be lived in, through the terror engendered. This is particularly evident in the spatial consequences of ethnic/sectarian violence in places such as Lebanon, Cyprus, Bosnia, Rwanda and Sri Lanka, where there has been enormous population displacement flowing from ethnic/sectarian killing. Here sacrificial mediation is directed outwards, expelling the victim with the intention of cathartic effect—the renewal of community through purification. The spatial impact of cycles of sectarian violence in Northern Ireland remapped Belfast (Feldman 1991). Through the exchange of sectarian coded corpses, identity was spatialised and the city was socially compartmentalised. This pattern of atrocity (massacre), population displacement and geographical separation of communities is a distinctive characteristic of contemporary ethnic conflict, especially in cities. These violent separations have been internalised by inhabitants, and architecturally memorialised in the form of brick walls (Belfast), earth barricades (Beirut), wastelands and no-go areas (the Green Line in Beirut, demolished suburbs in Sarajevo). In other words, certain kinds of social transformation are achieved through ethnic massacre, if only by denying what existed in the past through its destruction.

Sacrificial mediation can be directed inwards as well as outwards. Martyrdom, for example, is evoked with the intention of effecting greater communion. Feldman (1991) describes the sacrifices of the 'Blanketmen', IRA prisoners in Northern Ireland who produced themselves as corpses ('stiffs') through a hunger strike in 1981 to continue support for the nationalist cause from behind the prison walls. 'For them, it was a modality of insurrectionary violence in which they deployed their bodies as weapons'

(Feldman 1991:220). By embarking on a communal act of starvation and dying, the prisoners purified themselves from the stigma of criminalisation. They had also hoped that their deaths inside prison would mobilise a mass protest outside. This did not happen but their deaths were widely commemorated as martyrdom.

Hunger striking to the death used the body of the prisoner to recodify and to transfer state power from one topos to another. The corpse of the hunger striker was also the artifact of the contaminated other. The act of self-directed violence interiorised the Other, neutralised its potency, enclosed its defining power, and stored it in the corpse of the hunger striker for use by his support community. The subsequent sacralisation of the dead hunger striker completed the process of purification and commemorated the subverting transfer of power from the state to the insurgent community with elaborate funeral processions and mortuary displays. Today in almost every Republican house the tokens, the fragments, and storage artifacts of this recodified, inverted, and disseminated state power are present in the form of iconographic photographs, paintings, and posters of the dead hunger strikers.

(Feldman 1991:237)

Here, self-killing produced ritually coded corpses which commemorated the legitimacy of their own violent acts—i.e. that they were political prisoners and not mere criminals. Through martyrdom the victim directed the mediation of the sacred inwards into the Catholic community, thereby strengthening it.

In certain conflicts sacrificial violence may readily define ‘ethnic/sectarian’ cleavages—Sri Lanka, Lebanon, Bosnia, Rwanda—but this is not always the case. The coding of corpses can be too unstable and too indeterminate to map the basis for spatial exclusion. This is perhaps most evident in intranational conflicts which have not assumed an ‘ethnic’ character. Perhaps the most dramatic recent example of indeterminate massacre has been the contest between the Algerian state and Islamist groups between 1992 and 1999.¹⁶ Massacre became the primary mode of atrocity in this contest, especially around the capital Algiers.¹⁷ However, the terror engendered by massacre suggested a pervasive crisis of political power and legitimacy.

Under the Algerian military’s ‘state of emergency’, massacre became a form of administrative terror in which all death became overdetermined and corpses could not escape representation as victims either of state repression or Islamist terrorism, even if their death was accidental. The mutilated bodies of victims were put forward in the media as evidence of the other side’s atrocity and therefore of their political illegitimacy. But because the media was controlled by the state such images were highly inflected. They supposedly showed the victims of the state’s opponents, the Islamist ‘terrorists’. In fact there was a strong suspicion that sections of the security services and military were often involved in these massacres, but it remained unclear who did what and why.¹⁸ Massacre in Algeria not only made the corpse an ambiguous sign—who did it and whose side were they on, if any?—it made daily life all the more difficult by deepening people’s sense of terror and uncertainty.

‘Attackers massacred at least 87 people near the Algerian capital at the weekend, slashing throats, cutting off arms and opening women’s stomachs, survivors and hospital officials said’ (Khiari 1997:4). Reports such as this one only deepened the horror and made more ambiguous the cause. Atrocities were culturally amplified by being informed about what was most humiliating, desecrating and obscene—what is culturally most abject.¹⁹ The apparent arbitrariness of the terror and the ‘innocence’ of the victims—women, children, the elderly—created the fear that there was no zone of safety, only total war. Unlike the spatialising intent of ‘ethnic cleansing’, the Algerian massacres could not delineate ethnically coded internal boundaries or zones of safety. The ebb and flow of state territorial control occurred between day and night, when most massacres took place. The state totalised control, even violating the cultural sanctuaries of home, mosque and the bodies of children and women.²⁰ The consequence was that nearly everyone feared becoming a victim, leaving them increasingly isolated in an unanchored world of rumour and terror. As the authorship of acts is defaced ‘a public culture of rumors reveals the extent to which the sense of control over reality is finite, and the extent to which control has to be reasserted through exaggeration and imaginative supplementation’ (Feldman 1995:31). The narration of rumour, seeking to give collective experience meaning in the absence of widespread social credibility, is constructed with damaged vision and voice. Rumour emerges:

first as silence. It is as if the first wound of violence, the initial and simultaneous damaging of individual bodies and their corporate body, effaces the social capacity for description. Things are thought but not said, and when speech emerges it is not from that aborted thought but from the intervening gap of the not said. Rumour begins at the borders of silence around the kernel of the absent event, the disappeared body, the silenced name. Terror and pain is all the more effective when it is experienced as an effect with no cause, with no identifiable place of its own except the locale of one’s body.

(Feldman 1995:234)

In this world of administrative terror and political revenge even the sign of the corpse escaped secure coding.

In Algeria’s consuming violence bodies were made markers in the contest for territorial and institutional control of the state. The Islamist production of corpses challenged the state’s control over cultural production—media, schools and courts. The Islamists produced corpses to signify betrayal of Islamic values or the Islamist movement. In fact, the corpses signified Islamist failure to co-opt the living body by enforcing a religious performance through clothing and ritual observance. The powerful rhetorical effect of performance was to signify allegiance to, if not solidarity with, the Islamists, and not just submission to terror. Of course Islamic performance put you in danger of being targeted and terrorised by the state security forces. Particularly vulnerable were those villagers who were enlisted as ‘village guardians’, paramilitaries for the state.

The cycles of violence in Algeria revealed a deeply disturbing aspect of the sacrificial crisis. The use of atrocity by both Islamists and the Algerian state created an ethical

crisis. How could excessive and arbitrary violence substantiate values (secular democracy, Islam) in the name of which it was being carried out? Algeria's history of nation-state formation is underscored by episodes of violence and great upheaval instigated in the name of elevated values. The history of colonisation, decolonisation and the contemporary crisis of the nation-state contain the contradiction of massive violence and human rights abuse (today's parlance) in the name of superior/ethical values. The present crisis can be described as the crisis of the post nation-state where the preservation of the state is pursued at the expense of constituting the 'nation'.

Massacre is the hallmark of contemporary 'ethnic cleansing'. Through ritual violence it seeks to bring about closure, the enactment of the 'ethnic community/nation' through sacrifice. However, the ongoing character of this form of violence suggests that there is no closure through atrocity. Rather the cycles of violence become more intensified in the face of the sacrificial crisis. Durability of the indexical sign of the 'ethnic corpse' is achieved only through repetition in serial production. Meaning is sustained through repetition of violence rather than through closure in new social and cultural relations.

The fantasy of 'ethnic cleansing' is that genocide can be constitutive of an ethical social order. The horror of massacre in Algeria, where the corpse became a very ambiguous sign, throws doubt on the legitimacy of any violence. Moreover, if we understand 'ethnic cleansing' as a form of administrative terror, as discussed earlier, we know that the logic of selection becomes the basis of power. In addition, the 'terror' is not a single event but an ongoing process which requires more victims. Who will be selected as the victim next time? Those who deceived us first time around? Those who are not ethnically pure enough? The logic of witchcraft is repeated. Since in life things will not always turn out as we wish, another witch will be found to blame.

Ethnic cleansing and intervention

The moral outrage in the West against 'ethnic cleansing' and 'genocide' during the 1990s put the question of 'humanitarian intervention' in the foreground of international affairs. This form of intervention was premised upon an optimistic moral and legal internationalism expressed in human rights discourse. 'Crimes against humanity', the criminal legal translation of 'ethnic cleansing', became an internationally approved basis for intervention against states and groups responsible—if Western nations chose to be so moved (Rieff 1995). If people could not be protected from their state, or by their state, then the international community had the responsibility to intervene. Superior and internationally sanctioned violence was justified to bring atrocities to an end. The questions of how cycles of violence can be brought to an end through national and international strategies and how its legacies are managed in contemporary nation-states in crisis occupies the rest of this book.

However, despite the post-Holocaust and post-Cold War expansion of human rights discourse and legal forums to try 'crimes against humanity', atrocities have not been very effective triggers for successful 'humanitarian intervention'. Rieff (1995) and Ignatieff (1997a) write at length about the moral failure of the West (UN and NATO) to intervene in Bosnia in the face of systematic 'ethnic cleansing'. A recent report highlights the moral failure of the UN peacekeepers in Rwanda to take more decisive action against the

genocide in Rwanda. And the Dutch government is presently holding an enquiry into the failure of the UN Dutch contingent to stand its ground in the Srebrenica safe haven in Bosnia by which it might possibly have prevented the complete ethnic cleansing and mass murder that occurred when it evacuated. The premise is that effective intervention could have prevented the atrocities continuing or at least restricted their scale and impact. Yet, at the same time, one criticism against NATO's military intervention in Kosovo suggested the very opposite: that through war NATO actually created the conditions to escalate the 'ethnic cleansing' of most of the Albanian population of Kosovo.

The presence of the camera is often said to be the moral impetus for international intervention in 'ethnic cleansing'. The visual connection made between atrocities and distant audiences creates knowledge thereby engendering moral responsibility that increases the likelihood of humanitarian intervention. However, exposure to atrocity via the camera may or may not engender moral responsibility in governments or publics. Information is not the same as knowledge, and the moral connection created by the camera is weak (Ignatieff 1997b). After two years as a journalist in Bosnia and much indifference to the ongoing massacres, David Rieff comments:

I am disposed to think that had there been cameras in Auschwitz, the world might very well have done as little as it did in the pre-television age, unless, of course, it had suited the people who have power in the world to act.

(Rieff 1995:41)

The West's response to witnessing atrocities at a distance combines fear and compassion: fear that continuing violence can be infectious and extend the chaos beyond territorial boundaries, and compassion for the continuing suffering of victims. The ambivalence engendered in Western audiences by watching atrocities was part of the calculation Serb forces in Bosnia made about the likelihood of Western intervention.

Given that an international public is watching and the international organs have been set up to deal with questions of global security, international relations and refugees, this world is not merely a distant backdrop against which warfare occurs, but an aspect of the war, utilised by military and political leaders in the former Yugoslavia to further their ends.

(Sorabji 1995:81)

Thus ethnic cleansing took place against the backdrop of a watching world which was either unwilling or unable to intervene to bring it to an end. This calculus leads Sorabji (1995) to describe war in Bosnia as a 'very modern war' because 'ethnic cleansing' was consciously undertaken with the political calculation of local, national and international effects. The very coding of the conflict as 'ethnic', which the protagonists were only too willing to play up, only added to the doubts about the success of 'humanitarian intervention': if this is but the latest massacre in a long history of massacre then can force (directed violence) resolve it?

'Ethnic cleansing' has produced the international political choice of containment or intervention: to contain the effects of the violence (establish refugee camps and safe

havens, isolate the country diplomatically, impose sanctions and arms embargos) or to intervene militarily to stop it. This choice reveals that the 'moral failure' in Bosnia was not just the failure to intervene sooner to alleviate human suffering but also the unwillingness to risk one's own suffering to alleviate the suffering of others. What 'humanitarian intervention' requires is the acceptance of suffering in an intranational conflict for internationalist moral and legal principles—literally dying for another's humanity, not country, ethnicity or religion. In practice the choice about intervention has been the calculus of war. What level of national casualties will be publicly acceptable for international humanitarian causes? What cost will be nationally justifiable? Thus the choice is not to ignore 'ethnic cleansing' but to determine the calculus of acceptable costs and benefits. Finding technological solutions (e.g. the exclusive use of aerial warfare as in Kosovo) or regionalising intervention forces (e.g. the use of African and South Asian UN forces in Sierra Leone) are two ways in which Western casualties have been minimised and intervention has been made publicly acceptable. However, the corollary that aerial warfare was humanitarian warfare through the technology of 'surgical violence' has been exposed as a fallacy.²¹

However, to suggest that Western governments are always able to choose the extent to which they can keep violence at a distance or get directly involved—i.e. choose between containment and intervention—overstates their control and power. Discourses on victimhood are readily used to shape public opinion and limit government involvement. Thus, if victims can be implicated in their fate then they can be blamed, making 'us' less morally responsible for their suffering. Hence moral disgust permits their neglect. This was the fate of the Bosnian Muslims in Sarajevo, who were often accused of exploiting their own suffering in the international media. They were criticised as being the 'authors of their own suffering' and their 'victimhood increasingly seemed to bore and even disgust UN officials both in the field and in New York and Geneva. UN Protection Force officers in particular became less and less discreet in the antipathy they felt for the Bosnians' (Rieff 1995:222).

However, intervention often occurs as a result of a defining violent event. A threshold is reached when the recognition of suffering and horror legitimates intervention and the political and military risks that it entails. A sacrificial event helps redefine the situation and provides an opportunity to stop or restrict the violence. Of course events can be manipulated and misrepresented, but that is inherent in the politics of atrocity.

Take, for example, Australian government and public support for UN intervention in East Timor after the East Timorese voted overwhelmingly for independence in the UN-sponsored and Indonesian-accepted referendum. The referendum outcome saw massive reprisals, population displacement and destruction by the Indonesian military and their militia allies. The post-referendum reprisals galvanised Australian government and public support for UN intervention, and this after twenty-five years during which Australian governments and the Australian public had accepted the Indonesian annexation of East Timor, something the UN had not. They had largely ignored a series of well-publicised massacres and had made little criticism of Indonesian repression in East Timor, even chastising Australian journalists if they presumed to do so.

In Bosnia two particular sacrificial events—the Central Market massacre in Sarajevo and the 'ethnic cleansing' of the UN declared 'safe haven' of Srebrenica—brought profound changes to the course of the conflict. Rieff (1995) points out that Serb forces

had gained control of over 70 per cent of the territory of Bosnia-Herzegovina through the deliberate policy of 'ethnic cleansing', all witnessed by the media and UN observers for several years, before UN containment policy shifted to military intervention.

In February 1994 the massacre by artillery bombardment of sixty-four Muslim civilians queuing for bread in the Central Market in Sarajevo had a dramatic effect on the long siege of Sarajevo. The sacrificial event galvanised Western public opinion in support of UN military action against the Serbian siege. However, the event was controversial because some, including UN commanders, alleged that Muslim and not Serbian gunners were responsible—i.e. that Muslim forces had manipulated the UN into action. Rieff argues that UN willingness to believe in Bosnian duplicity in the Market massacre suited the UNPROFOR and Secretariat officials' view of Bosnia that 'there were no heroes but only villains in the conflict' (Rieff 1995:219). In his *Sarajevo: A War Journal*, Zlatko Dizdarevic makes a similar point about UN military commanders' attitudes to the conflict. He observes:

Whoever begins to comprehend what is happening in Sarajevo had better be flown home immediately. Then a flood of fresh faces arrives, new recruits who are completely confused by our situation and who think 'all three sides' are equally to blame for this madness—and who think that this is a civil war rather than genocide.

(Dizdarevic 1994:187)

The impact of the sacrificial event, the Central Market massacre, overtook existing UN policy on containment—one often criticised as actually facilitating the policy of ethnic cleansing it was mandated to prevent. But massacre, ultimately by an unknown hand, produced surrogate victims whose death transformed the certainty of death into the possibility of life for the long-suffering people of Sarajevo. The event effectively ended the siege, but not the war.

Conclusion

Ethnic cleansing introduced the sacrificial event into the re-making of nation-states in the 1990s. Through acts of deliberate atrocity it revealed the contemporary currency of massacre as ritual violence and the racist principle on which sovereignty was claimed—the selection of victims for de-humanisation. Through their selection as victims they are 'ethnically' coded and revealed as Other, those who are beyond the protection of the law. The mass grave is a metaphor for the individuals' reduction to anonymous human waste.

Ethnic cleansing uses the body as the site of violent closure by making it an indexical sign. This resort to the abject body is an attempt at cultural renewal, re-founding object-sign relations through violence. But the body (corpse) is not a unique sign but one produced in a ritual of violence designed to restructure social relations. The corpse is made the surrogate victim through whom the community is reconciled or strengthened. However, in a desacralising world there is a sacrificial crisis, an inability to make the victim mediate effectively. The consequence is that violence continues in cycles that cannot be resolved through the sacrificial mechanism.

Because ethnic cleansing takes place in the context of the nation-state and against the international backdrop of media and international NGOs the violence threatens to infect not just neighbouring states but to undermine the legitimacy of international organisations designed to regulate conflict and uphold individual and collective rights. The international community (in other words, the West) is faced with the choice of containment or intervention. The problems of intervention, of finding political solutions to the continuing violence, are usually overcome through a sacrificial event, an event which, through the media, galvanises public opinion and changes the war calculus of casualties and risk which greatly constrains the capacity to intervene. But is the calculus of humanitarian intervention to alleviate others' suffering without the risk of suffering moral failure yourself?

7

Witnessing atrocity

The efficacy of the politics of atrocity depends on its victims being witnessed. Cruelty must be made visible to terrorise. The triadic structure of power (ruler), victim and audience requires witnessing to define the 'tortured body'. Through the terror engendered in victims and audiences atrocity can deconstruct the world. Victims are silenced, the social world of audiences contracts and fear restricts the threshold of moral vision. Atrocity selects victims and reduces them to de-humanised objects. The victims' pain and suffering fall below the threshold of moral vision, stripping them of a moral audience. Yet paradoxically, witnessing is also the essential basis for recognition of suffering victims, for compassion and care. Witnessing is the vehicle for reversing the de-humanising effect of atrocity and recovering the humanity of victims and their social worlds. Through witnessing victims' suffering and hearing their testimonies social connections are created between victim and witness, establishing a basis for moral responsibility. And this can occur even between strangers at a distance. The politics of international 'humanitarian intervention' of the 1990s has been celebrated as evidence that witnessing the suffering of total strangers at a distance via television can engender moral demands for helping humanity.

In the final section of this book we will examine the significance of witnessing in creating moral connections between witnesses and victims. Affectivity, the emotional response to abject violence and the suffering it causes, is the primary mode of connection between victim and witness. It is the primary social connection because perceptually affect precedes cognition and, in the absence of prior social connections, it connects witnesses and victims.

The media has become the major forum for connecting victims of atrocity and witnesses both nationally and internationally. And because the connection is largely between strangers, the media relies on affectivity rather than knowledge (cognition) for the connection. Where people know little about the history or context of events the shortcut connection is through the emotions. In fact, the priority of affect over cognition in the media restates the importance of affect in establishing meaning. Thus violence deconstructs the 'symbolic', the habitualised cultural meaning, and makes it 'indexical' (Daniel 1997). Violence returns us to affect, the founding level of experience on which cognition is then elaborated (Hill and Hood 1999).

The new media(ted) experience of violence and victim must be understood as the product of globalising processes in two senses.¹ First, globalising processes have

precipitated economic and political crises in nation-states which produced social displacement² (victims), and second, they have created the global communications that have made violence and its victims more visible. Global television has greatly increased audience connections to violence and victims which previously would have been ignored or passed unnoticed (Weber 1997). Nevertheless, even though global media has increased our exposure to, and knowledge of, atrocities, it does so selectively. We do not 'see' every violent act. Only violence that becomes 'televisable' is known about.³ The idea that it only happens if we see it on television is at the root of the bitter irony in Baudrillard's book title *The Gulf War Did Not Take Place*. It didn't happen because W (the Western/Arab alliance) had virtually no casualties and Iraq's casualties went unseen—because they either 'disappeared' (in this case were entombed in the battlefield) or were not televisable.

There are two essential ways of depicting the Other; either by underexposure or overexposure. 'Monstrosity and invisibility are two subspecies of the other, the one overly visible and repelling attention, the other unavailable for attention and hence absent from the outset' (Scarry 1999:288). During the Gulf War

the Iraqi other was underexposed, invisible, absent. No soldiers or civilians were pictured on United States television. If only one person was killed for each American sortie, then there must have been at least ten thousand people killed (and it is extremely unlikely that only one person was killed for each flight). Yet no injuries or deaths appeared before us. This underexposure has as its counterpart the magnified, overexposed, sexually caricatured image of Saddam Hussein. As we watched missiles going into targets that appeared to have no people within, it was as though either no one would be killed or the Gruesome Tyrant alone would be killed.

(Scarry 1999:288–9)

Media witnessing is taking place in a changed international environment in which social and moral boundaries are changing. Contemporary political violence has 'overturned the moral boundary-markers of citizenship, race, and class that used to allocate responsibility for the relief of the suffering' (Ignatieff 1997a:19). Now globalised witnessing via the media has created the possibility of a 'moral universalism...built upon the experience of a new kind of crime: the crime against humanity' (Ignatieff 1997a:20). Thus at the same time as globalised processes are eroding social forms based on face-to-face reciprocity and moral responsibility, they are creating the possibility of different kinds of social connection and a moral universalism.

The new victims of atrocity witnessed on television are displaced people who have lost their means, social supports and protection. They are part of the global phenomenon of refugees, the category of *homo sacer* (Agamben 1998), those whose lives have fallen outside the protection of (national) law. These victims have no effective national citizenship because they have lost the protection by the state or from the state. Their social displacement reveals the boundary of exclusion, the human waste produced by the violent solutions for social renewal based on homogenising and hegemonising ideologies. Ignatieff (1997a:20) describes them as a 'new human subject', the victim stripped of

social identity and moral audience. Without their previous networks of social reciprocity they are forced to 'put their faith in that most fearful of dependency relations: the charity of strangers'.

The charity of strangers, especially television viewers, is fearful because it is morally ambivalent and cannot be relied on. According to Bauman (1989:190), 'morality tends to stay at home and in the present'. Witnessing acts of atrocity and its effects can engender fear, as well as compassion or indifference in viewers and can thus push people apart just as much as bring them together. There is no singular relationship or meaning possible in global witnessing by a multiplicity of audiences. A 'moral universalism' based on media(ted) connections assumes that compassion for the victim will prevail over fear, and even indifference. Yet terrorism exploits the same medium to project fear into audiences, making them feel vulnerable to harm even if very distant from actual events.

Unlike the 'innocent' victims of natural disasters who are given the moral embrace, the victims of atrocities are often viewed sceptically. Ignatieff (1997a) makes the point that it seems that we need to feel victims are innocent to be deserving of compassion. Their innocence has to signify their powerlessness (Zulaika and Douglass 1996). If victims are implicated in their own fate then they can be blamed for their suffering.⁴ But by differentiating between victims as more or less deserving we also value their lives differently. This is most apparent when compassion is constrained by fear. Compassion means helping and helping involves the risk of harm: intervening in a fight to help a victim means risking injury to oneself; being a humanitarian worker in conflict zones means putting your own welfare at stake;⁵ military intervention against atrocity means risking the lives of your own soldiers to protect victims. The calculation of cost is a calculation of the relative value of life. This calculation is particularly immoral when, as Bell (1999) notes about Bosnia, the West intervenes on the basis of increasing the risk to others in order to reduce the risk to itself.

These final chapters will explore the politics of affectivity around the victim and the role of witnessing (visibility) in bringing violence to an end. The unstable body sign of the victim can either be used to separate victim and witness through fear or denial, or to bring them closer together through empathy for their suffering. The affective ambivalence engendered through the victim highlights their pivotal role in either extending or constraining violence. Witnessing can be used to perpetuate violence as well as to bring it to an end. Thus terror reinforces the victim as 'object' while empathy moves to recover the victim as 'subject'.

Atrocity usually becomes publicly visible in the legacy of violence rather than in the violent act. The act of atrocity is rarely televisable except in the dead or living victim, the corpse or the survivor. The victim is recognisable through their injuries, the evidence of violence and its culturally coded meaning. Atrocity objectifies and codes the victim's body, marking them off as different—e.g. ethnically, religiously. The corpse is made to signify a category and no longer an individual subject. Moreover, the silencing impact of trauma in the survivor can also reinforce their objectification by leaving them with an unresolved and unspeakable private memory. Terror's legacy in the survivor can leave them haunted by the past with their private memory unable to be assimilated into public memory. Consequently, their experience cannot be commemorated, preventing them from reconstructing the self through narration. Instead, the mnemonic of violence leaves

the mark of repression buried in the individual; through terror and trauma the victim is silenced.

Yet the recognition of the suffering victim can also evoke empathy and the moral responsibility to care. Compassion recognises and responds to the humanity of the suffering victim. It is an elementary social act of sharing and responding to another's feelings. Voice further extends the affective connection and helps remake the victim as individual subject. Testimony allows the victim to be recognised and recovered as an individual. Testimony recounts what Cobb (1997) calls 'violence stories' whose plot contains the source of violence (the perpetrator), the injury suffered and the wrongs done. The recovery of the individual and resuscitation of their social worlds is structured around the recovery of voice. Mediation and adjudication, two key strategies for social renewal after atrocity, are both centred on the voice of the victim. Thus truth commissions (mediation) and war crimes trials (adjudication) have increasingly been made the centrepieces for the recovery of national societies and polities. These will be discussed in subsequent chapters. In this chapter we will focus on the connection created between strangers, between victims and witnesses, through media witnessing.

Media witnessing

The key to witnessing at a distance is the technology of television and global communications. 'Global witnessing', witnessing at a distance through the medium of television, has become an integral part of the politics of atrocity. Or as Bell (1999) puts it, 'we live in this world where civilians are at the centre of military strategy'. The viewers and victims are overwhelmingly civilians. Television has greatly expanded our exposure to violence as well as increased its opportunities. Thus terrorism is a form of political violence which depends on television to amplify the effect of a violent act and terrorise audiences who are well beyond the reach of harm. Visibility means 'televisibility', the recognition of an act through the camera. Through the media, geographically distant and disparate audiences witness violent events to which they have no relationship and yet are affected by them. But how are they affected? Does televisibility extend violence or constrain it? Does televisibility enhance or undermine moral responsibility for distant victims?

The claim is frequently made that the media, through the global witnessing it enables, has become an important force for international peace and human rights (Rieff 1995; Ignatieff 1997; Shaw 1996). The argument is that greater visibility creates greater accountability and moral responsibility. By bringing victims into sight, a moral relationship is established with them (Bauman 1989). As noted earlier, because the media has become so pervasive it has even become a primary empirical source from which to launch international investigations into human rights abuses. The casualties suffered by journalists covering 'atrocity' stories under repressive regimes are a measure of how influential they believe the media is in mobilising Western public opinion and governments against them. Similar dangers also confront workers from international agencies and NGOs, and even UN peacekeeping forces, who frequently assume the role of international eyewitnesses to atrocity.⁶ Certainly international charities know that the visibility of suffering is vital to the success of their work. Without television pictures of

suffering victims 'to pressure the world into action' there are no public donations or international aid (Taylor 1998).

'Global witnessing' and public opinion have become an essential part of intervention against violence. The media exposes global audiences to violence and raises the general sense of concern. But what kind of visibility does it create and what kind of connection is established between victim and witness?

The visibility of atrocity through the media creates a spectacle of violence. Visual images selectively determine what is noticed and what needs interpretation. But in the avalanche of reported events the meaning presented through images and words is not immediately present for audiences who rarely have any personal connection to them. Personal biography can rarely provide the missing links to contextualise events for distant audiences. So how does the media create meaning for audiences who have no experience of, or relationship to, distant events? How do distant witnesses, strangers, make sense of media(ted) events?

Meaning is discovered in recognising what connects. The way the media connects events and personal lives is through reference to visual and narrative metaphors. Images 'quote from appearance' and stories invoke familiar cultural narratives (Berger and Mohr 1989). Meaning is created by drawing on cultural memory images and stories. Reported events become meaningful through their ability to create depth, to have duration, by invoking sensual and narrative memory.

Visual images are used to connect events and audience. We recognise things by reference to a stored memory of visual images which Berger and Mohr (1989) describe as 'half-languages'. Visual images, however, are ambiguous. First, they selectively privilege a moment of time by preserving it and suppressing other moments, and second, they are discontinuous and out of context. 'If the event is a public event, this continuity is history; if it is personal, the continuity, which has been broken, is a life story' (Berger and Mohr 1989:91). Their ambiguity makes them weak in intentionality since the story the picture or set of images is telling is never clear. This ambiguity of intentionality is both a weakness and a strength: a weakness because images permit wide interpretation, and a strength because once captioned the image is anchored by words or text. The image appears irrefutably to tell what the words are saying. 'And the words, which by themselves remain at a level of generalisation, are given specific authenticity by the irrefutability of the photograph' (Berger and Mohr 1989:92).

What Benjamin calls tactile vision reminds us that the memory invoked by sight is also sensual (Benjamin 1969). Visual images recall sounds, tastes and feelings which engender an experience of events, a mimetic experience which is strongly reinforcing. The idea that we can visually experience events at a distance and thereby authenticate them is seductive because it creates the illusion that we can know things by witnessing them, we see for ourselves as if we too are there. Through this close-up mimetic experience we actually gain a sense of greater control over events (Taussig 1993). The duration of our witnessing creates an experience of understanding that is very persuasive. And if we add the moving camera, we also get the impression that we too are actually present, travelling through the scene of events.⁷

Another dimension to media witnessing is that it creates a perspective and experience only available through 'cinematic perception' (Buck-Morss 1996:51). Certain realities of modernity can only exist via the 'prosthetic organ of the screen' since they are not

available to any single individual's experience. As Virilio (1989:29) notes, 'war is cinema and cinema is war'. Fussell (1989) makes a similar point when he refers to the Second World War as the 'cinematic war' because the scale and geographical spread of operations could only be represented through the movie camera. The war film *The Thin Red Line* portrays the incomprehensible gap between the fragmentary experience of combat and the strategic vision of military command of the war unfolding in the Pacific. The screen creates the 'event' of war for the audience as a unity synthesised as a perceptual whole with a coherent meaning. 'Cinematic perception' creates mass cognition, the impression of sameness and the appearance of universality or 'truth'. 'If "truths" are universal because they are experienced in common rather than perceived in common because they are universal, then the cinematic prosthesis becomes an organ of power, and cognition becomes indoctrination' (Buck-Morss 1996:55).

The camera also changes perception in another way. It allows us to witness more than our perceptual capacities usually permit us when we encounter the horror of violence in reality (Scarry 1985). Ironically, film permits distancing but also a closer scrutiny of events because the technological eye of the camera does not blink. Through film, audiences get to see images of death close up that soldiers in combat often don't because weapons technology allows them to kill at a distance.⁸ However, when we see horror and death on (the other side of) the screen we watch it passively as a spectacle, we don't react to what we see in the same way as if it were actually happening to us. Our perception and response are separated and if we do respond it's delayed and we play out a part (Buck-Morss 1996). Media witnessing may connect us with Violent events' but our responses to such spectacles are very different to the urgent reactions of fight or flight in reality.

The altered perceptual experience of the 'event' can also heighten a sense of having a lasting and significant experience. Photography and film seek to create a duration by providing the viewer with the sense of having a 'timeless' experience—i.e. one that defies the passing of time. These are experiences of moments that appear as 'impervious to time' or 'summit experiences'. 'They are experiences which provoke the words, for ever, *toujours, siempre, immer*. Moments of achievement, trance, dream, passion, crucial ethical decision, prowess, near-death, sacrifice, mourning, music, the visitation of *duende*' (Berger and Mohr 1989:106). However, the common experience of these moments as 'windows looking across history towards the timeless', Berger and Mohr (1989:108) argue, is now largely denied us by social transience. Nevertheless, television is particularly hungry—and so it seems are we—for these moments: 'history-making events' such as the 'The World Cup' or the 'Olympic Games' where 'heroes are forever'.⁹ Atrocity and horror are also a source of images to evoke a 'timeless' experience through shock. The unsettling traumatic moment captures agony, a glimpse of the abject, a reminder of death. Perhaps the most famous image of horror 'impervious to time' is Edward Munch's *The Scream*. Others include the televised images of 'terror' and 'horror' captured in the events of the Munich Olympics of 1972 or the assassination of JFK (I remember the exact time and place!) or the September 11 terrorist attacks.

Media witnessing of atrocity is not merely the technological extension of our perceptual capacities, it conjures up a different experience. Meaning is shaped by the selectivity of camera, by the visual and narrative associations of the viewer, by the 'timelessness' of the moment, and by the illusion of greater understanding created by the prosthetic screen. However, the weakness of the image in intentionality also allows for a

media experience which seeks narrative closure, a story to tie up what is seen. In the act of looking there is an expectation of meaning (Berger and Mohr 1989).

Media(ted) morality

Ignatieff (1997a) argues that media witnessing of global events has created a new moral conscience through the illusion that media(ted) events have somehow happened to us.

Since the advent of television news in the 1960s, we have been brought face-to-face with human misery that was once beyond our ken and therefore beyond the ambit of those emotions—guilt, shame, outrage, remorse—that lead us to make other people’s trouble our business.

(Ignatieff 1997a:90)

The premise of media connection is that the spectacle of violence and suffering engenders compassion in those who have the means and capacity to alleviate it. However, as we noted earlier, compassion is moderated by fear in the face of violence, especially when that violence is perceived to be beyond the control of nation-states—i.e. violence no longer contained within institutionalised social or political boundaries. ‘Ethnic cleansing’, for example, comes to be understood as primordial ethnic hatred, something not subject to law. Hence the view that Western intervention in Bosnia was pointless and that the communities should be allowed to settle their differences by war reflected the belief that violence came from uncontrollable passions. In other words, when pain and suffering is perceived to be the product of political violence—e.g. terrorism, ethnic cleansing, sectarian massacre, ethno-national secessionist violence, militia and mercenary violence—no longer subject to the control of nation-states, containment becomes the defensive response.

The ‘new terrorism’ is another example of violence perceived to be beyond state control. The ‘new terrorism’ neither ‘relies on the support of sovereign states nor is constrained by the limits on violence that state sponsors have observed themselves or placed on their proxies’ (Simon and Benjamin 2000:59). As such it is regarded as more menacing and threatens ‘to produce casualties on a massive scale’ (Simon and Benjamin 2000:59). The US has responded to this perceived threat by increased counter-terrorist funding and legislative protection.¹⁰ Thus, the political context of viewing spectacles of atrocity through the media is the threat that terror is no longer contained except by heightened vigilance. Terror becomes an extremely individualised and abstract threat which heightens anxiety because it is not subject to control through the international state system.

Media coverage of atrocity and war certainly has not always led to recognition of suffering, and certainly not to intervention. Shaw (1996) argues that while media coverage may contribute to knowledge and even public concern about ‘global crises’ there are very few examples where media coverage has been instrumental in direct intervention. In fact, selective media vision has meant that conflicts which have produced the same scale of death and atrocity, such as those in Angola and the Sudan, have gone unnoticed.¹¹ Others, such as that in Chechnya, have received considerable media

coverage, but with little response. Moreover, the sheer number of ongoing conflicts since 1990 has led to a kind of supermarket coverage:

editorially, we can pick and choose—just like walking down the shelves of breakfast cereal. One day Nagorno Karabakh. The next day Tajikistan. Perhaps Georgia, or Afghanistan. Then a bit of Angola, Liberia or Yemen and perhaps Algeria if we are lucky.¹²

Shaw (1996) argues that since 1990 there have been only two conflict situations in which media coverage has largely defined the crisis. The most notable was the Kurdish rebellion after the Gulf War in 1991. Media coverage of Kurdish refugees on the Turkish and Iranian borders resulted in direct UN action to declare northern Iraq a safe haven. Media coverage of the Rwanda genocide also helped define the conflict. There was extensive coverage immediately after the event which helped mobilise the UN and relief agencies. However the political solution to the genocide came through the victory of the Rwandan Patriotic Front (RPF), not international intervention (Shaw 1996).

Media coverage of Bosnia produced plenty of knowledge of 'ethnic cleansing' but did not result in decisive intervention (Rieff 1995, Bell 1999). Only certain events acted as catalysts to intervention. One was the media exposure of the Omarska prison in Bosnia. The Serb forces used the camps to detain Bosnian Muslims after the 'ethnic cleansing' of Muslim villages. One image of emaciated prisoners standing behind barbed wire led to them being called 'concentration camps' (Taylor 1998). It referred to a meta-image, that of the Holocaust images of Jewish survivors of Nazi concentration camps. Another was the Central Market massacre in Sarajevo, already mentioned, which lifted the Serbian siege of the city. In other words, the significance of media coverage in Bosnia for Western audiences was eventually shaped by the extent to which events were prefigured in the cataclysmic meta-narrative of the Holocaust. UN and NATO reticence to intervene was only politically overcome when events could be translated into such cataclysmic narratives.

When media coverage has to give an atrocity significance comparable to the Jewish 'Holocaust'—i.e. depict it as an overwhelmingly cataclysmic event—to get public attention, this greatly distorts our understanding of particular atrocities and our capacity or willingness to assume moral responsibility for suffering.

Witnessing death of the Other

If global witnessing does not engender compassion for the suffering victim's humanity then suffering can simply mark the victim off as mortal, vulnerable to death. Media witnessing of the victim can make death 'foreign' (Taylor 1998). The dramatic circumstances of death by famine, flood, disease and war signify not just geographical distance but moral distance. Life is perceived as worth less 'over there', while 'here' it has a higher value. The distance and anonymity of media(ted) victims only serve to collectivise the Other's death as if it belonged to them as a category. Not only is the Other's life devalued, the recurring media witnessing of anonymous death and suffering intended to horrify may only result in desensitising viewers, with the result that the

images become tranquillisers (Sontag 1980). Television pictures of abject victims can strip them of moral significance: 'media significance means moral insignificance' (Tester 1994:130).

Weber (1997) also suggests that media spectacles of violence serve to separate rather than bring people closer together. The spectacle of violence in the media puts in the foreground what we in modernity have culturally pushed aside—death. Through the constant media coverage of war, poverty, natural disasters, accidents and AIDS the media has made death ubiquitous. By becoming spectators of death we identify with another's mortality and can thereby avoid confronting our own. Our ambivalence towards death is such that while we mourn the loss of loved ones we at the same time rejoice in our own survival (Weber 1997). Thus what we confront in the images of atrocity is another's vulnerability to death and our own transcendence of it.

Culturally we have long made the experience of the abject and disintegrating body (the corpse) the moment for its spiritualisation. We make the dead live on in some way through the separation of body and soul, and thereby try to 'represent the unrepresentable' (Weber 1997). The medium of television/cinema itself offers a new spectral space for imagining death. We are exposed to ever more (distant) violence through the media, yet separated from its effects. Image is separated from context, perception from reception and viewer from victim. The viewer, as isolated and vulnerable as ever, inhabits a new space that allows the denial of death and the representation of lethal violence. We see death happen to someone else, not us.

Watching war on television becomes a spectator sport of death in which violence is an act performed on another. Death is represented as a state that is inflicted on another, the outcome of deliberate acts to acquire power. At the same time the spectacle of war creates a sense of mobilisation in which the community of viewers constitutes a 'team' against the 'others'. 'The spectacle of war, filtered through the television screen, allows for the kind of collective identification that scenes of individual or civil violence rarely permit' (Weber 1997:102). It focuses viewers on what they are all unified against, the threat of their death.

The spectacle of different kinds of political violence becomes something to mobilise against. Terrorism supplements war because it mobilises through individual fear rather than military threat. The enemy is the threatened projection of harm and death. The efficacy of terrorism depends upon the affect it provokes: it addresses a world inhabited by isolated individuals, each alone with his or her fear, seeking aid and comfort from the televisual representation of violence as act' (Weber 1997:102). Thus the threatened acts of terror become a focal point of mobilisation against the unseen enemy, the enemy which haunts all life—mortality (death).

In the spectator sport of death the Other dies. Even if we have compassion for the victim's suffering we are also (secretly) comforted, as Freud observes, that it is not our fate.¹³ Moreover, the media selection from the 'supermarket of global crises' means death is not only anonymous, it is extremely abstract. The containment of atrocity and death within the television is a metaphor for the spatial segregation of a chaotic world in which such horrors happen. Thus our spectatorship of death places the Other in the liminal category of *homo sacer*, those whose death is nameless and has no consequence.

If images of suffering are weak in moral power so too is the narrative and cultural context in which they are used. Taylor (1998) points out that moral indifference towards

strangers is a condition of modern viewing and has a long history. The difficulty Amnesty International has in getting people to care about the fate of others suggests that it is difficult to evoke compassion and humanitarian responses in viewers. While Amnesty International recognise the value of shock they also know it often produces a blasé response, or a sense that the problem is so overwhelming that it is beyond individual influence. Shock, moreover, has become *de rigueur* in contemporary art and film as a form of entertainment and search for a new 'timeless' experience, unforgettable and impervious to time. Amnesty International seek to go beyond compassion—unlike most media coverage of atrocity or advertising by international charities—through images of victims' pain and suffering, naming victims and their persecutors in a political statement of responsibility (Taylor 1998).

While television may create a spectral space to distance another's fate, it also creates a space to fantasise about it. Atrocity and horror defy easy representation and attempts to represent them produce an illusion of the experience. Friedlander (1993) refers to the problem of representation of mass atrocity—his concern is the Holocaust—as the disjunction between 'kitsch and death'. The problem, as he sees it, is that while culture is full of 'kitsch' (the tastes of the majority) it nevertheless refers to respect for an existing order of things.¹⁴ There is in kitsch the equivalence between representation of reality and what could really exist. However, kitsch and death are incompatible because death 'creates an authentic feeling of loneliness and death' (Friedlander 1993:26). Kitsch tends to neutralise 'extreme situations', to neutralise affect by making the audience passive. Kitsch and death, representation and the abject, juxtapose harmony and destruction. In totalitarianism the order of things (harmony) is juxtaposed with destruction and death (horror).¹⁵

Television allows the viewing of atrocity between radically separated sites: the ordered and disordered. These sites are politically asymmetrical. The viewer watches in secure comfort (relatively) via a screen which protects but also prevents the viewer from comprehending the Other's experience of pain and suffering. There is no reality check here, it is only ever the viewer that sees the victim, not the other way around. The viewer watches in safety, a voyeur of the most atrocious transgression. For Friedlander (1993) the spectatorship of death goes beyond the pleasure of survival, the momentary sense of escaping mortality, to a fantasy of total power he believes continues to underlie modernity. The Other's suffering defines a zone of power conveyed through images which create a connection that defines a political relationship. The viewer is offered, in the images of suffering, the fantasy of power over life and death. I have the power to intervene to save or let die. Constructed as 'responsibility and care' in international humanitarian discourse, it represents an international biopolitics engendered by mediated images. The political distance between viewer and victim is underwritten by an unstated international 'balance of power' and military reach which allows the fantasy of 'humanitarian intervention' as saving life.

The medium of television itself has made us spectators of death. 'News', 'current affairs' and 'documentary' programmes are saturated with 'hard-core reality violence', real people in real danger (Pimlott 1994). Popular culture on television—drama series, movies, cartoons—is full of stories about violence, disorder and death, produced to entertain. Moreover, violence appeals because it simplifies the story—it tends to make things appear black and white. As one director recently observed:

Produce a gun at any point in a plot...and things simply happen. In fact, produce a gun and people immediately know where they are. Violence, in real life and in the cinema is unequivocal: it sorts you out, stops you in your tracks; you know what it means.

(Romney 1995:49)

The detective story encapsulates the thesis of order, offering reason and scientific deduction as a way to regulate the world, to put things right. It reminds us that violence is what we seek protection from, what threatens to invade and overturn our everyday lives. In our more comfortable world disorder and death are received (witnessed/watched) as the obverse of order and life, something out of place. The fear of death, that we will not be able to live our lives to the full, provokes the response of modernity to 'kill death' by seeking to banish death's surrogates, 'the carriers of degeneration and disease' (Bauman, 1992:153). The 'dangerous Other' is the one who threatens disorder, especially random violence.

Media witnessing of death as a spectator sport objectifies the victim. It affirms the selection of individuals as having lives worth less. Their death is of little consequence. They are the category of *homo sacer*, those able to be sacrificed with impunity, not just by the state but by a global system of power which shapes the mortality and longevity of different people. To recognise them as victims of human rights abuses simply affirms their vulnerability as being beyond the protection of law.

A closer look at the narratives which deal with the violence and death of the Other reveals that they essentially differentiate humanity. For example, the narrative of 'ethnic violence' seems to be suggesting that order is not really possible everywhere. Against the optimism of modernity the persistence of 'ethnic violence' declares that we cannot all live together in the same world because we are not all the same. Difference, the celebrated voice of the subaltern, the new possibility of voice and identity for those who previously had no history, is being twisted to mean that some parts of the world will never embrace 'modernity'. Media(ted) ethnic violence conveys to us a disordered world disconnected from our own (in the comfortable world), unintelligible and with no basis for integration into a larger narrative of modernity. A Hobbesian view of violence as random, autistic and 'freed from ideology' is offered as the solution to the lack of story (Enzensberger 1994:200).

Watching the ethnically coded victims through the prosthetic television screen suggests that the political solution is to segregate, isolate and remove those who might contaminate, bring disorder. The solution to disorder is not intervention to bring about order. The age of imperial thinking—colonisation, modernisation, the Cold War—has passed, superseded by the perspective of strategic intervention and containment. In most cases the solution to the threat of disorder is to quarantine it—keeping refugees over there in safe havens, supporting humanitarian programmes and increasing border surveillance. As suggested earlier, these are still strategies of power, deciding who lives and who dies. The narrative of modernity has been adjusted; if the grand colonial and imperial projects of history (the White Man's Burden) have failed (we can't make everyone like us) then we have to acknowledge their difference and exclude them as dangerous.

Becoming a spectator of death and surviving in a postmodern world is anxiety ridden. Watching media(ted) death merely heightens the sense of panic, the postmodern sense of

life as a chronic 'emergency' in which values are put aside in favour of pragmatism (Blum 1996). 'The emergency disrupts the relation between life (fluidity) and form (continuity) by magnifying the present and its circumstances in a way that conceals its relation to fluidity and continuity' (Blum 1996:683). Terrorism, for example, produces an event that refers to, and reinforces, this sense of emergency. Thus an act of atrocity, albeit geographically distant, can evoke fear and the sense that there is a need for an urgent response to danger.¹⁶

Whether the migration of weapons, diseases, or incalculable market conditions, the danger of the present requires efficiency as a perennial state of readiness in the face of anonymous forces, a preparedness that is equated with the speed of reply at any indeterminate future moment and which itself, in the condition of perpetual preparedness for nothing in particular but the worst that might happen, becomes the 'objective and end of action'.

(Blum 1996:685)

Thus 'global witnessing' can reinforce a sense of defensive panic. This sense of the West in 'panic' was part of the political calculus of 'ethnic cleansing' and made Bosnia 'a very modern war' (Sorabji 1995). Atrocity not only intimidated target populations, it dissuaded NATO and the UN (and the public) from decisive military intervention to end the violence for fear of not having an 'exit strategy' thereby increasing the risk of injury to themselves.

Conclusion

Undoubtedly media witnessing has made possible knowledge of events that would otherwise have passed unnoticed. However, the view that media coverage of violence has contributed to a new moral universalism by making the suffering victim visible ignores the political reality of moral ambivalence. What has been evident in 'humanitarian intervention' is the reluctance to help. Moral universalism has not reached the point where those not in danger are prepared to risk their lives for moral or legal principles. National interest seems to override humanitarian interest where intervention occurs. 'Force protection' takes priority over the protection of victims, even to the extent of increasing the jeopardy of victims (Bell 1999).

The objectification of death in the anonymity of the Other's suffering and death can only be challenged by recovering the subject. Images of bodies can be used to give back voice to the victims. Thus the photographic work of Susan Meiselas in Central America selectively recovers the victims of state repression. Her photographs depict bodies 'who defied the government' (Desnoes 1985:41). They are 'rescued bodies'. A similar process can be seen in the work of Pacemaker Photographers in recording the 'troubles' in Northern Ireland.¹⁷ They made it their task to 'rescue' from sectarian coding the bodies of sectarian violence. Each individual was memorialised in the press through a portrait, not a picture of a corpse, for them to be biographically and subjectively recovered for their readers.

8

Trauma, truth and reconciliation

While global witnessing may have extended the reach and complexity of the politics of atrocity the primary social and spatial context for witnessing remains the nation-state. Those who cannot avoid the legacies of mass violence are those who have to continue to live together after it. For them the immediate task is first, to prevent the violence returning, and second, to reconstruct a just, inclusive national society. A key strategy to prevent the return of violence and stop the effects of past violence haunting individual and social relationships is to confront the past. Public recollection of the past through the testimony of victims is the principal strategy of revealing and healing, whether through trials or tribunals. The rationale of these ‘Never Again’ projects is to prevent the past returning by producing a stored public memory of atrocity and terror (Taylor 1994).

States undertaking projects of public remembering have sought the ‘truth’ about the past through two different paths: reconciliation or justice. Although the paths of reconciliation and justice are often presented as if they were realistic political alternatives, in fact they usually are not. The problems faced in reconstructing nationally fractured communities often dictate the choice of reconciliation because the cessation of violence is the product of political stalemate. Usually the state—or at least the new political regime—is not strong enough to pursue the path of justice. The cases where justice after mass atrocities has been pursued through international criminal tribunals reinforce the point. International criminal tribunals are pursued where the state is either not strong enough, or lacks sufficient legitimacy, to conduct national trials, and when the consequences for the state and the international community are seen as too high to live with the impunity of perpetrators.

In this chapter we will focus on the path of reconciliation after mass atrocities, the collective witnessing of the past through the testimonies of victims. The main focus will be the phenomenon of the truth commission, an increasingly popular forum used to witness publicly the victims’ suffering after mass violence as a result of state repression or civil war.¹ The subsequent chapter will look at the path of justice—witnessing shaped by criminal prosecution.

Trauma and truth

The 'truth commission' has been enthusiastically adopted internationally to promote national renewal and create more inclusive national societies after state repression and violence.² The centrepiece of the truth commission is individual testimony to suffering. Truth commissions address the legacy of violence—trauma—as the basis for promoting national reconciliation, rather than prosecute perpetrators to pursue justice. Their sources of truth (evidence) are the stories of victims' suffering without the necessary burden of legal proof or judgements. Individual testimonies also serve as alternative sources of 'memory' of events which had been expunged from official 'memory'.³ The power of their words is not legal (at least only potentially and indirectly), but empathetic.⁴ The stories are supposed to move people collectively thereby diminishing the legacies of violence by sharing their effects. This sharing of the 'truth' of suffering is an act of moral implication and is supposed to engender acknowledgement of collective responsibility.

The project of national reconciliation pursued by truth commissions addresses suffering as both a product of state violence and a culturally constructed experience to (re)create moral national communities (Das 1996). Individual suffering is the fulcrum used to convert the effect of repression into a vehicle for social reconstruction. This inverts the usual political appropriation of suffering. While the politics of terror inflicts suffering with the purpose of silencing and destroying opposition, the politics of trauma witnesses suffering as a strategy of social reconstruction.

The idea of reconciliation is politically focused on the social recovery of the victim with the purpose of reconstituting the national whole. The threshold of moral vision is adjusted by recognising the victims in the testimony of their suffering. Truth commissions seek to invert the state politics of pain by shifting the focus from terror to trauma. With pain as their fulcrum they seek to objectify and institutionalise truth claims through the testimony of victims (Foucault 1979). However, with the political shift from terror to trauma there is an implied difference in the perspective on pain. In the former pain is 'the medium through which society establishes its ownership over individuals', while in the latter

pain is the medium available to an individual through which an historical wrong done to a person can be represented, taking sometimes the form of describing individual symptoms and at other times the form of a memory inscribed on the body.

(Das 1995:176)

One emphasises the conditionality of social participation, the other the morality of social participation.

The key to the public sharing of pain is the voice of the suffering victim. Testimony and witnessing, a necessarily dyadic and social process, are used to establish the truth of the past. However, the 'truth' produced from the victims' memory of violence is problematic. What is remembered, said and heard is psychologically, culturally and politically contingent. For the victim, pain is difficult to communicate—traumatic

experience is not easily recovered whole—and they may fear retribution or re-victimisation for speaking out. And because testimony must be witnessed to be socially recognised, the victim's pain is extremely vulnerable to appropriation by dominant discourses—e.g. political, medical, legal (Foucault 1979; Kleinman 1995). Moreover, the professional techniques of doctors and lawyers often converge with those of torturers, actually reproducing the traumatic experience (Rejali 1994). The private and inalienable bodily experience of pain can be alienated through its cultural or political appropriation. Power has long exploited pain as a fundamental strategy of social substantiation and this holds in the case of interrogation as much as recollection (Taylor 1994).

What is heard, witnessed, are the victim's recollections about violence. Pain, as the memory left by violence in the body, is expressed as suffering in 'violence stories' (Cobb 1997). These are stories about the memory of violence and its impact on the victim. The content of 'violence stories' reveals specific details about the wounds they suffered, the weapons used and who was responsible. Through these stories wrong and right are publicly reaffirmed. For the victim, speaking out is believed to be a liberating and empowering act and a step towards individual and social healing (Alcoff and Gray 1993). Yet the language which objectifies pain—i.e. makes it visible—also constructs the victim. Pain is transposed into power by the victims identifying themselves as victims through testimony. In the process, testimony, the language of agency, 'does not free the victim from the subjectivity of the pain, nor does it return the dignity of the self to the self—rather it effaces, reduces, and denies the subjectivity of the victim' (Cobb 1997:406). Thus violence marks victims not only in their injured bodies but also in the recovery of voice: 'persons must mark themselves as victims, which in turn excludes them from the very communities that are brought forth through their own sacrifice' (Cobb 1997:406). Testimony reveals the truth about individual experience of violence but it also ritually repositions the speaker as victim. Violence stories construct the self as victim, and public witnessing produces the victim as a sacrificial category in order to reconstitute social relations (Cobb 1997). The 'victim' can end up reproducing their victimhood as a social benefit (Girard 1987).

This double physical and cultural marking of violence occurs in both tribunals and trials. However, the processes of re-enacting violence, and its outcomes are different in each case. In the courts violence is re-enacted in precise detail through rules of evidence and procedure to establish the 'fact' of its occurrence and origins for the purpose of judgement and punishment (Cover 1986). In tribunals 'truth' is established through the credibility of the performance of the victim in telling their story and the empathy witnesses feel. Testimonies to suffering before tribunals are not aimed at securing justice but at constructing the victim as the foundation for moral and social reconstruction.

In the process of national reconciliation it is those who have suffered the most, the victims, who are usually asked to make the greatest efforts to reconcile (Jacobs 1997). It is their forgiveness that puts the past to rest. Victims are asked to exchange the recognition of their pain, and its origins, for their rights to justice (Minow 1990). Even where victims are paid reparations they are largely symbolic and hardly compensate for loss and injury. Through the substitution of mediation for adjudication the individual is isolated with needs rather than rights. Consequently, the issue of violence (the wound) recedes and is neutralised, leaving the victim with the scar and loss (Cobb 1997).

Moreover, the radical subjectivity of pain is objectified and the heterogeneity of individual suffering is subordinated and homogenised to produce a shared morality and story. The victims' personhood is assimilated into a category of survivors upon which the state seeks to build social renewal. Bishop Tutu's frequent observation during Truth and Reconciliation Commission hearings in South Africa that 'all have been wounded by apartheid' aimed at just that. It subordinated and homogenised the heterogeneity of individual suffering, and its unequal distribution and intensity across the spectrum of victims, families of victims and perpetrators to form the moral consensus of the new South Africa.

Truth commissions have been established on a health rather than a legal paradigm. But who benefits more in the process of testimony and witnessing, the victim or the witness? The rest of this chapter will explore the limitations of testimony, witnessing and healing as socially constitutive of moral orders. One of the difficulties is whether the health paradigm conceals the legacy of violence. After all, the healing—the expulsion of violence from social relationships—is meant to occur at the same time as we remember and store it as collective memory so we don't forget it.

Public testimony

Truth commissions seek to intervene politically at the conjunction of the personal need of victims to put their lives together again and the state's need to re-establish a national community, justice and its own political legitimacy. They also seek closure on the past through a public remembering (Taylor 1994). The *Nunca Mas* (Never Again) projects in Brazil, Argentina, Chile and Uruguay produced extensive documentation of atrocities and reports as an official memory of events that were never to be forgotten. Meticulous recording was seen as a defence against terror returning.

The methodology of the truth commissions is to create a neutral open dramatic space constituted by the process of speaking and listening. The dramatic space created by truth commissions allows the script and plot to emerge in the interaction of speaking and listening. The process relies, however, upon the willingness and ability of victims to testify to their suffering—corroborated, in some cases, by perpetrators' confessions of their crimes (human rights abuses)⁵—and the willingness of audiences to witness them. The rhetoric of truth and healing is constrained by the reality of what can be remembered, what can be said and what is heard.

Even though truth commissions found a public space in which all victims are entitled to testify, the opportunity is inevitably selective and restricted. The practical difficulties of time, resources and public attentiveness to witnessing limit the duration of reconciliation as a politically managed project. In addition the state's project to allow 'truth-telling' to produce a public memory as a unifying story is necessarily shaped by juridical and political discourses which selectively recognise individual suffering. The state determines who will be acknowledged as a victim.

Who is recognised as a victim is at the outset shaped by the purpose of the 'official story' to be produced as a stored collective memory of the past—i.e. report and archives. Is it to be a history? Is it the evidentiary basis for subsequent prosecutions? If history, then a broader range of testimony would be heard than if rules of evidence applied.

In Argentina the truth commission report *Nunca Mas* was meant to be a public memory as well as the basis for prosecution of the leaders of the Argentine junta.⁶ Consequently, the whole procedure was very legal. The government felt that for the commission to have credibility the inquiry had to be conducted according to legal procedures, especially since during the period under investigation the state had so blatantly disregarded the law. The report's focus was restricted to suffering caused by the state rather than other political groups. Certain kinds of victim and certain kinds of abuse were emphasised. Some categories of suffering and violence were never recorded or addressed in the trials. The abuses emphasised were kidnapping, disappearance and torture,

experiences arguably identified mostly with the middle classes. What of collective massacres, thought to be more representative of the working class experience? What of whole provinces where mass death came in the guise of open military confrontation that fit the rubric of battles, except for the sinister fact that casualties were never reported or even recognised?

(Taylor 1994:201)

The consequence of this politically selective remembering, Taylor argues, is that the *Nunca Mas* projects failed. 'Remembering, then, is also a process of forgetting. It is simultaneously constructing some subjectivities and doing violence to others' (Taylor 1994:200).

While the South African Truth and Reconciliation Commission (TRC) was more inclusive of victims it also produced a selective remembering as the 'official story'. The primary goal of the TRC was to produce a comprehensive history about human rights violations under apartheid between 1960 and 1994 from the 'truth-telling' of victims. Nevertheless, it too developed a judicial character. The hearings were victim centred rather than focused on perpetrators, although the latter were also invited to come forward and were offered the possibility of amnesty. Victims' testimonies were the primary source of information. In total there were more than 21,000 individual submissions to the Human Rights Violations Committee, 7,124 individual submissions to the Amnesty Committee, and submissions from the media, from the business community, from labour, from the faith community, from the legal system and from the health sector as well as special hearings on women and youth.

The report was seen very much as something to be shared, not criticised. It was, after all, meant to be a vehicle for national reconciliation. As Bishop Tutu, the Chair of the Commission, writes:

My appeal to South Africans as they read this report is not to use it to attack others, but to add to it, correct it and ultimately to share in the process that will lead to national unity through truth and reconciliation.⁷

The massive task of public remembering and recording the past produced a five-volume report and vast archives. Bishop Tutu described the report as 'offering a road map to those who wish to travel into our past'.⁸ This included extensive primary material

generated through submissions and hearings archived on video, audio-tape, and computer databases accessible through the TRC website.⁹

The TRC mandate was to investigate 'gross human rights violations', their character, causes and origins. What this meant in practice was that not all suffering produced under apartheid made one a victim for the purposes of the investigation. For example, suffering caused by the harsh policing of apartheid, such as population removal was not recognised as a human rights violation. Victims were not automatically acknowledged simply by coming forward. They had to be found to be 'official' victims by the Human Rights Violations Committee. Of the 21,000 submissions 4,500 (21 per cent) were found to fall outside the definition of 'victim' of what was codified as gross human rights violation.¹⁰

Individuals' testimonies were solicited within a historical framework of well-known events during the apartheid era. While all victims were invited to make submissions to the Human Rights Committee only around 2,000 of the 21,000 submissions got to present their testimonies orally before the Human Rights Violations Committee. The perception that those selected to give oral testimony were somehow more important had to be addressed by the commissioners from time to time. One commissioner at the Duduza Hearings explained the question of witness selection in the following way:

Now, I know that many people who have made statements become very angry when they are not asked to appear in public hearings and that is, I think, because people may have the wrong idea that those who appear in public hearings are more important than those who do not. That is certainly not the thinking of the Truth Commission. When we select people to come to a public hearing what we try to do is select cases which give us some idea of the nature of the conflict. So we try to use cases to give us some insight or a window into the nature of the conflict. We do not choose people because we think their stories are more important or because they are more important. We also try, we also try to cover the period that the Commission has to look at which is 1960 to 1994. We also try to give as balanced a view of the conflict as possible because we know that the conflict was many sided.¹¹

These selected testimonies at the Human Rights Violations Committee Hearings were the public face of the TRC and provided the dramatic performances for empathy and 'cathartic' healing. In practice victims' testimonies were more significant in documenting the reality of injuries and violence at different times and places, fleshing out the historical record with their bodily memories, than in their accuracy. The extent to which statements could be corroborated or achieved the status of 'legal evidence' varied greatly. For example, in almost half the instances of reported human rights violations deponents gave statements about gross violations committed against people other than themselves (Jeffery 1999). This meant much of the information could only be second-hand or hearsay. Nevertheless, through the codification of violence as degrees of 'gross human rights violations' victims were made equivalent in value and incorporated into the collective memory of the period.¹²

Through the quantification of suffering as indexed 'gross human rights violations' the violence of repression and resistance was mapped chronologically and geographically.

The victims were distributed across the historical and national landscape of apartheid. The quantification of victims converted them into war casualties, the dead and injured substantiating the justice of the anti-apartheid struggle as well as its defeat. The TRC's very existence and project of never forgetting confirmed the victory of the victims and their power to use the casualties to bury apartheid.

The gross human rights violations coding also helped blur the distinctions between different kinds of victims and different kinds of victimisers. This allowed all victims to be folded into the narrative of 'all victims of apartheid'. This especially became apparent in the amnesty and reparations provisions, in which acts of injuring and being injured were constructed as the outcome of war. Amnesty was granted if acts of violence and gross human rights violations, irrespective of which 'side' you were on, could be shown to be political acts. The amnesty process has been one of the most controversial aspects of the TRC. A major problem has been the limited number of perpetrators who were not already imprisoned for offences who applied. Around 77 per cent of applications were from prisoners, overwhelmingly 'non-White', and not those responsible for the main violence committed by the state security apparatus.¹³

Trauma and memory

A key focus in the Truth Commission has been individual 'truth-telling' as a vehicle for healing the nation—'revealing is healing'. However, if 'revealing' constructs the victim through telling violence stories what truth is produced about violence? And since testimony is premised on witnessing, what truth is heard in these violence stories?

In the formula 'revealing is healing' truth is both accessible and expressible. When people are asked to tell the whole truth in court, the expectation is that the truth is spoken as a single, remembered and narrativised event. Moreover, the idea that healing is possible through revelation has become an 'article of faith' for personal therapy and social redemption in the secular world (Ignatieff 1997b). The truth of individual suffering—the authenticity of feelings—is offered as a source for rewriting national history and for recreating a moral community. History itself is conveyed as a feeling rather than as a meaning, through sharing others' pain (Buruma 1999).

However, memory is certainly not always accessible as a straightforward narrative. The memory of violence can be inaccessible and inexpressible because it refers to traumatic experience which is encoded not in verbal narrative and context but in sensations and images (Herman 1994). The 'truth' may not be able to be told because of psychological evasion.¹⁴ Remembering is often avoided as a defence against re-experiencing pain. In psychoanalytic terms such strategies include intellectualisation (couching narrative in an abstract and discursive form to avoid affect), rationalisation (justification in terms that are rational or ideal as opposed to being true), object splitting (negative experiences and affects are projected into the bad object, positive ones into the good object), projection (those feelings and desires unacknowledged in the self are expelled and relocated in another person) and reparation (the repair of an internal object which has little correspondence to the external world). Splitting, or dissociation, is another defensive strategy which involves the creation of a 'gap or disturbance in normal patterns of integration of memory, self, and perception' (Kiramayer 1994:114). Where

individuals have hidden their pain from themselves what is produced as testimony is a highly filtered account of the past. Testimony to trauma then involves individual recovery of memory about the past, regaining voice and re-establishing self-identity through narration. However, the very act of narration itself can be culturally understood as a social space created to defend against terror (Canclini 1995). Narrative fills the space of terror to populate it, to create meaning against the abject void (Taussig 1992).

In addition to psychological defences against remembering pain there is also the difficulty of putting pain into language. Personal suffering has to be put into language to be shared, and narrative is the most common way of establishing meaning. But individuals cannot just create their own narratives from private memory; they have to convey their personal experience by drawing on a cultural repertoire of stories. If they cannot, 'confusion, powerlessness, despair, victimisation, and even madness are some of the outcomes of an inability to accommodate certain happenings within a range of available cultural, public, and institutional narratives' (Somers 1994:630).

Memories become socially embedded through their employment in narrative (Bruner 1991). However, when they fail to become narrativised they remain inaccessible and, as a result, tend to be retrieved in fragments. Consequently, memory is recovered as an echoing response through repetition or a constant return to the same narrative themes. 'If trauma creates a separation from the self, a fragmentation of identity, then the process of narrating a trauma mimics this fragmentation' (Greenberg 1998:323). The echo is a belated return seeking a witness to oneself. The constant revisiting and interpretation of memory also emphasises the generative character of echoing. The past 'cannot be "done with" until it ceases to have unwanted effects' (Tjiattas 1998:63). However, the past is not recovered as prefigured pieces of a jigsaw, but as fragments which may never be able to be assembled as a whole. It might never be done with.

The performative character of testimony means that its 'truth' is not produced merely through narrative but also through the senses—i.e. those cultural systems of perception and memory not reducible to language. The senses are meaning-generating apparatuses that operate beyond consciousness and intention. The interpretation of and through the senses becomes a recovery of truth as collective, material experience' (Seremetakis 1994:6). The memory of the senses is not merely embodied but is also embedded in the material landscape—i.e. places and objects which culturally evoke specific feelings, memories and narratives. These feelings towards the material world are not merely personal—a unique phenomenology—but culturally shared and living. This sensory landscape, however, 'is neither stable nor fixed, but inherently transitive, demanding connection and completion as opposed to being a manipulative theatrical display' (Seremetakis 1994:7). The capacity to communicate with reference to the sensory landscape is eroded where violence has physically altered it. The sensorial landscape atrophies without being tended to and dissolves into disconnected pieces. This can leave an individual's sensorial memory isolated and privatised, diminishing the possibility of ever knowing 'truth'—access to lots of living worlds.

The concern over truth as fullness and accuracy refers to revelation as a cognitive or emotional project of fulfilment or completion. In law the truth is established by re-enacting the violence through 'facts' so juridical power can be correctly applied. In psychoanalysis truth is conceived of as emotionally and psychologically cathartic for the individual. Given the difficulty of communicating pain, truth is not just that which is

spoken or its accuracy, but that which is socially recognisable or understood. As Cobb (1997:407) suggests, 'violence stories remake the world, not through their accuracy, but through the connections they create between wounds, weapons, and community'. Truth is just as importantly produced in its effects. The recent controversy about the 'truth' of a biography *I, Rigoberta Menchu: An Indian Woman in Guatemala*, written by the Nobel Peace Laureate Rigoberta Menchu and a French anthropologist Elisabeth Burgos-Debray, saw it redeemed as 'poetic truth' (Stoll 1999). Thus the lack of accuracy was justified, not as the author's personal truth, but as the 'truth' of her people.¹⁵

Veena Das (1996) argues that personal suffering is not resolved through ritual closure. Rather the experience of loss and death must be lived with by naming and mourning it, through its socialisation. Otherwise one is 'condemned to dwell alone and nameless in the ruins of memory' (Das 1996:69). The 'truth' of suffering lies in the capacity to witness and recognise another's pain. The 'truth' of suffering is not merely restricted by the memory and language of the victim, it is also dependent on the capacity for witnessing beyond the limitations of language. As Das (1996:70) asks, 'does the whole task of becoming human, even of becoming perversely human, not involve a response (even if this is rage) to the sense of loss when language seems to fail?'

Das (1996) suggests mourning as a ritual structure through which suffering and testimony, sentience (pain) and language, can be approached. Mourning socialises death through ritual participation and public witnessing of loss. The healing aspect of mourning is as much the acknowledgement of the suffering as any effective narrativisation of grief. The simplified idea that healing is based on revealing trauma (loss) and catharsis focuses too heavily on the individual sense of self-integrity, or even the integrity of the social body. Instead, she proposes, 'we need to think of healing as a kind of relationship with death' (Das 1996:78). Healing does not come from the recovery of narratives of violence but from the cultural processes of acknowledgement which involve learning to live with loss and death. This is different from the ritual expulsion of it.

Das's (1996) comments about learning to live with loss and death point to the need to distinguish in 'violence stories' (testimonies) between the 'truth' about the origins of violence and the 'truth' of the experience conveyed in them. Thus, for example, in the TRC slogan 'revealing is healing' the conflation of responsibility and legacy has the consequence of focusing on the suffering of victims at the expense of identifying the source of the violence that caused it. As Cobb (1997) warns, the emphasis on suffering can lead to the disappearance of violence in victims' testimonies and thereby the disappearance of the question of their rights.

Silence is another alternative to the legacy of violence. This can occur when revelation is more unbearable than remaining silent. The women who were mass raped during the Partition of India and Pakistan in 1947 have rarely spoken, their violated bodies left as 'passive witnesses of the disorder' (Das 1996:84). The mutual silence of men and women over the suffering of the mass rape was preferable for women because their violated bodies made them culturally polluted and for men because revelation of rape would culturally compel them to suffer the double loss of their wives/daughters and their family honour. The Nuers' experience of new ways of killing in the long-running civil war in Sudan during the 1980s and 1990s has also left them unable to acknowledge it publicly (Hutchinson 1996). Some things are felt to be fundamentally transgressive: There is a deep moral energy in the refusal to represent some violations of the human body, for

these violations are seen as being against nature, as defining the limits of life itself' (Das 1998:182).

In the truth commissions testimony is not an autonomous source of 'truth' upon which a broader collective 'truth' is built. It is a highly mediated narrative production of meaning which has varying contributions to self-knowledge and to a shared understanding of events. Testimony to trauma is a mode of communication through which the audience 'borrows memories' to create the illusion of a personal connection with events and thereby having a more intimate understanding of them.

Witnessing

For testimony to be socially constitutive it must be witnessed. Witnessing is an integral part of the dialogical process of establishing social recognition and meaning. The position of witness includes being witness to oneself; witness to the testimonies of others; witness to the process of witnessing itself (Laub 1992). However, the fact that testimony needs a witness to become a public memory makes its realisation contingent and uncertain.

The production of meaning between testimony and witness is shaped by the asymmetry of the relationship and the speech mode engendered by it. 'Testimony' and 'confession' represent distinct modes of speech produced between speaker and listener (Felman and Laub 1992). In the former, truth is produced, while in the latter, truth is revealed. Confession resolves the 'truth' by creating a closed narrative which is 'all too readable'—i.e. truth as a single, remembered narrativised event. It creates the illusion of coherence and understanding, allowing the possibility of forgiving and forgetting (Felman and Laub 1992). The act of 'truthful' confession is at the heart of procedures of the individualisation of power (Foucault 1979):

one does not confess without the presence (or virtual presence) of a partner who is not simply the interlocutor but the authority who requires the confession, prescribes and appreciates it, and intervenes in order to judge, punish, forgive, console and reconcile; a ritual in which the truth is corroborated by the obstacles and resistances it has had to surmount in order to be formulated; and finally a ritual in which the expression alone, produces intrinsic modifications in the person who articulates it.

(Foucault 1979:61–2)

By contrast, testimony is not simply a mode of statement but a speech act capable of going ahead of itself, of preceding cognition and thus engendering new awareness. The narrative is open.

The status of speech as either testimony or confession is in fact often very fluid and shaped by the shifting position of the witness and the speaker. Testimony to trauma, for example, can shift from 'innocent' to 'guilty' survivor if the speaker becomes implicated as blameworthy for their own fate—i.e. blaming the victim. Thus testimony to rape, for example, can be heard by a witness as a statement of suffering and/or a statement of guilt—i.e. self-incrimination as a result of being sexually provocative—thereby turning testimony (innocent victim) into confession (guilty accomplice).

The capacity to witness trauma is also shaped by the way the experiences of pain and suffering are culturally and politically filtered. In the West, for example, trauma is medicalised as an abnormal individual psychological condition—post-traumatic stress disorder (PTSD)—despite the fact that in many parts of the world it is a socially widespread condition (Kleinman 1995). By making it a medical condition medical discourse isolates suffering within the individual body. Trauma is calibrated against a cultural landscape of ‘normal’ suffering—bereavement, grief and loss—which individuals are expected ‘to get over’. Suffering is culturally understood as transient and something to be individually managed. The medicalisation of chronic suffering as ‘trauma’ individualises and isolates suffering within the body. By contrast, in cultures where suffering is still seen to be socially embedded, there is greater acceptance of suffering and loss as something that has to be lived with—e.g. mourning regarded as a life-long experience in Greece (Seremetakis 1993).

Witnessing is also limited by public attentiveness to suffering. There is the problem of overload. How much horror can be digested before people turn away and want to forget? This was the public reaction to the truth commission testimonies in Argentina and Chile (Agger and Jensen 1996). Feldman (1996) discusses this more generally as ‘cultural anaesthesia’. Whether because of overload or avoidance, the outcome is to make the Other’s pain less admissible to public discourse and culture. The idea of not going beyond the ‘sensitive line’ (Spielberg on film representation of combat in *Saving Private Ryan*) of public tolerance circumscribes the limits to ‘truth’ and the possibilities of perceptual or narrative understanding (Weissman 1995).

The social and political context of witnessing also shapes the possible articulation and narration of trauma. Where trauma is the product of political events individual experience tends to become homogenised through dominant narratives about those events—i.e. victims tell their stories in terms of the stories that have already been told. Their testimony more often reinforces established narrative themes than creates fresh ones. Through their testimonies they forge their own culture and identity around group discourses of memory (Ballinger 1998). Individual memories are able to participate in and contest overarching group narratives which distinguish them. Over time these ‘survivor’ identities become condensed in iconic narratives and even metaphors. Thus, for example, ‘in the US the Holocaust has increasingly come to represent Jewish experience and history in their entirety, to the detriment of the Jewish people’s long and rich history’ (Ballinger 1998:124). And what’s more, the Holocaust has become such a powerful metaphor historically that all subsequent claims of persecution are figured in terms of it.

The radical subjectivity of traumatic experience has no overarching narrative as a reference and is an experience in search of one. Ballinger (1998) argues that the case of recovered memory syndrome can be understood as the construction of a narrative for victims of abuse which took place privately—i.e. experience which has no framing narrative event through which to express the trauma. The recollection of the abuse is facilitated by a broad social environment obsessed with memory, and in which groups may jockey for benefits through appeal to collective histories. The appeal to other traumatic memories is thus part of the attempt to appropriate history in constituting a survivors’ movement—that is, a collective identity and claim—for victims of abuse (Ballinger 1998:122).

The medium of witnessing plays an important role in the process of recognition and identification with the suffering of the Other. First, the medium filters what is actually seen—as well as making seeing possible—and second, it simulates the experience of participant observation with the illusion of greater knowledge that creates. It allows for mass audience participation in witnessing as a ritual experience but creates that experience through particularly condensed visual languages and emotional references.

The public tribunal is the stage but the overwhelming majority of the audience are at a distance, witnessing proceedings through television or press reporting. What is witnessed as testimony is selective because of the limited number of people who actually get to testify or are televised and reported on. As mentioned earlier, the TRC quite deliberately selected victims to inhabit the chronology of events they were investigating. Moreover, when the audience only sees edited highlights these are intentionally dramatic constructions. What is witnessed through the media appears in a very diminished context, and relies on highly condensed references and meaning. Testimonies to suffering are witnessed in the context of other mediated testimonies by audiences whose connection to events and incidents varies enormously (Humphrey 2000b).

Another limitation on witnessing is the context in which it occurs. Laub (1991) argues that for many Jewish survivors of the Holocaust its personal legacy was that it was not able to be broached until much later in their lives. This was either because individuals could not address their painful memories or because the transformed political context—the defeat of Nazi military power—did not allow a space in which witnessing could take place. Thus, the fact that many Holocaust survivors only began to speak years after the event was a reflection of their own strategies for survival. The survivors did not only need to survive so they could tell their story; they also needed to tell their story in order to survive (Laub 1991:77).

Geyer (1997) points out that the need for delayed witnessing of the Holocaust in Germany was a result of the earlier failure of the politics of memory to achieve the desired effect of national acknowledgement rather than forgetting. This delayed witnessing took place through film and television, which produced memorialising culture from past film records of everyday life of the Nazi era. But this mass-mediated production of memory took away the responsibility for the individual labour of remembering.

Memories were not summoned up by an individual and interior process of self-examination, nor were they subjected to a tribunal of conscience in a culture of guilt. The televised articulation of the past set the individual free. It implicated no one in particular, but merely represented actions and non-actions, attitudes and behaviours which everyone remembered, and whose bitter consequences were now summed up in a story that led inescapably to annihilation and catastrophe. This televised past functioned like a kind of secular morality play; it exposed the evil that resulted from certain ideologies, attitudes and behaviours in such a way that they could no longer be thought without attending historical consequence.

(Geyer 1997:186)

Other projects of national reconciliation require witnessing a historical past by generations who do not feel any responsibility. In the case of Aboriginal Australians, for example, reconciliation is about creating a postcolonial nation with a white Australian generation many of whom feel remote from any responsibility for the colonial dispossession and destruction of Aboriginal people. The need for witnessing is not recognised by most European Australians who take comfort in the fact that they were not personally responsible for the past. Even when Aboriginal people demonstrate that they are still the recent living victims of colonial policies of forced assimilation—e.g. the removal of Aboriginal children from their families until the early 1970s—their experience is quarantined as the product of previous government policies, of another generation. The refusal of the current prime minister to make an official apology to the Stolen Generation is explained in terms of possible compensation liability—i.e. that it might require doing something that could substantially change their lives. In this historical project of reconciliation the Aboriginal people end up having to do the real work of ‘reconciling themselves to the implications of the nation’s past’ (Jacobs 1997:206).

Healing

The project of healing in national reconciliation has been formulated as trying to get rid of the legacy of violence in individuals and societies. Getting rid of violence is understood as remaking social and moral worlds through reconnecting individuals by re-anchoring their social identities in the nation. Thus the effect of violence is challenged by making its legacies visible. The ‘truth’ of violence is publicly realised through connecting wounds, weapons, narrative and community (Cobb 1997). Healing, then, involves individuals escaping isolation, fear and silence by expressing suffering and re-establishing social participation, as well as communities remembering why it happened to prevent it happening again.

The elimination of violence and its effects is essential to the re-establishment of a moral community. States have tried different strategies to get rid of the legacies of violence, including expelling it, sharing it, denying it and quarantining it. All these strategies attempt to exorcise violence from politics and public discourse. However, they have very different outcomes for victims and victimisers.

The project of healing through eliminating violence addresses individual pain for social purposes. As mentioned earlier, pain can be used either to emphasise the conditionality of social participation or the morality of social participation. In the first case, pain destroys the sense of community with the Other by destroying communication; in the second, pain provides a means to establish a new relationship. Either way, healing involves the transformation of pain into culturally appropriating or democratic forms. Thus, what is constructed as ‘healing’ is highly contingent on what occurs in the social process of witnessing.

Strategies to expel violence seek to eliminate its effects by moving it from the inside to the outside of the body or the ‘community’. Expulsion, then, involves the exorcism of violence as the basis for healing—i.e. violence as a poison or cancer inside the body. The essential ‘truth’ of violence is constructed in victims’ testimonies which articulate pain

through violence stories. However, is the consequence of testimony inclusive or exclusive? The public production of knowledge about violence through testimony represents the ritual appropriation of pain with the purpose of constructing the sacrificial victim. Whatever the individual psychological experience of testimony, the principal purpose is social reintegration through ritual action within a discourse which has been politically or professionally sanctioned.

The popular construction that 'revealing is healing' constructs testimony to suffering as individually liberating and empowering. From a psychoanalytic perspective, testimony enables catharsis—getting the violence out of the body. The retrieval of buried memories of trauma through the narrativisation and recognition of the origins of traumatic experience resolves the 'truth' by identifying the origins of pain. The self is imagined as 'healed' through reintegration of identity and resolution of previously unassimilated experience. Violence is expelled through a social process (even if only limited to a dyadic relationship) which publicly establishes closure and healing in the truth of revelation. Getting the violence out of the victim in turn removes the possibility of violence returning in the form of personal vengeance.

Public testimony is used as a vehicle to expel violence. In the context of the truth commissions, the expulsion of violence is through the public embrace of the victims—i.e. as opposed to the prosecution of the perpetrators, the origins of the violence. The legacy of violence is expelled through individual and social healing—putting the memory and the pain in the past. In this ritual the victim provides the social benefits and makes possible a ritual healing. What it involves is making individuals who were socially abject—*homo sacer*/invisible people—visible and socially equal. It should be remembered, however, that despite the rhetoric of inclusiveness, the recognition of victimhood is selective, the 'hierarchy of prestige' of survivors being placed along a spectrum in which those seen as most 'innocent' are embraced while others are ignored—i.e. the families of the disappeared vs political prisoners and torture victims.¹⁶

The ritual enactment of a new moral order through the construction of the victim in the truth commission leaves the 'victim' in an ambiguous position. Being identified as victim may create a means emotionally and cognitively to place one's own suffering in a wider history of violence and victimhood, but it can also exclude one from the new moral community. The TRC, for example, sought closure in the victims' hearings by officially recognising individuals as 'victims of apartheid'. But there was often considerable dissonance between TRC findings and victims' assessments of the outcomes of the hearings. The cooption and translation of individual victim stories into heroic narratives often left individuals feeling they had reproduced themselves as victims.

The example of the testimony of Evelina Puleng Moloko, who discovered the mutilated body of her sister Maki Skhosana, murdered by necklacing in July 1985 for allegedly being an informer (*impimpi*), is given prominence in the report of the TRC.¹⁷ Evelina's testimony before the TRC in February 1997 conveys her agony and perceptual incomprehension at witnessing the burned and mutilated body of her sister. She describes the fear both she and her family experienced in just trying to bury Maki, because they had been labelled a family of informers. In her testimony Evelina recalls:

At that time we realised that the whole world had shut us out and we waited for the day of the funeral. We were also told that on that day some others were going to be burned on that day. They also threatened us that they were going to take the corpse or the body and burn it once more and we were having a problem of burying my sister in Duduza.¹⁸

While she gave details of her sister's horrific mutilation a TRC commissioner intervened to take over the narration of her death and its meaning:

We salute you...Maki and the family have emerged after all these disclosures as heroes—I would say that...those who have witnessed this testimony are witnesses of how noble Maki was and I will without shame request this house to stand and observe a moment of silence.¹⁹

However, the moral ambiguity of Maki Skhosana's death in the context of the anti-apartheid struggle cannot be completely resolved in this gesture for her surviving relatives. With Maki labelled an 'informer', her family, by association, were also stigmatised. Maki cannot easily be made an unproblematic victim through the TRC hearing, even though the Commission finds it was a case of mistaken identity. The violent death resisted any normalisation through ritual mourning and the parents were left to suffer the agony of their daughter's death and the moral alienation of not being able to remain a part of the East Rand community which had sanctioned her murder.

The TRC created a space for them to speak and by embracing the family of the deceased as victims made them eligible for reparation by the President's Fund. But could they really be socially rehabilitated or reconciled by official determination? The TRC report summarises the outcome of their efforts:

Survivors of the attack still seem divided as to whether Skhosana had in fact betrayed them. However, after her sister, Ms Evelina Puleng Moloko, testified at the Commission hearings, the family was formally accepted back into the East Rand community in a significant symbolic process of reconciliation.²⁰

Healing cannot mean the reconstitution of prior relationships since in most cases that world has been lost. Violence does transform individuals and social relationships. Victims cannot just pick up prior relationships, nor are they able to see the world in the same way.

The predicament of 'victim' is well framed by the term 'survivor', a term actually coined to emphasise active agency in resistance to violence. 'Survivor' as a post-traumatic identity signifies a particular cultural construction and experience. It refers to a 'group' identity amongst those who share the unshareable (Ballinger 1998). As a cultural construction, 'survivor' is the identity created after witnessing. It refers to having survived violence and its traumatic aftermath, as well as the identity engendered in the construction of the sacrificial victim. 'Survivor' signifies the ambiguous identity of being simultaneously recognised and ritually sacrificed—i.e. marked as Other/object. This

double aspect of being a testifying survivor means one does not heal through therapeutic catharsis but has to live the status of survivor—one's testimony as the source of the truth about violence and the vehicle for one's ritual sacrifice and rejection. Survivor identity is constructed as much by an in-group recognition of who really shares a particular traumatic/horrific experience as much as through the experience of becoming the sacrificial victim.

The ambiguity of the 'survivor' is highlighted in the problem of social reparation for the living, as opposed to dead, victims. While the dead can be unambiguously made casualties of state repression (war), living victims carry both the scars of repression and the shadow that they too were implicated in or contaminated by violence. Dead victims can be politically appropriated much more easily than living victims because we no longer have to deal with their pain. Thus in the Chilean truth commission hearings a hierarchy of survivor prestige was acknowledged through reparation to the Families of the Disappeared but not to the victims of torture or political imprisonment (Agger and Jensen 1998). The latter are still trying to get recognition and justice. In this process only certain victims became fully part of the narrative of reconciliation. The suffering of many living victims is denied recognition or relegated to a lesser level of significance because their suffering is seen as politically problematic or ambiguous. The survivors of torture and political imprisonment were not recognised, with the consequence that they had to 'pay the real price of reconciliation'. Their torturers are not taken to court, but are free to continue in their positions in the military, while the survivors who are stigmatised by their criminal records are kept unemployed—and in poverty' (Agger and Jensen 1996:206).

Strategies of testimony and witnessing construct the sacrificial victim to expel violence. However, in the tribunals of reconciliation the diversity and subjectivity of individual suffering is synthesised in an homogenised narrative. The narrative is not, as in law, the product of the precise re-enactment of violence but the enactment of the experience of suffering to invoke an empathetic response. Healing is the product of the movement towards a narrative which neutralises violence by dropping the language of rights—i.e. justice.

Violence as suffering can also be expelled by isolating it in victims through either professional or political discourse. Thus an individual's pain can be medicalised and localised in the body as PTSD (Kleinman 1995). In this way individual suffering which is a part of widespread social experience during periods of political violence is contained in the body of the victim through medical discourse. The social effect of violence is thereby quarantined by constructing it as an illness, the ill effect of bodily processes (Kleinmann 1995). Similarly, political discourse on testimony, witnessing and reconciliation can serve to reconstruct the victim as a ritual sacrifice and socially different. This strategy of quarantining violence through a discourse on difference can also be applied to culturally constructed categories. Violence can be embodied in social groups of 'victims', 'survivors' or 'perpetrators' thereby displacing responsibility outside the morally reconstituted nation.

In the same way that large-scale violent events (genocide, war) are made to frame the meaning of individual suffering, so too can dominant narratives about illness or disadvantage. Kleinman (1995) describes how victims come to construct the meaning of their pain in narratives that allow them to fulfil a dependent role on the basis of their

continued suffering. Thus chronic pain for which there appears to be no readily identifiable medical reason becomes an identity which is adapted to. Whatever the initial source of pain, suffering becomes a continuous and cumulative experience that is represented, and lived, as a sedimented condition.

The state can also pursue a policy of denying past violence. This is referred to as the policy of impunity—put the past in the past. In post-Communist Eastern Europe the bureaucracy and even former leadership was often quarantined from prosecution or dismal state employment. In Poland this was called the 'Thick Line' policy—no lustrace, no purges, letting the past be the past (Rosenberg 1995). In postwar Lebanon the past was also quarantined, but in this case the state was subordinated to Syrian military and political control. In 1991 an Amnesty Law granted immunity to all those involved in violence. Essentially, the question of collective memory and responsibility has been put aside as too difficult.²¹ Here the Lebanese are repeating their original constitutional compromise in reconstituting the state,²² agreeing to put differences about their national identity and story aside in order to live without violence. Some refer to this as the policy of collective amnesia, others as censorship. 'We can't just tear down the bombed-out buildings and move on' (Sennott and Ghattas 2000:29). In Lebanon the postwar government contains many of the leaders who committed atrocities.

Another way to get rid of the effects of violence is to share it. However, sharing involves more than the rhetoric that 'revealing is healing' implies. Sharing involves not the elimination of suffering so much as its recognition as an enduring reality (Das 1996). Instead of ritually or medically creating the victim or ill person, suffering has to be socialised. As discussed earlier, the capacity to share another's pain when language fails points to an essential dimension of being human. It is, as Scarry (1985) notes, our capacity as humans to recognise the aliveness of another human being and the things lived for—sentience and the objects of sentience. We lessen our pain through giving it cultural expression.

Sharing means the transformation of suffering into moral commentary. It means that the individual experience and expression of pain prevail over the cultural appropriation of the body of the victim, itself a dimension of the terror. Das (1995) argues that it is not what is communicated in some precise narrative truth that is healing (moral community building) but the invitation to share because pain itself is not something purely private, even the experience of torture (Das 1995).

Conclusion

Truth commissions have embraced public memory as a way to change the body politic. They resort to memory and suffering to establish the truth and define what is right and wrong. However, the ritual structure of testimony and witnessing constructs the victim, but leaves them in an ambiguous position. The victim is the vehicle to expel violence by publicly revealing it but, despite the inclusive rhetoric of healing, only particular kinds of suffering are recognised. Many victims do not reach the threshold of moral vision the truth commissions have used to recognise victimhood. Victims often feel re-victimised by the process, such as those who are not heard but only counted, or those whose abject humiliation is repeated in public. The example of the South African police interrogator,

Jeffrey Benzien, who humiliated his former torture victims during his Amnesty Hearing by publicly demonstrating his torture technique and then boasting how effective it was on his victims—he revealed how each of them betrayed friends and colleagues as a result—demonstrates how precarious truth-telling can be for the victims.²³ His ‘truth-telling’ (full disclosure) humiliated his victims once again and, without a public show of remorse, earned him amnesty.²⁴

Seeking truth in the suffering victim resorts to what Richard Sennett calls ‘an ideology of intimacy: social relations take on reality and credibility only when located in individual psychology, thereby transforming all political categories in to psychological ones’.²⁵ This breaks testimony up into isolated one-person units, each testimony a memory which can constitute the truth. Individuals perform their truth as acts of commemoration, and others share in the resonance of their suffering.

The project of storing collective memory of atrocities in order to prevent them recurring is in jeopardy. Truth is not a guarantee against the return of ‘radical evil’. First, memory as truth is problematic. It is partial, it can be obscured by trauma and it may be culturally censored and unable to be spoken. Second, witnessing is an asymmetrical position which can oscillate between empathy and blame. Moreover, most witnessing is mediated through television as highlights which itself constructs the narrative of events in distinctive ways.

However, most problematic is the need to produce a stored collective memory as a report, an archive of atrocities as a defence against them. Taylor (1994) argues that the Never Again projects have failed because memory does not only salvage, construct and invent, but is also exclusionary.

Thus authority admits some narratives and omits others in a process of articulating memory and power. Remembering, then, is also a process of forgetting. It is a process of simultaneously constructing some subjectivities and doing violence to others.

(Taylor 1994:200)

However, Marcus (1994) argues, this is inevitably the case because the rhetoric of the Never Again projects confronts the political limitations of the state needing to re-monopolise public space. He points out that the bureaucratic archiving of memory preserves the state and limits access to other kinds of remembering, restricting them to private memory. These may simply be deferred until a time when the political climate is more receptive, when the truth is more digestible. After all in many regimes in transition, those responsible for ‘administrative terror’ retain their positions in the bureaucracy and security services (Rosenberg 1995). ‘Counter-terror, or counter-terrorism, is henceforth not the task of political or public process but left to the dreams and nightmares of those who perpetrated and suffered the remembered events’ (Marcus 1994:208).

If this project of truth through the ritual construction of the victim fails because a more enduring morality and legality are not established then, as Girard (1987) warns, the crisis of the sacrificial ritual will condemn it to be repeated to try to contain the violence. We will witness the recycling of empathy, trying once again to reassure ourselves that through the victims’ revelation we can expel violence. Victimhood then becomes a mode of political containment based on the mobilisation of shared feelings but without the

necessary next step of engagement with the meaning of events for the future. As Geyer (1997) comments:

the living memory of the past is temporal and there is nothing in this world—no video recording of witnesses, no written or oral recollection of the pain and suffering, no record of fact of annihilation—that can keep it alive but the labours of the imagination.

(Geyer 1997:196)

9

Atrocity, trials and justice

The primary aim of trials after mass atrocity is to re-establish the rule of law by establishing truth and justice about the past. Trials are an important mechanism to re-establish the authority of law and thereby engender people's trust and confidence in national institutions. Trials pursue justice through the prosecution and punishment of perpetrators with reference to a moral community, usually understood to be the national community defined by the legal sovereignty of the state. But where mass atrocity has caused a radical breakdown of national community and law, the burden of trials is not just restorative but constitutive of national law. Where the state is either incapable or unwilling to prosecute national trials after mass atrocity, international humanitarian law and trials can be used to extend the protection of the law internationally to those denied it nationally.

International humanitarian law has provided the framework for human rights movements to challenge the arbitrary power of dictatorships, the legal discourse to frame investigations for truth commissions and the legal basis for the documentation of evidence of human rights abuse, and it has established the legal framework to hold international criminal tribunals. International law stands in to recreate law where national law has collapsed, or at least contracted, and to challenge political power when it has put certain people beyond the protection of law. The rationale for international judicial intervention is not merely that 'crimes against humanity' have been committed but also that these crimes represent a 'threat to international peace and security'. The international criminal tribunals for the former Yugoslavia (ICTY) and for Rwanda (ICTR) were created by UN Security Council resolutions.¹

This chapter explores the role of national and international trials as vehicles for dealing with the legacies of atrocity and preventing its recurrence. Law provides the basis for the possibility of justice; the means whereby those who have been put beyond the law can regain their individual subjectivity and rights. But the application of criminal law to situations of mass atrocity imposes a particular structure onto its understanding and interpretation. Criminal law is usually applied to transgressive acts in normative orders where criminal acts are the exception. Trials proceed by individualising responsibility and distinguishing between the guilty and innocent.

In mass atrocity the normative order itself is criminal. Even the terminology of law seems quite inadequate to describe mass atrocity, emptying the intentional acts of cruelty such as torture, massacre and rape of their gravity and horror. Such abstract terms as

'crimes against humanity' and 'genocide' seem strangely detached from the acts to which they refer and are not even as evocative as 'murder', a much more restricted act of criminal violence. And when trials seek to individualise responsibility for mass atrocity the sheer number of offences makes their prosecution problematic. Not all perpetrators can be prosecuted nor all victims compensated. The effect of determining individual responsibility also tends to produce a bipolar division between the guilty and the innocent, the blamers and the blamed (Malamud-Goti 1996).

These limitations on the prosecution of atrocity make trials necessarily selective. Consequently prosecution needs to be symbolically and politically managed to achieve public acceptance and reconciliation. Through prosecution trials seek to individualise responsibility but also to stigmatise the political project of the previous regime—i.e. criminalise individual acts and the regime itself (Feher 1999). Trials must prosecute what Osiel (1997:9) refers to as 'administrative massacre', the 'large-scale violation of basic human rights to life and liberty by the central state in a systematic and organised fashion, often against its own citizens, generally in a climate of war—civil or international, real or imagined'.² But the selective character of post-atrocity trials makes them only the first step in re-establishing justice which has to be consolidated through a broader human rights culture, and engage public morality and reflection about the past.

Trials seek the evidence of atrocities in the victims, living and dead. The victims bear the empirical evidence of violence in and on their bodies—the fatal wounds, the scars, the traumatic memory. Through their testimonies, Cobb's (1997) 'violence stories', the details about 'wound', 'weapon' and 'community' are produced in court as a legal narrative. Trials emphasise rights rather than suffering. They focus on the 'weapon', the origins of violence, rather than the 'wound', its effects. They establish not only what wrong was done but who was responsible and what punishment they should receive. By redressing the rights of individual victims, trials seek to reconstitute state political and legal authority by demonstrating that no-one is above (or below) the law.

Trials establish truth by re-enacting violence in legal discourse. Through rules of evidence they establish 'facts' to corroborate a legal narrative of responsibility which is individualising. The victim plays a central role in the re-enactment of violence. Through their testimony ('violence story') they reconstruct themselves as victim. But through the agency of putting violence into language individuals 'must mark themselves as victims, which in turn excludes them from the very communities that are brought forth through their own sacrifice' (Cobb 1997:406). Their suffering, which sets them apart socially, is made a source of communion. But the victim as intermediary is in a socially ambiguous position. On the one hand, the trial enables the recovery of the victim as subject through voice (agency), while on the other hand, it re-victimises the victim who ritually embodies the violence the community seeks to expel. Ambiguity lies at the heart of the mechanism of 'sacrificial ritual' in the paradox that violence can be both an act of destruction and an act of salvation.

The trial process in fact produces two 'victims': the victim who is re-produced through their testimony as the victim of 'law's violence', and the perpetrator who is judged and convicted.³ Through the reconstruction of the victim in testimony the community learns what wrong has been done and the suffering it has caused, and through the conviction of the perpetrator the source of the violence is individualised and separated (expelled). The former is supposed to effect inward mediation, transforming the victim themselves

through the revelation of violence. The latter is supposed to effect outward mediation, renewing the moral community through the perpetrator's exclusion/separation. The bipolar outcome of trials, the division between the innocent and the guilty, is therefore the product of the ritual position of the 'scapegoat' as well as the law's logic of individualising responsibility.

It is worth noting the way in which truth commissions and trials differ in their ritual solutions for 'healing' society—i.e. dealing with the legacies of violence in order to prevent its return. While truth commissions focus on the ritual 'purification' of the individual, trials focus on the ritual purification of society. Truth commissions, focusing on the suffering of individual victims, employ the language of psychology. The legacy of violence is supposed to be expelled from the individual through the cathartic experience of revealing and sharing it. This ritual process is in turn meant to be socially healing through the public witnessing of the truth about the origins of that suffering. Without a trial, reconciliation is focused on containing the violence potentially arising from the victim's desire for revenge. Reconciliation in this case means the individual abandonment of the desire for vengeance and public forgiveness. Trials, on the other hand, seek to achieve social healing by identifying the source of the violence and expelling (imprisoning, executing) those responsible from society as a punishment. Society is 'healed' through the prosecution and punishment of the perpetrator, who in turn provides the social benefit of the moral renewal of the national community.

National trials

Where people continue living together after atrocity (e.g. following a dictatorship, after a civil war) the law plays a central institutional role in recreating a national community. However, the problem is that during political transition the state's capacity to prosecute mass atrocity is often compromised by political agreements made to stop the violence. Frequently these compromises involve blanket amnesty which means impunity for the perpetrators. Political logic suggests that it's best to forget (Jelin 1994). These are the situations in which 'truth commissions' have been used as an alternate path to the truth about atrocities, leaving in abeyance the question of justice. Even where impunity has not been imposed as a condition of political transition governments may consider the pursuit of justice too politically risky because of the continuing power of perpetrators to intimidate and obstruct the legal process. Yet the avoidance of trials for reasons of political compromise puts in jeopardy the recreation of a national community based in law.

For national trials to be constitutive of legal and political authority justice must be seen to be done. In other words, the national 'community' must be persuaded of the truth and justice of the trial outcomes, which in turn can provide the basis for ongoing national self-criticism and moral renewal. The dangers are that national trials promise either too little or too much. If trials are seen as too selective, limited and legalistic, they may be dismissed as irrelevant to the public's perception of the major issues of atrocity. If they are seen as 'show trials', setting up perpetrators to be fall guys for actions well beyond their responsibility, they may be perceived as victimising. However, the decision to prosecute atrocity is no longer that of the state alone. If states are unwilling or unable to

prosecute perpetrators of mass atrocity, international criminal tribunals can intervene from outside.

The national political calculus for choosing trials over truth commissions to uncover the truth of past atrocities turns on the prospects for their public acceptance. Where states undertake national trials the dramatic presentation of the trial and the legal framing of the issues can be extremely important to their success. President Alfonsín, in prosecuting the Argentine military junta after the completion of the truth commission inquiry into the 'disappeared', sought to limit the impact of the trials on television audiences by restricting the use of visual material and traumatic testimony by victims.⁴ He did so in order not to aggravate the military, thereby undermining the objective of the trials to prosecute the most responsible (Osiel 1997). Similarly, the prosecution of the Argentine junta was framed in terms of national and not international law ('crimes against humanity') so as not to stir Argentine nationalism against the trials.⁵ The Alfonsín government pursued a legal strategy deliberately shaped to make the 'government's favoured story more compelling to sceptical publics, to influence collective memory in more persuasive and enduring ways' (Osiel 1997:205). The story Alfonsín wanted to tell, and have publicly embraced, was the recurrent Argentine history of official lawlessness and the suffering it caused. Despite this level of carefulness, military restlessness saw Alfonsín declare an end to the prosecutions with the *Punto Final* (final point) in December 1986; he then restricted the scope of outstanding trials with the 'due obedience law' (just following orders) in June 1987 (Fiss 1999).

As well as producing convictions, acquittals and reparations, national trials must contribute to telling a larger story about the past. The collective memory is produced not merely in the court transcripts or daily reporting of proceedings but through public witnessing and moral engagement. Each trial against mass atrocity contributes to the unfolding of the truth. However, the collective memory produced from trials is limited by its legal framing, by the selective nature of prosecution and by the translation of legal argument and judgement into accessible and compelling narrative for public witnessing.

Legal argument and process shape the stories trials can tell about mass atrocity. If cases are framed too narrowly then the question of context and wider significance of acts cannot be addressed. The context shapes what kind of story can be developed; thus the Argentine military defendants argued that their trials prevented them from putting their conduct in the context of the war against the guerrilla forces (Osiel 1997). If a narrow definition of responsibility is accepted and prosecution is restricted to only those most responsible, a bipolar division is more readily created between innocent and guilty. This in turn allows public denial of the wider moral issues at stake, especially the widespread public collusion which allowed the atrocities to happen. If the law promotes a broad reading of moral failures then it may reach beyond what it is capable of achieving. It will then be vulnerable to criticism of raising expectations and failing to meet them. 'Legal proceedings cannot, for instance, convict an entire society, unmask the international economic system allegedly responsible for the dirty war, or bring back the dead...' (Osiel 1997:163).

The selective character of prosecution limits public witnessing and what will be produced as collective memory. Insufficient evidence, political opposition or access to the accused shapes who will be prosecuted and for what. Often those regarded as most culpable for 'crimes against humanity' find themselves prosecuted for lesser offences

because of lack of evidence to secure a conviction. A major obstacle in the prosecution of 'administrative massacre' in the post-communist regimes of Eastern Europe was the problem of finding prosecutable crimes (Rosenberg 1995). Thus it was impossible successfully to prosecute one senior East German political figure for anything other than a criminal offence, murder, committed in 1934. His conviction for these charges contributed little to the prosecution of 'administrative terror' and the stigmatisation of the GDR. In other cases, former East German officials were prosecuted for acts that were not crimes at the time of commission (Rosenberg 1995). While such prosecutions may succeed in eliminating the political influence of individuals, they limit public witnessing and public engagement with the past, its horrors and why they happened.

The selective character of prosecution of mass atrocity reinforces the bipolar effect of trials on the witnessing public. Instead of the public becoming more engaged in a moral dialogue through trials, the ritual effect is to separate them from any sense of responsibility. The ritual structure of trials in which the accused (in this case the perpetrator) is made the 'scapegoat' as a social benefit—i.e. the moral community is re-affirmed through the guilt of the perpetrator—actually requires the identification of the community with the law as a 'hidden' mechanism to help bring an end to violence. This denial and polarisation is, according to Girard (1977), a necessary outcome of the mechanism of the sacrificial victim. Denial amounts to a necessary forgetting for social renewal to be possible. Consequently, the division between the 'innocent' and the 'guilty' allows for social renewal through the collective denial of public collusion with administrative terror. Hence, comments Osiel (1997:160), the trial of the Argentine military junta did not end the 'willful blindness about widespread public sympathy for dictatorship'. In fact one researcher found that there was an active re-remembering where supporters of the Argentine regime re-imagined they had always opposed it (O'Donnell 1986). The junta on trial felt they had been betrayed, and made scapegoats, by the fickleness of a once complicit public (Osiel 1997).

This effect of social re-imagining and public repositioning brought about through public trials was also widespread in the post-communist regimes in Eastern Europe. Rosenberg (1995:121) comments: 'there were only a few thousand active anti-Communists in Czechoslovakia before 1989. Today there are millions.' In East Germany there was a widespread sense of victimisation in which people felt sorry for themselves, not guilty. However, the level of public collusion with the regime was so extensively documented in the Stasi files that public denial often turned to embarrassment and shame.

The inevitable selectivity of prosecution then can create problems for public witnessing and moral engagement. While trials may establish 'facts', the desire for a straightforward story can be an obstacle to the public engagement with trials. But, Osiel (1997:82) asks: 'Can a single, coherent narrative be written of a nation's experience with large-scale massacre (by either judges or historians), when its members must be divided into perpetrators, victims and bystanders, each with its own perspective on what happened?' In addition, legal narratives produced as judgements about administrative terror are unlikely to be very accessible documents to the public or even to be read by them. Most people learn about trials and their outcomes through the media, especially television. This medium not only simplifies through the condensation of stories into images and text, it seeks to communicate through empathy, identification and sharing feelings—the opposite to law's emphasis on the logic of legal argument.

The social benefit of national trials flows from the ritual structure which identifies the source of violence. However, the dangers of producing the 'scapegoat'—albeit identified through due legal process—is the burden of responsibility individuals assume in stories of mass atrocity. The selectivity of prosecution makes this almost inevitable. The perpetrator—now the victim of community judgement and punishment—necessarily has to carry that responsibility in order to make possible a more moral future. Osiel (1997) warns against the overburdening of individuals with responsibility for acts they could not have done—i.e. to extend guilt beyond what legal argument can bear. Yet the very legal framing and management of trials is often designed to produce just this effect. For example, public witnessing of trials can hinge on an experience and interpretation of events very different to that presented in legal argument. Osiel (1997) notes that although the evidence the Claus-Barbie trial in France relied on was largely documents for public (television) audiences, The witnesses...were the heroes of the trial because they gave, symbolically, faces to the dead, who were on everyone's minds.⁶

The polarisation induced by national trials between 'guilty' and 'innocent' can undermine society's need to have people witness and draw lessons from a past in which they were morally implicated but now wish to forget. Denial and amnesia limit the extent to which the public can or will assume responsibility for accepting the broader political process of selective exclusion of victims from the protection of the law, the acceptance of their de-nationalisation and then dehumanisation which established the conditions for mass atrocity. Public complicity grew from the lack of resistance to the erosion of rights, from submission to social contraction produced by fear and silence about the truth of atrocities occurring in their own suburbs and towns. The bipolar division simplifies guilt and conceals the logic of selective biopolitics of exclusion that makes everyone not selected complicit. Without a collective sense of responsibility for atrocity the necessary community dialogue about the law and morality raised through prosecution is undermined. If this happens, justice is largely restricted to re-establishing the authority of the law since the selectivity of prosecutions leaves many perpetrators unidentified and many victims unacknowledged by the courts.

Individual trials can be cathartic events either because the accused is politically significant and/or the events on which the prosecution turns have particular resonance for the public. Where victims play a prominent role in the trial, their suffering can assume significance well beyond the case or their actual experience. Yet victims' accounts of the horrors of atrocity are not necessarily a good basis for public engagement with collective memory. Trauma involves grappling with experience that has overwhelmed the senses and language, something beyond the limits of the social. Writing on the memory of Holocaust survivors, Langer (1991) argues that their personal experience is quite unsusceptible to description and cannot be used to confirm moral theories or as the basis for narratives of heroic emulation or redemption. The object encountered in such suffering is something that cannot be intellectually explored, only shared through mourning.

Victims can assume an ongoing role in shaping the collective memory in the post-trial and post-transition period. In fact the victim's 'recall of evil' can be a source of individual empowerment (Hacking 1995). The empathetic sharing of personal feelings about incomprehensible events such as genocide can engender in the witnessing public the illusion that through greater intimacy they achieve better understanding. The victim is

turned into the bearer of experience rather than the source of evidence (Wieviorka 1999). Instead of the past being constituted as meaning, it is constituted as feeling, and popularly embraced as more 'authentic' and therefore true (Buruma 1999). Dominique Mehl coins the term the 'television of intimacy' to describe this form of distant existential witnessing in television audiences.⁷

When the victim of atrocity is used to remember victimhood, especially beyond the confines of trials, the specificity of the situation is lost. In other words, suffering, through the victim, can become detached, mobile and available to be appropriated to give meaning to events and situations well beyond the origins of the trauma and memory the victim carries as their specific legacy. As Osiel (1997:143) comments, 'In the moral economy of victimhood, this is hyperinflation.' Jelin (1998) also warns against excessive veneration of the victim as the bearer of pain which permits their over-authorisation in determining the 'truth'.

[T]hey unwillingly claim a type of symbolic authority and power based on their 'monopoly' of meanings of truth and memory. Such power may, in turn, obliterate the mechanism of inter-generational transmission of memory, preventing new generations from reinterpreting the transmitted experiences in terms of their own historical circumstances.

(Jelin 1998:53)

Peter Novick (1999) describes the excessive adulation of the survivor as the production of the 'secular saint'.

National trials, like truth commissions, are designed to mark off a period of political transition at the end of which past atrocities can be put to rest and society reconciled. As ritual events, they are intended to bring closure through revelation, justice and reconciliation. However, the prosecution of perpetrators is not usually exhausted by a purely legal process but by a political decision. The *Punto Final* in Argentina, for example, brought an end to prosecution of the military and amnesty for those convicted. Closure is achieved through trial outcomes and political decisions, which together seek to exile the past and those who had power in it. The political priority of national trials is to re-establish the principle of justice and authority of the law rather than to achieve individual justice for the many victims who, as a consequence of the selectivity of prosecution, remain unrecognised, unreconciled and uncompensated.

If prosecutions are restricted to stigmatising past crimes and not the regime's political agenda, reconciliation can be limited. This was the outcome of the trials in Chile and Argentina.

On the one hand, Presidents Alfonsín and Aylwin tried to meet their moral duty to publicise the plight of individual victims as well as their legal obligation to investigate individual crimes; on the other hand, they refrained from treating these crimes as the expression of their predecessor's project.

(Feher 1999:333)

A wider vision of reconciliation through trials requires that the democratic legitimacy of the new government is established on the stigmatisation of the predecessor's programme and not just individual accountability for 'crimes against humanity' (Feher 1999). Put another way, reconciliation can only be based on justice which reconstitutes everyone as members of the same political community. And, as Mamdani (1998) argues, this means the boundaries of inclusion are 'life itself'. Reconciliation must be based on an inclusive political community who 'affirm that it is better to live with one's political enemies than to die with them'.

National trials may seek to shape the terms of reconciliation, but questions of justice are neither finalised by a political decision to end prosecutions nor contained solely within the domain of law. Trials produce definite outcomes in the form of convictions, acquittals and reparations, but they also have effects which are not necessarily immediate. The political and moral consolidation of trial outcomes takes place through a cultural thickening in the public record, reflections and legislation—e.g. trial transcripts and archives, press reporting, academic histories, memoirs, a human rights culture, constitutional reform and even continuing trials. As the political environment changes, different legal avenues (e.g. extradition trials, civil cases) and opportunities can emerge, allowing new prosecutions and thereby extending the work of law in excavating the past for justice (Jelin 1998). Trials, therefore, may continue to be used in an ongoing process of revelation and political transformation. They literally form an objectified basis for the elaboration and consolidation of democratic transformation. The pursuit of General Pinochet through Spanish extradition proceedings (1999–2000) and subsequently the Chilean national courts is one of the best-known cases.⁸ In Argentina there have been ongoing civil and criminal cases in relation to the military's responsibility for the abduction of children (Jelin 1998). Because there is no 'statute of limitation' in matters involving genocide and crimes against humanity, only the death of perpetrators finally ends the possibility of their prosecution.

The consolidation of justice involves a longer-term process which requires ongoing public engagement with the issues raised, trial outcomes and the production of an enduring collective memory. Broader social participation is required to strengthen citizenship which cannot be taken for granted merely because of the return of democracy (Jelin 1996). To counter the tendency of trials to polarise the guilty and innocent and thereby disengage public responsibility for/complicity in past atrocity, social movements have emerged to promote further justice and commemoration. Often the same human rights movements that challenged repression and atrocity have assumed a prominent role in contesting the politics of oblivion—forgetting. Jelin (1994) describes the post-dictatorship human rights movement in Argentina as an 'entrepreneur' seeking to promote a certain kind of memory, negotiating between those who want to glorify the 'Dirty War' and those who wish reconciliation through forgetfulness. Their role, as they saw it, was not just to establish an archived collective memory—the *Nunca Mas* projects—but to set up a political programme by 'promoting recall, pointing out which events have to be retained and transmitted' (Jelin 1994:50).

In Argentina the significance of these post-dictatorship social movements in deepening justice and commemoration is apparent in the way the past continues to be excavated and revealed even after the termination of trials, the amnesty for the military under the due obedience laws, and the pardon given by President Menem to the senior

military figures serving prison sentences. Nevertheless, justice is still unfolding through revelations produced in subsequent trials and in media confessions. Perhaps one of the most dramatic examples was the public confession in 1995 of Retired Navy Captain Adolfo Scilingo about his participation in the 'death flights' used to dispose of the 'disappeared' after they had been tortured, interrogated and designated to be 'transferred'.⁹ He came forward to sue his military superiors for lying about their leadership in the atrocity (Feitlowitz 1998). The climate which permitted these revelations to unfold, almost twenty years after the events, is 'undoubtedly linked to the enduring nature of human rights movements and to the resilience of memory itself' (Jelin 1998:23).

The development of an active culture of remembering and intergenerational transmission of memory also requires active social engagement. As we noted at the conclusion of the last chapter, archiving collective memory is not sufficient; the imagination has to be constantly reapplied to it. In Latin America the commemoration of dates and anniversaries, such as the coup on 11 September 1973 in Chile or that in March 1924 in Argentina, have become active focal points for interpretation, re-interpretation and intergenerational transmission of memory (Jelin 1998). Human rights extend justice not so much through establishing an alternative basis for claims but as a set of 'aspirations'. 'Human rights violations were not the legal charges asserted against the *Junta*. They were instead ideals that supported and motivated the conventional charges of murder, torture, and kidnapping that were actually brought' (Fiss 1999:273). It was ideals rather than rights which provided 'reasons' for action and 'standards' for criticising and changing the state and its structures.

The relationship between national trials, justice and human rights, then, can be understood as dynamic. Human rights are the imaginative social and moral impulse to recognise another's suffering, and to bring that suffering into public view so as to make visible the victim and the injustices against them. They represent a strategy to bring victims into moral view, to bring them above the threshold of moral vision (Connolly 1999). But the injustices illuminated through the prism of human rights have to be actualised through their translation into law, itself a set of objectified aspirations. As Scarry (1999:301) argues, legal arrangements 'set the standard of action; and they provide the mechanism for holding the population to the promises they have made'. Civil society can only exist if the constituents of a country produce it. The difference between laws and human rights is that between objectified aspirations and kinetic aspirations for justice. The importance of law as opposed to human rights is in its cultural status; 'the work accomplished by a structure of laws cannot be accomplished by a structure of sentiment. Constitutions are needed to uphold transnational values' (Scarry 1999:302).

International criminal trials

International trials have emerged as part of the international diplomacy of intervention in the relationship between states and their populations after mass atrocity. Through international humanitarian law, trials address the longstanding humanitarian concern about the protection and treatment of people in the context of organised political violence—repression, war, civil war. The uniqueness of the international criminal

tribunals in the Hague (ICTY) and Arusha (ICTR) is that, besides being the first criminal tribunals established since Nuremberg, they are applying the Nuremberg concept of 'crimes against humanity' in the context of both external (between states) and internal conflicts. The establishment of these tribunals represents the extension of international humanitarian law in the context of the crisis of national sovereignty and citizenship. The instruments and agencies of international law have developed as the vulnerability of ordinary people to violence and atrocity has increased at the end of the twentieth century. The ICTY and ICTR were established because of the magnitude of the atrocities against ordinary people, the failure of nation-states to protect them, and the limited prospect that national trials would either be effective or just. Their creation, however, was the product of the urgent need to end war, atrocity and human suffering, which often involved negotiations with those most culpable for the atrocities.

The inclusion of the Nuremberg concept of 'crimes against humanity', which originally applied to acts committed by states 'before or during war', in the articles for both the ICTY and ICTR, represents a significant extension of international humanitarian law in internal conflicts.¹⁰ While the conflict in the former Yugoslavia involved more than one state, Rwanda's genocide was an internal conflict—i.e. it took place within the boundaries of one state. The main thrust of the prosecutions in the international criminal tribunals has been to individualise responsibility for atrocity, and to reveal the political and organised character of the crimes involved—e.g. crimes against humanity, genocide, war crime. The main aim of international judicial intervention has been to extend the reach of law where it is absent, and to promote peace through the reconstitution of effective national law, justice and citizenship rights. In fact, in the case of the ICTY the lifespan of the tribunal is explicitly linked to the restoration of peace.¹¹ International trials in this sense are one of the institutionalising strategies, along with elections and truth commissions, for national reconstruction after mass atrocity.

The international tribunals have been created to administer justice in the context of what Osiel (1997) calls 'new sovereignty'. These are situations where, through succession or a radical political break with the past, the new regime feels no responsibility for past atrocity. This is especially the case where the victimised group has either been eliminated or expelled.

Mass atrocity often results not merely in the fragmentation of national communities, but also in social and physical separation through forced displacement or exile—e.g. the resettlement of many German Jews in the new state of Israel after the Holocaust; the division of Cyprus between Greek and Turkish populations; the ethno-national states produced from the breakup of the former Yugoslavia; and East Timor's independence from Indonesia. In these cases the question of justice is not shaped by the political and moral imperatives of people having to continue living together. Instead, separation often produces a climate of forgetting (social amnesia) about atrocity because of the absence of the victims and their elimination as constituents of the national community. In this context, international criminal trials often represent the only means for justice, as in the case of the breakup of the former Yugoslavia and the *de facto* ethnic homogenisation of regions produced by war in Bosnia, Croatia and Kosovo. However, the legitimacy of these trials is problematic precisely because the 'community' to which the victims' testimonies refer no longer exists. And because law is constituted through a social contract and is not mere rules, the absence of a binding community circumscribes moral

obligation. Instead, multiple communities, often transnational, substitute a national 'community' defined by citizenship.

'New sovereignty' creates the problem of victor's justice, putting responsibility for violence and atrocity solely on the other side. Thus issues of new sovereignty and no accountability have surfaced, for example, in the ICTY prosecution of Croats responsible for war crimes in the former Yugoslavia. Under former President Tudjman there was considerable hostility towards ICTY indictments and a refusal to cooperate with prosecutions because the offences were seen as a product of the war of Croatian independence. The liberation of Croatian territory involved large-scale population displacement—'ethnic cleansing'—and the establishment of a new national constitution which legally established the prior and superior rights of all Croats in the new Croatia (Hayden 1996). Anyone who dared testify for the prosecution in The Hague was branded a traitor by the Croatian political leadership, the military and the militias. The election in February 2000 of President Stipe Mesic, who had himself testified at the ICTY, has changed official attitudes at the top, but testifying is still dangerous. A former Croatian militiaman who testified three times at the ICTY was assassinated in his home town of Gospić in August 2000.¹²

The prosecution of 'crimes against humanity' through the ICTY has been a politically sensitive matter. Concern about even-handedness of prosecutions has on occasion led to over-zealous commitment to the idea that 'atrocities were committed on all sides'. On one occasion a request for authorisation to exhume a mass grave site was denied by Lord Owen, allegedly because he insisted that three mass graves, one from each group, be found before the request would be granted (Blakesley 1997). This concern over equity and justice emphasised the fact that there were multiple communities/audiences whose suffering and sense of justice the ICTY had to address. The premise that the judicial credibility of the ICTY needed to be upheld by the equal prosecution of all parties is also reflected in the pattern of indictments and trials. The prosecutions began with minor figures, former 'foot soldiers' living in Bosnian refugee communities in Europe.¹³ Only later did the ICTY indict, and successfully prosecute, senior military officers and local political leaders. The selective/representative prosecution of Serbs, Croats and Bosnian Muslims told the story of mass atrocity across different locations and periods. The ICTY prosecutions map the well-known history of atrocities in the detention camps and sites of ethnic cleansing—Prijedor, Omarska Camp, Keraterm Camp, Vukovar, Srebrenica, Krajina—across all the different stages of the conflict and communities involved.¹⁴ Yet this ignores the fact that the scale of atrocities and victims was not the same across all communities and was not carried out with the same design.

The ICTR has encountered the problem of 'new sovereignty' in the parallel prosecution through national trials of acts of genocide and crimes against humanity in the Rwanda genocide of some 600,000–800,000 Tutsis and Hutu opposition supporters (Smis and Van Hoyweghen 2000). The ICTR was established to prosecute the most important perpetrators of the genocide with national trials run concurrently in Rwanda. However, because the post-genocide regime is overwhelmingly Tutsi, many Hutus regard the national trials as (Tutsi) victor's justice.¹⁵ The biggest problem of justice in Rwanda is the sheer number of prosecutions. It is estimated that between 75,000–150,000 Hutus participated directly in acts of killing, and at present the Rwandan national courts have around 125,000 in detention awaiting trial.¹⁶ Many of those detained are there simply on

the basis of denunciation and between 20 and 40 per cent are believed to be innocent (Blakesley 1997).

The national courts set themselves the task of completing 5,000 trials a year, a figure that has proven to be wildly optimistic. They have tried around 2,500 people and released around 5,700. About 370 have been found guilty and executed, 800 sentenced for life, 500 acquitted and the rest have been given shorter gaol sentences. The speed of trials, the lack of adequate defence and the number of death sentences handed down have led to the questioning of the justice of the national trials. In addition, court decisions to acquit defendants or release detainees have frequently left them stigmatised and victimised, unable to recover their jobs and often their property (Magnarella 2000). Concern about justice in the Rwandan national courts has only been exacerbated by the thousands of alleged revenge killings which are rarely prosecuted (Blakesley 1997). Even the recent initiative to handle the huge number of defendants by resorting to traditional forms of dispute resolution (*gacaca*) at the local community level is met with Hutu suspicion that they are part of the (Tutsi-dominated) government plan of control. Hutus fear that *gacaca* are merely a new instrument of selection and victimisation which puts people outside the protection of national law. At no level is there an effective legal narrative being produced to recreate a nationally inclusive moral community and citizenship. 'How is one to create a new political community in a country where there is no agreement on the interpretation of any single historical event?' (Smis and Van Hoyweghen 2000:7).

Even though the ICTR is quite independent of the Rwandan national courts and has superior legal authority, the two court systems are in practice quite interdependent. The ICTR depends on the cooperation of Rwanda and other African states to extradite those indicted for crimes against humanity and genocide, and to bring eyewitnesses to the court in Arusha, Tanzania. The ICTR also relies on the Rwandan military to protect witnesses who are to appear before it.¹⁷ One consequence of the dependence of the ICTR on Rwandan government cooperation is that there is little likelihood of the ICTR issuing any indictments against Rwanda Patriotic Front troops for war crimes (Magnarella 2000). This is despite the fact that a UN commission of experts to Rwanda reported in July 1994 that RPF and former Rwandan government forces had both committed serious breaches of humanitarian law and crimes against humanity, although only the latter were pursuing a policy of genocide (Kumar 1997).

In addition to the interdependence created by the need for cooperation, prosecutions and court decisions in one jurisdiction often have a bearing on subsequent prosecutions in another. Thus, for example, the prosecution of former Prime Minister Jean Kambanda, who confessed to genocide before the ICTR and established the fact of its planning, is regarded as having a significant impact on future prosecutions and pleadings in both the ICTR and national courts (Magnarella 2000). There is also constant cross-reference in the ICTR hearings and judgements to the decisions and sentencing in the Rwandan national courts. Moreover, appeals over sentencing are made in The Hague, where the decisions of the ICTR are compared with those of the ICTY.

So far the major contribution of the ICTR has not been in the number of prosecutions and convictions but in the importance of the figures prosecuted. These are referred to as 'category 1' suspects under the 'Organic Law'.¹⁸ At the end of 2000 the ICTR had completed seven trials and convicted five defendants. Among these was Colonel Theoneste Bagosora, the alleged mastermind of the genocide who assumed political

control after President Habyarimana's death. The importance of the ICTR has been demonstrated in its ability to extradite successfully 'category 1' suspects from other African states, something the Rwandan government has not had the same political leverage or the necessary extradition treaties to achieve (Magnarella 2000:43). Where there has been competition between the ICTR and the Rwandan government to extradite suspects, the ICTR has won out, first because of its prior legal claim and second because suspects have preferred a trial before the ICTR in Arusha, where the maximum sentence is life, not death, as in the Rwandan courts, and because of the conditions of detention. This creates the possibility that 'leaders tried by the ICTR will receive term sentences while those influenced by or ordered by them will receive death sentences' (Minow 1998:41). The unfairness of such outcomes can only undermine the perception about the relative justice obtained in the Rwandan national courts and the ICTR.¹⁹ The reality of the discrepancies in the severity of sentencing and importance of figures between Rwandan national trials and the ICTR is frequently mentioned in ICTR judgements.²⁰

The difficulties the ICTR has encountered in prosecution also impact on the justice of court outcomes. These include the intimidation, and the need for protection, of witnesses. The circumstances of political transition often leave victims and witnesses exposed to threats of revenge and re-victimisation. Witness protection and even anonymity of witnesses are a feature of these international trials, especially given the heavy reliance on eyewitnesses for successful prosecution of 'crimes against humanity'. In Rwanda the importance of eyewitness accounts for successful prosecution has seen Hutu rebels murder a large number of prospective witnesses.²¹ These include witnesses who were to testify before the national courts as well as the ICTR. It is in these dangerous moments of the revelation of 'truth' (the recreation of violence through testimony) that the political significance of trials confronting violence in order to reconstitute the authority of law and the legitimacy of the state is most evident.

The judicial impact of prosecutions in the ICTY and ICTR has been shaped by the 'ethnic' characterisation of the conflicts in Bosnia and Rwanda. Feher (1999) argues that the post-conflict prosecution of mass atrocity in Bosnia and Rwanda as 'ethnic conflicts' only continues the reluctance shown during the conflicts to recognise ethnic cleansing as a political project: 'Slobodan Milosevic's plan for an ethnically pure "Greater Serbia" and the decision of the "Hutu Power" regime in Rwanda to proceed with the extermination of Rwandan Tutsis' (Feher 1999:335). Consequently, Feher (1999) argues, Western governments have allowed the ICTR and ICTY to prosecute human rights violations to indicate their commitment to the restoration of the rule of law. The main political objective of the ICTY and ICTR prosecutions has become, therefore, to facilitate a process of reconciliation between antagonistic ethnic communities, rather than the political stigmatisation of the political project in which one group, the Bosnian Muslims, were the main victims (Rieff 1995).

According to Feher (1999) this emphasis on individual accountability is reflected in the prosecution of 'crimes against humanity' as opposed to 'war crimes'. For example, ex-Prime Minister Jean Kambanda was not prosecuted for war crimes committed during an internal, and not international, armed conflict (Magnarella 2000). This means individual accountability has been emphasised over the collective responsibility of the regimes. While the logic of insisting that individuals and not ethnic groups are responsible for acts of atrocity avoids 'ethnicising' violence, at the same time it limits the

acknowledgement of any collective responsibility. Down-playing the 'collective' responsibility of 'ethnic' groups and emphasising the individual responsibility of perpetrators tends to limit the extent to which the political project of atrocity and genocide is stigmatised and repudiated. Only if genocide is seen as a political project rather than as cultural conflict can reconciliation occur through 'official repudiation—both at the national and international level—of the regimes that advocated ethnic purity and endeavoured to turn their ideal into a reality' (Feher 1999:337).

If the ICTY and ICTR limit their prosecutions to individual criminals at the expense of establishing truth about the genocidal political projects they embodied then the impact of international judicial intervention will be diminished. It reproduces at the international level what is only too evident in the national trials against atrocity: prosecution circumscribed to facilitate pragmatic political goals in the hope that these rituals of transition will substitute for more enduring acts of collective accountability and public acknowledgement.

Conclusion

The purpose of trials is to judge right from wrong, and thereby uphold the rights of individuals before the law. However, after mass atrocity the very project of trials is politically precarious because the issue is as much the recovery of individual rights as re-establishing state legitimacy and law. When Osiel (1997) argues that acquittals can be as significant as convictions, he subscribes to the view that trials are as much about re-establishing the rule of law as achieving justice. In the biopolitics of state power the recovery of the victim through law is the most fundamental act of protection—to make the value of all life equal or, in Scarry's (1999) terms, to reaffirm 'bodily inviolability'. The trial frames the relationship between power, law and life. But this recovery must be premised on the stigmatisation of the previous biopolitics of state power, the principles and process of exclusion, a process which remains at the heart of state biopolitics.

The strength of trials over truth commissions is that they put violence and rights at the centre of justice and reconciliation. Yet the bipolar structure—the division between the innocent and guilty—of trials against mass atrocity tends to undermine recognition of community complicity and therefore critical reflection on how and why such atrocity could occur. The individualising logic of trials—i.e. individuals, not groups of people, are responsible for acts—also permits the illusion that such abuse of state power emanates from individuals and their actions rather than being the result of a political project in which public complicity is integral to success.

This rendering of individual blame, while effecting a ritual polarisation and individualisation of acts, fails to recognise the biopolitics of power in modern states—i.e. the delineation of power through monopolising not just 'violence' but also decisions over individual life and death. The selection of categories of people—ethnic groups, religious believers, political parties, political sympathisers—via the objectification and de-humanisation of individuals through disappearance, torture, rape and collective massacre is colluded in. This self-perpetuating process of selection and exclusion must involve public acquiescence to succeed. While collective responsibility should not be 'ethnicised', this does not mean that state political projects may well be expressed in

'ethnicist' ideology and form the basis for mobilising public support and identification with the state project of atrocity. Atrocity is a collective political project, and those who subscribed to or colluded in the racist denial of victims' rights share responsibility for accepting (ignoring) the selective processes of marginalisation and de-individualisation that precede mass atrocity. Racism, the victimisation of a social category with impunity, is not just an individual attitude or act of abuse but the foil of collective identity. In the politics of mass atrocity mobilisation through racism creates a shared responsibility for its consequences.

The victim has become the centrepiece of truth commissions and trials for the creation of collective memory after mass atrocity. Through individual memory the past is excavated and stored as a public memory in the form of reports, archives and legal judgements. Truth commissions and trials make the victims visible by giving them a public voice, and thereby seek to recover them as individuals and citizens from the liminal space beyond the law (*homo sacer*). However, the act of recovery involves identification through the reconstruction of the victim. Despite the inclusive rhetoric of truth commissions, that reconstruction is necessarily selective. The same is true for trials. As a consequence, the victim of violence can be left in a very ambiguous position by being made a social vehicle for national reconstruction and reconciliation. As they are ritual projects of individual and social purification which seek to prevent the violence recurring, the efficacy of truth commissions and trials depends on the moral engagement of the witnessing public which must extend beyond the ritual moment. It depends on consolidating rights and democratic participation.

In tribunals the greatest burden falls on the victim: to reveal the truth (trauma), to be reconstructed as the victim (even re-traumatised), to live with the memory of violence (permanent victimhood), to have their story subordinated to a selectively constituted collective memory, to reconcile (forgive), and to accept token compensation (if any). The victim's rights are subordinated to the promise of the social benefits of state political transformation, a more inclusive citizenship and the rule of law (and in South Africa, the establishment of a more pervasive culture of human rights).

In trials the victim's suffering is addressed through rights, although there are also empathetic possibilities in testimony in court. The conviction of a perpetrator establishes a truth which cannot be publicly questioned and puts the victim in the 'right'. The law's violence, its power to take away property, liberty and life, is then enacted through legal words (Sarat and Kearns 1992). In addition to being 'right', victims may be entitled to compensation, a symbolic but material restoration of the things lost through violence. Yet the benefits for victims are even more restricted than in tribunals. Since the number of prosecutable crimes and resources always limits the number of trials, the number of victims to be legally recognised and compensated is very small.

Trials confront the abjection of atrocity with the work of imagination and aspiration:

to find the trial process wanting against the aspiration of truly dealing with the complex past is not to find it worthless as a response to atrocity.

The challenge is to combine honest modesty about the promise of trials with a willingness to be inspired—and to combine inspiration with the hard, grubby work of gathering evidence and weaving legal sources into judgments. (Minow 1998:51)

Conclusion

Acts of mass atrocity are not simply outbreaks of social madness. They are the culmination of processes of violence which are the product of acts of political power. Public acceptance or collusion with political violence goes hand in hand with the state's capacity to adjust the threshold of moral vision so that their victims will either be publicly ignored or go unnoticed. What we have witnessed through the twentieth century is the elaboration of individual rights through international law on the one hand, and the increasing transgression of them on the other. The clearest evidence is that the overwhelming casualties in war, either external or internal, are civilians. Moreover, the habitat of the city has been made the frontline and the major focus of mass violence. Internal wars only extend the opportunities for mass atrocity because they put most people beyond the protection of any state or law. It's as if the development of human rights instruments in response to the elaboration of techniques of repression, brutality and terror is actually charting the loss of rights rather than their enhancement. This is of course the point Arendt (1989) made about the relationship between the loss of citizenship and elaboration of human rights after the Universal Declaration of Human Rights in 1948.

In the post-conflict environment of transition the primary aim of truth commissions and trials after mass violence must be to reveal the political origins of violence. As Feher (1999) comments, reconciliation after mass atrocity must be based on the individualisation of responsibility and the stigmatisation of the state's political project. Mass atrocity is better understood as a consequence of the radical loss of individual rights rather than simply as the extension and abuse of state power. We need to recognise the nature of the project not in its own terms—e.g. the essentialisation of difference—but in terms of the biopolitics of power focused on control over individual life. The politics of atrocity challenges the very assumptions of modern political life: the belief in the sacredness of human life, of bodily inviolability in law, and that our humanity confers rights which stand in opposition to the political sovereignty of the state.

Mass atrocity is only the culmination of a process of de-subjectification, de-nationalisation and de-humanisation which defines power over life by determining who falls inside and outside the social limits. We need to comprehend this process of selection of victims which remains, according to Agamben (1998), at the heart of state sovereignty. Power is exercised through victims whose social worth is determined by the visibility or invisibility of their suffering—i.e. whether they fall below the threshold of moral vision. The victim is an expression of the power that condemns them.

The efficacy of violence lies in the way it strikes at the very nexus of social life, the relationship between individual sentience and culture. The phenomenology of violence reveals that it violates individuals physically and psychologically. Violence causes injuries and erodes our subjectivity, thereby diminishing us. Its potency lies in the existential crisis it threatens for individuals and in the bodily memory with which it leaves its victims. Violence attacks the nexus of cultural substantiation by rupturing our connections with the world we inhabit. The psychological processes of alienation from others, one's world and one's self are a methodology for emptying out the world, 'cleansing' it. The lessons of totalitarian violence, of administrative terror, are that individuals can be unmade, lost to themselves, through the vulnerability of their bodies. That is what the Nazi concentration camps revealed: you can de-humanise people, you can turn them into zombies, into *Muselmänner*, into nothing.¹ And this in the middle of a society that does not notice.

The psychological deconstruction of the self that violence induces is paralleled by a process of cultural deconstruction. Violence, through its action on the body, overturns normative patterns of cultural signification, thereby creating a crisis of signification. It overturns symbolic signification in favour of indexical signification. Violence produces the wounded body as the most fundamental cultural strategy for making real that which is in doubt or does not yet exist (Scarry 1985). It reduces signification to the present and reconnects affect and meaning through the 'opened body'. The soldier's wound thus signifies nationalism. Meaning is thereby displaced and replaced by violence on the body through the cultural processes of signification and re-signification. In this process there remains a vast gap between the existential position of victim and witness, and therefore in the possibility of communication.

The crisis of contemporary mass atrocity relates very closely to the crisis of nation-states. For the 'international community', violence is corrosive of law and infectious. The resort to violence raises the political stakes to a brutal contest over the protection of life, and precipitates a struggle that produces cycles of violence. The fear of violence spilling over into neighbouring states and producing humanitarian crises in the form of refugees today makes all political violence seem a threat to 'international peace and security'. The awesome quality of violence, its 'sacred' character as something that appears to be out of human control, only adds to the anxieties about containing violence and preventing its legacies from continuing to harm people. To add to this anxiety is the background fear of weapons of mass destruction.

Even the question of intervention hinges on the belief that directed violence can bring changes, even bring an end to violence. Intervention subscribes to the efficacy of 'ritual violence', the proposition that violence can be socially beneficial. The Western rhetoric about 'international humanitarian intervention' and 'human rights wars' is premised on the idea that violence can bring an end to violence, that it can bring peace. The pervasive idea that cataclysmic instances of mass violence in the twentieth century heralded an end to such violence—the Great War to end war, the Holocaust as the seal of genocide—also subscribe to belief in the 'uses of hell' (Hoffman 2000). The ideas of ritual violence, directed violence and the efficacy of the 'sacrificial victim' remain very much part of today's strategies designed to deal with mass atrocity and its legacies. The gift of the victim is social and moral renewal, either through communion or catharsis.

Stopping violence may involve the threat or actual use of force, but it also involves the moral engagement of others by making the victim's suffering visible. Suffering has to be witnessed to recognise its truth and injustice. The social recovery of victims involves changing the threshold of moral vision both nationally and internationally. During periods of repression and mass atrocity that is what journalists and human rights organisations seek to do. Voice is slowly given back to victims through exposing injustices and the sources of violence.

During political transition the recovery of victims as individuals (subjects) and citizens has become a major issue in national reconciliation. The reality of most internal war—state repression, civil war—is that victims and their persecutors must continue to live together. Consequently, political compromise shapes to different degrees the extent to which justice and reconciliation can be achieved in situations of contemporary mass atrocity. Nevertheless, truth commissions and trials have been used as the main public forums to reveal the truth about past horrors and the key national rituals to put violence in the past. While their methodologies are essentially legal—the application of international humanitarian law or national equivalents and the individualisation of responsibility for 'crimes against humanity'—they have a ritual structure. At their centre is the victim, the one who embodies the violence of the past in their memory and suffering. The ritual to exorcise violence focuses on either getting the violence out of the victim² or getting the perpetrator, the source of the violence, out of the community. The former seeks the purification of the individual—this is the strategy of truth commissions—the latter the purification of the community—this is the strategy of trials. The victim is seen as providing a source of 'authentic' experiential truth about previously hidden or publicly ignored events.

The pivotal issue in witnessing is the suffering victim or the causes of the suffering. The compromise of truth commissions has been their focus on the victim's trauma (wounds) at the cost of impunity for most of the perpetrators. The exception has been the TRC in South Africa that provided for amnesty only after full disclosure of crimes. Its success was limited with only very few functionaries of the apartheid state seeking amnesty. Trials, on the other hand, focus on the causes of violence, the perpetrators (weapons). But while they might seek to prosecute the most culpable individuals, the extent to which those prosecutions effectively stigmatise the previous regime's political project varies enormously.

In fact, both truth commissions and trials are necessarily symbolic because their methodology is inevitably selective. The sheer scale and nature of mass atrocity means neither all perpetrators can be prosecuted nor all victims compensated. And even in the TRC the selectivity of the victims' hearings—less than 10 per cent actually presented public testimony—produced a *de facto* ranking of suffering even though the commissioners directly sought to challenge this perception. Victims are used to mediate the remaking of an inclusive national community and to re-establish the authority of the law. Trials are even more selective precisely because of the time, effort and resources necessary to obtain convictions for such serious charges as 'crimes against humanity', 'war crimes' and 'genocide'. In addition, the individualising legal process and sacralising ritual effect produce a polarised division between the innocent and guilty. Trials then produce a post-conflict solution which tends to overload responsibility on certain responsible figures, effectively making them scapegoats. The polarising outcome has the

negative effect of disengaging the public from reflecting on their responsibility for allowing the erosion of law and individual rights to take place.

The use of trials and truth commissions after mass atrocity creates public witnessing, mobilises empathy for victims and provides the basis for moral and social renewal. However, they are not a quick fix to reconciliation and justice. The creation of public forums for witnessing the legacies of atrocity is the first step in recovering the victims and re-establishing public morality in law. This is no small achievement but we need to go further and aim to re-establish ethical social relationships. There needs to be an engaged moral commentary on pain, an ongoing reflection about the significance of suffering and its origins. Mass atrocity must be recognised as the culmination of processes that are now inherent in biopolitics, the intensification of state control over individual life and death. This process of selection, which defines the parameters of life in fields such as law, medicine and politics, necessitates a morally engaged public who are able to adjust their ethical vision to recognise suffering.

The production and archiving of a collective memory of the past—the Never Again projects—is not in itself sufficient protection against horrors recurring. Geyer (1997) points out the importance of collective memory, but even more crucial is the ongoing moral engagement and the dialogue that goes with it. The imagination of each successive generation has to work on the collective memory for it to become part of their moral and political reality. Jelin (1998) also insists on the importance of trans-generational engagement with the past but warns against the over-authorisation of the suffering victim. There is the danger of victims monopolising the interpretation of history based on the authenticity of their suffering, thereby holding back the next generation's own work on history. Novick (1999) calls this over-adulated survivor 'the secular saint'. The politics of affectivity too readily fills in with passion what has already been lost in practice. But this embrace of the suffering survivor is perhaps not surprising in a de-sacralising world; after all, it is simply returning to the 'sacralisation of horror', our cultural primer.

Notes

Preface

1 Why 'politics of atrocity' and not 'terror' or 'terrorism'? Terror and terrorism refer to the effect of violence whereas atrocity refers to the act of violence. To rule by terror is to use violence to instil fear whereas atrocity refers to the cruel actions designed to inflict pain and suffering on individuals. Terrorism is a strategy of armed violence which creates terror. The politics of atrocity is 'terrorism' but this term is so misused that I would like to avoid the irony now associated with any state accusation of 'terrorism'. The 'space of terror' refers to fear. Again I wish to emphasise the micro-politics of violence to comprehend the phenomenology of pain and fear in connection to the world and disconnection between feeling and meaning.

My argument is that it is atrocity against individual bodies which is the basis of terror. Terror is the effect rather than the act of violence. It refers to the response of those made to feel vulnerable by witnessing atrocity. Both terms are used to refer to violence which attacks 'innocent' life and is primarily rhetorical. 'Terrorism' has become too overused by states/government to describe any form of collective violence opposed to its sovereignty.

One comprehensive definition is provided by Schmid (1983:111) in his book *Political Terrorism*:

Terrorism is a method of combat in which random or symbolic victims serve as an instrumental *target of violence*. These instrumental victims share group or class characteristics which form the basis for their selection for victimisation. Through previous use of violence or the credible threat of violence other members of that group or class are put in a *state of chronic fear (terror)*. This group or class, whose members' sense of security is purposively undermined, is the *target of terror*. The victimisation of the target of violence is considered extra-normal by most observers from the witnessing audience on the basis of its atrocity; the time (e.g. peacetime) or place (not a battlefield) of victimisation or the disregard for rules of combat accepted in conventional warfare. The norm violation creates an attentive audience

beyond the target of terror; sectors of this audience might in turn form the main object of manipulation. The purpose of this indirect method of combat is either to immobilise the target of terror in order to produce disorientation and/or compliance, or to mobilise *secondary targets of demands* (e.g. a government) or *targets of attention* (e.g. public opinion) to changes of attitude or behaviour favouring the short or long-term interests of the users of this method of combat.

- 2 David Grossman (1995) points out that atrocity generates disbelief in victims and distant observers often leading to passivity in the former and a turning away in the latter.
- 3 Their presence today is the outcome of a long history of humanitarian intervention based on influencing events as a witness. Hence the ICRC eventually established the right in international law (Geneva Conventions) to be present to care for all victims of war and ensure their correct treatment. Later the ICRC managed to extend these humanitarian rights to include victims and prisoners of internal wars (Ignatieff 1997a). Even the international media offer a similar justification for their presence—i.e., to bring events to the attention of the world in the hope that this may improve the lot of victims through intervention.
- 4 Reyna (1994) argues that the term ‘war’ is only properly applied to societies with states, and distinguishes between internal and international war. Certainly all contemporary wars involve states in some way.

1

Politics of atrocity

- 1 Foucault argues that the old economy of public execution replicated the ‘atrocity’ of the crime of the body of the accused.

In so far as it must bring the crime before everyone’s eyes, in all its severity, the punishment must take the responsibility for this atrocity: it must bring it to light by confessions, statements, inscriptions that make it public; it must reproduce it in ceremonies that apply it to the body of the guilty person in the form of humiliation and pain. Atrocity is that part of the crime that the punishment turns back as torture in order to display it in the full light of day: it is a figure inherent in the mechanism that produces the visible truth of the crime at the very heart of the punishment itself. The public execution formed part of the procedure that established the reality of what one punished. Furthermore, the atrocity of a crime was also the violence of the challenge flung at the sovereign; it was that which would move him to make a reply whose function was to go further than this atrocity, to master it, to overcome it by an excess that annulled it. The atrocity that haunted the public execution played, therefore, a double role: it was the principle of the communication between the crime and the punishment, it was also the exacerbation of the punishment in relation to the crime. It provided the spectacle with both truth and power. It was the culmination of the ritual of the investigation and the ceremony in which the sovereign triumphed.

(Foucault 1977:56)

The fact that the crime and the punishment were related and bound up in the form of atrocity was not the result of some obscurely accepted law of retaliation. It was the effect, in the rites of punishment of a certain mechanism of power....

(Foucault 1977:57)

2 In his book *Discipline and Punishment*, Foucault's analysis suggested that the modern state no longer needed such 'spectacles' and came to rely on much more subtle processes of subjective individualisation in which the individual comes to bind himself to an identity and external power.

3 See Desnoes (1985) on anonymous death in Central America.

4 Agamben follows Foucault (1979) in stating that for a long time one of the privileges of sovereign power was the right to decide life and death. He traces this concept of defining power to Roman Law, where he argues that participation in political life came with the price of an unconditional power:

The sovereign tie is more originary than the tie of the positive rule or the tie of the social pact, but the sovereign tie is in truth only an untying. And what this untying implies and produces—bare life, which dwells in the no-man's-land between the home and the city—is, from the point of view of sovereignty, the originary political element.

(Agamben 1998:90)

5 Agamben discusses the paradox of the law which involves the unification of the principles of violence and justice. He argues that the hidden paradigm of the concept of sovereignty is 'the sovereign is the point of indistinction between violence and the law, the threshold on which violence passes over into law and law passes over into violence' (Agamben 1998:32).

6 Agamben uses the term 'the camp' to refer to the concentration camps for the Nazi extermination of the Jews. It is a space of absolute indistinction between law and violence (Agamben 1998:174).

7 Agamben (1998:175) on the camp:

The state of exception which was essentially a temporary suspension of the juridico-political order, now becomes a new and stable arrangement inhabited by the bare life that more and more can no longer be inscribed in that order. The growing dissociation of birth (bare life) and the nation-state is the new fact of politics of our day, and what we call the camp is this disjunction. To an order without localisation (the state of exception, in which law is suspended) there now corresponds a localisation without order (the camp as a permanent space of exception). The political system no longer orders forms of life and juridical rules in a determinate space, but instead contains at its very centre a *dislocating localisation* that exceeds it and into which every form of life and every rule can be virtually taken. The camp as dislocating localisation is the hidden matrix of politics in which we are still living, and it is the structure of the camp that we must learn to recognise in all its metamorphoses into the *zones d'attentes* of our airports and certain outskirts of our cities.

8 Foucault's term 'tortured body' referred to the publicly 'tortured' body of the accused.

'Tortured' referred to the cruel violence inflicted on the body to suffer excruciating pain as punishment. Perhaps a more current term would be 'gross human rights violations'.

2

Horror, abjection and terror

1 Syncope or temporal rupture also marks a transition between one state and the next. Individuals pass through stages of life with difficulty.

This difficulty of crossing from one body to the next, from one stage to the next, and from life to death, will always be a test: initiations, love at first sight, depressions, syncopes are used to resolve this. But each dissonance carries its resolution within it, every syncope anticipates its limits and its subsidence; that means the *result of syncope* counts as much as the episode itself. At the conclusion of syncope in music there is harmony; at the conclusion of the crisis there is calm; at the conclusion of the initiation, a brand-new outfit for the new man; and at the conclusion of the mirror, an imago, the first embryonic shape of the *cogito* to come.

(Clément 1994:120)

2 Quoted in Blum (1996:690).

3 Quoted in Utriainen and Honkasalo (1996).

4 Freud noted in Agamben (1998:78–9).

5 The 'ostracised' citizen of Greece, who affirms the 'democratic community' through its vote to exclude, represents the category of the sacred that is seen to make the cultural/social possible.

6 Aristotle quoted in Dahl (1987:2).

7 Lefebvre (1991) discusses the 'logic of visualisation' based on metaphoric and metonymic strategies.

8 See Chapter 9.

9 An Arab proverb also emphasises the invisibility of the poor in life and death. It states: 'The sins of the rich and the death of the poor are never known. But the death of the rich and sins of the poor are always known.'

3

The atrocity of torture

1 Gane and Mackarel (1997:509).

2 Independent Commission on International Humanitarian Issues (1986) *Disappeared*, p. 20.

3 *Disappeared*, p. 44.

4 The Amnesty International Annual Report (1999) provides evidence that torture is on the increase.

5 Michael Ignatieff quoted in Villa (1999:37).

6 UN: Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 9GA Resolution 39/46 (1984). Entry into force June 1987.

- 7 The Report by the Special Rapporteur on Chile in 1983 (UN Doc. A/38/385) and Report of the Working Group on Enforced or Involuntary Disappearances (UN Doc. E/CN.4/1991/20). See Gane and Mackarel (1997).
- 8 Article 14 states 'All States should take any lawful and appropriate action available to them to bring to justice all persons presumed responsible for an act of enforced disappearance, who are found to be within their jurisdiction or under their control' (Gane and Mackarel 1997:542).
- 9 See the *Brasil Nunca Mais* Report which describes official military procedure in the use of torture (Dassin 1998).
- 10 See Maran (1989) on French use of torture in colonial Algeria. French policy was justified in terms of bringing civilisation. Torture would permit the restitution of legal order, after which there would no longer be a need for it.
- 11 See Rejali (1994) on different theories on torture.
- 12 A most remarkable archive of Brazilian administrative terror and use of torture was exposed through the project *Brasil Nunca Mais*. The military court records over a period between 1964 and 1979 were the basis for an extensive analysis of the organisation and implementation of terror through torture as a state policy during these years. See Dassin (1998), a translation of the summary of the massive research documentation on torture in Brazil.
- 13 Agamben points out the symmetry of the body of the sovereign and of *homo sacer*. Both occupy a space beyond the law. This inviolable status of the sovereign is retained in modern constitutions in the form that the head of state cannot be subject to ordinary trial. Thus in the American Constitution impeachment requires 'a special session of the Senate presided over by the chief justice, which can be convened only for "high crimes and misdemeanors," and whose consequence can never be a legal sentence but only dismissal from office' (Agamben 1998:103).
- 14 See UN: Safeguards Guaranteeing the Protection of the Rights of those Facing the Death Penalty, approved by Economic and Social Council resolution 1984/50 (1984); UN Second Optional Protocol to the International Covenant on Civil and Political Rights, Aiming at the Abolition of the Death Penalty. See Gane and Mackarel (1997).
- 15 The silent complicity of torturers is evident in the difficulty of getting them to testify, even when offered amnesty. This was the experience of the Truth and Reconciliation Commission in South Africa. The case of Retired Navy Captain Adolfo Scilingo revealed how the military dictatorship obliged everyone to get their hands dirty in the 'Dirty War'. He was involved in 'death-flights' which involved dumping the 'disappeared' at sea from aircraft. Scilingo broke rank only in 1995, twelve years after the CONADEP inquiry. He commented: 'The Navy Mechanics School turned me into a criminal, used me, and then threw me away. Why should I be complicit in their cover up?' (Feitlowitz 1998:193).
- 16 Quoted in Graziano (1992:81).
- 17 See the list of writs of habeas corpus for 'disappeared' in the *Nunca Mais: Informe de la Comisión Nacional sobre la Desaparición de Personas [CONADEP]*, Buenos Aires, Editorial Universitaria de Buenos Aires, 1986, pp. 434–441.
- 18 CONADEP (1986:42).
- 19 *Disappeared*, p. 20.
- 20 *Disappeared*, p. 41.
- 21 CONADEP (1986).
- 22 In 1976 in Buenos Aires they were filed at an average of 800 per week (Feitlowitz 1998:159).
- 23 The term was used in reference to burning bodies of dead prisoners. See Feitlowitz (1998:53). Torture victims were dispatched in a similar way by South African security forces who had a *brie* (barbeque) while waiting for the corpse to turn to ashes. See the Truth and Reconciliation Commission Report (1999).

- 24 See Chapter 1, 'Torture classes: guinea pig prisoners', in *Brasil Nunca Mais* (Dassin 1998).
- 25 Rejali (1994:163) notes that there is not just one instrumental rationality of torture. He says that there are at least three ways in which people can learn to treat other people as objects. They can treat people as a means to an end, they can interact with them as part of a system, or they can interact with them as opponents to be strategically won over.
- 26 Quoted in Graziano (1992:79) from the CONADEP report *Nunca Mas*.
- 27 Mario Villani was a physicist employed at the National Institute of Industrial Technology and, as a consequence of torture, suffered the loss of one eye and neurological damage (Feitlowitz 1998).
- 28 These suspect categories are identified in the various investigations—in the *Nunca Mas* (CONADEP 1986) and in the *Brasil Nunca Mais* reports.
- 29 Interview with Chilean activist in Sydney.
- 30 In *La Perla* camp in Argentina, a 'useful' prisoner was one who was 'corrupt, treacherous, and/or violent with his peers' (Feitlowitz 1998:65).

4

War, horrors, beliefs

- 1 Edmund Blunden writing on the lack of military imagination during the Somme battles in 1916 quoted in Fussell (1975:13).
- 2 Robert Graves quoted in Fussell (1975:73).
- 3 Louis Simpson quoted in Fussell (1975:140).
- 4 Comment by the American historian Barbara Tuchman on British accounts of their military performance in Fussell (1975:175).
- 5 See the Amnesty International Report (2000).
- 6 See Fisk (1990:515) for an account of these 'terrorist' attacks.
- 7 The Netherlands Institute for War Documentation is due to report on the UN Dutchbat role in the collapse of the Srebrenica safe haven. The 'Report Of The Independent Inquiry Into The Actions Of The United Nations During The 1994 Genocide In Rwanda' is highly critical of the UN failure to take action earlier to stop the genocide. The report is available at http://www.un.org/News/ossg/rwanda_report.htm.
- 8 Australian Prime Minister W.M.Hughes was determined that every one would be given a grave with a headstone giving name, number, unit and date 'killed-in-action'. See Inglis (1998:258).
- 9 Quoted in Winter (1999). The First World War brought about the rapid development of cosmetic surgery and artificial limbs in order to rehabilitate veterans back into normal life. Disfigured faces were concealed behind painted ceramic masks, at that time the technological limit of face reconstruction. See also Nicole (1997) on the loss of identity with 'defacement'.
- 10 Quoted in Mouffok (2000).
- 11 Quoted in Chanoff (2000:34).
- 12

The conduct of armed forces is governed by the rules of war, also called international humanitarian law, which comprise the four 1949 Geneva Conventions, the two 1977 Protocols Additional to those Conventions and the customary laws of war. International humanitarian law distinguishes international and non-international (internal) armed conflicts.

(Human Rights Watch vol. 1:199)

5

Urbicide

1 Convention for the Protection of Cultural Property in the Event of Armed Conflict, The Hague, 14 May 1954, Entered in force 7 August 1956. States in the Preamble

The High Contracting Parties,

Recognizing that cultural property has suffered grave damage during recent armed conflicts and that, by reason of the developments in the technique of warfare, it is in increasing danger of destruction;

Being convinced that damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world;

Considering that the preservation of the cultural heritage is of great importance for all peoples of the world and that it is important that this heritage should receive international protection;

Guided by the principles concerning the protection of cultural property during armed conflict, as established in the Conventions of The Hague of 1899 and of 1907 and in the Washington Pact of 15 April, 1935;

Being of the opinion that such protection cannot be effective unless both national and international measures have been taken to organize it in time of peace; Being determined to take all possible steps to protect cultural property.

2 Quoted in Kassab (1992).

3 According to Gürsel in his article 'Urbicide and an Architect' (1997), the former mayor of Belgrade, the famous architect Bogdan Bogdanovic, coined the term 'urbicide'. He voiced his response with the following words:

I do not understand this military doctrine that seems to be centered around burning cities. The civilized world will one day grow tired of us killing each other, but it will never forget the annihilation of these cities. Humanity will remember us Serbs as the New Huns. Let us not forget that the bombing now targets the most beautiful cities of the country: Osijek, Vukovar, Zadar, and now Mostar and Sarajevo. It is hard to say this, but the sole purpose of the attack on Dubrovnik was to

destroy its beauty. Among us are barbarians who hate these cities and take pleasure in destroying them.

4 The ongoing destruction of Sarajevo was witnessed on Western television but the still ongoing bombing of Iraqi cities barely gets a mention. See Scarry (1999) and Baudrillard (1995).

5 Nordstrom (1999) makes a similar point in her observations about 'life world' viability being disrupted in war zones. One Mozambican survivor of the civil war describes its dehumanising impact in the following way:

They have made us inhuman. We sleep in the jungle like animals every night to avoid attack. We run from every sound like the animals we hunt, we scavenge for food in the countryside like animals because we cannot maintain our crops like men.

6 In May 1993 in Sarajevo

around 75 per cent of the buildings of the Ottoman period were found to have been damaged; 67 per cent of Austro-Hungarian buildings; and 43 per cent of buildings constructed in the inter-war period. Damage to modern buildings is so widespread that it is not even possible to identify accurately, but Curic thinks that around 75 per cent have been damaged. Since data was collected in the summer of 1993, attacks have of course continued and even more structures have been damaged. In May 1993, the Association estimated that 600,000 shells had fallen on the city from the encircling Serb positions. By December 1993 the figure had risen to two million, from 80 mm mortars to 220 mm howitzer shells.

(Harris 1994)

7 Quoted in Kassab (1992).

8 Quoted in Kassab (1992).

9 See Jureidini, Ray (2001). *Migrant Domestic Workers in Lebanon*, commissioned report for the International Labour Organisation, Beirut/Geneva.

A curious sight in Lebanese households during the war years were the Sri Lankan domestic servants, themselves forced into labour exile because of war and economic need, caring for the aged parents of families who lived in diaspora exile.

6

Ethnic cleansing

1 Heald (1998:185). Gisu proverb, Kenya.

2 The first action characterised as 'ethnic cleansing' was the destruction of the Croat village of Kijevo. In August 1991 'Serb' forces and the Yugoslav Army (JVN) joined in a carefully planned action which totalled levelled Kijevo (Silber and Little 1995:188). Virginia Bazar, in an article entitled 'Ethnic Cleansing in Bosnia', argues that the term was coined by a Croatian humanitarian volunteer.

The word ‘ethnic cleansing,’ often used by our media, was defined by a volunteer at a refugee camp in Croatia as a euphemism designed to mask a policy of ethnic genocide. Its horror is obscured by its generic definition: a process in which the advancing army of one ethnic group expels civilians of other ethnic groups from towns and villages it conquers in order to create ethnically pure enclaves for members of its ethnic group. On one level, ‘ethnic cleansing’ could define the break-up of former Yugoslavia; however, a better term to represent the problems in Bosnia would be ‘genocide’: the deliberate and systematic destruction of a racial, political, or cultural group.

(<http://www.refintl.org/SAGA/issue2/ethnic.shtml>)

3 Human Rights Watch (1992).

4 Danner (1999:9) argues that the pattern of ethnic cleansing pursued by the Serb forces in Bosnia-Herzegovina in 1991–1992 consisted of five steps:

- 1 Concentration. Surround the area to be cleansed and after warning the resident Serbs—often they are urged to leave or are at least told to mark their houses with white flags—intimidate the target population with artillery fire and arbitrary executions and then bring them out into the streets.
 - 2 Decapitation. Execute political leaders and those capable of taking their places: lawyers, judges, public officials, writers, professors.
 - 3 Separation. Divide women, children, and old men from men of ‘fighting age’—sixteen years to sixty years old.
 - 4 Evacuation. Transport women, children, and old men to the border, expelling them into a neighbouring territory or country.
 - 5 Liquidation. Execute ‘fighting age’ men, dispose of bodies.
- 5 Article II of the Genocide Convention.
- 6 The Convention of Lausanne agreed to the exchange of Greek and Turkish populations and, although there was discussion about whether it was voluntary or compulsory, it ended up being compulsory. The Convention completed the earlier Greco-Turkish agreement of 1914 that had been suspended because of the war. The ‘Four Great Powers’ were favourable to the proposal of exchange of populations, believing

that to unmix the populations of the Near East will tend to secure the true pacification of the Near East and because they believe that an exchange of populations is the quickest way of dealing with the grave economic results which must result from the great movement of populations which has already occurred.

(Ladas 1932:335)

Exchanges also took place between Turkey and Bulgaria under the Convention of Neuilly (1919).

- 7 This book can be understood in part as a response to this contemporary phenomenon. The author was touched by people whose lives were directly and indirectly transformed by civil war and repression—Lebanese immigrant communities and Latin Americans.

- 8 In my own teaching I am extremely careful to tell students that I too am in danger of appropriating violence for my own purposes, what Arthur and Joan Kleinman (1996) call the professional transformation of suffering.
- 9 Other Tamils had become aware of their potential exclusion from the nation earlier when two consecutive bills were passed in 1948 and 1949 which disenfranchised and made stateless Tamils of Indian origin who had recently been brought in as plantation labour (Daniel 1997:158).
- 10 Taylor (1999) gives an account of a Mauritanian family who were stopped at a check-point and, despite passports indicating their nationality, were almost killed because they looked like Tutsis.
- 11 Desnoes (1985) presents a photographic essay of corpses in Guatemala. She points out that she only photographed and included victims of state repression—those silenced in the struggle against dictatorship—but how does she know? It is really only their inclusion in the essay that affirms their status as the oppressed.
- 12 Daniel draws mainly from Peirce (1958).
- 13 See the discussion by Daniel (1997: chap. 4).
- 14 These are summarised in Daniel (1997).
- 15 Daniel (1997:191) calls these ‘agentive moments’.
- 16 I use Islamist here to refer to a cluster of different movements in Algeria which have used violence in their protest against their exclusion from the electoral process in 1992.
- 17 My discussion on Algeria draws on a much longer discussion in Humphrey (2000a).
- 18 While there is strong evidence that sections of the security services and military have been involved in massacres it is not at all clear who and why. Explanation is offered in terms of doubling the terror and alienating everybody from all forms of social trust. See the Amnesty International Report (1997), *Algeria: Civilian Population Caught in a Spiral of Violence*.
- 19 The point that violence is culturally informed is also made by Taylor (1999) in his account of the cultural cosmology of the body in the context of the Rwandan genocide. However the primary issue is not the logic of cultural meaning but the way the victim is sacrificed to mediate that meaning.
- 20 In Algeria the Constitution provides for the inviolability of the home, but the State of Emergency authorizes provincial governors to issue exceptional search warrants at any time. Security forces often entered residences without warrants. The security services also deployed an extensive network of secret informers against both terrorist targets and political opponents. The government monitored telephones and sometimes disconnected service to political opponents (see Section 3). Security forces detained relatives of suspects to try to compel the suspects to surrender (see Section 1.d.). (*Algeria Report on Human Rights Practices for 1996*, US Department of State, released by the Bureau of Democracy, Human Rights, and Labor, 30 January 1997, http://www.state.gov/www/global/human_rights/1996_hrp_report/algeria.html.)
- 21 NATO described the air campaign as ‘the most accurate in history’. See Gidron and Cordone (2000). A recent RAF report, however, revealed a much less flattering picture. It noted that ‘only 4 out of 230 unguided bombs hit their target’, ‘60% of cluster bombs missed their targets or were unaccounted for’ (Norton-Taylor 2000).

7

Witnessing atrocity

- 1 The term 'media(ted)' will be used to mean the connection between strangers via the media. It emphasises the visual and affective as the primary modes of connection.
- 2 See Humphrey (1997).
- 3 Weber (1997) uses the term 'televisible' to refer to the capacity to make events real. If an event is not 'televisible' it does not get recognised as having happened.
- 4 UNPROFOR reactions to the Central Market massacre of Bosnian Muslims in Sarajevo was to suspect Muslim forces of responsibility for artillery shelling rather than the Serbian forces that had the city under siege. UNPROFOR had on numerous occasions accused the Bosnian Muslims of seeking to manipulate the international media. See Rieff (1995).
- 5 The murder of four UN humanitarian workers in West Timor in September 2000 by paramilitary groups highlights the dangers of helping refugees, themselves still terrified and trapped by the militias who had displaced them from East Timor a year earlier by a campaign of terror and atrocity.
- 6 The annual casualties amongst journalists working in conflict zones increased during the 1990s. In 1999 the International Federation of Journalists records that eightyseven journalists were killed (<http://www.ifj.org/hrights/>). UN peacekeeping troops have suffered casualties in Somalia, Sierra Leone and East Timor. International relief workers have suffered casualties in many places—the most recent include Chechnya (ICRC) and West Timor (UN).
- 7 Martin Bell's dramatic documentary-style coverage of the siege of Sarajevo in 1994 contains scenes from the moving camera entering the frontline trenches. Bell's breathless commentary, made while he ran crouched down to avoid possible sniper fire, only added to the illusion of participation.
- 8 The film *The Three Kings* goes even further, actually visually representing the making of a wound by a bullet. This mimics the televisual reality offered to us of cruise missiles homing in on their targets while we watch through a video eye.
- 9 This was written at the time of the Sydney 2000 Olympics in which the televised celebration of 'gold medal' performances as unforgettable moments was at its peak. A background song to the Olympics included the verse 'heroes are forever'.
- 10 In 1996 President Clinton signed the Anti-Terrorism and Effective Death Penalty Act which authorises the creation of a special tribunal to expedite the expulsion of foreigners from the USA without disclosure of classified information to the deportee or their counsel (Simon and Benjamin 2000:60).
- 11 See Shaw (1996) and Humphrey (1999).
- 12 Gowing quoted in Shaw (1996:160).
- 13 See Weber (1997) for an interpretation of Freud on watching death.
- 14

Kitsch is adapted to the tastes of the majority, a faithful expression of a common sensibility, of the harmony dear to the petit bourgeois, who see in it a respect for beauty and for the order of things—for the established order and for things as they are.

(Friedlander 1993:25)

- 15 Friedlander argues that in Nazism the Jews were made to represent both impurity and evil. The quest for total power was conceived as a titanic struggle which would deliver salvation or end in destruction.

In the extermination of the Jews in particular, these two fundamental and contradictory themes of the Nazi imagination find their satisfaction. For if you eliminate contagion, bacteria, and infection, isn't that a return to natural harmony and order through absolute purification? and to engage in combat against the very incarnation of Evil, the principle of darkness that threatens mankind with the most terrible slaveries; isn't that to throw oneself into a supreme enterprise that will result either in final salvation or destruction?

(Friedlander 1993:133)

- 16 The literature on 'terrorism' increasingly emphasises its apocalyptic character. The potential danger of 'terrorists' causing mass death through access to nuclear weapons and biological weapons amplifies the 'threat', the state of emergency, which has escaped the Cold War balance of deterrence controlled by nation-states (Simon and Benjamin 2000).
- 17 See the documentary on Pacemaker Photographers in Belfast, in the BBC series *As It Happened*, 1995.

8

Trauma, truth and reconciliation

- 1 This chapter develops themes from an earlier published paper on the TRC in South Africa. See Humphrey (2000b).
- 2 See Hayner (1994), 'Fifteen Truth Commissions—1974 to 1994: A Comparative Study'. In fact the number now approaches thirty when the different kinds of 'truth' forums are included. For a comprehensive list see also: Truth Commissions: United States Institute of Peace Library and Links, <http://www.usip.org/library/truth.html>.
- 3 See the TRC Report (1999), vol. 1, chap. 8, 'The Destruction of Records'.
- 4 In the TRC the stories of victims were told in a legal context which provided the possibility of amnesty for perpetrators if they admitted to their acts of violence in the course of fulfilling political goals.
- 5 Perpetrators were invited to come before the Amnesty to fully confess their human rights abuses. If the Committee determined their acts were politically motivated they were granted immunity from prosecution. See the Report of the TRC (1999).
- 6 CONADEP (Argentina's National Commission on Disappeared People) (1986) *Nunca Mas* (Never Again). London: Faber.
- 7 TRC Report (1999), vol. 1, chap. 1, para. 16.
- 8 *Ibid.*, para 2.
- 9 TRC homepage, <http://www.truth.org/>
- 10 See TRC Statement: Advisory on HRV findings, 26 May 2000, <http://www.truth.org/>.
- 11 At the TRC Human Rights Violations Submissions—Evelina Puleng Moloko, 04.02.1997, Case:jb0289/013erkwa-Duduza.
- 12 For the definition, classification and coding of Gross Human Rights Violations see the TRC Report (1999), vol. 5, pp. 11–23.
- 13 TRC-LIST Sunday 7 August 1998 Notes of a briefing by Adv. Denzil Potgieter, SC, Chair of the Media and Communications Committee of the Truth and Reconciliation Commission, to a Parliamentary media briefing, Cape Town.
- 14 Daniel (1997:121–123) discusses cases in Sri Lanka where individuals were unable to remember witnessing the torture of family and friends.
- 15 See Burgos (1999) for a discussion of the relationship between Menchu and the anthropologist.

- 16 The Chilean Commission for Truth and Reconciliation gave the families of the disappeared and killed significant compensation; those who were tortured received nothing. The former were given pensions based on the average income of a Chilean family and the children of victims were given scholarships. The latter were not considered individually and torture was treated as a 'phenomenon'. It is estimated there were more than 100,000 people tortured under the military dictatorship in Chile (Roht-Arriaza 1999).
- 17 Report of the TRC (1999), vol. 3, pp. 667–668; vol.5, pp.364–365. See also transcript of Victims Hearing (JB002989/01ERKWA).
- 18 At the TRC Human Rights Violations Submissions—Evelina Puleng Moloko, *op. cit.*, p. 11.
- 19 TRC Report (1999), vol.5, p. 365.
- 20 *Ibid.*, vol. 3, p. 668.
- 21 Lebanon report.
- 22 See Hudson (1968) for a discussion of the original Lebanese constitutional compromise.
- 23 TRC Report (1999), vol. 5, pp. 368–371. See also Krog (1998:76–78).
- 24 TRC Press Release 17/2/99. Jeffrey Benzien Granted Amnesty.
- 25 Quoted in Wieviorka (1999:140).

9

Atrocity, trials and justice

- 1 On 3 May 1994 the UN Secretary-General proposed a statute for the creation of a war crimes tribunal for the former Yugoslavia. The Security Council approved the statute and established the tribunal with the adoption of resolution 827. The Rwanda Tribunal was created by Security Council Resolution 955. See Blakesley (1997).
- 2 As well as 'administrative massacre' I will use the broader term 'administrative terror', which suggests a wider range of atrocities than killing.
- 3 'Law's violence' is borrowed from Robert Cover (1986).
- 4 See Osiel (1997) for a discussion of the impact of film of concentration camps in the Nuremberg trials.
- 5 The trials took place between 1985 and 1987. They were ended officially by declaration of the *Punto Final* (final point) on 23 February 1987, the cut-off date for all trials related to the Dirty War.
- 6 Henry Russo (1991) *The Vichy Syndrome: History and Memory in France since 1944*, trans. Arthur Goldhammer, p. 214, quoted in Osiel (1997:162).
- 7 Quoted in Wieviorka (1999:137).
- 8 International law, and the internationally televised demonstrations over the extraditions proceedings, provided the impetus for the Chilean government to initiate its own proceedings against Senator Pinochet's self-proclaimed and organised impunity.
- 9 'Transferred' was a euphemism for 'death sentence'. A detainee was 'transferred' after torture and interrogation and considered of no further use. See Feitlowitz (1998).
- 10 In the ICTR Statute Article 3 'Crimes Against Humanity' follows Article 6 of the Nuremberg Charter.

It empowers the Tribunal to prosecute persons responsible for the following crimes when committed as part of a widespread and systematic attack against any civilian population on national, political, ethnic, racial, or religious grounds: murder, extermination, enslavement, deportation, imprisonment, torture, rape, persecutions on political, racial, and religious grounds and other inhumane acts.

(Magnarella 2000:46–47)

- 11 See Blakesley (1997). In contrast to the open-ended temporal jurisdiction of the ICTY the ICTR is restricted to 1994.
- 12 Milan Levar is the first tribunal witness to have been killed in apparent retaliation for his testimony at the ICTY. See Smith (2000).
- 13 See Judgement of Prosecutor v. Dusko Tadic, <http://www.un.org/icty/trialc2/judgement-e/970507jt.htm>.
- 14 Summary indictments of the ICTY list the defendants and the place of the war crimes; e.g. Tadic and Borovnica ('Prijedor'); Meakic and Others ('Omarska Camp'); Sikirica and Others ('Keraterm Camp'); Mrksic ('Vukovar'); Karadzic and Mladic ('Srebrenica'); Bradanin and Talic ('Krajina'). See Public Indictments, Update 26/01/00, ICTY.
- 15 This following discussion on Rwanda draws from a draft paper by Stefaan Smis and Saskia Van Hoyweghen (2000).
- 16 Jefremovas (1995) quoted in Magnarella (2000:49).
- 17 Cases in which witnesses and their entire families have been murdered are not uncommon. During the prosecution of Jean-Paul Akayesu the ICTR complained to the Rwandan government that they were not providing adequate protection for ICTR witnesses. Witnesses complained that the ICTR put them in grave danger because of the way they were going about investigations.

Typically, foreign detectives and lawyers arrived in cars with tribunal number plates which were parked outside the homes of witnesses. Ms Mukasanasi said that in Rwanda's close knit communities word quickly spread of who was talking to the tribunal and who the witnesses against Mr Akayesu would be.

Consequently other witnesses were withdrawing for fear of their lives. See McGreal (1997).

- 18 Rwanda's National Assembly approved the 'Organic Law on the Organisation of Prosecutions for Offences Constituting the Crime of Genocide or Crimes Against Humanity' in August 1996. It divides offenders into four categories. Category 1 includes genocide organisers or planners, persons with military or governmental authority who committed or encouraged genocide. Category 2 includes ordinary murderers. Category 3 includes those who committed serious crimes against a person and Category 4, those who committed serious crimes against property. See Magnarella (2000).
- 19 ICTR judgements often mention the differences in categorisation of offences under Rwandan law. The Rwandan criminal law divides criminals into four categories. Category 1, for which the maximum sentence is death, includes the following:
 - 1 Persons whose criminal acts or roles as planners, organisers, supervisors and leaders of the crime of genocide or a crime against humanity.
 - 2 Persons who acted in positions of authority at the national, prefectural, communal, sector or cell level, or in a political party, the army, religious organisations, or militia and those who perpetrated or fostered such crimes.
 - 3 Notorious murderers who by virtue of the zeal or excessive malice with which they committed atrocities, distinguished themselves in their areas of residence or where they went.
 - 4 Persons who committed acts of sexual violence.

- 20 See for example the Omar Serushago judgement, in which the prosecution and defence compare sentencing in Rwandan courts and the ICTY. See <http://www.un.org/ictt/case>.
- 21 Magnarella (2000:74) comments that between May and June in 1996 Hutu extremists killed ninety-nine Tutsi eye-witnesses. See also Manikas and Kumar (1997) on the problem of human rights from a national perspective.

Conclusion

- 1 The term *Muselmänner* was believed to have been used in Auschwitz to describe those inmates who had lost all their will and consciousness. They were seen as inhabiting the 'limit situation' and were effectively the 'living dead'. See Agamben (1999).
- 2 See Nordstrom (1993) on traditional healing practices applied to trauma in Mozambique.

Bibliography

- Abrahamian, Ervand (1999). *Tortured Confessions: Prisons and Public Recantations in Modern Iran*. Berkeley/Los Angeles/London: University of California Press.
- Agamben, Giorgio (1998). *Homo Sacer: Sovereign Power and Bare Life*. Stanford: Stanford University Press.
- (1999). *Remnants of Auschwitz: The Witness and the Archive*. New York: Zone Books.
- Agger, Inger and Jensen, Søren Buus(1996). *Trauma and Healing Under State Terrorism*. London/New Jersey: Zed Books.
- Aglionby, J. (2000). 'Leading Writers to Challenge Indonesian Ban', *The Guardian*, 18 March, <http://www.guardian.co.uk/Archive/Article/0>.
- Alcoff, Linda and Gray, Laura (1993). 'Survivor Discourse: Transgression or Recuperation', *Signs: Journal of Women in Culture and Society* 18(2):260–290.
- Amnesty International (1997), *Algeria: Civilian Population Caught in a Spiral of Violence*. London: Amnesty International.
- (1999). *Amnesty International Report 1999*, <http://www.amnestyusa.org/ailib/aireport/ar99>.
- (2000). 'Collateral Damage' or Unlawful Killings?. London: Amnesty International, http://www.amnesty.org/ailib/intcam/kosovo/docs/nato_all.pdf.
- Appadurai, Arjun (1998). 'Dead Certainty: Ethnic Violence in the Era of Globalization', *Development and Change*. 29:905–925.
- Arendt, Hanna(1979). *Origins of Totalitarianism*. New York: Harcourt Brace Jovanovich.
- (1989 [1958]). *The Human Condition*. Chicago/London: The University of Chicago Press.
- Bachelard, Gaston (1994). *The Poetics of Space*. Boston: Beacon Press.
- Ballinger, Pamela(1998). The Culture of Survivors: Post-Traumatic Stress Disorder and Traumatic Memory', *History & Memory* 10(1):99–132.
- Barreca, Rebecca (1993). 'Writing as Voodoo: Sorcery, Hysteria, and Art'. In S.G.E. Bronfen (ed.), *Death and Representation*. Baltimore: The Johns Hopkins University Press, pp. 174–191 .
- Bataille, Georges (1961). *The Tears of Eros*. San Francisco: City Light Books.
- Baudrillard, Jean (1983). *In the Shadow of the Silent Majorities*. New York: Semiotext(e).
- (1995). *The Gulf War Did Not Take Place*. Sydney: Power Publications.
- Bauman, Zygmunt (1989). *Modernity and the Holocaust*. Cambridge: Polity Press.
- (1992). *Mortality, Immortality and Other Life Strategies*. Oxford: Blackwell.
- Bazar, Virginia (2000). 'Ethnic Cleansing in Bosnia', <http://www.refintl.org/SAGA/%20issue2/ethnic.shtml>.
- Bell, Martin (1999). *Reflections of a War Zone Thug*. British Council Autumn Lecture Series, <http://www.britcoun.de/e/munich/educat/bell.htm>
- Benjamin, Walter (1969). 'The Work of Art in the Age of Mechanical Reproduction'. H.Arendt In (ed.), *Illuminations*. New York: Schocken Books.
- (1978). 'Critique of Violence'. In P.Demetz(ed.), *Reflections*. New York: Schocken Books.
- Berger, John and Mohr, Jean (1989). 'Appearances'. In J.M.Berger (ed.), *Another Way of Telling*. London: Granta Books, pp. 82–129.

- Beyhum, Nabil (1988). 'Espace urbain, espaces politiques a Beyrouth'. In N.S.D.H. Mills (ed.), *Lebanon: A History of Conflict and Consensus*. London: I.B.Tauris, pp. 274–305.
- Bhabha, H.K. (1995). *Location of Culture*. London: Routledge.
- Blakesley, Christopher L. (1997). 'Atrocity and Its Prosecution: The Ad Hoc Tribunals for the Former Yugoslavia and Rwanda'. In T.L.H.M.G.J.Simpson (ed.), *The Law of War Crimes*. The Hague: Kluwer Law International, pp. 189–228.
- Blum, Alan (1996). 'Panic and Fear: On the Phenomenology of Desperation', *The Sociological Quarterly* 37(4):673–698.
- Bourdieu, Pierre (1977). *Outline of a Theory of Practice*. Cambridge Studies in Anthropology. Cambridge: Cambridge University Press.
- (1986). *Distinction: A Social Critique of the Judgement of Taste*. London/New York: Routledge and Kegan Paul.
- Brubaker, Roger and Laitin, David D. (1998). 'Ethnic and Nationalist Violence', *Annual Review of Sociology* 24:423–452.
- Bruner, J. (1991). 'The Narrative Construction of Reality', *Critical Inquiry* 18:1–21.
- Buck-Morss, Susan (1996). 'The Cinema Screen as Prosthesis of Perception: A Historical Account'. In C.N.Seremetakis (ed.), *The Sense Still: Perception and Memory as Material Culture in Modernity*. Chicago/London: The University of Chicago Press.
- Burgos, Elizabeth (1999). 'The Story of a Testimonio', *Latin American Perspectives* 26(6) 53–63.
- Burkert, William (1996). *Creation of the Sacred: Tracks of Biology in Early Religions*. Cambridge, MA/London: Harvard University Press.
- Buruma, Ian (1999). 'The Joys and Perils of Victimhood', *The New York Review of Books* April 8:4–10.
- Calvino, Italo (1974). *Invisible Cities*. San Diego/New York/London: Harcourt Brace Jovanovich.
- Canclini, Nester Garcia (1995). 'Narrar la Multiculturalidad', *Revista de Critica Literaria Latinoamerica* 21(42):9–20.
- Chambers, Iain (1994). *Migrancy, Identity, Culture*. London/New York: Routledge.
- Chanoff, David (2000). 'What Did You Learn in the War, Daddy?' *The Guardian Weekly* 11–17 May:162, 34.
- Chomsky, Noam and Herman, Edward S. (1979). *The Political Economy of Human Rights*, vol 1, *The Washington Connection and Third World Fascism*. Black Rose Books: Montreal.
- Clastres, Pierre (1972). *Society against the State*. New York: Zone Books.
- Clément, Catherine (1994). *Syncope: The Philosophy of Rapture*. Minneapolis: University of Minnesota Press.
- Cobb, Sarah (1997). 'The Domestication of Violence in Mediation', *Law & Society Review* 31(3):397–440.
- CONADEP (Argentina's National Commission on Disappeared People) (1986 [1984]). *Nunca Mas* (Never Again). London: Faber.
- Connolly, William E. (1999). 'Suffering, Justice, and the Politics of Becoming'. In D.M.J. S.Campbell (ed.), *Moral Spaces: Rethinking Ethics and World Politics*. Minneapolis: University of Minnesota Press, pp. 124–153.
- Cooke, Miriam (1987). *Women Write War: The Centering of the Beirut Decentrists*. Papers on Lebanon No. 6. Oxford: Centre for Lebanese Studies.
- (1988). *War's Other Voices: Women writers on the Lebanese Civil War*. Cambridge: Cambridge University Press.
- Cover, Robert(1986). 'Violence and the Word', *Yale Law Journal*. 95:1601–1629.
- Dahl, Mary K. (1987[1984]). *Political Violence in Drama: Classical Models, Contemporary Variations*. Ann Arbor, MI: UMI Research Press.
- Daniel, E.Valentine (1997). *Chapters in an Anthropology of Violence: Sri Lankans, Sinhallas, and Tamils*. Delhi: Oxford University Press.
- Danner, Mark(1999). 'Endgame in Kosovo', *New York Review of Books* 46(8):8–11.

- Das, Veena (1995). *Critical Events: An Anthropological Perspective on Contemporary India*. Delhi: Oxford University Press.
- (1996). 'Language and Body: Transactions in the Construction of Pain', *Daedalus* 125(1):67–92.
- (1998). 'Wittgenstein and Anthropology', *Annual Review of Anthropology* 27:171–95.
- Dassin, Joan (1998). *Torture in Brasil: A Shocking Report on the Pervasive Use of Torture by Brazilian Military Governments, 1964–1979*. Austin: University of Texas Press, Institute of Latin American Studies.
- Davenport, Jon J. (1999). 'A Phenomenology of the Profane: Heidegger, Blumberg and the Structure of the *Chthonic*' *Journal of the British Society for Phenomenology* 30(2): 182–206.
- Davie, Michael F. (1993). *A Post-war Urban Geography of Beirut* Paper presented at the EURAMES Conference, 13 July 1993, University of Warwick, <http://almashriq.%20hiof.no/lebanon/900/902/MICHAEL-Davie/Post-War.html>.
- de Certeau, Michel (1984). *The Practice of Everyday Life*. Berkeley: University of California Press.
- (1985a). 'Spatial Practices'. In M.Blonsky (ed.), *On Signs*. Baltimore, MD: The Johns Hopkins University Press, pp. 122–145.
- (1985b). 'What Do We Believe When We Believe'. In M.Blonsky (ed.), *On Signs*. Baltimore, MD: The Johns Hopkins University Press, pp. 192–202.
- de Swaan, Abram (1999). 'Discivilization, Mass Extermination and the State'. Unpub. paper, University of Amsterdam.
- Denitch, Bogdan (1994). *Ethnic Nationalism: The Tragic Death of Yugoslavia*. Minneapolis/London: University of Minnesota Press.
- Desnoes, Edmundo (1985). 'The Death System'. In M.Blonsky (ed.), *On Signs*. Baltimore, MD: The Johns Hopkins University Press, pp. 39–53.
- Dizdarevic, Zlato (1994). *Sarajevo: a War Journal* New York: Henry Holt and Company.
- Douglas, Mary (1970). *Purity and Danger: An Analysis of Concepts of Pollution and Taboo*. Harmondsworth: Penguin Books.
- Dumm, T. (1990). 'Fear of Law', *Studies in Law, Society and Politics* 10:29–57.
- Durkheim, Emile (1965[1915]). *The Elementary Forms of Religious Life*. New York: The Free Press.
- Engel, Susan (1997). *Context is Everything: The Nature of Memory*. New York: W.H.Freeman and Company.
- Enzensberger, Hans Magnus (1994). *Civil War*. London: Granta Books.
- Fawaz, Leila (1993). 'Samaya: A Lebanese Housemaid'. In E.B. III (ed), *Struggle for Survival in the Middle East*. Berkeley: University of California Press, pp. 352–363.
- Feher, Michel (1999). 'Terms of Reconciliation'. In C.H.R.Post (ed), *Human Rights in Political Transitions: Gettysburg to Bosnia*. New York: Zone Books, pp. 325–338.
- Feitlowitz, Marguerite (1998). *A Lexicon of Terror: Argentina and the Legacies of Torture*. New York: Oxford University Press.
- Feldman, Allen (1991). *Formations of Violence: The Narrative of the Body & Political Terror in Northern Ireland*. Chicago: Chicago University Press.
- (1995). 'Ethnographic States of Emergency'. In C.N.A.Robben (ed.), *Fieldwork Under Fire: Contemporary Studies of Violence and Survival*. Berkeley: University of California Press, pp. 224–253.
- (1996). 'From Desert Storm to Rodney King via ex-Yugoslavia: On Cultural Anesthesia'. In C.N.Seremetakis (ed.), *The Senses Still: Perception and Memory as Material Culture in Modernity*. Chicago/London: The University of Chicago Press, pp. 87–107.
- Felman, Shoshana and Laub, Dori (1992). *Testimony: Crises of Witnessing in Literature, Psychoanalysis and History*. New York/London: Routledge.
- Fischer, M.J. (1999). 'Emergent Forms of Life: Anthropologies of Late or Postmodernities', *Annual Review of Anthropology* 28:455–478.
- Fisk, Robert (1990). *Pity the Nation: Lebanon at War*. Oxford: Oxford University Press.

- Fiss, Owen M. (1999). 'Human Rights as Social Ideals'. In C.H. R.Post (ed.), *Human Rights in Political Transitions: Gettysburg to Bosnia*. New York: Zone Books, pp. 263–276.
- Foucault, Michel (1977). *Discipline and Punishment*. New York: Pantheon Books.
- (1979). *The History of Sexuality*. Harmondsworth: Penguin.
- Friedlander, Saul (1993). *Reflections on Nazism: An Essay on Kitsch and Death*. Bloomington/Indianapolis: Indiana University Press.
- Fussell, Paul (1975). *The Great War and Modern Memory*. Oxford: Oxford University Press.
- (1989). *Wartime*. Oxford: Oxford University Press.
- Gane, Christopher and Mackarel, Mark (eds) (1997). *Human Rights and the Administration of Justice: International Instruments*. The Hague/London/Boston: Kluwer Law International.
- Geertz, Clifford (1977). *Interpretation of Cultures*. New York: Basic Books.
- Geyer, Michael (1997). 'The Politics of Memory in Contemporary Germany'. In J. Copjec (ed.), *Radical Evil*. London/New York: Verso, pp. 169–200.
- Gidron, Avner and Cordone, Claudio (2000). 'Nato on Trial', *Le Monde Diplomatique* July: 1,12.
- Girard, René (1977). *Violence and the Sacred*. Baltimore: Johns Hopkins University Press.
- (1987). *Things Hidden Since the Foundation of the World*. Stanford: Stanford University Press.
- Graziano, Frank (1992). *Divine Violence: Spectacle, Psychosexuality, & Radical Christianity in the Argentine 'Dirty War'*. Boulder/San Francisco/Oxford: Westview Press.
- Greenberg, Judith (1998). 'The Echo of the Trauma of Echo', *American Imago* 55(3): 319–347.
- Greenhouse, Carol (1992). 'Reading Violence'. In A.S.T.R.Kearns (ed.), *Law's Violence*. Ann Arbor, MI: The University of Michigan Press, pp. 105–141.
- Grossman, David (1995). *On Killing: The Psychological Cost of Learning to Kill in War and Society*. Little, Brown and Company: Boston/New York/London.
- Gürsel, Nedim (1997). 'Urbicide and an Architect', *Atlas*, November, <http://www.atlasturkey.com/990503/97november/bosnia/urbicide.html>.
- Hacking, Ian (1995). *Rewriting the Soul: Multiple Personality and the Sciences of Memory*. Princeton, NJ: Princeton University Press.
- Hanf, Theodor (1993). *Co-existence in Wartime Lebanon: Decline of a State and Rise of a Nation*. London: The Centre for Lebanese Studies and I.B.Tauris.
- Harris, Paul (1994). 'Urbicide Sarajevo', *The Architectural Review* April(1166):11.
- Haverkamp, Anselm and Vismann, Cornelia (1997). 'Habeas Corpus: The Law's Desire to Have the Body'. In H.d.V.S.Weber (ed.), *Violence, Identity, and Self-determination*. Stanford, pp. 223–235.
- Hayden, Robert M. (1996). 'Imagined Communities and Real Victims: Self-determination and Ethnic Cleansing in Yugoslavia', *American Ethnologist* 23(4):783–801.
- Hayner, Patricia (1994). 'Fifteen Truth Commissions—1974 to 1994: A Comparative Study', *Human Rights Quarterly* 16:597–655.
- Heald, Suzette (1998). *Controlling Anger; The Anthropology of Gisu Violence*. Oxford/Kampala/Athens: James Currey, Fountain Publishers, Ohio University Press.
- Heidegger, Martin (1977). *Martin Heidegger, Basic Writings*. Harper and Row: New York.
- Helsinki Watch Report (1992). *War Crimes in Bosnia-Herzegovina*. New York/Washington/Los Angeles/London: Human Rights Watch.
- Herman, Judith Lewis (1994). *Trauma and Recovery*. London: Pandora.
- Hewitt, Kenneth (1994). "'When the great planes came and made ashes of our city...". Towards and Oral Geography of the Disasters of War', *Antipode* 26(1):1–34.
- Hill, Peter and Hood, Ralph (1999). 'Affect, Religion and Unconscious Processes', *Journal of Personality* 67(6):1015–1046.
- Hoffman, Eva (2000). 'The Uses of Hell', *New York Review of Books*, March 9.
- Hubert, Henri and Mauss, Marcel(1964 [1898]). *Sacrifice: Its Nature and Function*. Chicago: University of Chicago Press.

- Hudson, Michael (1968). *The Precarious Republic: Political Modernization in Lebanon*. New York: Random House.
- Human Rights Program Harvard Law School (1997). *Truth Commissions: A Comparative Assessment*. An interdisciplinary discussion held at Harvard Law School in May 1996 organised by the Human Rights Program, Harvard Law School, and the World Peace Foundation, Harvard Law School.
- Human Rights Watch(1992). *War Crimes in Bosnia-Herzegovina, A Helsinki Watch Report*. New York/Washington/Los Angeles/London: Human Rights Watch.
- Humphrey, Michael (1993). 'Civil Wars: Between Communalism and Pluralism', *Communal/Plural* 1:105–128.
- (1997). 'Civil War, Identity and Globalisation', *new formations* 31(spring/summer): 67–82.
- (1999a). 'Violence, Fragmentation & Reconciliation in the Sudan', *African Studies Review and Newsletter* 21(1):4–12.
- (1999b). 'Victim Diplomacy and Transnational Nationalism: Kurdish Diaspora Dilemmas', *Journal of Arabic, Islamic & Middle Eastern Studies* 5(2):55–67.
- (2000a). 'Violence & Identity in Algeria' *Arab Studies Quarterly* 22(1):1–24.
- (2000b). 'From Terror to Trauma: Commissioning Truth for National Reconciliation', *Social Identities* 6(1):7–27.
- Hussain, Akmal (1990). 'The Karachi Riots of December 1986: Crisis of State and Civil Society in Pakistan'. In V.Das (ed.), *Communities, Riots and Survivors*. Delhi/Oxford: Oxford University Press, pp. 185–193.
- Hutchinson, S. (1996). *Nuer Dilemmas: Coping with War, Money and the State*. Berkeley: University of California Press.
- Ignatieff, Michael (1997a). *The Warrior's Honor: Ethnic War and the Modern Conscience*. New York: Metropolitan Books, Henry Holt and Co.
- (1997b). 'Varieties of Experience', *Index on Censorship* 3:29–12.
- Independent Commission on International Humanitarian Issues (1986). *Disappeared: Technique of Terror*. London: Zed Books.
- Inglis, Ken (1998). *Sacred Places: War Memorials in the Australian Landscape*. Melbourne: Melbourne University Press.
- Isla, Alejandro (1998). 'Terror, Memory and Responsibility', *Critique of Anthropology* 18(2): 134–156.
- Independent Commission on International Humanitarian Issues (1986). *Disappeared: Technique of Terror*. London: Zed Books.
- Jacobs, Jane (1997). 'Resisting Reconciliation: The Secret Geographies of (Post) Colonial Australia'. In S.P.M.Keith (ed.), *Geographies of Resistance*. London: Routledge, pp. 203–216.
- Jay, Martin (1999). 'Against Consolation: Walter Benjamin and the Refusal to Mourn'. In J.W.E.Sivan (ed.), *War and Remembrance in the Twentieth Century*. Cambridge: Cambridge University Press, pp. 221–239.
- Jeffery, Anthea (1999). *The Truth and the Truth Commission*. Johannesburg: The South African Institute of Race Relations.
- Jelin, Elizabeth (1994). 'The Politics of Memory', *Latin American Perspectives* 21(2):38–58.
- (1996). 'Ciudadania emergente o exclusion?' *Sociedad* 8(April):57–82.
- (1998). 'NACLA Report on the Americas', *The Minefields of Memory* 32(2):23–29.
- Kabbani, Oussama (1996). *Solidere: The Case of Beirut Central District. Urban Triumph or Urban Disaster? Dilemmas of contemporary post-war reconstruction*. MIT, Cambridge, MA/Post-War Reconstruction and Development Unit (PRDU), University of York, pp. 131–140.
- Kapferer, Bruce (1988). *Legends of People, Myths of State*. Washington, DC: Smithsonian Institute Press.
- (1997). *The Feast of the Sorcerer: Practices of Consciousness and Power*. Chicago/London: The University of Chicago Press.

- Kassab, Elizabeth Suzanne (1992). 'The Paramount Reality of the Beirutis: War Literature and the Lebanese Conflict', *Beirut Review* 4(Fall), <http://www.lcps-lebanon.org/%20pub/breview/br4/index.html>.
- Keeble, Richard (1997). *Secret State, Silent Press: New Militarism, the Gulf and the Modern Image of Warfare*. Luton: University of Luton Press.
- Khiari, Rachid (1997). 'Algerians Fall Prey to Fresh Massacres', *Guardian Weekly* 14 September: 4.
- Kiramayer, Laurence (1994). 'Pacing the Void: Social and Cultural Dimensions of Dissociation'. In D.Spiegel (ed.), *Dissociation: Culture, Mind, and Body*. London: American Psychiatric Press, pp. 91–122.
- Kleinman, Arthur (1995). *Writing at the Margin: Discourse between Anthropology and Medicine*. Berkeley/Los Angeles/London: University of California Press.
- Kleinman, Arthur and Kleinman, Joan (1996). 'Suffering and Its Professional Transformation: Toward an Ethnography of Interpersonal Experience'. In M.Jackson (ed.), *Things as They Are: New Directions in Phenomenological Anthropology*. Bloomington and Indianapolis: Indiana University Press, pp. 169–195.
- Krasner, Stephen D. (1999). *Sovereignty: Organized Hypocrisy*. Princeton, NJ: Princeton University Press.
- Kristeva, Julia (1982). *The Powers of Horror: An Essay in Abjection*. New York: Columbia University Press.
- Krog, Antjie (1998). *Country of My Skull*. London: Jonathan Cape.
- Kumar, Krishna (1997). 'The Nature and Focus of International Assistance for Rebuilding War-torn Societies'. In K.Kumar (ed.), *Rebuilding Societies After Civil War: Critical Roles for International Assistance*, Boulder/London: Lynne Rienner Publishers, pp. 1–38.
- Ladas, Stephen (1932). *The Exchange of Minorities: Bulgaria, Greece and Turkey*. New York: The Macmillan Company.
- Langer, Lawrence L. (1991). *Holocaust Memories: The Ruins of Memory*. New Haven: Yale University Press.
- Laub, Dori (1991). 'Truth and Testimony: The Process and the Struggle', *American Imago* 48(1):75–91.
- (1992). 'Bearing Witness, or the Vicissitudes of Teaching'. In S.F.D.Laub (ed.), *Testimony: Crises of Witnessing in Literature, Psychoanalysis and History*. New York/London: Routledge.
- Lefebvre, Henri (1991). *The Production of Space*. Oxford: Blackwell.
- Lifton, Robert (1976). *The Life of the Self: Toward a New Psychology*. New York: Simon and Schuster.
- Lozios, Peter (1988). 'Intercommunal Killing in Cyprus', *Man* 23(4): 639–653.
- McGreal, Chris (1997). 'Witnesses to Rwandan Genocide Fear Being Murdered', *Electronic Mail & Guardian* 24 January, <http://www.mg.co.za/mg/news/97jan2/23jan-genocide.html>.
- Magnarella, Paul J. (2000). *Justice in Africa: Rwanda's Genocide, its Courts, and the UN Criminal Tribunal*. Aldershot/Brookfield/Singapore/Sydney: Ashgate.
- Makdisi, Jean Said (1990). *Beirut Fragments: A War Memoir*. New York: Persea Books.
- Makhlouf, Issa (1998). *Beyrouth ou la fascination de la mort*. Paris: Passion.
- Malamud-Goti, Jaime (1996). *Game Without End: State Terror and the Politics of Justice*. Norman: University of Oklahoma Press.
- Malkki, Lisa H. (1995). *Purity and Exile: Violence, Memory and National Cosmology among Hutu Refugees in Tanzania*. Chicago: University of Chicago Press.
- Mamdani, Mahmood (1996). *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. Princeton, NJ: Princeton University Press.
- (1998). 'When Does a Settler Become a Native?' *Electronic Mail & Guardian* 26 May, <http://www.mg.co.za/mg/za/links/africa/DRC-all.html>.

- Manikas, Peter M. and Kumar, Krishna (1997). 'Protecting Human Rights in Rwanda'. In K. Kumar (ed.), *Rebuilding Societies After Civil War: Critical Roles for International Assistance*. Boulder/London: Lynne Rienner Publishers, pp. 63–83.
- Mann, Michael (1987). 'Ruling Class Strategies and Citizenship', *Sociology* 21: 339–354.
- Maran, Rita (1989). *Torture: The Role of Ideology in the French-Algerian War*. New York/Westport, CT/London: Praeger.
- Marcus, George E. (1994). 'The Official Story: Response to Julie Taylor'. In M.R.A. Gordon (ed.), *Body Politics: Disease, Desire and the Family*. Boulder/San Francisco/Oxford: Westview Press, pp. 204–208.
- Margold, Jane A. (1999). 'From "Cultures of Fear and Terror" to the Normalization of Violence', *Critique of Anthropology* 19(1):63–88.
- Menchu, Rigoberta (1984). *I, Rigoberta Menchu: An Indian Woman in Guatemala*. London: Verso.
- Merleau-Ponty, Maurice (1962). *Phenomenology of Perception*. London: Routledge and Kegan Paul.
- Meznaric, Silva (1994). 'Gender as an Ethno-Marker; Rape, War, and Identity Politics in the Former Yugoslavia'. In V.M. Moghadam (ed.), *Identity Politics and Women: Cultural Reassertions and Feminisms in International Perspective*. Oxford: Westview Press.
- Minow, Martha (1990). *Making All the Difference: Inclusion, Exclusion and American Law*. Ithaca, NY: Cornell University Press.
- (1998). *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*. Boston: Beacon Press.
- Mouffok, Ghania (2000). 'Amnesia in Algeria'. *Le Monde Diplomatique*, English edn (June): 8–9.
- Møystad, Ing. Ole (1998). 'Morphogenesis of the Beirut Green-Line: Theoretical Approaches Between Architecture and Geography', *Cahiers de Géographie du Québec* 42(117):421–435.
- Naffine, N (1999). 'But a Lump of Earth?: The Legal Status of the Corpse'. In D. Manderson (ed.), *Courting Death: The Law of Mortality*. London/Sterling, Virginia: Pluto Press, pp. 95–110.
- Nagengast, Carol (1994). 'Violence, Terror and the Crisis of the State', *Annual Review of Anthropology* 23:109–136.
- Nicole, Fiona (1997). 'Facializing the Nation: The Digger's Face, 1918–1945 and 1995', *new formations* 31(spring/summer):119–140.
- Nordstrom, Carolyn (1993). 'Treating the Wounds of War', *Cultural Survival Quarterly* summer:28–30.
- (1999). 'Requiem for the Rational War'. In S.P.R.R.E. Downs (ed.), *Deadly Developments: Capitalism, States and War*. Amsterdam: Gordon and Breach, pp. 153–175.
- Norton-Taylor, Richard (2000). 'RAF Bombs in Balkans had High Failure rate', *The Guardian Weekly* 168(8):1.
- Novick, Peter (1999). *The Holocaust in American Life*. New York: Houghton Mifflin.
- O'Donnell, Guillermo (1986). 'On Fruitful Convergences of Hirschman's Exit, Voice, and Loyalty and Shifting Involvements: Reflections from the Recent Argentine Experience'. In A. Foxley, M.S. McPherson and G.O'Donnell (eds), *Development, Democracy, and the Art of Trespassing: Essays in Honor of Albert O. Hirschman*. Notre Dame: Notre Dame University Press, pp. 264–265.
- Osiel, Mark (1997). *Mass Atrocity, Collective Memory and the Law*. New Brunswick/London: Transaction Publishers.
- Peirce, Charles S. (1958 [1938]). *Collected Papers*. Cambridge: Harvard University Press.
- Pimlott, A (1994). 'Hard-core Reality on TV is the Real Worry', *Guardian Weekly* 17 April: 12.
- Prost, Antoine (1999). 'The Algerian War in French Collective Memory'. In J.W.E. Sivan (ed.), *War and Remembrance in the Twentieth Century*. Cambridge: Cambridge University Press, pp. 161–176.
- Prunier, Gerard (1995). *The Rwanda Crisis*. London: C. Hurst and Co.
- Rejali, Darius M. (1994). *Torture & Modernity: Self, Society, & State in Modern Iran*. Boulder/San Francisco/Oxford: Westview Press.

- Reyna, S.P. (1994). 'A Mode of Domination Approach to Organized Violence'. In S.P.R. R.E.Downs (ed.), *Studying War, Anthropological Perspectives*. Newark, NJ: Gordon and Breach.
- Ricoeur, Paul (1984). *Time and Narrative*, trans. Kathleen McLaughlin and David Pellauer. Chicago: University of Chicago Press.
- Rieff, David (1995). *Slaughterhouse: Bosnia and the Failure of the West*. London: Vintage.
- Roht-Arriaza (1999). 'The Need for Moral Reconstruction in the Wake of Past Human Rights Violations: An Interview with José Zalaquett'. In C.H.R.Post (ed.), *Human Rights in Political Transitions: Gettysburg to Bosnia*. New York: Zone Books, pp. 195–216.
- Romney, Jonathan (1995). 'Virtual Violence', *Newstotesman & Society* 24 February:49.
- Rosenberg, Tina (1995). *The Haunted Land: Facing Europe's Ghosts After Communism*. New York: Random House.
- Sarat, Austin and Kearns, Thomas R. (1992). 'Making Peace with Violence: Robert Cover on Law and Legal Theory'. In A.K.Sarat (ed.), *Law's Violence*. Ann Arbor, MI: The University of Michigan Press, pp. 211–250.
- Scarry, Elaine (1985). *The Body in Pain: The Making and Unmaking of the World*. Oxford: Oxford University Press.
- (1990). 'Consent and the Body: Injury, Departure and Desire', *New Literary History* 21(4):867–96.
- (1999). 'The Difficulty of Imagining Other Persons'. In C.H.R.Post (ed.), *Human Rights in Political Transitions: Gettysburg to Bosnia*. New York: Zone Books, pp. 277–312.
- Scheper-Hughes, N. (1992). *Death Without Tears*. Berkeley: University of California Press.
- Schmid, Alex (1983). *Political Terrorism: A Research Guide to Theories, Data Bases and Literature*. New Brunswick: Transaction Books.
- Schwartz, Amy (1994). 'Is It Wrong to Weep for Buildings?' *Washington Post* 10 May , <http://www.bosnet.org/archive/bosnet.w3archive/9405/msg00044.html>.
- Sennott, Charles and Ghattas, Kim (2000). 'A Country Still Suffering from Collective Amnesia', *The Sydney Morning Herald* 4 March:29.
- Seremetakis, Nadia C. (1993). *Ritual, Power and the Body: Historical Perspectives on the Representation of Greek Women*. New York: Pella Publishing Company.
- (1994). 'The Memory of the Senses, Part I: Marks of the Transitory'. In N.C. Seremetakis (ed.), *The Senses Still: Perception and Memory as Material Culture in Modernity*. Chicago/London: The University of Chicago Press, pp. 1–18.
- Shaw, Martin (1996). *Civil Society and Media in Global Crises*. London/New York: Pinter.
- Silber, Laura and Little, Allan (1995). *The Death of Yugoslavia*. London: Penguin Books.
- Simon, Steven and Benjamin, Daniel (2000). 'America and the New Terrorism', *Survival* 42(1): 59–75.
- Smis, Stefaan and Van Hoyweghen, Saskia (2000). *The Re-establishment of the Traditional Gacaca Jurisdiction in Rwanda: A Step Forward to Reconciliation?*. Unpubl. paper, Brussels Centre of African Studies.
- Smith, R.Jeffrey (2000). 'Killing Warns Croats to Stay Silent on War Atrocities', *Guardian Weekly* 21–27 September:27.
- Somers, Margaret (1994). 'The Narrative Constitution of Identity: A Relational and Network Approach', *Theory and Society* 23:605–649.
- Sontag, Susan (1980). *Under the Sign of Saturn*. New York: Farrar, Straus and Giroux.
- Sorabji, Cornelia (1995). 'A Very Modern War: Terror and Territory in Bosnia-Herzegovina'. In R.A.H.H.E.Watson (ed.), *War: A Cruel Necessity?: The Bases of Institutionalized Violence*. London/New York: I.B.Tauris Publishers, pp. 80–95.
- Stoll, David (1999). *Rigoberta Menchu and the Story of All Poor Guatemalans*. Boulder: Westview Press.
- Taussig, Michael (1984). 'Culture of Terror—Space of Death. Roger Casement's Putumayo Report and the Explanation of Torture', *Comparative Studies in Society & History* 26:467–97.

- (1992). *The Nervous System*. London: Routledge.
- (1993). *Mimesis and Alterity*. New York/London: Routledge.
- Taylor, Christopher C. (1999). *Sacrifice as Terror: The Rwandan Genocide of 1994*. Oxford/New York: Berg.
- Taylor, John (1998). *Body Horror: Photojournalism, Catastrophe and War*. Manchester: Manchester University Press.
- Taylor, Julie (1994). 'Body Memories: Aide-memoires and Collective Amnesia in the Wake of the Argentine Terror'. In M.R.A.Gordon (ed.), *Body Politics: Disease, Desire and the Family*. Boulder/San Francisco/Oxford: Westview Press, pp. 192–203.
- Taylor, Mark C. (1987). *Altarity*. Chicago and London: The University of Chicago Press.
- Tester, Keith (1994). *Media, Culture and Morality*. Routledge: London.
- Tilly, Charles (1985). 'War Making and State Making as Organised Crime'. In D.R.T.S. P.Evans (ed.), *Bringing the State Back In*. Cambridge: Cambridge University Press, pp. 169–191.
- (1990). *Coercion, Capital and European States, AD990–1990*. Oxford: Basil Blackwell.
- Tjiattas, M (1998). 'Psychoanalysis, Public Reason, and Reconstruction in the "New" South Africa', *American Imaj* 55(1):51–76.
- Truth and Reconciliation Commission (TRC) (1999). *Truth and Reconciliation Commission of South Africa Report*, 5 vols. London: Macmillan Reference Limited.
- (2000). *TRC Statement: Advisory on Human Rights Violations findings* 26 May. Cape Town: TRC, <http://www.truth.org/>.
- Utrianen, Terhi and Honkasalo, Marja-Liisa (1996). 'Women Writing their Death and Dying: Semiotic Perspectives on Women's Suicide Notes', *Semiotica* 109(3/4):195–220.
- Villa, Dana R. (1999). *Politics, Philosophy, Terror: Essays on the Thought of Hannah Arendt*. Princeton, NJ: Princeton University Press.
- Virilio, Paul (1989). *War and Cinema: The Logistics of Perception*. London: Verso.
- Weber, Samuel (1997). 'Wartime'. In H.d.V.S.Weber (ed.), *Violence, Identity, and Self-Determination*. Stanford: Stanford University Press, pp. 80–105.
- Weisberg, Robert (1992). 'Private Violence as Moral Action: The Law as Inspiration and Example'. In A.S.T.R.Kearns (ed.), *Law's Violence*. Ann Arbor, MI: The University of Michigan Press, pp. 175–210.
- Weiss, Brad (1997). 'Forgetting Your Dead: Alienable and Inalienable Objects', *Anthropological Quarterly* 70(4):173–186.
- Weissman, Gary (1995). 'A Fantasy of Witnessing', *Media, Culture & Society* 17:293–307.
- Weschler, Lawrence (1997). 'Appendix 2'. In J.L.R.S.Alex Boraine(ed.), *Dealing With the Past: Truth and Reconciliation in South Africa*. Cape Town: Institute for Democracy in South Africa, pp. 166–75.
- Wieviorka, Annette (1999). 'From Survivor to Witness: Voices from the Shoah'. In J.W.E. Sivan (ed.), *War and Remembrance in the Twentieth Century*. Cambridge: Cambridge University Press, pp. 125–141.
- Winter, Jay (1999). 'Forms of Kinship and Remembrance in the Aftermath of the Great War'. In J.W.E.Sivan (ed.), *War and Remembrance in the Twentieth Century*. Cambridge: Cambridge University Press, pp. 40–60.
- Wittgenstein, Ludwig (1969). *On Certainty*. New York: Harper and Row.
- Yahya, Maha (1996). *Identity and Post-war Housing Reconstruction in Beirut. Urban Triumph or Urban Disaster? Dilemmas of Contemporary Post-war Reconstruction*. MIT, Cambridge, MA /The Post-war Reconstruction & Development Unit (PRDU)/University of York, pp. 24–34.
- Zulaika, Joseba and Douglass, William A. (1996). *Terror and Taboo: The Follies, Fables and Faces of Terrorism*. London: Routledge.

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