

# Live encounters

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**Said Yousif Almuhaftah**  
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**Seth D Kaplan**  
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**Regis Tremblay**  
**The Ghosts of Jeju**



**Daya Somasundaram**  
**Scarred Communities**



**David Morgan**  
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## The Kurds - A resilient people with a tragic yet inspiring history - David Morgan

Morgan has been a journalist for thirty years and specialises in political commentary on Turkey and the Kurds. He has worked with the [Peace in Kurdistan Campaign](#) for over 15 years and taken part in several delegations to Kurdistan and Turkey. He will be monitoring the forthcoming elections at the end of the month. He has written widely on Turkish, Kurdish and other issues. The views expressed in the article are his own and not those of Peace in Kurdistan or any Kurdish organisations.



## Bahrain Center For Human Rights Said Yousif AlMuhafdhah

AlMuhafdhah is the Vice President and the Head of the Monitoring and documentation Unit of Bahrain Center for Human Rights a non-profit, non-governmental organization, registered with the Bahraini Ministry of Labor and Social Services since July 2002. Despite an order by the authorities in November 2004 to close, the BCHR is still functioning after gaining local and international support for its struggle to promote human rights in Bahrain. [www.bahrainrights.org](http://www.bahrainrights.org)



## Scarred Communities Daya Somasundaram

Daya received the Commonwealth Scholarship in 1988 and fellowship of the Institute of International Education's Scholars Rescue Fund in 2006-07; Fellow of the Royal College of Psychiatrists, Royal Australian, New Zealand College of Psychiatrists, Sri Lanka College of Psychiatrists. Author of Scarred Minds: The Psychological Impact of War on Sri Lankan Tamils describes the psychological effects of war on individuals. He has co-authored The Broken Palmyra: The Tamil Crisis in Sri Lanka: An Inside Account. [www.sagepub.in](http://www.sagepub.in)



## Social covenants and social contracts in transitions - Seth D Kaplan

Kaplan is a Professorial Lecturer in the School of Advanced International Studies (SAIS) at Johns Hopkins University. He is the author of *Betrayed: Politics, Power, and Prosperity* (Palgrave Macmillan, 2013), which examines ways to foster the political change and economic opportunity that will produce more inclusive societies and empower the poor. His book *Fixing Fragile States: A New Paradigm for Development* (Praeger Security International, 2008) has been read widely by policymakers and academics from Brussels to Beijing. He runs the website [www.fragilestates.org](http://www.fragilestates.org) First published by NOREF



## Adieu Terry McDonagh

Irish poet and dramatist, Terry McDonagh, taught creative writing at the University of Hamburg and was Drama Director at the Int. School Hamburg for 15 years. He now works freelance; has been writer in residence in Europe, Asia, Australia; published seven poetry collections, book of letters, prose and poetry for young people translated into Indonesian and German, distributed internationally by Syracuse Uni. Press; latest poetry collection Ripple Effect due for publication in May/June 2013, Arlen House; next children's story, Michel the Merman, illustrated by Marc Barnes (NZ) to be published in September 2013. He lives in Hamburg and Ireland. [www.terry-mcdonagh.com](http://www.terry-mcdonagh.com)



## The Ghosts of Jeju - award winning documentary film on the massacre in South Korea - Regis Tremblay

Tremblay, born and raised in Waterville, Maine, is an independent filmmaker. He is a former Catholic priest, teacher, and father of three. He began writing and photographing at an early age, taught photojournalism and photography, and has been a citizen journalist for several years documenting stories the mainstream media ignore. The Ghosts of Jeju is his first feature-length documentary revealing the untold history of U.S. unrestrained violence against indigenous people, militarism and American hegemony in Korea since WWII. [www.theghostsofjeju.net](http://www.theghostsofjeju.net)



## Human Rights in the Democratic People's Republic of Korea - Christoph Sperfeldt

Sperfeldt is Regional Program Coordinator at the Asian International Justice Initiative (AIJI), a collaborative program of the East-West Center and the University of California, Berkeley's War Crimes Studies Center. He worked from 2007 to 2010 as an Advisor to the Secretariat of the Cambodian Human Rights Action Committee (CHRAC) and from 2010 to 2011 as Reparations Advisor to the Victims Support Section of the Extraordinary Chambers in the Courts of Cambodia (ECCC). First published in [Regarding Rights](#)



## Anti-Jewish Feeling Used As Weapon In Ukraine's Latest Revolution - Natalie Wood

Born in Birmingham, England, U.K., Natalie Wood began working in journalism a month prior to outbreak of the 1973 Yom Kippur War. She remained in regional Jewish journalism for over 20 years, leaving full-time writing to help run a family business and then completed a range of general office work. Wood and her husband, Brian Fink emigrated from Manchester to Israel in March 2010 and live in Karmiel, Galilee where she continues to work, concentrating on creative writing. She features in *Smith Magazine's new Six Word Memoirs On Jewish Life* and contributes to *Technorati*, *Blogcritics* and *Live Encounters* magazine. Her stories - [Website](#) and journalism - [Website](#)



## Mint and Cardamom Parsi 'Choi' or Chai - Indian Tea - Perinaz Avari

Perinaz (Peri) Avari is a proud Parsi Zoroastrian, native of cosmopolitan Mumbai in India and hospitality professional who's been on many 'food adventures', especially during her 10 years working for the Taj Group of Hotels in India. Now living in America, Peri shares her hospitality wisdom and passion for Parsi and Indian food by creating simple recipes with a global appeal, through her informative articles and world travel adventures on - [www.perisspiceladle.com](http://www.perisspiceladle.com)



## Why do People Cheat? Dr. Candess M Campbell

Candess M. Campbell, PhD is an internationally known Intuitive Life Coach, Licensed Mental Health Counselor, Seminar leader, Hypnotherapist and Author. She specializes in assisting others to gain their own personal power and to live a life of abundance, happiness and joy. Early 2012 she will be releasing her book 12 Weeks to Self-Healing: Transforming Pain through Energy Medicine. [www.12weekstoselfhealing.com](http://www.12weekstoselfhealing.com)





Kurdish man on horseback photograph John Hill, en.wikipedia

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David Morgan has been a journalist for thirty years and specialises in political commentary on Turkey and the Kurds. He has worked with the [Peace in Kurdistan Campaign](#) for over 15 years and taken part in several delegations to Kurdistan and Turkey. Morgan will be monitoring the forthcoming elections at the end of the month. He has written widely on Turkish, Kurdish and other issues. The views expressed in this article are his own and not those of *Peace in Kurdistan* or any Kurdish organisations.



## The Kurds

A resilient people with a tragic yet inspiring history

DAVID MORGAN

The Kurds are an ancient people with distinctive heritage, traditions and language. They have lived on their historic lands for centuries alongside the other peoples of the Middle East as is reflected on old maps of the region where Kurdistan generally features. Their recent tragic history of dispossession, oppression and struggle for very survival as a people can be traced to the settlement imposed on the region in the aftermath of the First World War which saw the collapse of the Ottoman Empire and the redrawing of the borders of modern states. That settlement drawn up by the victorious imperial powers denied the Kurds the right to national self-determination.

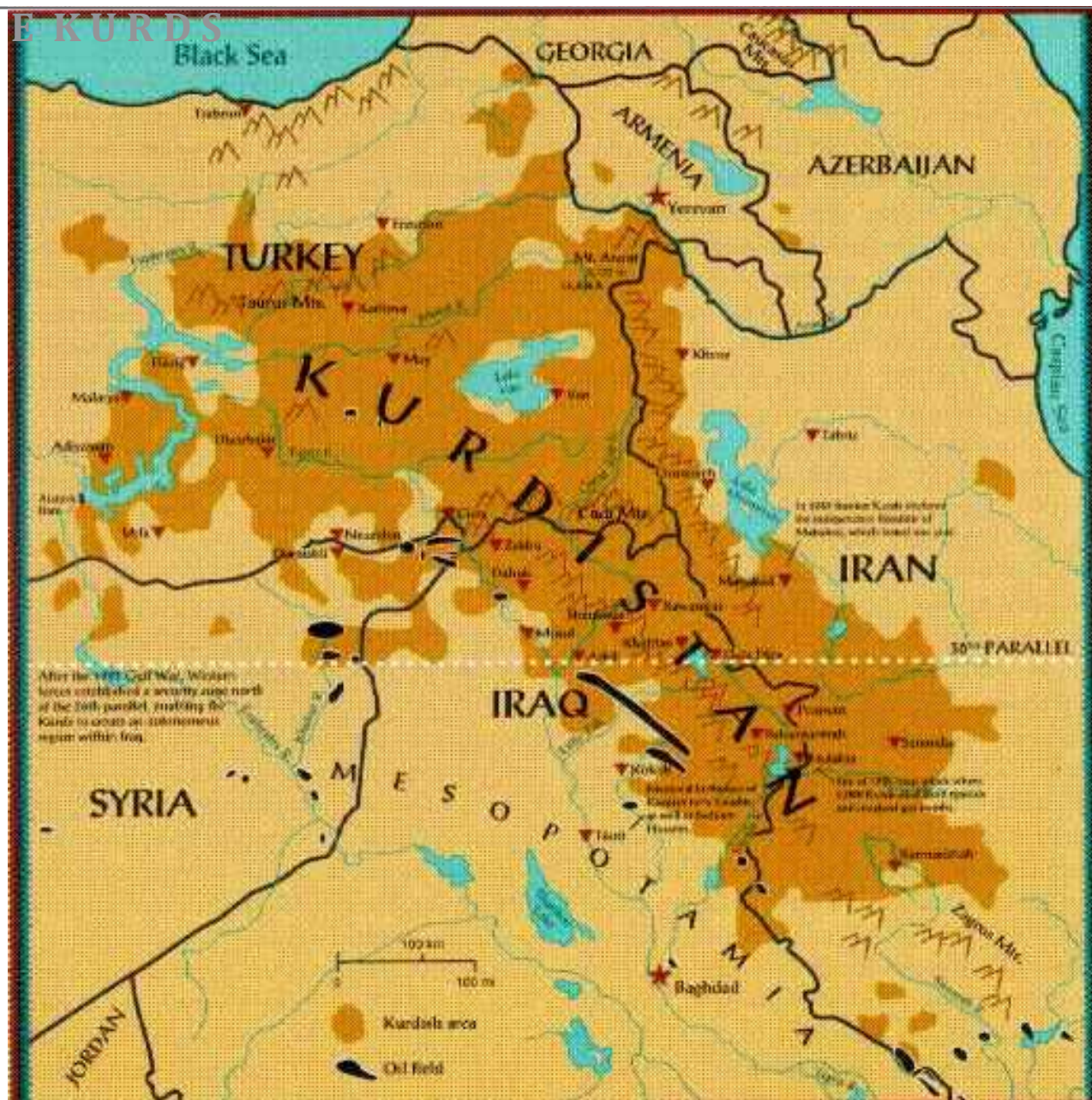
The Kurdish people are now dispersed across four major nation states; namely, Iran, Iraq, Syria and Turkey. The latter country has by far the largest Kurdish population and it remains the place where fundamental rights for the Kurds are most flagrantly denied; and where a protracted and as yet unresolved conflict has been taking place over more than thirty years.

The founder of the Turkish Republic Mustafa Kemal Atatürk is still widely lauded by commentators and historians as one of the greatest nation builders of modern times, but this ignores how the modern Turkish state was shaped at the expense of the diversity of peoples residing within the Turkish borders. Turkification marked the attempted eradication of the very existence of the Kurds and all traces of their culture, language and history were denied for decades by the ruling Kemalist nationalist ideology. While it was appallingly oppressive, this attempt has failed; the Kurds refused to succumb to all attempts at assimilation by force and the sense of a national identity lived on in their hearts and minds.

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Top: Map of Kurdistan. Bottom: Kurdish population map



Roboski massacre of December 2011. Click on photograph for weblink.

## Emergence of the Modern Kurdish Movement

It is however with the emergence of the modern Kurdish national movement in the 1980s that the Kurds once again began to reshape their history and determine the future of their country and the wider region.

There are some notable dates in the modern history of the Kurds. One landmark year was 1980 when the 12 September military coup in Turkey headed by General Evren led to a brutal crackdown during which hundreds of thousands of progressive activists and civilians were detained, tortured and executed by use of extra-legal means; a reign of terror by the ruling military was especially brutal in the Kurdish region. Two years later the Turkish generals imposed a new constitution on the country which placed strict restrictions on civil, political and human rights. That same constitution is the one that is subject to reforms by Erdogan with some calling for an entirely new constitution.

The first election following the military coup in November 1983 saw Turgut Ozal become prime minister. The following year saw the start of the guerrilla campaign by the Kurdistan Workers' Party – PKK – launched to achieve the freedom of the Kurdish people. Brutal clashes with the Turkish military were to go on for years and there were casualties numbering approximately 40 thousand people.

## Challenging Official Versions of Turkish History

The official version of events put forward by Turkey blames the PKK for countless atrocities and plays down the brutal actions of the military and state forces. This version of events is increasingly challenged by independent media. New news sources on the internet have made more information available allowing Kurdish voices to be heard. Turkish statements are no longer simply repeated uncritically in news reports. Nevertheless, Turkey continues to arrest and detain its own journalists and systematically seeks to prevent independent investigations into incidents, such as in the case of the Roboski massacre of December 2011 where the full circumstances of the deaths of 34 Kurdish villagers are still not determined.

In 1989 Ozal became the first civil president of the Turkish Republic. Counter-terrorism operations against the Kurds were stepped up and human rights violations increased.





*Fidan Dogan, Sakine Cansız and Leyla Söylemez Kurdish women political activists assassinated.*

## The Period of Dirty War Against the Kurds

The 1990s are seen as a lost decade and one of the darkest periods in the history of Turkey when the rule of law appeared to have been set aside as the state pursued a dirty war against the Kurds. The conflict between the state and the Kurds expanded to embrace the whole of Kurdish society and Turkey became divided into two entirely separate regions with the Kurdish south east resembling a huge militarised encampment. Economically disastrous, these years led to increasing poverty and mass migration especially from the Kurdish regions; thousands claimed asylum in countries of Europe, particularly, Germany, Sweden and the UK, but many more Kurds, deliberately displaced from their villages and dispossessed of their pastoral lands, were forced to migrate to the main Turkish conurbations to live in shanty towns on the margins.

Casualties continued to mount as the war reached new heights of intensity. A notorious massacre of dozens of Kurdish mourners at the funeral of Kurdish political activist Vedat Aydın occurred in Diyarbakir in 1991 when Turkish counter-terror forces fired into the crowd.

Meanwhile, in 1992, the Kurdish town of Sirnak was razed by the Turkish army in a savage reprisal for a previous PKK attack. To this day this incident remains symbolic of the “scorched earth” policy carried out by the Turkish military over this period.

## Targets for Assassination

Assassinations of opponents of the Turkish state became more frequent. Victims continue and have included journalists investigating the hidden powers of the “deep state”. Counter-terrorism agencies were accused of sponsoring the Islamist Hizbullah organisation in carrying out a campaign of targeted killings of prominent Kurdish community leaders, businessmen and intellectuals. Assassinations under suspicious circumstances still occasionally occur, and not always on Turkish territory. The deaths of three prominent Kurdish women activists in Paris in January 2012 remained shadowed in mystery more than one year later.

Kurdish writer and journalist Musa Anter was one of the prominent victims of assassination in September 1992 while a leading Kurdish trade union activist, Zubeyir Akkoc was killed in January 1993 and MP Mehmet Sincar was murdered in September of that same year.







Kurdish people celebrate Peace day. Click on photograph for weblink.

## Kurds Unite for Peace

In the face of major human rights violations and atrocities, the Kurds have remained remarkably united in their determination to achieve peace and reconciliation. The political leadership of the Kurds have adopted a perspective informed by a realistic understanding of the functioning of the state and social relations. They are able to distinguish between the actions of the state and the opinions of the people and seek a lasting political solution to the conflict which will enable the Kurdish and Turkish peoples to live together in peace, freedom and equality. Peace and reconciliation on the post-apartheid South African model is the preferred option and parallels between the two conflicts have been drawn frequently.

Political events in Turkey have often been shrouded in mystery and intrigue leading to a near paranoid atmosphere where conspiracy theories thrive. In February 1993, suspicious circumstances surrounded a plane crash which killed General Bitlis, the commander of the Gendarmerie, who was known to be seeking to find a solution to the Kurdish question. Two months later President Ozal died unexpectedly of a heart attack, sparking rumours of an assassination.

During the presidency of Suleyman Demirel and Prime Minister Tansu Ciller the military offensive against the Kurds was massively intensified. The Kurdish provinces were put under a state of martial law and covert counter-terrorism operations became the norm. Thousands were detained, tortured and murdered in a dirty war that saw mafia bosses, contract killers, drug dealers, informers, state agents and provocateurs working together to defeat the Kurds.

During the years of conflict the Turkey military conducted its counter-insurgency measures with extreme brutality. Atrocities were systematic; torture widespread, whole communities were subject terrorised, civilians picked up at random, innocent men, women and children were routinely tortured and many people simply disappeared. People's bodies were dumped into mass graves in secret locations. Meanwhile, the bodies of captured guerrillas were grotesquely mutilated with Turkish soldiers displaying body parts as trophies in shocking photographs. The mutilation of bodies has continued with one incident reported during renewed conflict in the aftermath of the 2011 general election when photographs of four dismembered bodies of some 24 Kurdish guerrillas who died in clashes with the Turkish army were published. The evidence of savagery and hatred was widely denounced. On 5 November 1996 the notorious Susurluk incident exposed the close collaboration



Erdogan discusses Kurdish question with AKP Kurdish deputies. Click on photograph for weblink.

between politicians, police, the security apparatus and the criminal underworld in their counter-insurgency campaign against the Kurds. Susurluk led to be the downfall of Prime Minister Tansu Ciller.

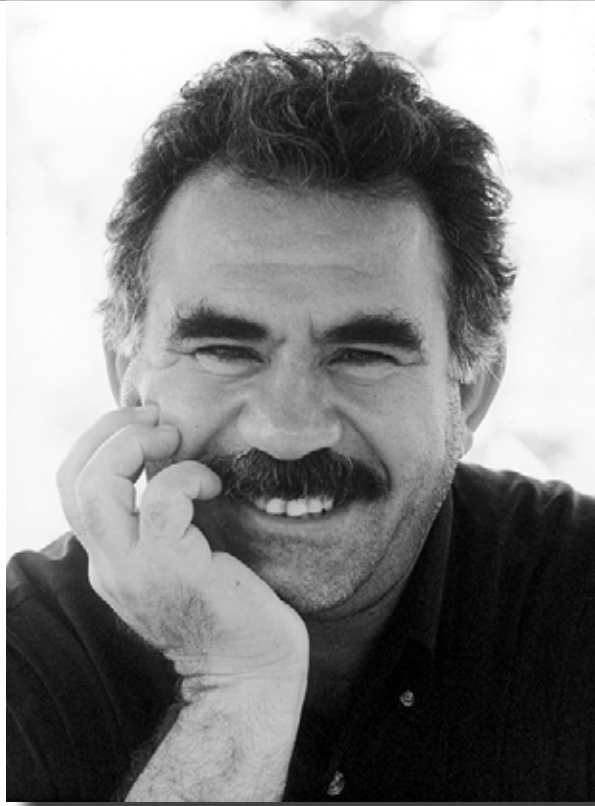
In 1997 the government of the Islamist PM Erbakan was forced to resign under military pressure. Erbakan's Welfare Party was later banned by the constitutional court and was re-established as the Virtue Party. The current Justice and Development Party (AKP) emerged from the reformist wing of this party. The AKP has come to dominate Turkish politics since its sweeping election victory in 2002, but its grip on power now looks increasingly shaky. The AKP has sought to present a moderate reformist face of Islam and Turkey was hailed in the West as an example of a successful compromise between Islam and democracy and held up as a model for emulation in the wider Middle East to emulate.

## The Limits of the AKP Opening to the Kurds

Despite its improved image, apparent economic success, policy of reforms, and the moves towards a new constitution, the leadership of Prime Minister Erdogan and the AKP, has been hesitant and contradictory in its policy towards resolving the Kurdish conflict. This policy became deadlocked despite making great play of an "opening" towards the Kurds and even talking to detained Kurdish leader Abdullah Ocalan. In fact, Erdogan pursued a two-pronged strategy of small, piecemeal reforms while seeking to eliminate independent Kurdish politics. Such a policy was deemed at best inadequate and at worst duplicitous. It failed to convince or satisfy the Kurdish people and did not seriously address their core demands.

## Mass Show Trials

Following the June 2011 general election in Turkey, when the pro-Kurdish BDP won a significant level of support, the arrest of Kurdish activists, prominent intellectuals, writers, academics, lawyers as well as leading members of the main pro-Kurdish legal political party the BDP, was stepped up. Arrests under sweeping anti-terrorism laws have led to mass show trials that have attracted a fair amount of international attention. One of the key roles of Peace in Kurdistan has been to bring to the attention of the world the ongoing trials and the violations of people's rights that continue to take place. This PIK achieves by explaining the significance of the trials, which can be extremely complex, and by organising regular eye witness delegations of lawyers, politicians and journalists to observe the often labyrinthine Turkish court proceedings.



Abdullah Öcalan. Click on photograph for weblink.

### Mass Show Trials contd...

The prosecutions of Kurdish civil society members including political leaders exposes the tremendous difficulties for the Kurds in engaging in any meaningful way in constitutional politics within Turkey.

### Kurdish Politics

The Peoples' Democratic Party –BDP- is the latest in a series of pro-Kurdish parties that have been established over the last twenty years. At least five previous parties, which had all received significant voter support, have been closed down by the Turkish courts following prosecutions, arrests, harassment and police raids which have become a matter of routine. The previous parties include the People's Labour Party (HEP), closed in 1993; the Democracy Party (DEP) closed in 1994; People's Democracy Party (HADEP) closed in 2003; the Democratic People's Party (DEHAP) closed in 2005 and the Democratic Society Party (DTP) closed in 2009. It is a tribute to the skills and persistence of the Kurdish politicians that they have to date managed to success manoeuvre around the bans and in the process achieve rising levels of support from the people. But the measures taken to block their effectiveness are outrageous and warrant strong criticism from the Western democracies, and particularly from countries in the European Union, who like to take on the role of upholders of democracy overseas.

### Abdullah Ocalan and the PKK

One of the key campaign demands of Peace in Kurdistan, reflecting a main demand of the Kurdish people themselves, is for the release of Abdullah Ocalan, widely recognised as the chosen leader of the Kurdish people. While the release of Ocalan has to take place within a general amnesty and decriminalisation of the Kurdish movement, Abdullah Ocalan has an essential role to play in the conclusion of any meaningful and lasting peace between the Kurds and Turkey. Ocalan is the only political leader with the authority to reach an agreement with the Turkish government and the only person entrusted by the Kurdish people to exercise their will. It is inconceivable that a political solution to the Kurdish question can ever be achieved until Ocalan is brought into negotiations which can be achieved within the context of a process of reconciliation and confidence building as was achieved in South Africa in the final days of apartheid.



Kurdistan Workers' Party - Partiya Karkerên Kurdistan (PKK). Click on photograph for weblink.

The most memorable date in recent Kurdish political history is undoubtedly 15 February 1999 as this was the day when PKK leader Abdullah Ocalan was captured in Kenya by Turkish special forces personnel operating undercover. The circumstances surrounding Ocalan's arrest are rightly regarded by the Kurds as an international conspiracy because of the clearly coordinated actions of security personnel (CIA, Mossad and MI5) and politicians from various countries which lured Ocalan into a trap after he was denied the right to claim political asylum in Europe (in flagrant violation of international human rights law).

Turkey's success in capturing their "Enemy Number One" was broadcast before the world's media in an attempt to humiliate both Ocalan and the Kurdish people as a whole. The spectacle was a grotesque act of triumphalism on the part of Turkey and only served to exacerbate tensions between Turks and Kurds. It set off a wave of spontaneous actions by Kurds within Turkey and among the diaspora communities across Europe.

During a show trial of dubious legality, Ocalan conducted himself with great dignity, statesmanship and imagination as he sought to explain the Kurdish case historically. He has continued to pursue a policy of peace and reconciliation while in detention, a policy which he in fact had adopted long before his arrest. During the frenzied atmosphere of arrest and trial and in the years of his isolation, Ocalan demonstrated consistency in his approach to working for a peaceful settlement; if only Turkish leaders and their allies would seize this as an opportunity to resolve a conflict then progress might be made. Ocalan has urged Kurdish guerrillas to cease military actions and to fall back to defensive positions outside the country, to which they have responded despite provocations. PIK believes that it is time Turkey seriously reciprocated.

Ocalan has produced several detailed proposals for achieving peace, including the roadmap, which the Turkish authorities initially withheld from the public, and culminating in proposals for "democratic autonomy". All his ideas have been released through his lawyers, who have been subjected to intimidation and prosecution simply for carrying out their professional duties. Since his conviction, Ocalan has produced substantial writings, which have been published as books in English and other languages; in these pages Ocalan seeks to offer constructive and conciliatory arguments for a lasting settlement. So far there has been little serious public response from the Turkish side to any of his proposals; although reports emerged in 2011 that talks were being held between Ocalan and Turkish officials. Such talks conducted out in the open offer the only realistic way forward to resolve the conflict.





Newroz celebration in Istanbul. Click on photograph for weblink.

## Newroz 2014

As I write the Kurds are preparing to celebrate Newroz, the ancient pre-Christian, pre-Islamic festival that is still marked with great enthusiasm and huge public festivities across the Middle East. While it is an event shared with other ancient peoples such as the Persians, for the Kurds Newroz has taken on an added political significance in recent decades as it became a rare outlet for them to demonstrate their cultural affiliations and heritage. Not very long ago, Newroz festivities in Turkish Kurdistan were met with oppressive state measures with mass armed police presence on the streets as Kurds came out to celebrate. Many actions such as chanting slogans and wearing Kurdish emblems, but in particular any reference made to the PKK or to Abdullah Ocalan, were swiftly and violently suppressed. Nowadays, as a kind of thaw set in during the years of a tentative and protracted peace process, the authorities have become more lenient and Newroz celebrations have not ended in bloodshed. Nevertheless the PKK remains officially a banned terrorist group and its alleged offshoots frequently face legal clampdowns.

Despite the continued ban on the PKK and the Turkish state's continued incarceration of Ocalan as its alleged "enemy number one", a peace process including exploratory talks between Ocalan and state officials had been taking place until relatively recently. These talks have come to a virtual halt as the elections of 30 March loom and as Prime Minister Erdogan became mired in political crises. Turkey has now reached a point where it appears that Erdogan is fighting for his political survival. He has fallen out in a big way with erstwhile ally, the powerful scholar and businessman Gulen, whose movement backed the AKP in previous elections. Now rival Islamic parties are emerging on the political scene and are challenging the once hegemonic sway exercised by the AKP, long seen in the West as a moderate face of Islam in power and held up as a model for how regimes should be governed in the wider Middle East. With the AKP in crisis, it is not clear how this model will be revamped or what the character of the future post-AKP leaders of Turkey will look like.

Nevertheless while Erdogan and the AKP could never be regarded as a friend of the Kurds or properly trusted by them – he has something of a reputation for maverick manoeuvring, authoritarianism and inconsistency – he has become someone ready to do business with them and as such offers a less uncertain choice than his rivals for power in coming elections. The rival parties may adopt a more anti-Kurdish posture if they believe that this will appeal to Turkish voters and rather than being put on hold, the peace process might be abandoned altogether.



Newroz celebration in Istanbul. Click on photograph for weblink.

There is however a clear danger for the Kurds if they were seen to be pitching their tent too closely to Erdogan if he is entering into the final chapter of his supremacy. It is obvious that his days are numbered even if he manages to hang on for a while longer; he has been in power for a very long time, his appeal is waning with the electorate and his political "brand" has been perhaps fatally tarnished. Splits have opened up in his ruling party with President Gul seeming to criticise and contradict the Prime Minister on important issues, thus posing as a serious rival in future. A financial scandal involving the Prime Minister and his son has brought into question Erdogan's reputation for political integrity and unshakeable honesty. His handling of the Gazi protests, which saw the emergence of an alliance between progressives and members of the secular middle class and youth, alienated major sections of the Turkish public and probably done lasting damage to his political standing. Even by Turkish standards where conspiracy theories seem all too common, Erdogan's constant muttering of "external forces" plotting against him seems a tad too paranoid to be taken seriously. But the political uncertainty in Turkey poses a dilemma for the Kurds in that they might not know with whom best to negotiate. But rifts within the political class might open up new opportunities. With mounting crises and a likely knock on effect on the economic fortunes of the country, Turkey's leaders might be amenable to dealing more fairly with the Kurds. Whatever the case, unfortunately the realisation of Kurdish demands seems a distant dream. Successive setbacks have made the Kurds resilient and it impossible not to admire their spirit of resistance and optimism that pervades their actions and their awakened consciousness of their identity as a people that has been stimulated and shaped by the political leadership offered by the PKK.

Despite his incarceration, Ocalan has remained the embodiment of a cherished commodity seen as essential for every human being – the embodiment of hopes and dreams of a people for a better future where they are free and living in harmony among themselves, with their neighbours and their environment. This is an essential component and driver of all modern political movements. It is certain that the PKK, unfairly branded as a terrorist organisation by Turkey and its Nato allies in the West, will continue to thrive and gather support as long as the genuine and deep seated grievances of Turkey's Kurdish citizens are left unresolved or remedied. The Kurdish people's demands for full equality within a new democratic Turkey are not likely to be relinquished despite the state's attempts to curtail them. Oppressive measures tend to make the movement more determined and resilient. Unless Turkey is careful, the Kurds will be a rock against which the state, founded by Ataturk on an essential injustice, will break apart. The outcome of the coming election could initiate a process which will see the end of the Erdogan era.





Kurdistan Regional Government (KRG)- Hikumetî Herêmi Kurdistan. Click on photograph for weblink.

### Newroz 2014 contd...

The Kurds, whose party of choice in the polling booth is the BDP, face a challenge from a new Islamist party, the Free Cause Party or Huda-Par which has reportedly been picking up support from disillusioned voters –largely former Erdogan supporters – in the Kurdish stronghold city of Diyarbakir. This party, a different kind of threat to the Kurds than the AKP ever was, has links to the anti-Kurdish Hizbullah terror organisation responsible for assassination of Kurds a few years ago when Turkey was in far less peaceful times.

The 30 March poll will be the first ever election in which this party has run and it is hoped that they pose no challenge to the progressive social democratic politics of the BDP, which while being described as a pro-Kurdish party, adopts an inclusive politics that offers a reform programme that benefits all communities irrespective of whether they are Kurds or not. The BDP and its predecessors have held power in Diyarbakir since 1999 winning successive elections much to the annoyance of Ankara. While the Free Cause Party sets its sights on overtaking the AKP as its prime goal, it could also pose a threat to the BDP. This would be a regressive development were the election to result in such an upset.

### Southern Kurdistan – Northern Iraq

Until Rojava in Syria became established, however precariously, the only place where Kurds have been able to govern themselves freely has been in Iraqi Kurdistan where the Kurdistan Regional Government has exercised power since the imposition of the “no-fly zone” after the first Iraq war. The KRG has been highly successful in building its economy and society over the years earning it the plaudit of the “Kurdish Dubai” because of the amount of construction work that has been taking place over a relatively short period of time.

It used to be said that “the Kurds have no friends but the mountains”. But this is no longer quite true. In fact the Kurds nowadays have many friends, but these are often friends with agendas of their own and based on securing strategic interests. Often strange friendships are thrown up; recently the prime minister of the Kurdistan Regional Government in Iraq sought to defend Saudi Arabia from a scolding by Iraq’s Prime Minister Nuri Al Maliki, who, clearly at the end of his tether faced with years of terrorism from Al Qaeda violence and an epidemic of foreign funded suicide bombers, accused



Kurdish women in the 20th century. Click on photograph for weblink.

Riyadh of financing this terrorism. The KRG’s Barzani stepped in to defend Saudi Arabia claiming that the country had taken strenuous action to eliminate terrorist activities among its citizenry and strongly criticised Maliki for his outspokenness, much to his annoyance. Such disputes are likely to exacerbate tensions considerably in Iraq by driving a wedge between the government in Baghdad and the regional Kurdish administration. Enjoying years of peace, security and prosperity in a part of the world prone to crisis and conflict, the KRG might find itself embroiled in an escalating conflict not of its making and outside its control. The KRG has long been a success story for the Kurds with its thriving economy, growing prosperity and international diplomatic recognition. Although the KRG’s future seems assured, the continuing violence elsewhere in Iraq and Baghdad’s tensions with its Arab neighbours may pose increasingly problematical for the KRG in future.

Throughout their history the Kurds have always been under threat to a greater or lesser degree; because of this tragic history, the Kurds hold the values of peace, justice and security in particularly high regard. Their resilience as a people and their historical struggle for peace and a homeland deserves the utmost respect. The Kurdish people’s dream of a unified Kurdistan with its place firmly fixed on the map and their seat at international forums may remain as elusive as ever, it is a dream that has motivated generations of Kurds and will surely continue to do so. The Kurds are a people for whom the word ‘solidarity’ seemed to have been specially coined because they are entirely deserving of support.

Abdullah Ocalan is proposing a democratic solution applicable for the entire Middle Eastern region, not exclusively for the Kurds, where all the peoples of the region can live in a peaceful environment free from rancour and conflict: ambitious, certainly; a romantic dream? Quite possibly, but following the abject failure of the “Arab Spring”, the various communities in this fractious region certainly need some reason to hope that things can get better. The proposals of Ocalan put that hope back on the agenda.

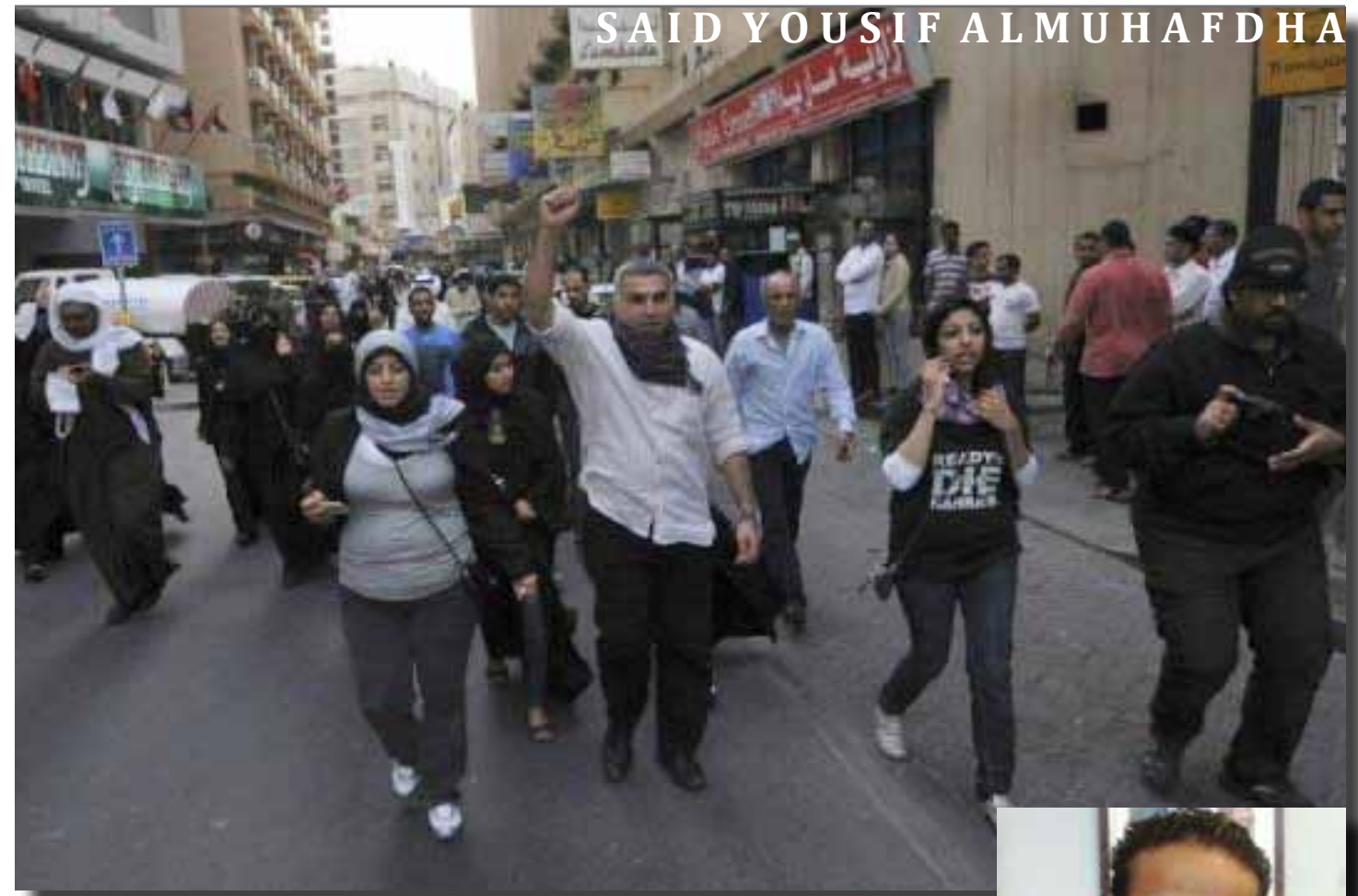




*Click on photograph for weblink.*

## Said Yousif AlMuhafdha

Vice President and the Head of the Monitoring and documentation Unit of Bahrain Center for Human Rights  
in an exclusive interview with Mark Ulyseas



### Why has BCHR been set up and what has been achieved since its inception?

BCHR was set up as a non-profit/non-governmental organisation in July 2002. It is registered with the Bahrain Ministry of Labor and Social Services. In November 2004 the authorities ordered it closed. In spite of this unilateral action by the government BCHR continues to operate. It supports/promotes the following: Civil, political and economic rights, combats racial and religious discrimination, is in the forefront of human rights education and provides support and protection to victims of human rights abuses.

We have setup committees to monitor and report on various issues: migrant workers, those who don't have passports, the unemployed and more importantly on the rampant human rights abuses, which includes illegal arrests, detention, torture and murder of Bahrainis by the government in power. The subsequent documentation is also being used to influence international policies according to the Universal Declaration of Human Rights.

Our work has been widely acknowledged by the international community. The numerous awards that BCHR has received in recognition of our endeavours:

[The Rafto Prize 2013](#), [The Stieg Larsson Prize 2012](#), [Baldwin Medal of Liberty 2012](#), [The Martin Ennals Award Final Nominee 2012](#), [Advocacy Award 2012](#), [The Silbury Prize 2011](#), [Ion Ratiu Democracy Award 2011](#).

### Who are the people behind this organisation and does it receive mass support from the citizens of Bahrain?

The co founder is [Abdulhadi alkhawaja](#) (imprisoned under life sentence), the current president is [Nabeel Rajab](#) (sentenced to 2 years), the acting president [Maryam Alkhawaja](#), and the [Said Yousif AlMuhafdha](#) (me). And supporting the work of BCHR are thousands of Bahrainis who wish to remain anonymous for fear of reprisals from the authorities. We live and work with and among the ordinary people documenting the arrests, incarceration, beatings, shooting of innocent citizens by the authorities.

### Who rules Bahrain and which countries support this regime and why?

The *Al Khalifas*, a Sunni family that controls the Shia-majority population since 1783. They are supported by the USA, UK and Saudi Arabia among other countries. Because the Al Khalifas are Sunni they are supported by Saudi Arabia. The Saudis have even sent troops into our country to quell the massive popular protests that seek to bring about a democratic state for fear that the agitation may spread to their own country. Bahrainis are subjected to inhumane treatment. The financial benefits from the oil industry do not percolate down to the masses. The Saudis are aware of the power of the people and are apprehensive that if Bahrain does become a democratic state it would only be a matter of time before it spreads to Saudi Arabia – a country that seriously lacks basic civil and human rights.





Click on photograph for weblink.

## What kind of support do you receive from other countries and organisations? What more needs to be done?

We are working with human rights groups in various countries but we need support from foreign governments to put pressure on the Al Khalifas to stop arresting, torturing and killing Bahrainis. The bitter truth is that the Saudis and Americans must stop support for the government till it acknowledges the civil and human rights of its citizens.

On March 18, 2014, acting president [Maryam Alkhawaja](#) delivered this address to the UN Human Rights Council.

**Human Rights Council: 25th Session**  
**Oral Intervention- Item 4 General Debate**  
**Cairo Institute for Human Rights Studies (CIHRS)**

Thank you Mr. President,

This statement is made on behalf of the Cairo Institute for Human Rights Studies. My name is Mariam Al-Khawaja and I am the Acting President of the Bahrain Center for Human Rights and Co-director of the Gulf Center for Human Rights.

Within the Gulf region human rights defenders are increasingly subject to harassment, imprisonment, torture, incarceration and reprisals. In this context a new Gulf Cooperation Council Security Agreement was signed on the 13th of November 2013 which infringes on the basic rights and liberties of the citizens of these six countries and creates the framework for regional repression of rights defenders.

For example, Article (2) of the agreement states: “State Parties shall cooperate to pursue system outlaws,



or those wanted by State Parties, regardless of their nationality, and take necessary action against them.”

In most Gulf countries almost any form of dissent against official policy including human rights work has been criminalized thorough laws that fundamentally contradict with international human rights standards. In this context the vague term ‘system outlaws’ is likely to be used in an arbitrary manner to restrict liberties and pursue political activists, dissidents and human rights activists throughout the region.

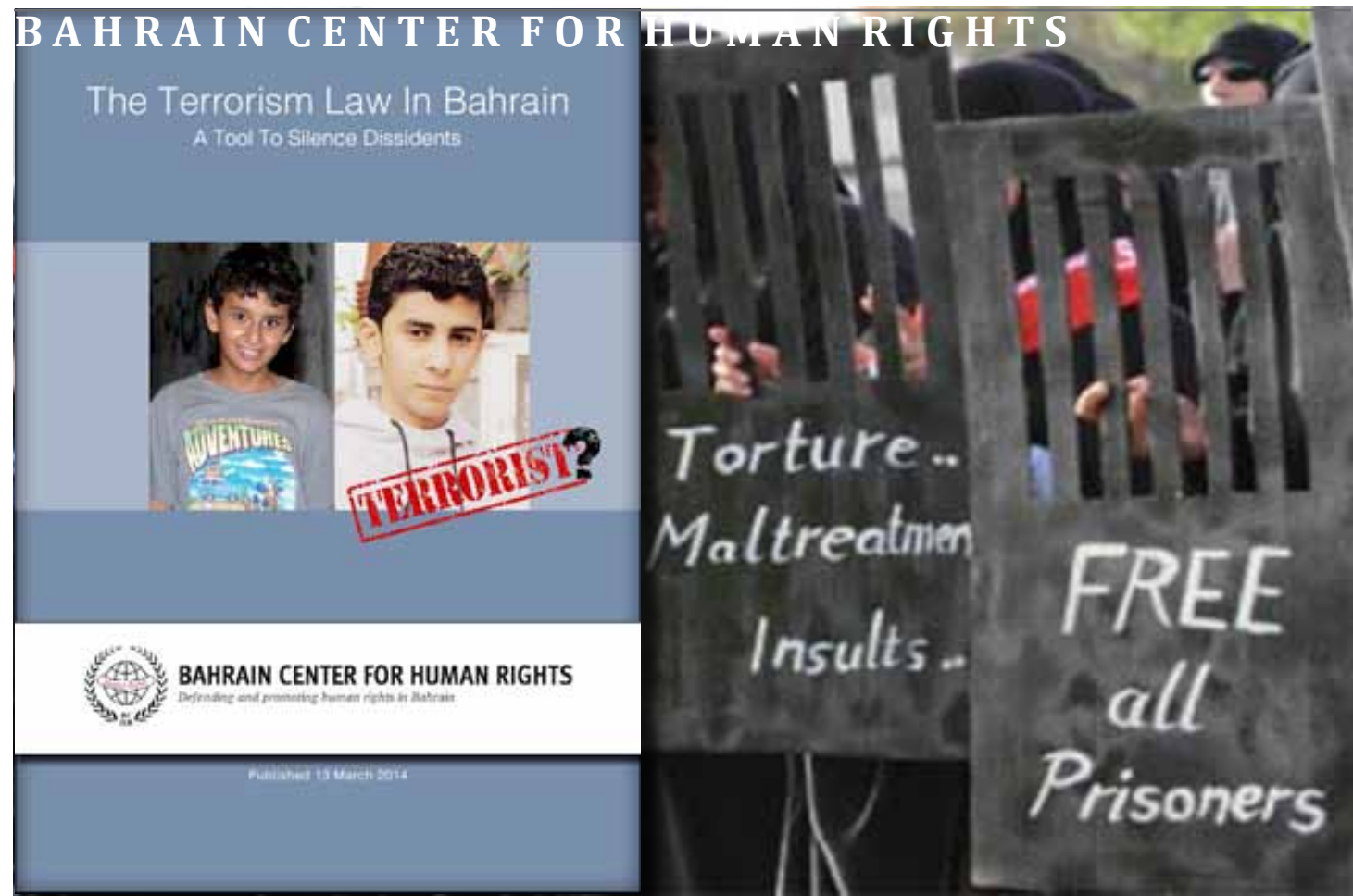
**In effect, we are witnessing the regionalization of totalitarian repression. And yet here in this Council silence on these issues continues to be the norm.**

In several of these countries, notably Saudi Arabia, the mere act of sending information to the United Nations, in whatever form or for whatever purpose, has been criminalized and rights defenders have been systematically prosecuted for any and all interaction with international bodies. And yet this Council on these matters remains silent. The lack of action by this Council on these matters is a stain on the moral conscious of the international community, and mocks the dignity of this institution.

In Bahrain, the authorities have time and time again used “prevention of terrorism” as grounds to target and silence rights defenders and political dissent. In 2013 alone, 328 defendants were tried for alleged terrorism crimes in 38 separate cases. According to a report by the BCHR, the majority of these cases lacked adequate evidence, and convictions were based mainly, or entirely, on the defendants’ confessions obtained under reported torture or secret sources that were never revealed.

In a sample of twenty cases, the sentences handed down for the 231 defendants totaled more than 2500 years in prison. The government in Bahrain, like other governments in the region, is in the process of consolidating a system in which almost any form of dissent is classified as terrorism. It is an approach that will only deepen social division and further entrench repression.





*Click on photograph for weblink.*

**Much has been reported about police brutalities and the use of tear gas that has injured a number of people. Please give us details of when this agitation commenced and how many people were tortured and/or jailed.**

Thirty people have died due to tear gas. Then there is the collective punishment meted out to Shia villages where security forces entered homes, beat people, arrested many. A number of those beaten and/or shot succumbed to their injuries. It is estimated that there are over 3500 people in jail who are presently subjected to the official treatment – torture. This has been going on since 2006.

**Under the present regime what are the rights of the citizens, if any?**

Bahrainis do not possess any rights. They are at the mercy of the Al Khalifa family.

**Your organisation talks of ‘democracy’ but how can this come about with the present regime in power? Please comment.**

Khalifa bin Salman Al Khalifa has been the Prime Minister of Bahrain from 1970, taking office nearly two years before Bahrain's independence on 16 December 1971. He is the longest-serving current prime minister in the world! Therefore, we don't have a democracy, no free and fair elections just a government ruled by one family. We have been fighting to change this system, to remove these dictators.

The situation is grim and many Bahrainis have borne the brunt of the ruthlessness of the state. BCHR continues to pay a high cost for the promotion and support of human rights and the call for the formation of a democratic state. We will continue to fight for our freedom despite the violence perpetrated by the state.

**SAID YOUSIF ALMUHAFDHA**



**Nabeel Rajab**



**Maryam Alkhawaja**

**Have cases been filed against the regime in the International Criminal Court?**

No

**It is claimed that the popular uprising comprises of a Shia led majority against the minority Sunni led regime. Is this true? And if so, how can a democracy function with this religious divide? Please comment**

Yes, Shias are a majority in Bahrain. However, there are many Sunnis who are fighting alongside us for justice and democracy. They too have been arrested and tortured.

There is no religious divide in Bahrain. The fight is about money and power against civil and human rights.

**What is your message to the world?**

We ask you to support the rights of Bahrainis. And to the media we want you to cover our story like other countries in the Arab Spring, which unfortunately is not happening.

For more information : [www.bahrainrights.org](http://www.bahrainrights.org)



# Scarred Communities

Psychosocial Impact of  
Man-made and Natural Disasters  
on Sri Lankan Society

Daya Somasundaram



DAYA SOMASUNDARAM

We thank Daya Somasundaram for contributing this article that gives us an insight into his book, **Scarred Communities** published by **Sage Publications**.



## Daya Somasundaram

Author and Senior Professor of Psychiatry  
at the Faculty of Medicine, University of Jaffna,  
and consultant psychiatrist working in northern Sri Lanka for over two decades.

Scarred Communities is a qualitative, psycho-ecological study of the long term effects of disasters, both manmade[1] and natural, on Sri Lankan communities. The concept of collective trauma is introduced to provide a framework to understand how basic social processes, relationships and networks are changed by the impact of disasters. The methodology employed is a naturalistic, psychosocial ethno-graphy in Northern Sri Lanka during the time the author was actively involved in psychosocial and community mental health programmes among the Tamil community.

Participatory observation, key informant interviews and focus group discussion with community level relief and rehabilitation workers and government and non-governmental officials were used to gather data. Shorter forms of the contents in several of the chapters were published earlier in peer reviewed international journals. The feedback and reviews from the publications were used to modify and expand on the texts, add additional material and new sections to produce the book.

The main theme is the impact of the two disasters, the Asian Tsunami of 2004 and the chronic civil war that devastated Sri Lanka, mainly the north and east of Sri Lanka. It analyses the various causes of modern civil war, ethnic consciousness, terror and counter insurgency operations and the consequences for communities. The last chapter explores the various psychosocial interventions at a community level.

It is a sequel to an earlier book, **Scarred Minds**, published by **SAGE**, New Delhi in 1998 that described the effects of the chronic civil war on individuals. The forward by Ashis Nandy is an insightful perspective on the role of psychiatrist in dealing with political violence in a South Asian context.

[1] The word manmade is purposefully chosen with a male gender bias as wars are typically male projects showing their aggressive, assertive nature while females are more nurturing, tending towards peaceful, negotiated co-existence.



Theoretically, complex situations that follow war and natural disasters have a psycho-social impact on not only the individual but also on the family, community and society. Just as the mental health effects on the individual psyche can result in non-pathological distress as well as a variety of psychiatric disorders; massive and widespread trauma and loss can impact on family and social processes causing changes at the family, community and societal levels that can be called collective trauma.

In the Background section, the phenomena of Ethnic Consciousness is described as the cause of polarization, ethnic tensions, conflict and war. Perceptions based on current socio-political, historical and psychological factors mold of ethnic and national perceptions, consciousness, and events, causing conflict. Terror and Counter Terror are techniques and strategies used in the ethnic conflict by the state and other actors in the struggle for power. Issues of human rights, collective rights, democracy, and terrorism can be understood within a local, regional and international perspectives using counter insurgency discourse.

Theoretically, complex situations that follow war and natural disasters have a psychosocial impact on not only the individual but also on the family, community and society. Just as the mental health effects on the individual psyche can result in non-pathological distress as well as a variety of psychiatric disorders; massive and widespread trauma and loss can impact on family and social processes causing changes at the family, community and societal levels that can be called collective trauma.

The concept of collective trauma is being introduced for the first time in a modern mental health diagnostic classification in the draft of the WHO ICD 11th revision's guidelines [2] for PTSD under cultural considerations:

*“Large-scale traumatic events and disasters affect families and society. In collectivistic or sociocentric cultures, this impact can be profound. Far-reaching changes in family and community relationships, institutions, practices, and social resources can result in consequences such as loss of communality, tearing of the social fabric, cultural bereavement and collective trauma. For example, in indigenous and other communities that have been persecuted over long periods there is preliminary evidence for trans-generational effects of historical trauma.*

*Supra-individual effects can manifest in a variety of forms, including collective distrust; loss of motivation; loss of beliefs, values and norms; learned helplessness; anti-social behaviour; substance abuse; gender-based violence; child abuse; and suicidality. These effects, as well as real or perceived family and social support, can also impact on individual resilience and outcomes”.*

Though both the American DSM and WHO ICD classification systems have traditionally been exclusively individual based, it is argued that a collective approach becomes paramount from a public mental-health perspective where large populations are affected and where resources are limited.[3]Further, community based approaches maybe more effective and meaningful in collectivistic societies. The book describes in detail the theoretical underpinnings of the concept of collective trauma and describes various psychosocial interventions that were used in Northern Sri Lanka to counteract its effects.

A poignant context for the development of collective trauma was what happened in the Vanni. From January to May, 2009, a population of 300,000 in the Vanni, northern Sri Lanka underwent multiple displacements, deaths, injuries, deprivation of water, food, medical care and other basic needs caught between the shelling and bombings of the state forces and the LTTE which forcefully recruited men, women and children to fight on the frontlines and held the rest hostage.

The methodology employed in the book is basically a qualitative, ecological study that uses a naturalistic, psychosocial ethnography in Northern Sri Lanka, while the author was actively involved in psychosocial and community mental health programmes among the Tamil community. Participatory observation, key informant interviews and focus group discussion with community level relief and rehabilitation workers and government and non-governmental officials were used to gather data. The effects on the community of the chronic, man-made disaster, war, in Northern Sri Lanka were compared with the contexts found before the war and after the tsunami.

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The book explores the long term psychosocial and mental health consequences of exposure to massive, existential trauma through qualitative inquiry using narratives and observations obtained through participant observation; in depth interviews; key informant, family and extended family interviews; and focus groups using a prescribed, semi structured open ended questionnaire.

The narratives, drawings, letters and poems as well as data from observations, key informant interviews, extended family and focus group discussions show considerable impact at the family and community. The family and community relationships, networks, processes and structures are destroyed. There develops collective symptoms of despair, passivity, silence, loss of values and ethical mores, amotivation, dependency on external assistance, but also resilience and post-traumatic growth. Considering the severity of family and community level adverse effects and implication for resettlement, rehabilitation, and development programmes; interventions for healing of memories, psychosocial regeneration of the family and community structures and processes are essential.

[2] unpublished document of the WHO ICD-11 Working Group on the Classification of Disorders Specifically Associated with Stress

[3] Though the author is a member of the WHO ICD-11 Working Group on the Classification of Disorders Specifically Associated with Stress, reporting to the WHO International Advisory Group for the Revision of ICD-10 Mental and Behavioural Disorders, the views expressed in this presentation are those of the authors and, except as specifically noted, do not represent the official policies or positions of the International Advisory Group or the World Health Organization.



For the first time in Sri Lanka, people come to know about mass disappearances during the 1977 JVP insurgency which was successfully crushed by the Sri Lankan forces. Thousands of youths were reported missing. Then the same fate started happening to many Tamil speaking youths since early eighties which evidently increased after the 1983 riots and the escalation of armed conflict. Initially those disappeared youths were seen as having connections with the militant organizations.

Another context for collective trauma was the Asian Tsunami of 2004. Although people in Sri Lanka had experienced major disasters throughout history, it was only after the 2004 tsunami that mental health consequences of a disaster became obvious to all and interventions developed. The impact of the disaster was seen at the individual, family, and community levels. Surveys showed that survivors have experienced widespread traumatization, with high levels of somatization, anxiety, depression, Posttraumatic Stress Disorder (PTSD), Phobias, and alcohol abuse. The functioning family had been affected in many ways, with death of multiple members, causing fundamental pathology in family dynamics. Displacement, life in refugee camps, separations, problems of coping faced by surviving male widows, and break up of community life have contributed to disturbances in the family and community.

At the social level, manifestations of collective trauma such as fear of the sea, lack of motivation, guilt, and dependence on outside help, suicidal tendencies are particularly worrying. Psychosocial forms of therapy like counselling, bereavement therapy, family therapy, relaxation, emotive methods like play, art and drama for children and rehabilitation using a multidisciplinary team are more effective for traumatized individuals. The more severely affected, such as those suffering from clinical PTSD or Depression will benefit from pharmacotherapy and Cognitive Behaviour Therapy. At the community level, psychoeducation, training of community level workers in basic mental health, promoting family unity, group therapy, relaxation methods, cultural rituals and traditional healing and rehabilitation were useful.

Collective trauma arises from a context that included repressive ecology. Some of these repressive measures in society are disappearances described by Sivayokan with the man author. A community under long term repression responds with youth rebellion and defiance. In the Tamil community this has manifested as militancy. Enforced disappearances (or involuntary disappearances) has become a well-known phenomenon in Sri Lanka for more than three decades. From time to time, Sri Lanka experienced large scale disappearances, connected to the politico – military situation of the country and confined to different localities of the country.

For the first time in Sri Lanka, people come to know about mass disappearances during the 1977 JVP insurgency which was successfully crushed by the Sri Lankan forces. Thousands of youths were reported missing. Then the same fate started happening to many Tamil speaking youths since early eighties which evidently increased after the 1983 riots and the escalation of armed conflict. Initially those disappeared youths were seen as having connections with the militant organizations. Since then, like in many parts of the world, ‘disappearance’ has become a strategy of counter terrorism and was systematically used to suppress the opposition and to terrorize the society.

At the same time, the Tamil militants have used various psychological methods to entice youth, children and women to join and become suicide bombers. Public displays of war paraphernalia, posters of fallen heroes, speeches and video, particularly in schools and community gatherings, heroic songs and stories, public funeral rites and annual remembrance ceremonies draw out feelings of patriotism and create a martyr cult.

Ironically during late 80’s the militant organizations too were known to adapt this inhumane, cruel phenomenon to deal with their opponents, suspected informants and their own ‘traitors’.

Increasing discrimination, state humiliation and violence against the minority Tamils brought out a militancy among the youth. The underlying socio-political and economical factors in the North and East of Sri Lanka that caused the militancy at the onset are examined. Some of these factors that were the cause of or consequent to the conflict include: extrajudicial killing of one or both parents or relations by the state; separations, destruction of home and belongings during the war; displacement; lack of adequate or nutritious food; ill health; economic difficulties; lack of access to education; not seeing any avenues for future employment and advancement; social and political oppression; and facing harassment, detention and death. At the same time, the Tamil militants have used various psychological methods to entice youth, children and women to join and become suicide bombers. Public displays of war paraphernalia, posters of fallen heroes, speeches and video, particularly in schools and community gatherings, heroic songs and stories, public funeral rites and annual remembrance ceremonies draw out feelings of patriotism and create a martyr cult.

Special contributions to the book by Ruwan Jayatunga describe the mental health impact on the military community in South. Various psychosocial problems including PTSD, Depression, Alcohol abuse and domestic violence can be seen among the military due to war exposure and traumatization. They will need psychosocial rehabilitation to recover and for the community to return to normality. Gameela Samarasinghe describes the challenges in providing psychosocial interventions in a post war context. Ananda Gallapati gives an account of the development of the psychosocial field in Sri Lanka and abroad, the concepts and future directions. Andrew Keef describes Collective Trauma in the Tamil community in London.

When intervening at a collective level, communities can be strengthened through creating awareness, training of community level workers, cultural rituals, social justice and social development. Rachel Tribe, Vijayashankar and Sivajini contribute to the description of the work of Shanthiahram, a local NGO, in providing psychosocial interventions in the north during the war. The widows programme to strengthen war widows by forming a group is one way the rebuild communities. Sivayokan and the author describe the use of drama during the war. Another potent method of intervention was the training of trainers (TOT) who would then train a myriad of local grass root and other workers to look after mental health and psychosocial issues in the community. However, it would be much more effective in the long-term to prevent war by implementing Humanitarian, Geneva and UN conventions and developing professional and social attitudes against war.



The Norwegian Peacebuilding Resource Centre (NOREF) is a resource centre integrating knowledge and experience to strengthen peacebuilding policy and practice. Established in 2008, it collaborates and promotes collaboration with a wide network of researchers, policymakers and practitioners in Norway and abroad. This article has been reprinted by special permission of NOREF. [LINK](#).



## Seth D Kaplan

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# Social covenants and social contracts in transitions

### Executive Summary

Structurally fragile states are plagued by deeply entrenched sociopolitical and institutional problems. They harbour uniquely formidable obstacles to stability, development and democracy. Too often, international efforts to aid transitions in these places fail because they emphasise the importance of the vertical state – society relationship and social contract while completely ignoring the factors shaping the horizontal dynamics within society that determine how the state–society relationship evolves and whether or not such a contract can even be fashioned.

A better approach would address these challenges directly, by developing a “social covenant” that brings together various ethnic, religious, clan and ideological groups to create a more inclusive and sustainable political process and social contract. As South Africa’s transition shows, a society that has reached agreement on its fundamental principles and values (e.g. who is a citizen and what makes for a legitimate government) through a social covenant is much better equipped to forge a sustainable social contract than one divided by stark fault lines, especially when institutions are weak and unable to enforce rules and commitments.

Although domestic actors have the predominant role in any transition, the international community can play a pivotal role in supporting the negotiation process and shaping the transition framework and in both monitoring commitments and ensuring that they are kept.

All transitions are not created equal. Some soar while others sink. What divides the ones that work from the ones that fail? Perhaps surprisingly, it has less to do with formal institutions and politics than with the dynamics inside societies that drive what occurs on the overt political level. To grasp this is the beginning of wisdom about transitions and how to help them fly rather than flop.

The headline-making difficulties of the “Arab Spring” countries as they strive to transition to a more inclusive and democratic style of government repeat a familiar pattern. A large number of states – including Afghanistan, Nepal, Sri Lanka, the Democratic Republic of the Congo, Nigeria, Egypt, Iraq and Libya – have entered transitions with high hopes and then struggled. More often than not, the international community has found that its frameworks and tools have been inadequate even to explain, let alone solve, the problems that hold these countries back.

Perhaps as many as 100 countries have transitioned to new political orders over the last few decades. Some of these have been among the world’s 60 or so structurally fragile states, [1] which are plagued by deeply entrenched sociopolitical and institutional problems. These fragile states are unlike other states. They function according to a different set of sociopolitical dynamics from more cohesive and institutionalised countries, and harbour uniquely formidable obstacles to stability, development and democracy. They are far more likely than other countries to have difficulties when changing political regimes.

Because of these problems, those who seek to aid transitions must let the differences among citizens of fragile states take centre stage. Too often, international efforts are beset by tunnel vision. They focus tightly on a narrow view of governance, ignoring the critical factors that truly determine success in these places. A 2012 OECD (Office for Economic Co-operation and Development) report on fragile states (Letouzé and Catheu), for instance, emphasised the importance of the vertical state–society relationship 15 times and the social contract 13 times through its 108 pages, but completely ignored the factors shaping the horizontal dynamics within society that determine how the state–society relationship evolves and whether such a contract can even be fashioned.

As transitions in Tunisia and Egypt hang in the balance or flounder, states from Libya to Burma enter crucial periods, and places such as Afghanistan and Iraq continue to struggle, there is a critical need for a broader framework that better targets the problems fragile states face during transitions. This report will examine how fragile states differ from other countries before proposing a new approach to address their challenges.



Fragile states fall short in both areas. Their populations have little capacity to cooperate in pursuit of public goods. Put differently, they suffer from political-identity fragmentation due to ethnic, religious, clan or ideological divisions within society. When combined with weak (or dysfunctional) institutions, political-identity fragmentation works in a vicious circle that severely undermines the legitimacy of the state, leading to political orders that are highly unstable and hard to reform.

### Why fragile states differ

Can a state navigate transitions and other challenges? It can if its people can cooperate with one another and if its institutions (formal and informal) can channel this cooperation to meet needs. These two factors shape how a government interacts with its citizens; how officials, politicians, military officers and businesspeople behave; how well different groups within society cooperate; and how effective foreign efforts to upgrade governance will be. In short, they determine to what degree a society is able to nurture a locally driven, productive system of governance – a prerequisite for any attempt to develop or democratise. Together with the set of policies adopted by the government, they determine a country's capacity to advance.

Fragile states fall short in both areas. Their populations have little capacity to cooperate in pursuit of public goods. Put differently, they suffer from political-identity fragmentation due to ethnic, religious, clan or ideological divisions within society. When combined with weak (or dysfunctional) institutions, political-identity fragmentation works in a vicious circle that severely undermines the legitimacy of the state, leading to political orders that are highly unstable and hard to reform. A strong national identity is crucial to the creation of state legitimacy, because a legitimate political order is usually built around a cohesive group and uses institutions which reflect that group's historical evolution.

A cohesive national identity depends on many factors. History can matter more than ethnic or religious diversity, as India's and Indonesia's cohesion attest. In both of these cases, enough of a common history and culture, a long enough period of colonialism, a strong enough set of common institutions, and good leadership at critical points accustomed their peoples to an overarching national identity. Nation-states, usually created through a long process over hundreds of years involving brutal wars, savage power politics, ethnic cleansing, forced assimilation and considerable greed and egotism as well as the building of highways and schools), have the strongest social cohesion.

Countries with strong social cohesion are based on what Benedict Anderson (1983) would call an "imagined community" able to differentiate between compatriots and outsiders. [2] The affinitive power of a common national identity and group allegiance channels itself into country development, yielding states that are more stable, better governed, more development oriented and better able to deal with crises, because common challenges trigger cooperation.

When South Korea faced a financial meltdown in the aftermath of the 1997 Asian financial crisis, its citizens largely eschewed bickering, seeking to make personal sacrifices to the nation. Individuals

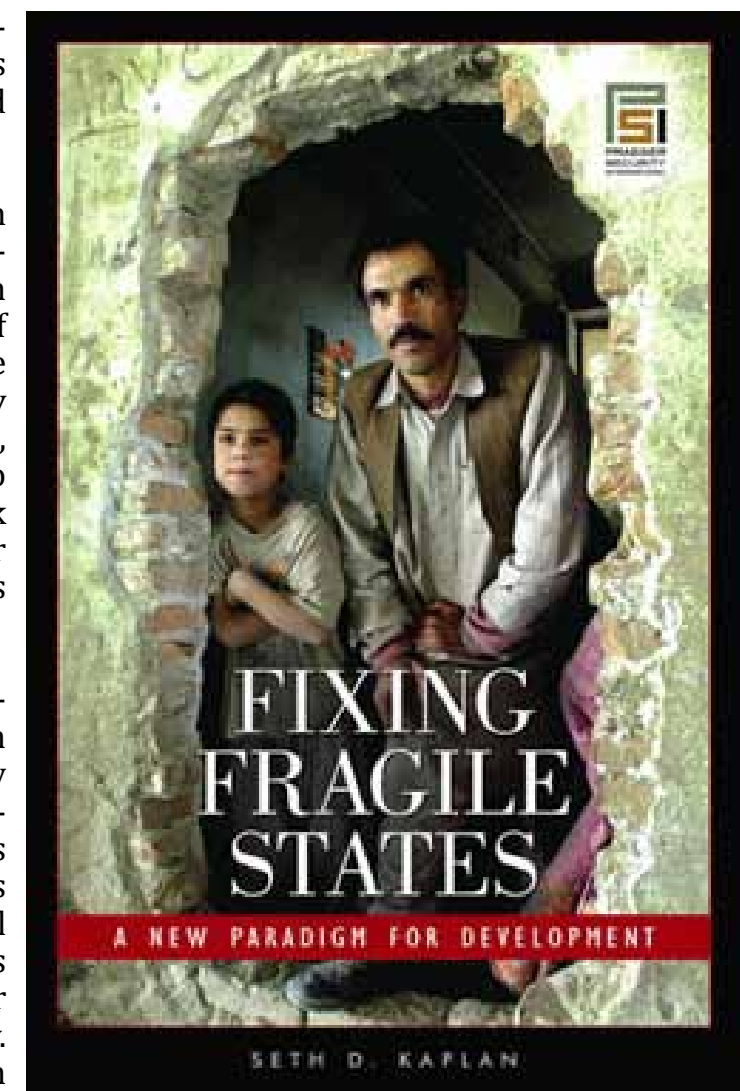
Where social cohesion is lacking, political fragmentation and weak governing bodies feed upon each other in a vicious cycle. This brings about low levels of social cohesion, trust, sense of citizenship and state legitimacy, while creating incentives (and informal institutions) that encourage leaders and officials to act in ways that undermine formal institutions and state-society relations. This leads to greater conflict, poorer governance, poorer development outcomes and greater instability.

queued for hours to donate their valuables – including gold, wedding rings, jewellery and medals – in a gesture of support for their beleaguered economy (BBC News, 1998).

It is difficult to imagine the citizens of Lebanon – or any other country sporting stark political-identity fractures – responding similarly. Although the Lebanese national anthem proclaims "all of us for the nation", a 2009 New York Times article quoted a Beirut sign undressing this empty platitude: "All of us for which nation?" (Worth, 2009). Countries must continuously attend to the ties that bind their people together or risk seeing cleavages form as a result of events or processes that weaken their unifying identities and national social cohesion.

Where social cohesion is lacking, political fragmentation and weak governing bodies feed upon each other in a vicious cycle. This brings about low levels of social cohesion, trust, sense of citizenship and state legitimacy, while creating incentives (and informal institutions) that encourage leaders and officials to act in ways that undermine formal institutions and state-society relations. This leads to greater conflict, poorer governance, poorer development outcomes and greater instability. Divisions of this nature also make it hard to form apolitical state bodies capable of distributing public services and applying the law evenly.

As William Easterly has written, diversity only dampens economic growth in the absence of effective institutions (2000: 12).



*Fixing Fragile States: A New Paradigm for Development* (Praeger Security International) - Seth D Kaplan [LINK](#)



Somaliland has become one of the world's most surprising success stories since declaring independence from Somalia in 1991. It has thrived because it is mainly based on one clan that has its own traditional system of institutions which everyone follows, and the system works to produce outcomes beneficial to the society and country. This combination has enabled it to offer a secure environment for businesses – encouraging trade and investment – and to resolve internal disputes (over such things as power and money) in the absence of strong formal state institutions.

## Fragile states in transition

Transitions test states more than any other type of challenge. Changes of political regime create power vacuums and unleash powerful collective emotions. Competing political identities surge in importance just as the formal structures of government are least able to manage them.

These pressures throw into stark relief the differences between fragile and resilient states. Resilient states are able to fall back on strong social bonds, trust and informal institutions that promote co-operation despite differences of opinion; fragile states, by definition, lack such resources.

As a result, the forces unleashed by a transition bring together a society in a resilient state while pushing apart a society in a fragile state. Resilient states can work even when their governments fall. Leaders come together to settle disputes in ways that build trust, strengthen ties and lead to the establishment of a new and widely accepted political order. In fragile states, the reverse is often true. During transitions, leaders compete in ways that undermine trust, weaken bonds and yield an unstable political order with low legitimacy. The power vacuum in a resilient state is quickly filled. In fragile ones, crisis acts as a centrifuge, splitting society into its component parts.

Contrast Somalia's and Somaliland's experiences since the collapse of the Siad Barre regime in 1991. Somaliland has become one of the world's most surprising success stories since declaring independence from Somalia in 1991. It has thrived because it is mainly based on one clan that has its own traditional system of institutions which everyone follows, and the system works to produce outcomes beneficial to the society and country. This combination has enabled it to offer a secure environment for businesses – encouraging trade and investment – and to resolve internal disputes (over such things as power and money) in the absence of strong formal state institutions.

Somalia, by contrast, has been an abysmal failure as a state because the country's clans constantly compete for resources, frustrating every attempt to establish a national government. It has very limited cohesion – despite a common language and ethnicity – and no institutions robust enough to funnel activity towards productive outcomes. International assistance has not helped; despite at least 15 peace initiatives and more than \$8 billion of aid spent on efforts to create a strong state since 1991, the country still lacks anything remotely like a robust central government (Gettleman, 2008). (Somaliland has done well despite, or perhaps because of, a dearth of assistance from the international community. It is ineligible for many types of aid because it remains unrecognised as an independent state.)

Social covenants have long played a crucial role in nation building. For instance, they played an important role in the development of England, Scotland, the Netherlands and Switzerland in the sixteenth and seventeenth centuries, helping to establish some of the world's first nation-states. These peoples, as Daniel Elazar has written, “not only conceived of civil society in covenantal terms, but actually wrote national covenants to which loyal members of the body politic subscribed” (Elazar, 1995).

## Social covenants

As these examples indicate, in fragile states, horizontal society–society dynamics are closely linked to vertical state–society relationships, and often have an important impact on how these relationships evolve. Thus, they have an immense impact on whether a social contract can be fashioned and what its nature will be if it eventually is. In such places, developing a “social covenant” that brings together various ethnic, religious, clan and ideological groups is essential to creating a more inclusive and sustainable political process and social contract.<sup>[3]</sup>

In social covenants, the major groups within a society come together and agree on a new framework and vision for cooperation. <sup>[4]</sup> They can play an important role in binding society together in ways that encourage cooperation, strengthen governance and promote state building. Forged from negotiations between different groups (and thus more akin to a society–society compact than a state–society compact), social covenants build a common identity, common values, a common narrative that defines the origins and make-up of political society, and a common sense of purpose for the state that people live in. In essence, they are less about state building than society building (which yields a unified political community), fashioned with the understanding that a cohesive society is a prerequisite for a successful state.

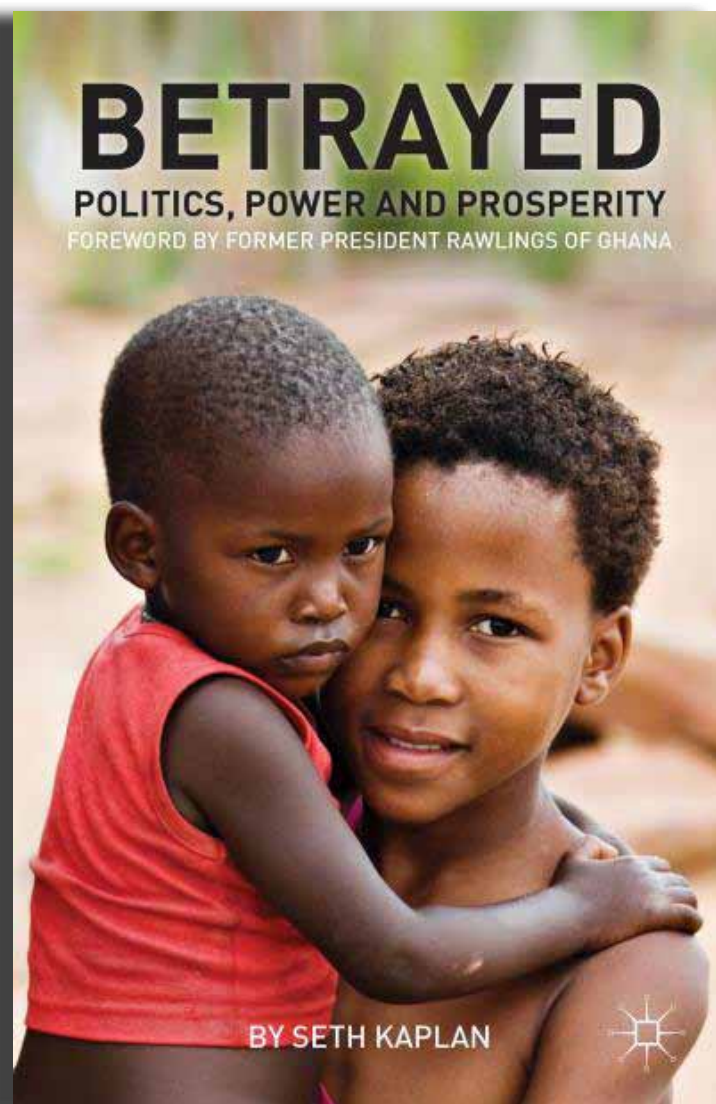
Although both social covenants and social contracts are important, they serve different purposes. As Jonathan Sacks explains (2007: 110): *Social contract creates a state; social covenant creates a society. Social contract is about power and how it is to be handled within a political framework. Social covenant is about how people live together despite their differences. Social contract is about government. Social covenant is about coexistence. Social contract is about laws and their enforcement. Social covenant is about the values we share. Social contract is about the use of potentially coercive force. Social covenant is about moral commitments, the values we share and the ideals that inspire us to work together for the sake of the common good.*

Social covenants have long played a crucial role in nation building. For instance, they played an important role in the development of England, Scotland, the Netherlands and Switzerland in the sixteenth and seventeenth centuries, helping to establish some of the world's first nation-states. These peoples, as Daniel Elazar has written, “not only conceived of civil society in covenantal terms, but actually wrote national covenants to which loyal members of the body politic subscribed” (Elazar, 1995). When the Scots sought to resist Charles I's interference in the Church of Scotland in the 1630s and 1640s, large numbers of Scottish noblemen, gentry, clergy and burgesses signed the Scottish National Covenant to assert their independence (the “Covenanter movement”).



A legitimate political order ... has to be [based on] some consensus about national identity, some agreement about the boundaries of the political community, and some collective understanding of national priorities. If the population within given political boundaries is so deeply divided within itself on ethnic or class [or, for that matter, religious or clan] lines, or if the demands of a larger supranational community are compelling to some [significant] portion of it, then it is extremely difficult to develop a legitimate order.

A covenantal society that has reached agreement on its fundamental principles and values (e.g. who is a citizen and what makes for a legitimate government) is much better equipped to forge a sustainable social contract than one divided by stark fault lines, especially when institutions are weak and unable to enforce rules and commitments. This is particularly so when covenants can strengthen and enforce commitments by building upon widely accepted traditions and beliefs, such as was the case for Protestant groups who used the concept in Europe and North America in the sixteenth to the eighteenth century.



*Betrayed: Politics, Power, and Prosperity. Foreword by former President Rawlings of Ghana. [LINK](#)*

### Social covenants contd...

In the United States, social covenants played a prominent role in the establishment of early communities (such as the Puritans), individual colonies (especially in the north) and eventually the whole country. The Declaration of Independence, the U.S.'s founding document, is, in essence, a covenant developing a new relationship between a set of people sharing common values (the constitution, which followed 11 years later, is the social contract). Social covenants are crucial to building legitimate political orders in fragile states because such countries are generally colonial fabrications imposed on local populations and viewed as artificial impositions. Thus, they lack a common national identity and have populations with stark differences in loyalties, values and priorities. As Michael Hudson explains in his classic study of the "legitimacy shortage" in Arab politics (1977: 389–90): *a legitimate political order ... has to be [based on] some consensus about national identity, some agreement about the boundaries of the political community, and some collective understanding of national priorities. If the population within given political boundaries is so deeply divided within itself on ethnic or class [or, for that matter, religious or clan] lines, or if the demands of a larger supranational community are compelling to some [significant] portion of it, then it is extremely difficult to develop a legitimate order.*

In the 60 or so fragile states that face this dilemma, the establishment of a widely accepted and widely obeyed social contract is very hard to achieve if the most important groups within society do

not come together to reach a consensus on how they will cooperate and what common vision will shape the nature of the state they share. Thinking in terms of covenants does not take for granted that an actual agreement is reached, any more than thinking in terms of a social contract does. However, in societies riven by divisions and lacking any organization – such as the state – that can be relied upon to play umpire among competing groups, some form of agreement – even if implicit – among major identity and ideological groups is crucial to ending conflict and dividing up power in a way that ensures a degree of common understanding of what the national identity is and how the state ought to work. Without a working agreement or its informal equivalent, the chase after power and resources is likely to be viewed as a zero-sum game between competitors, not compatriots – with predictably dire effects.

### Combining social covenants and social contracts

Social covenants and social contracts complement and reinforce each other. Building a nation goes hand in hand with building a state. A commitment to developing an inclusive, unified polity goes hand in hand with developing a robust rule of law and an equitable framework for determining how power will be distributed. Building social cohesion and a common identity go hand in hand with developing accountable, democratic government.

A covenantal society that has reached agreement on its fundamental principles and values (e.g. who is a citizen and what makes for a legitimate government) is much better equipped to forge a sustainable social contract than one divided by stark fault lines, especially when institutions are weak and unable to enforce rules and commitments. This is particularly so when covenants can strengthen and enforce commitments by building upon widely accepted traditions and beliefs, such as was the case for Protestant groups who used the concept in Europe and North America in the sixteenth to the eighteenth century. Given this, working with a set of principles and values that are widely shared across social divisions – and can be based on, for example, religion or a common cultural outlook – is essential if stark fault lines are to be overcome. Social covenants and contracts combined offer a broader and more comprehensive approach than focusing on either elite bargains or the quest for inclusive enough politics and processes. Covenants accomplish more than an elite bargain, binding both leaders and groups together under a stronger, more public agreement, and taking into account minority rights, historical grievances and differing perceptions about the role of religion in public life. If necessary, an elite bargain can be subsumed within a covenant. Social covenants and contracts together address a much broader set of issues than a focus on process and politics alone, as they help to build a unified political society, creating greater trust between groups, greater legitimacy for the resulting processes and greater state capacity (due to greater support for state actions) as a result.



With Nelson Mandela, leader of the ANC, playing a crucial role before, during and after the process, the country achieved remarkable reconciliation between groups that had been in conflict for decades, and established a new national identity that brought people together in a way previously not thought possible. This identity, based on a highly tolerant, highly inclusive vision of South Africa as a multicultural “rainbow nation”, has been ritually celebrated at sports events (such as the 1995 Rugby World Cup), arts and cultural events (such as the 1997 South African Music Awards) and other fora across the country (Baines, 1998).

### Combining social covenants and social contracts *contd...*

These, in turn, contribute to efforts aimed at improving the quality of governance. The two agreements also provide a mechanism to directly address the sectarian fault lines, horizontal inequities (economical, political and cultural inequities between identity groups) and discrimination in public services delivery that plague fragile states in a way that elite bargains and processes, and politics generally, cannot.

### The South African success story: how did they do it?

Perhaps the best recent example of how the approach that we might call “a covenant plus a contract” can work in practice is the experience of South Africa. Despite being riven by decades of conflict and the long, sad history of apartheid, the country managed one of the most successful transitions in recent times, providing a template for how difficult transitions can be carried out in other deeply splintered societies.

The 1991–1992 Convention for a Democratic South Africa (CODESA) brought together most of the major actors in an attempt to broker an agreement. Although this failed, it nurtured the relationships and set the stage for the 1992 Record of Understanding between the most important representatives of whites (the National Party or NP) and blacks (the African National Congress or ANC). This dealt with a constitutional assembly, an interim government, political prisoners, dangerous weapons and mass action, and restarted the negotiation process after the failure of CODESA. These two leading parties – the NP and the ANC – then worked together to reach bilateral consensus on the issues before taking them to the other parties, which by this time (April 1993) were all engaged in the political negotiations (white right-wing parties and some leading black parties had stayed out of CODESA). Finally, with international assistance (led by the former U.S. Secretary of State Henry Kissinger and the British former Foreign Secretary Lord Carrington) to overcome some brinkmanship towards the end (led by the mainly Zulu Inkatha Freedom Party), an agreement amongst the major societal groups was completed.

This final agreement – the social covenant – forced everyone to make concessions. The ANC got what it wanted – the transfer of power – in return for various protections for groups who feared what was sure to be a long period of one-party dominance after the transfer. The NP was promised a role in government for five years as part of the ruling coalition after the first post-transition election, held in 1994. The nature of the capitalist economy and the role of private property in it were maintained, ensuring that white assets would not be seized, as was widely feared. Decentralisation gave Inkatha, whites

In contrast, Egypt has done remarkably little to develop a unified political society, build trust between its major factions or create a consensus about what the country’s identity and fundamental guiding principles ought to be, despite starting with a relatively cohesive and institutionalized state. Its post-transition governments have all acted exclusively, seeking to steamroll opponents rather than co-opt them. The result is much more conflict than necessary, and a process that is deemed illegitimate by many, even though a majority of the population voted for the country’s first elected president and now supports the military regime that toppled him. The rest of the region – including Libya, Yemen, Bahrain and Iraq – all suffer from similar problems to those of Egypt.

and other groups greater access to power at the provincial level. The Zulu monarchy was given special status. The Truth and Reconciliation Commission was established to deal with politically motivated crimes committed during the apartheid era in a way that would promote reconciliation and limit prosecutions. The constitution – the formal social contract that would guide the relationship between state and society – was drawn up by the parliament elected in 1994 in the first non-racial elections (but had to include a collection of “constitutional principles” that were agreed upon during the pre-transition negotiations), and was promulgated in 1996.

With Nelson Mandela, leader of the ANC, playing a crucial role before, during and after the process, [5] the country achieved remarkable reconciliation between groups that had been in conflict for decades, and established a new national identity that brought people together in a way previously not thought possible. This identity, based on a highly tolerant, highly inclusive vision of South Africa as a multicultural “rainbow nation”, has been ritually celebrated at sports events (such as the 1995 Rugby World Cup), arts and cultural events (such as the 1997 South African Music Awards) and other fora across the country (Baines, 1998).

In Tunisia, something akin to a social covenant was constructed years before the Arab Spring. The four major opposition political parties came together in 2003 to reach a consensus on the fundamental principles of how the country would be governed if they came to power. In the “Call from Tunis”, they agreed on such things as the role of elections, religion, Muslim-Arab values and women in society. Starting in 2005, these and smaller parties met to reaffirm their commitment to these principles while working to reach a consensus on the details of how they would be implemented. These agreements – as well as the relationships built while forging them – have allowed Islamic and secular leaders to overcome their mutual fears and distrust, and laid the groundwork for the relatively successful (if still highly imperfect and incomplete) transition that the country has experienced since 2011.

Although negotiations over the constitution – the social contract – remain fraught, eventual agreement is still likely because the social covenant seems solid (Stepan, 2012). In contrast, Egypt has done remarkably little to develop a unified political society, build trust between its major factions or create a consensus about what the country’s identity and fundamental guiding principles ought to be, despite starting with a relatively cohesive and institutionalized state. Its post-transition governments have all acted exclusively, seeking to steamroll opponents rather than co-opt them. The result is much more conflict than necessary, and a process that is deemed illegitimate by many, even though a majority of the population voted for the country’s first elected president and now supports the military regime that toppled him. The rest of the region – including Libya, Yemen, Bahrain and Iraq – all suffer from similar problems to those of Egypt.



More often than not, forging social covenants and contracts will require long discussions that gradually build up trust, bring in an ever greater number of parties, find creative solutions and compromises, and design new ways of governing and changing power. Outside mediators can play a crucial role. Foreign aid can play a crucial role in overcoming short-term financial shortfalls, encouraging “buy-in” even on the part of would-be spoilers and helping an economy to reform.

### The South African success story: how did they do it? *contd...*

One of the biggest challenges involved in forging social covenants and contracts is determining whom to include and whom to exclude from the process. The “winners” from any transition are generally reluctant to work with members (or partners) of the former regime, minority groups that played no prominent role in the changeover, former extremists who want to join the process and so on. Nonetheless, they should overcome their reluctance. In places such as Iraq and Libya, the shunning of members of the previous regime has weakened the capacity of the state; the shunning of members of the former dominant ethnic or tribal group has hardened social divisions and produced violence.

The more inclusive the new regime is, the more likely it is to be stable, sustainable and successful. Some spoilers, however, will act in ways that make them too hard or too dangerous to work with, and will need to be excluded or confronted, sometimes with a show of force. Violent radicals, exclusionary democrats, secessionists and members of the former regime who refuse to accept the disposition of the new one will have to be contained or mollified; otherwise, the transition may suffer severe consequences. In Tunisia, a reluctance to take proper security measures against a radical Islamist movement came back to haunt the first government elected after the transition, when members of that movement attacked police officers, soldiers and the U.S. embassy in Tunis, and assassinated two opposition politicians. Unfortunately, it may be difficult at times to discern which groups and individuals should be brought in and which groups should be excluded from the process.

### The international role

Although domestic actors have the predominant role in any transition, the international community can make a substantial contribution in a few areas. However, first it needs to create transition strategies that work in fragile states. This requires a much stronger focus on the society–society relationships that have so much influence on how countries evolve and their prospects for developing successful social contracts. The social covenant can play a crucial role here, and should be integrated into efforts to help countries whose divisions mean that they lack a cohesive political society. Intervention in its various forms can be pivotal in supporting the negotiation process and shaping the transition framework. More often than not, forging social covenants and contracts will require long discussions that gradually build up trust, bring in an ever greater number of parties, find creative solutions and compromises, and design new ways of governing and changing power. Outside mediators can play a crucial role. Foreign aid can play a crucial role in overcoming short-term financial shortfalls, encouraging “buy-in” even on the part of would-be spoilers and helping an economy to reform.

Transitions are a difficult challenge for any country. In fragile states, they can easily degenerate into conflict, authoritarianism or permanent instability, with dire consequences for economies and livelihoods. Forging a social covenant early in the process, joining together major social groups, is crucial to ensuring that an inclusive and legitimate political process will take root and become widely accepted. Even if not developed into full written agreements, these can play a decisive role in transforming the social relationships that must underpin any attempt at state building.

Technical assistance can help reform institutions. Providing a wide range of information about the experiences and methods of other countries and how they dealt with similar challenges can be of particular help as local actors seek solutions that fit their own contexts. After agreements have been reached, international actors can also prove pivotal in both monitoring commitments and ensuring that they are kept. When trust between parties is low and local institutions are weak or missing, there is nothing like having an honest referee. In this capacity, international actors can enforce standards and agreements by both rewarding good performance and threatening sanctions on specific players for a lack of performance, ask the World Bank or International Monetary Fund to monitor economic reforms and even deploy troops as a security guarantee. International actors can also play a direct role in helping to ensure that funds are spent reasonably well (as they do in Liberia) or that the rule of law gains traction (as they do to some extent in Guatemala).<sup>[6]</sup>

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[1] I use the term “structurally fragile” to refer to a set of countries whose political geography systemically disadvantages them (see below for more detail). This grouping has much overlap with what are known as “fragile and conflict-affected states”, but is not the same; not all conflicts are caused by structural fragility and not all stable states are structurally stable.

[2] I refer here to horizontal, not vertical, social cohesion. The former, which I consider more important, looks at how strong the “social glue” is that ties people. The latter, which is often emphasised in the development field, looks at levels of inequity. For more information, see <<http://www.fragilestates.org/2012/03/12/horizontal-versus-vertical-social-cohesion-why-the-differences-matter/>>. The phrase “imagined communities” is typically used to identify nation-states, which make up the great majority of highly cohesive countries.

[3] Daniel Elazar pioneered contemporary work on the use of social covenants in political thought. See <<http://www.jcpa.org/dje/index-cov.htm>>.

[4] The idea of social covenants comes from Jewish and Christian theology. The Bible often uses the concept, and it was once the regular subject of theological treatises, even though it involves politics more than religion; see Elazar (1995).

[5] People such as F. W. de Klerk, Cyril Ramaphosa, Roelf Meyer and Joe Slovo also played crucial roles during the negotiations.

[6] This section borrows from World Bank (2012: 188–191).





This poem, Adieu, is self explanatory, I feel. It can, often, be a sad experience for a person who has lived negatively to realise that their time is over and that their services are no longer needed. This is a time when we have the opportunity to move on and recreate ourselves. Unfortunately not everyone succeeds.

### Adieu

After years of hard tackling,  
goal -getting, miss- kicking,

and having learned everything  
about life, the player took

a length of cord and went  
down to the dark corner

behind the garden shed  
to hang up his boots.



"The USA not only ordered the massacre, but commanded it directly. My research at the National Archives in College Park, Maryland, led me to dozens of photos of the massacre and mass graves and documents proving U.S. complicity. Additional historical documents came from the April 3rd Memorial on Jeju. The Curator of the memorial sent me 8 DVDs with photos, old footage, and documents proving America's complicity in this horrible massacre. My film is not an opinion-based dramatization of these events. It is the untold history of the United States in Korea, based on previously secret and classified documents."



## Regis Tremblay

Producer of the award winning documentary  
**The Ghosts of Jeju**

in an interview with Mark Ulyseas

"A shocking documentary about the struggle of the people of Jeju island, South Korea..."

Set in the context of the American presence in Korea after World War II, the film reveals horrible atrocities at the hands of the U.S. military Government of Korea.

Using previously secret and classified photos, film and documents, this will be the first English language documentary about the struggle of the brave people of Gangjeong Village who are opposing the military advance of the United States, just as their parents and relatives did in 1947. As then, they are being arrested, jailed, fined, and hospitalized for resisting the construction of a massive naval base that will accommodate America's 'pivot to Asia', and will destroy their 400 year old village and their UNESCO protected environment.

And yet, the indomitable spirit of the Villagers and their supporters, who have not lost hope in spite of overwhelming odds, will inspire and motivate everyone who believes there is a better way to live together on this planet." - Tremblay

# The Ghosts of Jeju

Exposé Award, Peace On Earth Film Festival 2014



In order to put down the massive rebellion on Jeju, the U.S. military organized, trained, equipped, provided intelligence, and commanded the Korean Constabulary to put down the rebellion. As many as 60,000 innocent men, women, and children – peasants – were massacred because; the U.S. claimed “they were communists.” April 3, 1948 (4.3) is the date that memorializes the peasant uprising and this horrendous massacre.

### What is the historical background to the Ghosts of Jeju? Why did you produce this documentary and what do you hope to achieve with it?

I first learned about Jeju Island in South Korea early in 2012 from my good friend and neighbor, Bruce Gagnon. Bruce had been to Jeju three times to protest against the construction of a naval base in a tiny, 400 year old seaside village that would accommodate the U.S. pivot to Asia. In early August of 2012, Bruce said, “I need to find someone to go to Jeju to support the anti-base protesters.” I immediately replied, “I’ll go and document it.” Less than a month later I was on a plane for South Korea. Financial support came from my local Chapter of the [Veterans for Peace](#), and contributions from family and friends. Without their help, the film would never have been made. I have been a crew of one, researching, writing, filming, editing and promoting this story. From the outset, I intended to document another anti-war, anti-American protest. As a peace activist and member of the Veterans for Peace, I thought a short film about the U.S. military advances in East Asia might open some eyes in America.

After nearly one month in Gangjeong Village, where the base is being constructed against the will of 98 percent of the villagers, it became clear to me that what was happening in Gangjeong Village was not only a violation of human rights, but the desecration of a delicate ecosystem and several UNESCO World Heritage sites. It is impossible not to identify with these villagers who are mostly farmers and fishermen, who will lose their homes and their livelihood. I was outraged to watch several hundred Korean National Police remove a dozen nonviolent, peaceful protesters blocking the gates to the base to prevent a convoy of cement trucks from entering. This took place eight to ten times every day.

In spite of such overwhelming odds and the full force of the government of Korea and the courts, the indomitable spirit and resilience of these villagers and their supporters is inspiring. Their struggle has gone on now 365 days a year for seven years. At this point in time, I thought I had a pretty good story. While I was there, I kept hearing stories about ghosts, the ghosts of their ancestors. They kept telling me I would not understand their struggle until I visited the April 3rd Memorial on the other side of the island in Jeju City. Only on my way back to the mainland, after spending close to a month in Gangjeong, did I get to visit the memorial. What I learned there, made me cry. I was overcome with anger and shame at what my government had done on Jeju between 1945 and 1951. My undergraduate degree was in U.S. History, and like everyone else in America, knew nothing about what took place in Korea after WWII and during the Korean Conflict. Because the fiercely independent people of Jeju were resisting the occupation of the U.S. military and military government (after 35 years of a brutal Japanese occupation), and the arbitrary division of their country at the 38th parallel, they

I realized then that the elders of Gangjeong Village were children at the time and survivors of that horrible massacre, and suddenly realized what they had been telling me about their struggle to oppose the building of this base that everyone knew was to port 20 American warships including Aegis destroyers equipped with missile defense systems, nuclear submarines, and aircraft carriers.

rose up. In order to put down the massive rebellion on Jeju, the U.S. military organized, trained, equipped, provided intelligence, and commanded the Korean Constabulary to put down the rebellion. As many as 60,000 innocent men, women, and children – peasants – were massacred because; the U.S. claimed “they were communists.” April 3, 1948 (4.3) is the date that memorializes the peasant uprising and this horrendous massacre.

I realized then that the elders of Gangjeong Village were children at the time and survivors of that horrible massacre, and suddenly realized what they had been telling me about their struggle to oppose the building of this base that everyone knew was to port 20 American warships including Aegis destroyers equipped with missile defense systems, nuclear submarines, and aircraft carriers.

I also learned that the U.S. military had stationed tens of thousands of troops on more than 40 bases all over South Korea in the years since 1953, and that even today there are more than 40,000 U.S. troops continuing the occupation.

In 2012, President Obama gave the Korean military “permission” to increase the distance of their missiles to reach all of North Korea, and permission to use drones. Proof enough that the Republic of Korea, created by and in the image of the United States, is nothing more than a puppet government doing the bidding of America in her attempts to project power against China and to surround that country with nuclear missiles and 60% of her naval might.



*Charred bodies, Jeju Island, Archives. Photo courtesy Regis Tremblay.*



## THE GHOSTS OF JEJU



Dead bodies, American soldier looking on, Jeju Island, Archives. Photo courtesy Regis Tremblay.



Father Mun protesting at the construction site of the US naval base. Photo courtesy Regis Tremblay.

### What is the historical background to the Ghosts of Jeju? *contd...*

It then became clear to me that I had stumbled upon a much larger and more important story than I could have imagined. So, the **1948 massacre** and the protest today in Gangjeong Village against American aggression in E. Asia was placed in the context of America's long-range goal of full-spectrum dominance - on land, on the seas, in the air, and in space - of not only China and Russia, but any other nation that dared oppose the imperial march of the United States. It is particularly relevant in view of recent American interventions in the Middle East, Afghanistan, Pakistan, South and Central America, and now in the Ukraine, on Russia's very borders.

### Could the USA have prevented the slaughter of men, women and children? Please comment.

The USA not only ordered the massacre, but commanded it directly. My research at the **National Archives in College Park, Maryland**, led me to dozens of photos of the massacre and mass graves and documents proving U.S. complicity. Additional historical documents came from the April 3rd Memorial on Jeju. The Curator of the memorial sent me 8 DVDs with photos, old footage, and documents proving America's complicity in this horrible massacre. My film is not an opinion-based dramatization of these events. It is the untold history of the United States in Korea, based on previously secret and classified documents.

## REGIS TREMBLAY



Graffiti on boundary fence of proposed naval base. Photo courtesy Regis Tremblay

### Were the perpetrators brought to justice? Has the massacre been reported to the International Criminal Court?

Absolutely not.

The South Korean government earmarked Jeju Island as 'The Island of World Peace' on January 27, 2005. The purpose of the designation was to establish stability and peace on the Korean peninsula, and ultimately contribute to world peace.

Repeated attempts to gain an apology from the U.S. and compensation for survivors has been routinely ignored, just as have the peoples of Thule, Greenland, Diego Garcia, the Marshall Islands, Hawaii, and countless other sovereign nations where the U.S. has displaced indigenous peoples and desecrated the environment. The massacre and many more committed during the Korean War at the hands of the American military have only recently come to light. One million civilians were killed during the Korean War; many ordered shot dead as they fled the war and approached American lines.

Since the U.S. has been the victor in so many conflicts and has emerged as the only super power in the world, it refuses to acknowledge an international criminal court, war crimes tribunals, the nuclear proliferation treaty, and even United Nations declarations, making the U.S. in the eyes of the rest of the world, a rogue nation and an evil empire.

### Did the surviving relatives of those murdered get compensation from the State?

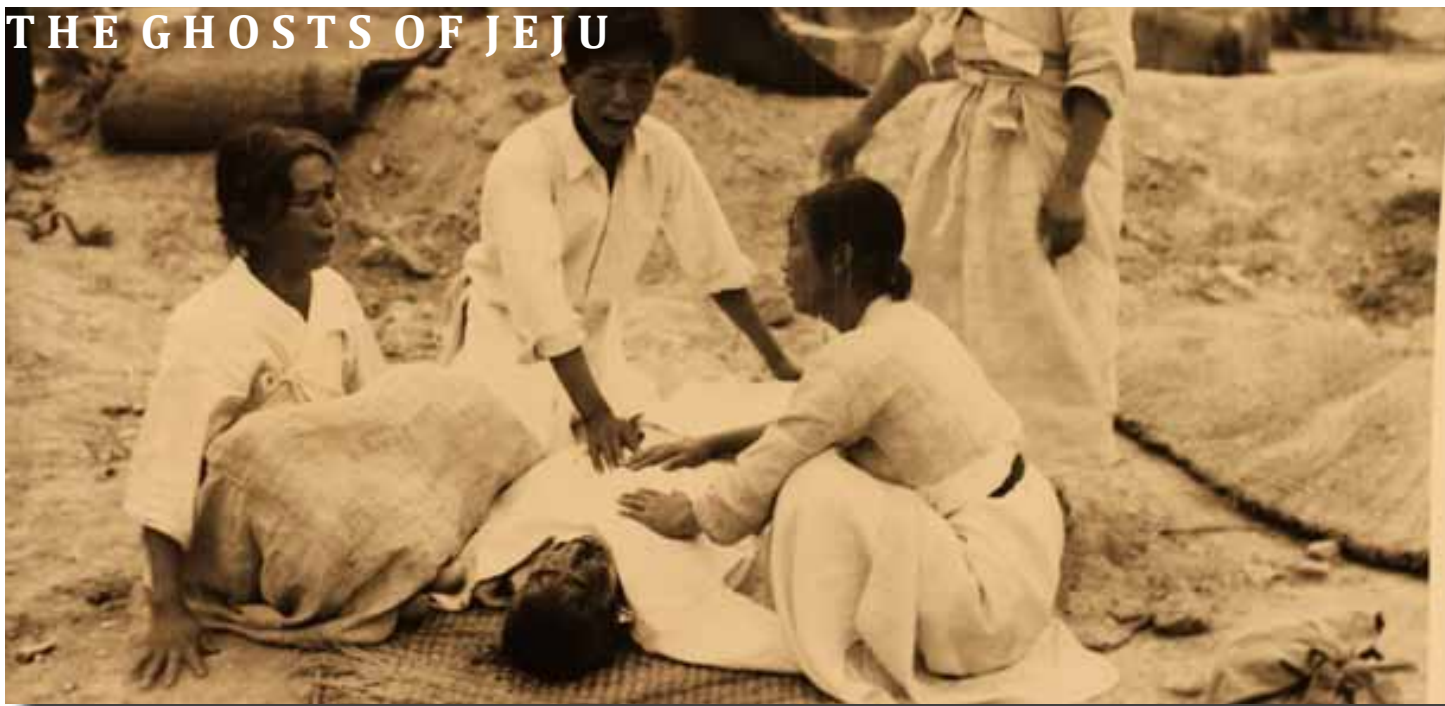
The answer is no.

### What is the present agitation about?

The present protest in Gangjeong Village is first, to stop the base from being constructed and from destroying their 400 year old village. Secondly, it is a protest against American hegemony, imperialism, and war making.

When completed sometime in 2015, the village will disappear as housing for 8,000 military personnel is constructed, to be followed by the bars, shops, and brothels that will satisfy the needs and wants of American sailors.





Grieving family, Jeju Island, Archives. Photo courtesy Regis Tremblay.

### Who are those supporting the agitation and why? And do you think they will succeed in preventing the building of the naval base?

In the beginning, the people of Gangjeon Village took up the protest and were soon supported by young activists from Jeju Island and the mainland. Before long, many in the international community became aware and travelled to Jeju to support the villagers in their struggle.

The Catholic bishop of Jeju and the Catholic Church on Jeju and the mainland have also been on the front lines with many priests and nuns travelling to Gangjeong. The Jesuits of Korea have also been present every day for several years. There are also Protestants and Buddhist monks who have joined the daily peaceful, non-violent protests in the manner of Gandhi and Martin Luther King, Jr. [LINK](#)

Over 600 have been arrested, most heavily fined, and more than thirty have been imprisoned. [Professor Yang Yoon-Mo](#), a well-known Korean film critic and native of Jeju is serving his fourth prison sentence; this one is now in the 13th month of an eighteen month sentence. Prof. Yang has also gone on hunger strikes for as many as 54 days in each of his incarcerations. [Several Catholic priests](#) have also been imprisoned several times, and for the first time in the 200 year history of Catholics in Korea, a Korean nun has been indicted and is now on trial.

In spite of this organized resistance and international support, there is no stopping the completion of this base because of the overwhelming power of the corporate controlled state in Korea and the U.S.

### Have you faced adverse reactions, if any, from either the US or South Korean Governments?

Not yet.

### How has the film been received by viewers across the world and at film festivals? What has been the impact?

Well, it has been rejected by more than 20 film festivals in the U.S. and Korea. Only the Berkeley Film Festival in Berkeley, California, and the Chicago Peace on Earth Film Festival (March 6-9, 2014) have accepted it.



Protestors at the gate of the proposed naval base. Photo courtesy Regis Tremblay.

In spite of having no mainstream support from distributors and or studios, the film has been overwhelmingly received by grassroots people in more than a dozen countries including Russia. I have no way of knowing how many people have seen the film in cities from coast to coast, but I have screened it more than 50 times from Maine to California. Several colleges and universities have also hosted screenings.

The reaction is always the same. Many cry, and say things like "I'm ashamed at what my country has done." "I had no idea about any of this." And people always ask, "What can we do?" To that I answer, share this film with everyone you know. Here is a typical comment received recently: "I just received my copy of "The Ghosts of Jeju. It is a very powerful and inspiring documentary that was an eye-opener to me. It exposes the dark side of America's empire building. Peace and environmental activists must see this film to re-charge their batteries."

### Please give us a glimpse of your life and works? What made you leave the priesthood? How did you become a documentary film maker?

I was born and raised in Waterville, Maine... a thriving mill town in the 40s and 50s. Three things stand out that shaped my life. I was an altar boy, who along with 50 to 60 other kids admired our local parish priest, Fr. James Manley Gower. Fr. Jim was way ahead of his time being involved in local human rights and justice issues.



Vigil at the gate Sung - Hee, Jeju island. Photo courtesy Regis Tremblay.





Father Pat Cunningham catholic priest, Gilchun Koh Korean artist, Regis Tremblay. Photo courtesy Regis Tremblay.

**Please give us a glimpse of your life and works? What made you leave the priesthood? How did you become a documentary film maker? contd...**

He was also an early participant in the nuclear disarmament and peace movements in the U.S. I wanted to be just like him and went to the Carmelite Junior Seminary in Hamilton, Mass for high school to pursue my desire to become a priest.

After thirteen years in Carmelite seminaries, I was ordained a Carmelite priest in 1971. Along the way I received an undergraduate degree in U.S. History and Philosophy from Mt. Carmel College in Niagara Falls, Ontario, and an STL in Theology from the Pontifical Gregorian University in Rome, Italy where I did four years of post-graduate work. It was during my four years in Rome in an international setting that I was first faced with some of the ugly aspects of America including racism, bigotry, wars and occupations I had never heard of. It became clear to me at that time that my country was no better and no more exceptional than any other. I had come face to face with how others viewed America and the myth of American exceptionalism burst.

Upon returning to the States I spent six years teaching photojournalism and yearbook and coaching at Salpointe Catholic High School in Tucson, Arizona and another seven years serving as a parish priest, hospital chaplain and Theology instructor in Phoenix.

After thirteen years, I left the priesthood and later married. We raised three wonderful children who represent the best thing I have ever done in this world. I didn't leave the priesthood to be married. After 26 years, I became disenchanted with the hierarchy, the politics, and ironclad dogma and morality. I found myself becoming angry and resentful and knew I had to move on. I have never regretted the path I chose and will forever cherish the people who touched me and the incredible life experiences I had as a priest. They made me the person I am today.

I think I have carried with me **Fr. Jim Gower's** concern for justice, peace, a world without war and a love for people. He remained a priest until he died last year at age 90 and the film is dedicated to him and the brave people of Jeju Island.

The second thing that shaped my life has had everything to do with my interest in journalism and now filmmaking. When I was in 8th grade, my mother taught me to type on a Smith Corona manual typewriter because I wanted to publish a sports newspaper covering the table games of hockey and football that my cousin Steve and I played nearly every day. It was then that I began writing stories on that old manual typewriter.



Tremblay interviewing Jesuit priests at the protest site outside proposed naval base. Photo courtesy Regis Tremblay.

The third thing that shaped my life was the Kodak Brownie camera my parents gave me for Christmas when I was about ten years old. I loved taking pictures and this continued through high school and college when I was the school photographer. So the typewriter and the old Brownie are what led me to teach photojournalism, writing, and yearbook.

I never put down the camera or the writing and as I look back at what has been a seemingly disconnected number of life experiences, has actually led me to what I have been doing for the past 10 years. I consider myself an independent journalist and have been covering what the mainstream media avoids.

I created the Occupy Maine TV Show on community television during the occupation in Portland, Maine and then went on to create another community TV show in Bath, Maine covering issues dealing with war, the environment, 9/11, money in politics, tar-sands and more. All of these efforts were either short video documentaries or hour-long TV shows.

**The Ghosts of Jeju is my first feature-length film and a direct result of a life-time of writing, documenting, and activism.**

**Without doubt, the indomitable spirit of the people of Gangjeong on Jeju Island, in spite of the overwhelming power of the United States, their own government, courts and military, is an inspiration to all who seek a better way to coexist on this planet. What is at stake is not which system is better or who is more powerful. What is at stake is whether or not we can survive in harmony with each other, with the earth and all living things upon it.**

**What I learned by going to Jeju was that with citizenship comes a responsibility for this nation's deeds, and with knowledge of our past comes responsibility. The least we can do is amplify the voices of the peaceful people of Jeju.**

**Going to Jeju changed my life and I have made telling their story my personal responsibility.**





## From Cold War to Human Security: The Final Report of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea

Centre for International Governance & Justice, ANU

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On 17 February 2014, the [Commission of Inquiry \(COI\) on Human Rights in the Democratic People's Republic of Korea](#) (DPRK) presented its long-awaited final report [1], which was shortly afterwards “categorically” [rejected by DPRK representatives](#) as a “sheer fabrication”.

The report is the culmination of more than a decade of advocacy efforts by non-governmental organisations and United Nations human rights bodies to shift the world's attention from security and nuclear concerns in its relations with North Korea to ongoing serious human rights violations in the DPRK. Almost 25 years after the fall of the Berlin Wall, Cold War-like dynamics have continued to dominate the political discourse around North Korea in the international arena. The question is whether the comprehensive and boldly written report by the COI will change the current status quo and make human rights issues a priority for the international community's dealings with North Korea.

The DPRK is one of the most secretive regimes in the world, and the country has been inaccessible to most international actors, governmental or non-governmental. It is only over the past decade or so that the barriers to gathering reliable information have gradually been surmounted, mainly through more systematic efforts to collect information from the thousands of North Koreans who have fled the country; along with technological advances allowing for the provision of better quality satellite images, such as those made [publicly available by Digital Globe and Google Earth](#), confirming the existence of large prison camps in the DPRK [2].

Confronted with a growing body of evidence, the UN Commission on Human Rights eventually decided to create, in 2004, a special procedure mandate on human rights in the DPRK. Two consecutive [Special Rapporteurs](#) – Vitit Muntarbhorn of Thailand (2004-2010) and Marzuki Darusman of Indonesia (2010-) – have since reported regularly to the Human Rights Council and the UN General Assembly, although both have been denied access to the country. By February 2013, a total of 22 reports by the Secretary-General and Special Rapporteur had been presented to UN Member States underscoring grave human rights violations in the DPRK, and the General Assembly and its subsidiary organs had adopted 16 resolutions on human rights, expressing first “serious concern” and, from 2008 onwards, “very serious concern” about these violations [3]. These efforts had little effect on the ground, however, and the international community's expression of concern was in danger of becoming an annual exercise in human rights ritualism vis-à-vis an uncompromising North Korea.

Over the years, the calls for firmer action grew louder. By 2013, the Special Rapporteur, the UN High Commissioner for Human Rights and various international NGOs were all calling for an international inquiry into the reported crimes. In March 2013, the Human Rights Council decided to establish the

Commission of Inquiry. The fact that the decision was made without a vote, i.e. by consensus, and that the General Assembly subsequently welcomed the resolution, also by consensus, seemed to reflect a growing international awareness and concern for the situation in North Korea.

[Human Rights Council Resolution](#) 22/13 mandated the COI to “investigate the systematic, widespread and grave violations of human rights” in the DPRK, “with a view to ensuring full accountability, in particular where these violations may amount to crimes against humanity”. The resolution also made reference to nine specific and interlinked areas of rights violations previously identified by the Special Rapporteur, which defined the focus of the Commission's inquiry and are reflected in the structure of the COI's final report. In May 2013, the Human Rights Council appointed the Australian former High Court Judge Michael Kirby and Sonja Biserko of Serbia to join the Special Rapporteur Marzuki Darusman on the independent three-member panel. Mr Kirby was subsequently designated to serve as the COI's Chair, and the OHCHR served as the Commission's Secretariat and support body. The DPRK rejected the mandate and refused to cooperate with the Commission, including by denying it access to the country and disputing its factual findings.

Lack of physical access to sites and witnesses in the DPRK created challenges to a full-fledged investigation, which the Commission attempted to rectify by gathering information from alternative sources. The COI held four public hearings in Seoul, Tokyo, London and Washington D.C., where more than 80 witnesses and experts testified publically [see photo]. Due to protection concerns, the Commission also conducted over 240 additional confidential interviews, many with individuals from among the group of around 30,000 people thought to have fled or defected from North Korea. In addition, the COI solicited input from UN member states, NGOs and other interested parties through a public call for submissions – it received more than 80 such submissions in response. Satellite images were also used for the investigations and included in the final report.

Because the COI could rely on a broad array of evidence gathered previously by various groups, it was able to produce in a relatively short period a [372-page final report](#) that is remarkable in its detail and scope, compared to other reports produced by similar UN inquiry mechanisms. This post does not attempt to provide a full summary of the report, but highlights instead some issues of particular interest (references are made in brackets to relevant paragraphs as enumerated in the COI's report).

Firstly, the Commission locates the human rights violations in the broader socio-political environment that developed in the aftermath of the Korean War and laid the foundations for the emergence of the current regime. The report argues that the current political system of the DPRK bears the characteristics



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of a “totalitarian state”: the rule of a single party, led by a single leader, and based on an elaborate guiding ideology. Some passages in the report are reminiscent of Hannah Arendt’s analysis in *The Origins of Totalitarianism*, for instance, the Commission’s description of the DPRK as “a state that does not content itself with ensuring the authoritarian rule of a small group of people, but seeks to dominate every aspect of its citizens’ lives and terrorises them from within” (1211-1212). This state, the report says, maintains “an absolute information monopoly and total control of organised social life” through “an all-encompassing indoctrination machine”. Social control is characterised by an “almost complete denial of the right to freedom of thought, conscience, and religion as well as of the rights to freedom of opinion, expression, information, and association” (259-260), and by “entrenched patterns” of “state-sponsored discrimination” (346), including against religious groups and women. “Fear is the keystone that ultimately holds up the edifice of the current state structure” (838).

Secondly, the Commission finds that a number of gross human rights violations committed in a widespread and systematic manner by the DPRK and its institutions constitute crimes against humanity. The report argues, “these are not mere excesses of the state”, but “international crimes which appear to be intrinsic to the fabric of the state” (1164) – and “the gravity, scale and nature of these violations reveal a state that *does not have any parallel in the contemporary world*” (1211, emphasis added). Among the many violations examined by the Commission are the crimes committed throughout the country’s extensive network of political and ordinary prisons and the systematic enforced disappearance of persons, including many foreign nationals. The detailed description of crimes against the inmates of political prison camps and corresponding accounts by witnesses recall Aleksandr Solzhenitsyn’s **The Gulag Archipelago**. The report estimates the current number of political prisoners at 80,000 to 120,000, with “hundred of thousands” having died in the camp system. The living conditions imposed on the inmate population “are calculated to bring about mass deaths”. According to the Commission, these factual findings match the definition of a **crime against humanity** as they involve extermination and enslavement (1043-1049) – “that such political prison camps continue to exist at present in the DPRK is”, the Commission says, “an affront to universally shared human rights values and a crime against humanity” (1067).

Beyond the expected focus on prison camps and executions, the Commission adopts a comprehensive and, in some respects, far-reaching approach to examining the crime base in North Korea. Two examples demonstrate this approach: the report’s special attention to **gender-based crimes** and to policy-induced starvation. The Commission devoted specific attention to gendered issues and the impact of violations on women and children (17). It finds that rape and other forms of sexual violence “are regularly committed in the political prison camps” (1054) and that “systematic or

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widespread forced abortions must be considered a form of sexual violence of a gravity amounting to crimes against humanity” (1055). The COI also examines the widespread starvation among the North Korean population, known to the outside world, particularly through the famines of the 1990s in which hundreds of thousands died of hunger and related diseases. It argues, “the state has used food as a means of control over the population” (682) and impeded the delivery of food aid, “at the cost of seriously aggravating hunger and starvation” (685). In consequence, the Commission finds that “DPRK officials have committed crimes against humanity by implementing actions, decisions and policies known to have led to mass starvation, [and] death by starvation...” (1115). It will be interesting to see how these findings will be considered during follow-on processes, as instances of mass famine have too often been dismissed as unfavorable side effects of other policies, rather than criminal acts. There is little jurisprudence available on policy driven starvation and, to date, no court has rendered a conviction framing deliberate policies that lead to starvations as an international crime [4].

Thirdly, the COI provides an indictment of China’s treatment of North Koreans who cross the border onto its territory. The Commission finds that “China pursues a rigorous policy of forcibly repatriating DPRK citizens who cross the border illegally ” and, in doing so, it “has violated its obligations to respect the **principle of non-refoulement** under international refugee and human rights law” (490). China did not allow the Commission to conduct investigations on its territory (45) – although it did not vote against the COI’s establishment – and it has repeatedly stated that DPRK citizens who enter China illegally do so for economic reasons and are therefore not considered refugees (454). Chinese government representatives repeated this line of argumentation after the publication of the COI’s report and **rejected any criticism** of China’s current policies. It remains to be seen whether the renewed focus on China’s human rights policies at the North Korean border will influence the country’s future behavior towards its neighbour.

Fourthly, the Commission criticises the “inadequacy of the response of the international community” (1217). The fact that the DPRK, as a member state of the United Nations, “has committed crimes against humanity over a span of several decades, raises questions [in the Commission’s view] regarding the accountability of the international community” (1204). The COI appeals to the international community to fulfil its responsibility to protect the population of the DPRK from crimes against humanity “using first and foremost appropriate diplomatic, humanitarian and other peaceful means” (1205). Language adopted from the **R2P framework** is visible throughout the report – the ‘responsibility to protect’ is mentioned no less than seven times. In its recommendations, the Commission calls for a broad and “multi-faceted strategy that combines strong accountability measures targeting those most responsible for crimes against humanity, reinforced human rights engagement with the authorities of the Democratic People’s Republic and support for incremental change based on people-to-people dialogue and an agenda for inter-Korean reconciliation” (1210).



Now that the Commission's report is public, what will happen with its findings? The Commission will formally present its findings to the UN Human Rights Council in Geneva, in a session that is currently scheduled for 17 March 2014. It will then be up to the members of the Human Rights Council to endorse the COI's recommendations, adopt a strongly worded resolution, and ask the UN Secretary-General to bring the report to the attention of the Security Council and the General Assembly for action.

Finally, and with regards to the Commission's mandate to ensure accountability, it finds "that an international court or tribunal must be given jurisdiction, without delay" (1200). The Commission identifies two suitable options: either the Security Council could refer the situation in the DPRK to the [International Criminal Court](#) (ICC), or the United Nations could set up an *ad hoc* international tribunal, similar to those established for the former Yugoslavia (ICTY) and Rwanda (ICTR) (1201). Both options face challenges. Even if the Security Council, including the Permanent Five (P5), agrees to an ICC referral – which is less than certain as the situation in Syria has shown – the ICC would only have jurisdiction for crimes committed after 2002, when the Rome Statute entered into force. Likewise, following the experiences of the ICTY and ICTR, the international community will be cautious about entering into yet another undertaking of the same kind that will require considerable resources and time before any alleged perpetrators stand trial. However, and foreshadowing a deadlock in the Security Council, the COI proposes that this option could also be pursued by the General Assembly, such as through a '[Uniting for Peace](#)' resolution if the Security Council fails to act (1201). Yet, in its recommendations, the Commission limits itself to calling for the Security Council to refer the situation to the ICC. In addition, the Commission recommends targeted sanctions against those individuals most responsible for the crimes (1225), and says that these measures should be complemented by a Korean-led transitional justice process once profound reforms are underway in the DPRK (1203).

Now that the Commission's report is public, what will happen with its findings? The Commission will formally present its findings to the [UN Human Rights Council](#) in Geneva, in a session that is currently scheduled for 17 March 2014. It will then be up to the members of the Human Rights Council to endorse the COI's recommendations, adopt a strongly worded resolution, and ask the UN Secretary-General to bring the report to the attention of the Security Council and the General Assembly for action. Special Rapporteur Marzuki Darusman stressed "these developments are not an end but the beginning of a much needed and determined approach towards improving human rights for the tens of millions in the country" [5]. Although it can be expected that some of the recommendations on accountability will lead to complex and protracted negotiations among member states, other interim measures may gain consensus more easily. For instance, the Commission recommended maintaining the confidential electronic database used to store its information as a "living instrument" (82) that could become the core of a new "structure to help ensure accountability for human rights violations" in the DPRK (1225).

It is not clear what form such a 'structure' could take, but it would presumably consist of a better-resourced team, likely under the auspices of the High Commissioner for Human Rights, that could support an extended mandate of the Special Rapporteur and related documentation efforts, possibly

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by relying on a field presence in the region.

Beyond the complex decision-making processes at the international level, much will depend on the COI report's impact on changing the international discourse towards North Korea. Although most of the information contained in the report has been in the public domain for many years, these findings by a high-profile Commission may help to elevate human rights issues in the DPRK onto the agenda in bilateral and multilateral fora. When journalists asked Michael Kirby whether he believed the report would lead to any immediate changes in the DPRK, he recalled his experience as Special Rapporteur in Cambodia during the early 1990s, where a decade later an internationalized tribunal was set up: "Bearing witness, collecting the stories, recording them and putting them there for future use can sometimes bear fruit a little later." [6]

[1] 'Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, Marzuki Darusman', Human Rights Council, 22nd Session, UN doc. [A/HRC/22/57 of 1 February 2013].

[2] Cohen, Roberta, 2013. 'Human Rights in North Korea: Addressing the Challenges', 22(2) *International Journal of Korean Unification Studies*, 29-62.

[3] 'Report of the Special Rapporteur on the Situation of Human Rights in the Democratic People's Republic of Korea', A/HRC/22/57 of 1 February 2013], para. 6-9.

[4] See for instance Marcus, David, 2003. 'Famine Crimes in International Law', 97 *The American Journal of International Law*, 245-281.

[5] 'Statement by Mr Marzuki Darusman, Special Rapporteur on the Situation of Human Rights in the Democratic People's Republic of Korea', 68th Session of the General Assembly, 29 October 2013.

[6] Cited from Walker, Peter, 2014, 'North Korea Human Rights Abuses Resemble Those of the Nazis, Says UN Inquiry', *The Guardian*, 18 February 2014.





## Anti-Jewish Feeling Used As Weapon In Ukraine's Latest Revolution

There is more than a whiff of times past in the latest wave of violence engulfing the Ukraine and Russia's role in the heightening drama. Most especially, we're all drawing parallels between the events unfolding in Crimea with Hitler's aggressive tactics in Europe during 1938. The comparison was even aired publicly in March by **Hillary Clinton**, former U.S. Secretary of State while her distinguished predecessor, Henry Kissinger has since warned that the Ukraine must not be used as an outpost against the east or west but "should function as a bridge between them".

Previously, world leaders had avoided making the link although British Foreign Secretary, **William Hague** had described the escalating conflict as Europe's biggest crisis of the 21st century. Indeed, for those with a basic knowledge of 20th century European history, the lines have appeared to be all too clearly marked. But there are huge differences:

Most important, Russia has used the concept of anti-Jewish hate as a stick with which to beat the Ukrainian nationalists. Pro-Russian allies have accused their opponents of being "rampantly anti-semitic". This is something that the anti-Russians have denied. Meanwhile, **Jewish leaders** across the religious-secular divide have written to Russian President Vladimir Putin, urging him to withdraw troops and to stop referring to Ukrainian antisemitism.

This war of words is most definitely a hallmark of the electronic age when instant, international communication proves as deadly as a missile drone. This means that when the Reform synagogue at Simferopol was vandalised, Rabbi Misha Kapustin, head of the Reform movement in Crimea was able to email fellow Diasporan Jews for help.

"Our town, Simferopol, is occupied by the Russians," he wrote. "Help us, save our country, save Ukraine! Ask your government for help!"

According to a **Jewish Chronicle** report, Rabbi Kapustin, who was trained in London, explained: "On the same day that the Russians entered Crimea, our synagogue was vandalised with Fascist graffiti. They



wrote 'death to kikes' and drew swastikas. For the first time in my life, I asked my congregation to go home on a Friday and not return for the Saturday service — at least until we've significantly improved our security measures. "There were troops with machine guns only 100 metres away from the synagogue".

While there are Jews involved in both the pro-Russian lobby and in the efforts to retain Ukrainian independence, Rabbi Kapustin is among those calling for continued Ukrainian sovereignty in the Crimea.

Meanwhile his Kiev-based colleague, Ukraine Reform Chief Rabbi Alexander Dukhovny, has tried to quash communal fears by claiming the few antisemitic attacks that have so far occurred during the revolution were deliberately provoked so the Putin government could claim it was fighting antisemitism. He has insisted that most Jews, apart from those in the Crimea, feel quite safe. The history of true antisemitism in the Ukraine is long and brutal. It began during the reign of Catherine the Great who had welcomed Jews to the area as a buttress against the Turks but later had them confined to the Pale of Settlement after their success enraged their non-Jewish neighbours.

Jews fought in the Crimea War of the mid 1850s, when Russia was dragged into a fight against an Anglo-French alliance. This was the first war where photography and the electric telegraph were both employed. The technology may have been new but the ancient, unreasonable hatreds continued unabated. Many of the Jews were enforced child recruits – boys known as kantonists, who had been destined for 25 years' army service after completing their schooling at a kanton or military academy. But while most never saw combat they also experienced a 'valley of death' as they were starved, beaten and tortured on the orders of Czar Nicholas 1 who thought they could be forced to convert to Christianity once they were torn asunder from their birth families.





Photograph Perinaz Avari [LINK](#)

## Mint and Cardamom Parsi 'Choi' or Chai - Indian Tea

A flavorful cup of Parsi 'Choi' or Chai-Indian Tea infused with mint and/or lemongrass, fresh ginger and cardamom, brewed to perfection.

Serves 2

### Ingredients

2 cups water  
 8-10 mint leaves, shredded by hand  
 1 lemongrass leaf stalk, about 12 inches long, cut into 1-inch pieces (optional)  
 6 whole cardamom, pods cracked open (or ¼ teaspoon ground cardamom)  
 ½ inch or 1 teaspoon fresh ginger root, peeled and grated, or cut in large pieces for a milder flavor  
 2 teaspoons loose black tea leaves or 2 bags of black tea  
 ½ cup milk of choice (see note)  
 Sugar to your taste

### Directions

In a deep saucepan, heat the water, shredded mint leaves, lemongrass, whole cardamom (open the cardamom pods and put the seeds and shells in) and grated or cut fresh ginger.

Bring the herbs and spices infused water to a rolling boil and add the black loose tea or tea bags. Let the black tea brew on the flame for 2 minutes and then add milk of choice.

Once the Chai preparation comes to a complete boil (keep an eye at this stage so the tea doesn't boil over,) turn down the flame and simmer for 3 minutes till the flavors have blended and you see a rich brown color to the tea.

Strain the Parsi 'Choi' into a teacup and enjoy the steaming hot brew.

### Note on Milk in 'Choi' Preparations

From fat-free to whole milk, and soy milk to rice or almond milk; feel free to use your milk of choice per dietary preferences in all Chai preparations. The recipe above provides a strong cup of Chai; for a milder outcome, increase the quantity of milk as per taste.

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# Why do People Cheat?



**This article has delved into why people cheat. Hopefully, you will begin to think outside the box of right and wrong, the black and white perspective and understand that some reasons are clearly destructive, some freeing and healing and in all cases, difficult decisions to make.**

After attending a wedding in Kolkata last month and exploring arranged marriages and the low rate of divorce in India, it made me think more about divorce, and specifically, why people cheat.

Having been a professional counselor and intuitive reader for many years, I have been privy to the inside of many relationships, at least through the eyes of my client.

In any relationship, the foundation to having a positive and healthy experience is having good self-esteem. Self-esteem is the value one puts on themselves, how they feel about themselves and a belief of how others perceive them. Many years ago I attended the second weekend workshop of the Landmark Forum. This workshop is geared to assist the participants in becoming more positive in their lives by having a "break-through" in awareness. You might say it is a 3-day coaching program. Although, for the most part, the participants were successful and generally happy people, at the end of the day, hundreds of participants got up and shared from an exercise they completed the underlying issue behind their difficulties was they did not believe they were either worthy or deserving.

Although this was a small sample of the population, it is challenging for me not to generalize to most people. Given this premise, it would make sense that people who are in committed relationships cheat in order to have an external validation of themselves; of their worth and their value. It would be remiss of me not to also address our human need to love and be loved. As a counselor who has worked with thousands of people, I have to understand one's ability to express and receive love through the lens of their history, beginning with the birth experience on. Each person is different in their ability and desire for intimacy and need to experience the other person as a source of love.



With the lack of communication also can come control issues. Some of the ways that one does control are not allowing their loved one to have the freedom to spend time with their friends, controlling the money, or not allowing their partner to work outside the home. Passive aggressive behavior may take over and one partner will withhold sex, or become withdrawn and depressed. Not all depression is a form of passive aggressiveness, but it can be for some.

When I ask others why people cheat some of the the responses are “to boost their self-esteem,” “because they are selfish,” and “because they are not getting certain needs met by their partner.” This issue is clearly not black and white.

When clients come to me for a session, ready to end their marriage or long-term relationship, often I ask them when they first knew this was not working, or not going to work. More often than not, they say, right away, or the first week, sometimes even the first day. One of the main reasons I believe relationships don’t work, is people do not listen to their intuition in the first place. The intensity of the relationship, the pheromones, adrenaline, sexual attraction replaces not only what they think (red flags,) but also their gut feeling, their own intuition.

Having said that, once committed, Why Do People Cheat?

Aside from low self-esteem, lack of communication is definitely one of the main issues. In the intensity of the initial meeting and connection, everything about the person is great. If not so great, although not true, the belief is where the other is not what you want, they will change. Small disagreements are soon met with make-up sessions of love and passion. The ability to communicate may never be addressed and the he relationship over time may not deepen. Rather than searching for answers (which you can find online, in books and with counselors, ministers and healers) the person reaches for someone who adores them, finds them attractive, or gives them what they want without any need for clear communication.

With the lack of communication also can come control issues. Some of the ways that one does control are not allowing their loved one to have the freedom to spend time with their friends, controlling the money, or not allowing their partner to work outside the home. Passive aggressive behavior may take over and one partner will withhold sex, or become withdrawn and depressed. Not all depression is a form of passive aggressiveness, but it can be for some. These control issues can include verbal, emotional and physical abuse and the controlled partner eventually finds solace in the arms of another. When one looks for validation from others, they may create an intimate relationship outside their marriage for the sole purpose of identity and self-esteem. One may marry because the other person “looks good” and makes them “look good.” This is the concept of the “trophy wife.” Women often marry men who have power or money. This would be a marriage that has the prostitute archetype activated. There is a trade between the partners. In these cases, the agreement of the marriage does not satisfy the need for love or the intense sexuality that they may crave and so they may have a love partner on the side.

One of the most common situations I have seen has been when someone cheats because of revenge. This can be because they were cheated on, or because their partner is just not doing what they want. They justify their behavior because they are not happy and take no responsibility for creating happiness for themselves. More recently, it has come out into the open that some people who are gay, marry to create a public presence that is acceptable.

This desire for love and sexual satisfaction can also be a reason one will cheat when there is no longer love or affection in the marriage. After years of being together, the couple may grow apart and feel as if they are “married singles.” They long for connection and to feel young and alive and because the marriage seems to be dead, they find a lover or maybe even fall in love with another person. Then they have the decision to stay in the marriage or leave.

When one falls in love or wants to fall in love again, rather than leaving, they may stay married and cheat because of family religious obligations, not wanting to upset the children or other family members, or financial dependency or security. They feel stuck, yet make a decision on values of one sort, and giving up the value of fidelity. Another reason similar to this, is one who cannot stand up for themselves. They keep quiet and live the life they despise. This again can be from low self-esteem and in these cases often become passive aggressive, thus an affair. In some cases, I have seen where clients have had affairs because they have a spouse who is ill. They stay in the marriage to care for their loved one and may still be very much in love, but they are not able to get emotional needs met. Financial dependency or family expectations may also be involved and rather than being unhappy, they make the decision to fill themselves up with love from another.

One of the most common situations I have seen has been when someone cheats because of revenge. This can be because they were cheated on, or because their partner is just not doing what they want. They justify their behavior because they are not happy and take no responsibility for creating happiness for themselves. More recently, it has come out into the open that some people who are gay, marry to create a public presence that is acceptable. This has happened in politics and other areas where one would lose a lot to be open about their sexuality. Many people who were gay married and created families before society began to be more open and continued to hide behind the façade and have love lives separate from their marriage.

And finally, and possibly the most common reason people cheat is love addiction. As a counselor, I am most privy to this. Love addiction is a combination of many of these reasons: low self-esteem, need for validation, often alcoholism and/or drug addiction, anger and vengeance and more. Love addiction can be a dangerous cycle of creating relationship, getting hurt, feeling desperate, finding a new lover immediately, and the cycle starts again.

This article has delved into why people cheat. Hopefully, you will begin to think outside the box of right and wrong, the black and white perspective and understand that some reasons are clearly destructive, some freeing and healing and in all cases, difficult decisions to make.



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