Reconciliation after Ethnic Cleansing: Listening, Retribution, Affiliation

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Reconcile: to render no longer opposed. What conditions might make possible reconciliation after violent conflict? This essay addresses reconciliation in the aftermath of the ethnic cleansings and ethnicizations of the twentieth century. It neither elaborates a specific case nor makes detailed historical-cultural comparisons. Its potential contribution is theoretical and temporal: identifying contemporary psychosocial logics and processes integral to reconciliation after violent conflicts. In particular, it focuses on the role of the “third party” and argues for cultivating “practices of listening” after a violent conflict.\footnote{In this essay, I make no claim that what I reveal is the whole truth or a complete explanation that considers everything relevant. Rather, I seek to reveal something similar to Martin Heidegger’s metaphor of the unthought as a clearing (Lichtung) in the forest. It is a matter of casting light on an implicit opening, that of the unthought within the set of relations that structures reconciliation.} The arguments presented can apply to reconciliation after conflicts other than those specifically referred to, but I restrict myself largely to a temporal diagnostic of the extreme case of what is today called ethnic cleansing: the attempt, through

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measures ranging from forced relocation to extermination, to eliminate from a social body, in whole or in part, a group based on identification as ethnic.

Reconciliation I define not in terms of permanent peace or harmony but as a project of departure from violence. To reconcile is an intersubjective process, an agreement to settle accounts that involves at least two subjects who are related in time. They are related in a temporal sense not in that they necessarily have a shared past or even think of themselves as sharing a concrete future. Consensus about visions of the past or future—in modern parlance, a collective memory—may make reconciliation easier, but it is not necessary. The expectation of social consensus often presupposes what Laura Nader (1990) has dubbed “harmony ideology,” and it may in fact awaken counterproductive drives to recover a lost whole or to produce a community without discord. Rather, to reconcile, different subjects must agree only “to render no longer opposed,” which means sharing a present, a present that is nonrepetitive (Moore 1987). To agree to a present that does not repeat requires both to create a “sense of ending”—a radical break or rupture from existing relations—and to create a “sense of beginning”—a departure into new relations of affinity marked not by cyclical violence but by trust and care.

Traumatic Loss after Ethnic Cleansing

After ethnic cleansing, victims, and to some extent perpetrators, are engaged in a struggle whose stakes are much higher than mere survival. Hostilities and violence may continue in some form, but physical survival is a solvable problem. It is, on the other hand, one that resolves very little. At a deeper, existential level survivors suffer from despair, an agony or melancholy of inconsolable and inarticulate grief. Despair, following Kierkegaard (1974: 342), does not result from an inability to live, but from “the disconsolateness of not being able to die. . . . What keeps the gnawing pain alive and keeps life in the pain . . . is the reason why he despairs . . . because he cannot consume himself, cannot get rid of himself, cannot become nothing.” Because most survivors cannot die, they are continually confronted with the psychic, social, and political tasks of dealing with the ever-present loss of those who did die. They must, in some way, attempt to recuperate or redeem this loss.

Yet the profound loss suffered in an ethnic cleansing—the unbearable loss of loved ones as well as the damage inflicted on one’s own standards of self, irrespective of whether one is perpetrator or victim—is never fully recoupable.
Some sense of the loss continually reappears, and because of this continuous and uncontrollable reappearance, survivors remain, necessarily, in a state resembling melancholy, unable to detach themselves from the love object or (as Freud would have it) prone to repetition compulsions.

The possibility of nonrepetition, then, rests on the recuperation of losses that are impossible to recuperate, the reconciliation with an end to which there is no end. This paradox is the key to reconciliation after ethnic cleansing. Two common attempts to recuperate loss are physical reproduction and revenge.

**Recuperation of Loss through Physical Reproduction**

Following an ethnic cleansing, in the face of a loss that cannot be articulated and that is unrecoupable, perhaps the most common attempt at recuperation is compulsive physical reproduction by victims. One might think that physical reproduction following ethnic cleansing is a positive transformation of a loss into a life-affirming event. But I think this interpretation is dangerous: first, because it does not take seriously the fundamentally paradoxical logic of such projects of recuperation; second, because it does not acknowledge the likely dramatic consequences of trying to recuperate loss through physical reproduction.

Recuperation is impossible because of the nature of traumatic loss, which is experienced as a temporally delayed and repeated suffering of events that can be experienced and grasped only retrospectively (Caruth 1996). Loss that becomes traumatic is characterized by not having been experienced at the time of the occurrence. During an ethnic cleansing, some central aspect of the loss remains unregistered and escapes recognition at the actual time of happening; language and the ordering mechanisms of the symbolic order fail to register what is often called "the unspeakable." In other words, the event is only, if at all, experienced later, as it returns to the victim unbidden, frequently as a horrifying silence that cannot be spoken. Hence our difficulty in detecting, understanding, or treating such an experience. Trauma resists any solution.

The suffering of traumatic loss cannot be stopped or overcome by presenting the possibility of return to a prior state of innocence or fullness. A recovery that might be a reconciliation, a departure from violence, is possible only, as Serge Leclaire (1998: 3) writes, if the loss is "relentlessly mourned and mourned." To assume a definitive end to this mourning is to place oneself in a limbo, "in the milky light of a shadowless, hopeless waiting." Indeed, an end to the despair is afforded only by the deliverance of death—that is to say, suicide. The victimized
are thus challenged to begin anew without a material end; they are challenged to create an end and a departure that paradoxically also acknowledges its fictional character, a beginning that does not deny the loss.

Impatient with relentless mourning, to deliver themselves from this waiting, many survivors have babies. The arrival of the child changes the nature of the waiting, but it does not end the despair. Though it cannot recuperate a loss that is unrecoupable, it changes the waiting by presenting a potential fullness to fill the absence. Immediate physical reproduction after ethnic cleansing is the substitution of a child for the loss of a loved one, a living substitute for the dead. The child might well be the product of an act of love, and is likely thought of as a new beginning. But it carries with it the despair, the inability to die, that motivates much of the survivor’s grief. Immediate reproduction perpetuates this despair by passing it on to the child, who then grows up bearing the parental expectations, their unfulfilled wishes and hopes, of recovering the loss suffered in the initial ethnic cleansing. The child is brought up in the light of these expectations. This wonderful child, the child of hope and despair, is asked to deliver the parents from their waiting. But deliver them where? Herein lurks a likely repetition of the violence, a strong motive for revenge, for the child to begin a new cycle of what Maurice Bloch (1992) calls “rebounding violence.”

While rebounding violence may be potentially present in every time and people, its motives are always specific and historical. Today, reproduction after ethnic cleansing is situated within the global movement of ethnicization. An increase in ethnicization, a recovery, reinvention, or intensification of ethnic belonging, is observable in places across five continents, especially in states that legitimate themselves through ruling majorities. It is also a salient tendency among people who have been the victims of ethnic cleansing, especially among those who remain at the site of the violence or who are displaced but wait to return, those who are asked to reconstitute the social in living space marked by the memory of violence. In the last several decades, ethnicization has often accompanied separatist or secessionist demands. Some of the most prominent targeting of violence (and counterviolence) has followed rumblings of autonomy among Tamils in Sri Lanka, Kurds in Turkey and Iraq, Palestinians in Israel, various ethnic groups (Croats, Bosniaks, Macedonians, and Albanians) in Yugoslavia, Timorese in Indonesia, and Chechens in Russia. Milica Bookman (1997) has analyzed the use of procreation, largely by victimized groups, to obtain political dominance in these circumstances as a “demographic struggle for power.”

Certainly, not all survivors of persecutions or attempted cleansings subscribe or submit to this strategy; reproductive motives vary within any group. And indi-
viduals who live in more permanent diasporas, and who do not dream of a physical return, act within a different political milieu with respect to sites of memories and structures of opportunity. There one can observe a plurality of strategies to recuperate losses, some of which entail neither procreation nor ethnicization.2

By contrast, this most recent wave in ethnic identification is usually furthered through procreative strategies. It is often talked about as a kind of "fundamentalization," wherein the group turns in on itself, engaging in a further purification of its principles, a nostalgia for autochthony, an obsession with origins and roots, a clear demarcation of itself from other groups. Such a turn inward, or inner purification, not only appears to complete, in a putatively voluntaristic spirit, the ethnic cleansing initially perpetrated on the group, it also institutionalizes a further "cleansing" of the group by enforcing endogamy on its members (Borneman 1998). No marriage with ethnic Others. Studies conducted among post-Holocaust Jewish communities tend to confirm this hypothesis about the relation of violent cleansing to coerced endogamy.3 Ethnographic studies over time are necessary to test the hypothesis in other places and to follow changing generational dynamics within different opportunity structures and in different places. But my impression is that it holds for most of the ethnic cleansings and violent expulsions of the last several decades—in Guatemala, Sri Lanka, East Timor, Bosnia, Rwanda, Kosovo, and Chechnya, to name some examples.4

If compulsive reproduction follows ethnic cleansing, it is directly related to, if

2. With regard to the questions addressed in this essay, Jews after the Holocaust are the only group that has been well studied. For diaspora Jews in North America, Switzerland, and South Africa, a noticeable declining birthrate, increase in intermarriage, and increase in divorce—all patterns that deviate from traditional Jewish cultural patterns and contemporary Jewish demographic patterns in Israel—have characterized the second generation after the Holocaust (DellaPergola 1992: 65–92; Schmelz 1992: 37–52).

3. Although survivor strategies among Jews varied tremendously, Yael Danieli, director of Israel's Group Project for Holocaust Survivors and Their Children, concludes that the primary strategy for coping was a quick "marriage of despair," which disregarded prewar socioeconomic and educational status. "The most tangible fulfillment of hope for the continuity and renewal of life was to bring a child into the world. Many survivors gave birth in displaced persons camps as soon as it was physically possible. Almost without exception, the newborn children were named after those who had perished" (Danieli 1985: 298, 299). A 1983 study of Jewish reproduction in Israel by Eric Peritz and Mario Baras (1992) established that self-identified "religiosity" is by far the strongest predictor of a woman's desired and actual number of children. In a subsequent study, Israel Adler and Peritz (1997: 388) found that "self-assessed religiosity is a better predictor of fertility than religious observance."

4. The evidence for this impression of which I am aware is overwhelming, but it remains anecdotal and journalistic. For example, in 1997, the Economist reported that among Rwanda's Tutsi minority following the murder of 750,000 people in the 1994 genocide "procreation has become a public duty to replace numbers lost" (Rwanda be fruitful 1997: 43–44).
not caused by, this ethnicization at the social and political levels. However understand able at a personal level, immediate reproduction after ethnic cleansing permits the fiction of a recuperation of loss through substitution of the living child for the dead. New group leaders who understand their purpose to be the reconstitution of the social, or ethnie, frequently instrumentalize this fiction in order to create and mobilize followers. Insofar as their authority is tied to an ethnicization of the group, political leaders encourage the illusion of recuperation of personal loss through substitution of the living child for the dead loved ones.

In today’s world, the legitimacy of rule in most states—their recognition by other states and by their own residents—is based on the support of a numerical majority that can claim to represent the social. Such ruling majorities are never easily configured around a single ethnic affinity. After an ethnic cleansing, however, a multiethnic majority is yet more difficult to produce, as it usually requires reconciliation between the victimized group and the victimizer. Hence, a popular contemporary strategy to reconstitute the social is to narrow its scope, to politicize the ethnie and actualize it through a politics of long-term endogamous reproduction. So-called mixed marriages are the antithesis of this politics of exclusion. Endogamous pronatalism, then, substitutes a demographic strategy of a future numerical majority for a strategy based on other, more inclusive principles of present-day affiliation. In this way, the sociopolitical logic of ethnicization feeds off the attempt to recuperate an individual loss through physical reproduction.

In short, ethnicization is a politics of repetition. It is more likely to lead to a perpetuation of, rather than a departure from, violence. If the preconditions for reconciliation are a desire for nonrepetition and an appreciation of the intersubjectivity of the present, then reconciliation is improbable if not impossible without rethinking reproduction, without a new and more inclusive—that is, exogamous—politics of the domestic group.

Attempts to recuperate individual losses—other than procreation and ethnicization of the group—are worth exploring. Under what condition do women and men actually refuse ethnic reproduction after such violence? What forms of social inclusion and participation might lead women, specifically, to reject their own instrumentalization for the purposes of a politics of repetition of violence? Certainly, factors such as access to education, active inclusion in political life (the democratization of decision making), and expanded economic opportunities will substantively change the nature of a subject’s relation to the social, making it less necessary to submit to compulsory reproduction as a means of recuperating losses.

Studies are needed that focus on those individuals (and their strategies) who
successfully resist the pressures of ethnicization, compulsive reproduction, and rebounding violence. My own research, conducted with Jeffrey Peck, on German Jews who returned from exile after the Holocaust to East and West Germany suggests that such individuals do exist and that their strategies vary with the degree and kind of social exclusion/inclusion. Many of those who returned did in fact immediately procreate; but, significantly, most engaged in exogamy and most resisted the pressures of immediate ethnicization. And nearly all of their children continued this trend, not finding it necessary to live out the wish of recuperation of parental loss (Borneman and Peck 1995; Borneman 1996). Above all, they resisted the understandable motivation of revenge and the group dynamic of rebounding violence.

Physical reproduction of the ethnie, then, is not a universal but rather a specific mode of recovery from ethnic cleansing. It tends to create a sense of continuity instead of a radical break or rupture from existing relations. And it relegates women to the presumably apolitical role of mothers of the future (cf. Enloe 1993). The sense of beginning that might be associated with the birth of a child is an illusion in this case, since the baby represents the wish to return to a prior state of wholeness and innocence. Especially today, given the political uses of pronatalism to support ethnic majoritarian projects, leaders tend to emplot new children within a narrative of recovery and recuperation. Because such endogamous physical reproduction denies the intersubjectivity of the present, it deflects from the work needed to reconcile social groups and actually increases the likelihood of a repetition of violence.

Possible alternatives to ethnicization would subscribe to more inclusive forms of affiliation and accord more generally with principles that articulate care—reciprocal but nonegalitarian practices that affirm intersubjectivity (Borneman 2001; Tronto 1993). Care might even take the form of an expedient politics of sterility, focusing radically on the present, in recognition of the immediacy of the need for reconciliation. In the aftermath of an ethnic cleansing, reconciliation calls for nothing less than an ethics of caring for the enemy.5

Recuperation of Loss through Revenge

Much like physical reproduction, revenge is an attempt to do the impossible: to recuperate a loss through the righting of a wrong—a wrong that, in truth, cannot

5. My gratitude to Stefania Pandolfo for this felicitious phrase, as well as for the many insights I have gained from our conversations.
be corrected. Revenge is a reciprocal exchange, a form of turn taking in which individuals or groups engage in reciprocal violence. But it is an exchange that is the opposite of caring. After violent conflict, revenge takes many forms, from reciprocating one's own suffering by expelling the expeller to creating myths about the eternal evil of the ethnic Other. Often motivated by personal frustration with continued injustice, individuals act to solve their own problems where jural authorities, or the state, will not or cannot act. In the anthropological literature, the principle of revenge is frequently equated with forms of justice administered by the state, but revenge distinguishes itself from legal redress in two crucial respects.

First, revenge is the arbitrary, narcissistic exercise of violence in which there is no accountability except to oneself (as part of a narrowly circumscribed group) and to a personal memory of the dead. Traditional "blood feuds" may be more orderly and less arbitrary than revenge as pursued by individuals in that a substitute victim is chosen methodically, but they nonetheless reject any intervention by a third party to end the violence. In the attempt to "annul the crime," another crime is committed against another innocent subject. Second, revenge enacts a repetition by degrading the value of the wrongdoer (or the group of wrongdoers) in the same way that the original violence denied the value of the victim (or group of victims). The only difference from the "initial" violence is that those victimized have been, or hope to be, perpetrators at some point in the cycle. Revenge reenacts violence and therefore increases the likelihood of further rebounding violence.

That the state frequently fails in its pursuit of justice admittedly exacerbates revenge motives, as does the fact that many states themselves actually initiate much of the violence that then rebounds against them in the form of "terror." But a personal act of revenge, however organized and regulated by group norms, simply perpetuates rebounding violence. Ultimately, the arbitrariness of rule by "men of honor" insures a politics of repetition. The alternative to revenge after ethnic cleansing is, as I will make clear below, a legal reckoning with the violence, an invocation of the principles of the rule of law to settle accounts. Legal judgment fosters a sense of ending, which, in turn, facilitates the rebuilding of networks of trust and principles of accountability. That these networks of trust often do not yet exist—specifically, trust in local judiciaries, police, or any third party to the conflict—is, admittedly, a major challenge for any effort at reconciliation.

Here I would like to address two separate but complementary legal processes as alternatives to revenge, as modes of possible departure from violence, ele-
ments in a politics of nonrepetition. The first is witnessing; the second is the legal redress of violence, or what might be called retributive justice.

**Witnessing, Truth-Telling, Trust**

Witnessing is a kind of cultivated listening and is especially important in initiating the healing of the wounds left by a violent process such as ethnic cleansing. It involves the listening and speaking of at least two parties, and its intended end is *truth-telling*. It is primarily associated with speaking, with giving voice to individuals who have been silenced, but here I want instead to concentrate on witnessing as an act of listening, on the relation of speaking to the listener, a third party, after a violent conflict. A first step is to bring into discourse the silenced voices of victims. Experiences of harm and suffering, of being victimized by violence against oneself and one's group, are articulated and heard publicly. Such articulation has an immediate social effect in that it often contributes to the attribution of causality, ultimately leading to the possibility of symbolically righting the wrong, including making legal claims on perpetrators and holding them accountable for their wrongdoing. Courts are, however, only one forum in which witnessing can have an impact; others include familial discussions, neighborhood meetings, public hearings, and ritual events. Such forums should not be seen in competition with each other but as alternative sites for *truth-telling*.

The social practice of witnessing and its intended end, truth-telling, differ significantly from the social practice of confessing and its intended end, forgiveness. For one thing, the testimony of a witness tends to focus initially on the fate of the victim as a documentation of personal experience and affirmation of respect; confessing focuses primarily on the perpetrator. For another, witnessing is usually voluntary; confessions are frequently coerced. And thirdly, the primary effect of truth-telling would be to remedy a relationship, to effect a change in a social situation, whereas the primary effect of forgiveness is to induce a psychological state within an individual independently of whether the harm or relationship has

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6. I am following Liisa Malkki's (1997: 94–96) lead here in suggesting the utility of witnessing as a mode of anthropological knowledge production, particularly in field situations where anthropologists are documenting violence or its aftermath. Similarly, my contrast of caring and retribution as two complementary institutional modes and processes needed for reconciliation roughly parallels her contrast of witnessing and investigation as two complementary "modalities of ethnographic authority." Where my analysis departs from hers is in my recovery of truth-telling and its relation to witnessing as opposed to confessing. Malkki makes a more limited claim, to refrain from "the extraction of truth for its own sake" (95).
been redressed socially or legally. Without redress, forgiveness may therefore actually be harmful—conducive to a repression, or forgetting, of the initial conditions that lead to the harm. Such forgetting increases the likelihood of unconscious repetition. Witnessing, then, is victim oriented, noncoercive, and intended to redress a social situation through truth-telling.

Most recently, in Latin America and South Africa, the act of witnessing in controversial truth commissions has contributed to reconstructing a public sphere where truth—the truth of concrete lived experience—is itself given a value. What do I mean by the “truth of experience,” and how does one assign a value to it? To be sure, experiential accounts of overwhelming and traumatic events are in themselves incommensurable, and their veracity is often questionable. But the effects of truth-telling are far from the same for each account, and those effects—the perlocutionary force of speech—can be evaluated.

When is truth-telling trivial and when does it make a critical difference? For a truth of experience to make a difference, to have a measurable effect, it must contradict or risk something—a risk, in the first instance, for the person speaking, but also for the listener, who might feel compelled to act differently based on the effects of what is said. A truth of this kind cannot merely confirm a general dogma but must also refer to a specific instance, signifying one outcome among a set of alternatives. In the aftermath of violent events, such truths have the effect of creating openings and points of departure. It is in this sense that Hans-Georg Gadamer, in his magisterial Truth and Method (1975), constructs new experience as possible.

7. I do not mean to imply that confessing and forgiveness have only negative effects but simply that they are not a substitute for witnessing and retribution. The philosophers Jeffrie G. Murphy and Jean Hampton, working within an explicitly Christian framework, address the relationship of forgiveness to retribution in terms of a theory of channeling resentment. Of the two, Murphy (1988) takes the more radical position that resentment is appropriate “when forgiveness would be inconsistent with self-respect, respect for others, and for the moral order” (29) and that the “failure to resent moral injuries done to me is a failure to care about the moral value incarnate in my own person... and thus a failure to care about the very rules of morality” (18). Murphy seems to imply that forgiveness is therefore acceptable only when it is consistent with the rules of morality—when it is accompanied by redress of the wrong. Punishment of the wrongdoer, on the other hand, is not merely vengeance or malice, since it is intended not to degrade the wrongdoer but merely to deny the gain accrued through the wrong and to vindicate the victim. A failure to punish, then, suggests a lack of respect for the value of the victim and a breakdown of the social, an inability to protect individuals from victimization.

8. For a very stimulating set of essays that analyze the relation of truth to justice theoretically, with a focus on South Africa, see the recent volume edited by Robert I. Rotberg and Dennis Thompson (2000).
only through negative instances. . . . Every experience worthy of the name runs counter to our expectation. [A true experience] involves an orientation toward new experience. That is why a person who is called "experienced" has become such not only through experiences, but is also open to new experiences. The perfection of his experience, the perfect form of what we call "experienced," does not consist in the fact that someone already knows everything and knows better than anyone else. Rather, the experienced person proves to be, on the contrary, someone who is radically undogmatic; who, because of the many experiences he has had and the knowledge he has drawn from them, is particularly well equipped to have new experiences and to learn from them. (319)

Truth-telling makes a difference, then, when the disclosed experience elicits an orientation to new experience.

The value put on speaking the truth also has a significant impact on establishing networks of trust. These networks include not only neighbors’ relations with one another but also citizens’ relations with the state and, in particular, with the courts and the justice system. By networks of trust I do not mean a reinvention of the civil society that Alexis de Tocqueville found in 1830s America, as recently proposed by Robert Putnam (1995) and Francis Fukuyama (1995), with reinvigorated family values and local bowling clubs. Putnam, in particular, casts civil society in the image of a historical past—pre-electronic, pre—mass communication, pre-suburb, pre-megalopolis—anchored in the institution of a strong nuclear family. In his own celebration of family values, Fukuyama presents Chinese Confucianism as a model for a certain scale of trust and economic organization. Familial-based trust, however, seems everywhere to reinforce forms of clientilism that—as is observable in postwar Italy, Belgium, and Germany, for example—easily turn into the social ill we call corruption. Clientilism shares with endogamy a similar function: to circumscribe the group and insure the exclusion of outsiders. An alternative politics, in an age of intensified interaction between local and global differences and of dispersed families of different form, requires reimagining solidarity and sociality, not in terms of integration and consensus in a civil society but in terms of difference in a dissensual community (Osier 1995).

Solidarity in a dissensual community cannot be created through the invocation of “familiarity,” a “shared past,” or a “shared culture.” Instead of proposing the People as One, solidarity must begin with acknowledgment of the heterogeneity of life projects, open toward cultural differences and new experiences of sociality (Lefort 1986; Kymlicka 1995). Here it is important to underscore the
relation of witnessing and truth-telling to the creation of networks of trust. We might begin by looking to the Czech dissident, later president, Václav Havel, who explored "living in truth" as a central theme in his plays and essays, although he did not make its connection to trust explicit. Writing as a dissident about life under the repressive state-socialist regime (what he called a "post-totalitarian system"), Havel developed this concept in his 1978 essay "The Power of the Powerless." The time in question was one of social stagnation, when the brutality of the post-1968 Czech state had given way to a cynical compact with its subjects: activity in "civil society" was permitted, but only to the extent that it did not present any possibility for the development of social networks of trust outside of those organized or co-opted by the state itself. Explicit oppression was replaced with a form of internalized violence aimed at the integrity of the individual's relation to the social, at sowing suspicion through lies and rumors between neighbors and friends.

Against this violence and distrust, Havel (1986: 84–85) proposed "Living within the truth [which] covers a vast territory... full of modest expressions of human volition, the vast majority of which will remain anonymous and whose political impact will probably never be felt or described any more concretely than simply as a part of a social climate or mood." His plea at the time was not for more social clubs but for a more personal accounting and taking responsibility for everyday relations, a turning away from "abstract political visions of the future toward concrete human beings and ways of defending them" (93).

Rebuilding the integrity of the social—or, in the terms of this essay, an enduring reconciliation—must start with a social climate that encourages individual departures from violence. Such a climate is made possible through a continuous practice of truth-telling about the everyday, through witnessing and a double rebuilding on the basis of trust: between neighbors, and between citizens and the state (Borneman 1999). Those who listen to this truth-telling, who thus constitute the community within which truth-effects ripple, are rarely ever merely local actors. In most places today, relations with neighbors are no longer primarily face-to-face, and no group has the luxury of constructing its world independently of other groups. Relations between citizen and state may no longer prioritize issues of defense and internal security, which in any case are increasingly difficult for states to provide without the aid of suprastate organizations.

Trust, in other words, must be reestablished under new conditions of the production of truth, conditions that embed the individual, the ethnic group, and the truth-effects in larger and more global concentric circles—networks—of others. Caring for the enemy, then, becomes an essential aspect of any ongoing reconcil-
iation. This said, an elaboration of the conditions necessary for the establishment of trust must reckon with the forms of affiliation that are specific to a given place. The institutional forms in which any society incorporates networks of trust—friendship, kinship, residence in neighborhoods, membership in parties, clubs, or social movements—will inevitably vary. What is certain is that no attempt at reconciliation through stretching the horizons of forms of local affiliation will succeed if the diverse and locally contingent character of such forms is not taken into account.

**Listening, Witnessing, Accountability**

What is the relation of witnessing as an activity to principles of accountability? Witnessing fundamentally involves speaking and giving voice, but it must be preceded and followed by listening. To listen is a motivated practice that differs from hearing in that it always involves listening for. Following an ethnic cleansing, this mandates listening for truth. In German, this difference between hearing and listening is clearly drawn in the distinction between hören and zuhören, the prefix zu indicating to, at, in, on, by—to come closer to the hearing, and to hear for something. To listen for everything is to hear a cacophony of sounds; what is called noise. But to listen for truth entails a complex interpretative and evaluative process that goes beyond documenting experience per se.

Listening is a practice, an art, similar to that of reading or speaking. It is not passive but interactive, involving soliciting, questioning, and weighing competing accounts, as well as hearing. Listening can be learned and cultivated, and some individuals are far better at it than others. I am suggesting here that we rethink the very practice of listening—both what should be listened for, and who might be the best practitioners of listening after violent events. Potential listeners include not only members of truth commissions, friends, neighbors, anthropologists, and historians but also professional observers, such as the Organization for Cooperation and Security in Europe (OCSE), UN “monitors,” and individuals who work for Human Rights Watch and Amnesty International. Professional “observers,” in particular, might redefine themselves as “listeners” and actively cultivate the art of listening for the truth. Such listening does not mimetically

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9. This distinction between listening and observing was anticipated by Michel Foucault (1991: 57), who argued that “the subject in the discourse of eighteenth-century naturalists becomes exclusively a subject looking according to a grid of perceptions, and noting according to a code; it ceases to be a listening, interpreting, deciphering subject.”
reproduce the speech of suffering but listens specifically for potential departures from violence. What does this entail?

The significance of listening is not directly linked to its timing, although such timing itself has significant effects on the production of true accounts. Listening for the truth in conflictual situations would occur ideally at the moments when violence is initiated, but that is usually impossible. It is in the interest of perpetrators of harm to delay the timing of listening, with the result that third parties are limited to documenting the violence’s escalation or are confined to retrieving the fallible work of memory. Hence, the simple presence of professional listeners at a moment of escalating conflict may actually make potential perpetrators of harm pause before committing acts of violence.\textsuperscript{10}

Likewise, the question of when this listening is turned into voicing, or witnessing, is a matter of the political control of timing. Political in character, too, is the question of the forums—familial, neighborhood, television, courtroom—in which the voicing, and the allocation of accountability, takes place. The timing of voicing truth claims based on listening requires sensitivity to the specific character of place and context, to the politics of the present. In other words, the effect of truth-telling on establishing wrongdoing, socially and legally, is highly context dependent. But the nature of listening is not. Hence, the telling of some truths has no effect until years after the actual experiences are listened to and documented. This delay in fact heightens the significance of professional listening during the unfolding of an event. A delayed impact was demonstrated, for example, in the prosecution of many Nazi war criminals, such as Adolf Eichmann, in which wrongdoing was assessed and allocated in Jerusalem more than a decade after the crimes had occurred in Germany.

Today, those who record the perpetration of atrocities must often reckon with such a delay and perhaps with an extraterritorial judicial process as well. Such is the case with Yale University’s Cambodia Project of simply listening to witnesses and gathering evidence of Pol Pot’s crimes without any immediate hope of a reckoning; with the attempt in Britain to prosecute Chile’s General Augusto Pinochet for murders more than two decades after they were committed; with the attempt in Senegal to prosecute Chad’s Hissène Habré for political killings, torture, and disappearances a decade after his murderous rule; or with the UN tri-

\textsuperscript{10} The Russian presence in the Caucasus offers an interesting example of the effect of the perception of active listening over political intervention. Initially, this presence destabilized relations among local communities, as it was perceived as a continuance of Soviet hegemony in the region. Later, the presence of Russian monitors helped stabilize the situation. My thanks to Gia Tarkhan-Mouravi for this insight.
bunal prosecution of accused Bosnian war criminals who remain at the top of the local hierarchy.

My focus on listening here is not meant to discount the importance of voice, which has received much recent attention in the human and social sciences. Voicing projects, however, tend to emphasize the authority of the location of the speaker and to be concerned with the constructedness and autonomy of discourse—over and against the truth-value of the message and its relation to listeners. Such empathic recovery and voicing on the part of oppressed minorities, motivated by their claims of injustice, often even contributes to ethnicization. And it fails to direct us to the ineffectiveness of speaking if no one listens, and to the question of how and on what basis one should act upon listening, should it occur.

A serious limitation of many of the truth commissions of the 1990s is that they explicitly delinked telling the truth from any retribution. Separating the search for truth from the administration of justice was pointedly the policy of South Africa’s Commission for Truth and Reconciliation, which has quickly become the model for independent investigatory commissions. Benefits accrued from the harm inflicted on others—especially through privileged access to land ownership and education—were never taken away from most perpetrators. Instead, the vast majority of victims were left without material redress and most often admonished simply to forgive rather than seek justice. In many cases, the voicing of suffering served to reenact trauma without directing any attention to the punishment of the institutional agents of the violence. That said, even if perpetrators had been made to listen, a temporal delay in legal retribution was to have been expected—and is to be expected in the future. The frequent necessity of negotiating with perpetrators during periods of regime transition requires compromises in the pursuit of justice in the short run. My point, however, is that listening, witnessing, and retribution cannot be delinked in a project of reconciliation over time; they are conceptually part of the same complex.

To contribute to reconciliation, this complex requires public forums—including newsprint, radio, and television—where participants in widely dispersed

11 To his critics, Archbishop Desmond Tutu, who headed South Africa’s commission, responded that trials were not necessarily an effective way of establishing the truth or guilt, that they were too expensive, and that obtaining the necessary amount of evidence would have been impossible. Although the commission produced a public record of inestimable value for the future, the immediate response of most South Africans was most often skeptical or negative. The journalist Martin Meredith (1999: 320) concludes: “For those whites hoping for a moment of catharsis, there was only bitter disappointment. For blacks, it was nothing more than what they had expected.”
communities feel compelled to listen, to weigh, and to judge competing accounts. Ultimately, such forums will lead to an open acknowledgment of dissensus, of the ambivalences and complicities inherent in the exercise of power. They may even lead to public conflict and to aggression directed toward those who have truths to tell. But because this acknowledgment affirms the power of truth-telling in creating a public sphere, it is in the interest of democratic publics. Hence it will likely lessen the cynicism that usually accompanies revelations about the workings of power generally, and it introduces the possibility of transparency and accountability in social relations, thereby preparing for the building of trust. In short, third-party listening, as a necessary precondition to giving voice, creates the possibility for departure, for a sense of ending, rupture, and break with the past.

A sense of ending is made possible only by breaking hegemonic silences concerning the nature of loss and its attempted recuperation in relation to the sources of violence and its modes of reproduction. The cultivation of listening as a concrete social practice contributes to making a public sphere that is vigilant, critical, and engaged. While educated and critical elites are important for this public sphere, they are insufficient without diverse popular participation. Many of the nascent public spheres in Latin America, Europe, and much of Asia, for example, are initially peopled by marginal actors—women or minority groups—whose interests are diverse and dissentious, and hence not easily appropriated and instrumentalized for the purposes of ethnicization.

The success of interventions by international nongovernment organizations in support of “civil society projects” may in fact depend largely on their ability to listen to these marginal or dissenting voices. It is frequently the case that pressures for unity after a violent conflict silence voices of difference, displacing violence formerly directed at an external enemy to marginalized groups within a society or even to women and children within one's own domestic group. Listening to marginal actors is important because they often have the greatest interest in departing from patterns of rebounding violence. With the most to gain and the least to lose, marginal actors are also willing to take the greatest risks. Their voices deserve our attention, then, not because of the extremity of their suffering or the location from which they speak, but because of the risk they embody in speaking the truth. Listening for the truth in the aftermath of violence, while crucial for long-term reconciliation, only actually becomes truth, as Michel Foucault (1980) would argue, when plugged into practices and systems of power. Listening must therefore be complemented by a process of legal and institutional accountability, to which I now turn.
Legal Retribution

Unlike witnessing, which rests on truth-telling and listening for the truth, a legal accounting in the domain of retributive justice is concerned with symbolically affirming the distinction between right and wrong (Hampton 1992). Retribution does this by means both of punishment—taking away the advantage accrued from wrongdoing—and of vindication—affirming the value of the victim. As mentioned above, the truth must first be told in practices of listening and witnessing in the public sphere before courts can consider competing accounts. Hence legal retribution is always in some sense delayed. Moreover, courts are only formally independent of the other branches of government, which makes it difficult for them to participate in truth-telling when it may implicate members of the executive or legislative branches. And making judicial appointments and setting the budgets, as well as determining types of criminality, are very much political decisions that rest with executive and legislative actors. Furthermore, if courts convict, they need the cooperation of the other branches of government to enforce their rulings and carry out their sentences.

This embeddedness within political processes contributes to pragmatic delays in the legal reckoning with injustices, delays in legal investigation and prosecution that result in trials decades after the actual occurrence of harm and wrongdoing. But if reconciliation is never merely an individual act but always a social one, then an eventual settling of accounts involves the punishment of evil and the rewarding of good by a higher authority, with judgment rendered through regularized procedures by a recognized court of law. Such a process is integral to making possible a departure from violence after ethnic cleansing. Departures, then, are not a matter of finding the proper balance between remembering and forgetting but of reconciling the self and the group with the permanence of loss. This memory can best be reconciled when courts reaffirm, with the authority of the state behind them, the fiction of “an end.”

In *Settling Accounts: Violence, Justice, and Accountability in Postsocialist Europe* (1997), I argued that legal accountability is not just desirable but also necessary, although only in democracies. Unlike other political forms, democracies require a form of strict accountability. The stability of a democratic regime is dependent on a formally autonomous legal system that can invoke principles of accountability and apply them to members of the executive and parliamentary branches of government. Such legal accounting is never capable of redressing all of the wrongs perpetrated—it cannot recuperate the losses suffered in an ethnic cleansing. But its significance derives not from the efficiency and comprehen-
siveness of its prosecutions but rather from the political efficacy of prosecuting select, symbolically significant cases—what might be called a *ritual purification of the center*—and thus creating a sense of end to the set of injustices. A ritual efficacy is thus the measure of the success of nonarbitrary institutions of law that are positioned above individual men and women and as independent of particular social groups. Such legal institutions, if they make good-faith efforts at justice, nurture networks of trust among disparate individuals and between citizens and the state. This trust, in turn, relieves victims, or victimized groups, of the need to take justice into their own hands—that is, it takes away one of the prime motives for personal or collective revenge.\(^\text{12}\)

A further step in this direction was made in 1998, when 120 nations agreed to set up a permanent International Criminal Tribunal in The Hague. Formally independent international tribunals are presently at work establishing accountability for ethnic cleansings in the Balkans and the attempted genocide in Rwanda. In 1999, an alternative UN joint war crimes tribunal was proposed for Cambodia, in which Cambodian and foreign judges would try former political and military leaders of the Khmer Rouge in a single trial. That these tribunals lack their own effective enforcement powers, and are dependent on national judicatures and armies for exacting compliance with international judgments, presents a formidable obstacle that may eventually doom their efforts.

Also an obstacle is the fact that such supranational courts are not democratically constituted and therefore make no pretense to represent majorities. Without the support of democratically elected majorities, courts risk a legitimation crisis. This is especially so when they base their judgments on “human rights” in the defense of injured minorities or on appeals to the cosmopolitan ideas of intellectual elites. Unlike civil rights, human rights have no democratically organized or territorial constituency. To the extent that national legal authorities reconstruct their own domestic legitimacy by appealing to an ideology of universal human

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12. Schemes of distributive justice may also be integral to reconciliation, but here the policies of the old regime present a critical variable. Another key factor is the degree to which the aggrieved parties have attained social and political positions that enable them to extract redress or redistribution. East European and Soviet socialist regimes (unlike the South African apartheid regime or most recent Latin American dictatorships, to give rightist counterexamples) were initially motivated as redistributive responses to unjust distributions of wealth, which they tried to rectify by creating forms of public wealth. The demise of these regimes---along with the reintegration of their successor states into the capitalist world system---has generally meant a re-redistribution of public and private property and wealth from the historically less well off to the better off. The immediate legitimation of postsocialist states has appeared more contingent on the symbolic aspects of legal, democratic, and property reforms than on these new re-redistributive schemes.
rights, as against particular legislated or constitutionally anchored national civil rights, the two levels of legal authority work not in opposition but in tandem. At the moment, however, such coevolution in legal norms does not characterize what is happening in most nondemocratic states. The worst perpetrators of abuses and the most powerful states, of course, will be the most sensitive to the issue of legal sovereignty and will insist on the discreteness and indivisibility of their sovereignty.

Obstacles to enforcement are present for all judicial systems, however—they are simply more formidable for those in their formative stages and for those lacking the naturalized sovereignty claims of state-run legal systems. The legitimacy of the decision of a court, national or international, may ultimately be based not on the claim that it represents the will of the majority but because it is "right" or represents the "truth" as determined through impartial and fair procedures. But truth or rightness is also always perspectival, and the acceptance of legal findings as "right" is contingent on many factors.

The legitimation crisis surrounding human rights norms will involve a lengthy struggle, one unlikely to be resolved in the near future. But this was also the case historically in establishing the legitimacy of decisions made by national legal courts, including those within Europe. That struggle has never really ended, as any court is always confronted with demands to respond to three legitimacy claims simultaneously: the particular testimony of harm and the need for redress, majority public opinion, and the demand to represent an abstract "right" or "truth." In each and every context, the timing of the prosecution of cases is a strategic decision that is legitimated over time as "ordinary" people are asked to abide by legal judgments. While popular acceptance of legal judgments by international courts—or by local court judgments that appeal to international standards—may be desired, a degree of popular acquiescence may be the only effect immediately obtainable. Acquiescence, after all, also contributes to legal legitimacy.

The time lag in the popular reception of legal judgments will undoubtedly affect their efficacy, but not in ways that can be clearly foreseen. Legal efficacy is a processual feat, never achieved at the time of judgment or sentencing. The crucial factor at present is that international tribunals, like national courts, make good-faith efforts, through the time-tested procedures of the rule of law, to listen for the truth, witnessing and documenting the harms perpetrated, and procuring remedies for them. Passing and enforcing judgments is crucial, but it is only the last step in a settling of accounts that itself will remain open to memory work over time. Retributive justice merely creates a sense of ending by stopping the
cycle of rebounding violence, thereby inaugurating the possibility of mourning the losses and articulating alternative beginnings.

Reconciliation and Peacekeeping

In sum, I have argued that reconciliation is an agreement among antagonistic subjects to depart from violence in a shared present. This present requires both domestic and governmental initiatives to restructure principles of affiliation. Our ability to imagine departures from violence is hampered by inadequate understanding of the relation between alternative responses to personal loss and the possibilities of justice. The first term in the relation, responses to personal loss, alerts us to the importance of principles of care, networks of trust, and an inclusive political vision that can suggest alternatives to the politics of endogamous physical reproduction and the potential effects of its instantiation as ethnicization. The second, the possibilities of justice, alerts us to an alternative to revenge and rebounding violence: a system of national and extranational legal accountability, embodied in the principle of the rule of law.

Imagining departures from violence has not been a major project among anthropologists or other social scientists. But if we are to contribute to reconciliation in the many communities in which we work, then such imaginings are an essential part of our work. They are perhaps the major contribution we might make to what are called international peacekeeping efforts. Since the latter part of the twentieth century, regional, national, international, and transnational actors and organizations have increasingly been challenged by the escalation of violence and the proliferation of ethnic cleansing. In each situation, formally external or third parties, such as the United Nations, are being asked to respond. Among the militaries of many industrialized nations—the United States, Canada, Australia, and Europe, in particular—peace efforts increasingly supplement, and often replace, coercive military operations. Or at least that is their explicit intent. “Peacekeeping efforts” are formal attempts within a particular locality to end “hostilities” and bring about a “reconciliation,” a nonrepetition of events, after a period of intense violence—in the most extreme scenario, after an attempted genocide. In this essay, I have tried to address such efforts in a new way.

Unfortunately, even if we grant good intentions, we know that most peacekeeping efforts fail or are failing. This essay suggests that the failure must initially be addressed by something as modest as cultivating the art of listening. Listening is part of the professional ethos, if not always of the practices, of anthropology. This resource, when further professionalized, might be taught and
shared with peacekeepers. It is a fact that peacekeepers are rarely asked, as anthropologists are, to understand the local in its own terms and to reflect critically on the process of arriving at that understanding. They frequently see the "native’s point of view"—an expression coined by Bronislaw Malinowski, the *Urvater* of fieldwork-based anthropology—as culturally fixed, intransigent, more an obstacle than an aid to peacekeeping. But taking the native’s point of view seriously is an indispensable starting point, even more so now that we realize that the native has many and conflicting points of view.

How then, indeed, "to render no longer opposed"? Any new solidarity, to the extent that it is possible after violent conflict, would be based, not on common culture, but on acknowledging the nature of differences in their layered registers of local and global articulation. This acknowledgment is possible only when different forums for truth-telling exist. Like anthropologists, peacekeepers are professional third parties who could be trained to listen, specifically for departures from violence. When stationed at the site of violence, both anthropologists and peacekeepers could serve as crucial witnesses. Because witnessing is oriented not toward any coercive harmony but toward perspectival truth-telling, it presents the most propitious opening to communication within and across social groups. It is through the creation of an open dissensus that individuals will be enabled to seek new forms of affiliation and to demand a public transparency that invokes principles of accountability.

Like anthropologists, peacekeepers themselves enter strange settings not as neutral observers but as additional elements of difference within dissensual communities. Regardless of how we perceive ourselves, we are always subject to projections on the part of the local imaginary. Once peacekeepers enter as bodies with money, tools, guns, and access to other worlds, they become constitutive of the shaping of local cultural processes. If they cannot help but play an active role, they can try to direct the local articulation of their difference by embodying a particular form: one oriented toward witnessing, listening for the truth of experience, enacting more inclusive principles of affiliation, and encouraging personal and legal accountability through governmental reform.

On the surface, this particular vision may seem Janus-faced, for it assumes both *Realpolitik*—the omnipresence of interests and power—and *utopia*—the possibility of a departure from violence. That, indeed, is the condition of any

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13. The impossibility of being "external" was clearly revealed in the position of the U.S. Marines in Lebanon between 1982 and 1984, but one could just as well take the examples of peacekeeping operations in Somalia, Bosnia, or Kosovo.
analysis of reconciliation that does not deny the fundamental paradox of the task: to facilitate an ongoing recuperation of a loss that is not recoupable. I have tried to bring a certain understanding of contemporary anthropology to bear on the problem of ethnic cleansing and peacekeeping. This anthropology insists on the primacy and professionalization of the activity of listening. It calls for knowledge that is intersubjective, fundamentally reflexive and relational, and that requires an often uncomfortable encounter with alterity. It challenges us to intervene simultaneously on the side of accountability, trust, and care for the Other, including the enemy.


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References


