

TRACES OF RECONCILIATION UNDER THE CONFLICT SHADOW IN SOUTHEAST ASIA

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** A keynote speech at the Third International Conference on Human Rights and Peace & Conflict in Southeast Asia (October 2014, Kuala Lumpur, Malaysia)*

In a recent study comparing 40 truth commissions with the South African Truth and Reconciliation Commission, a researcher from Amnesty International argues that the hegemonic South African model of “amnesty for truth” in both legal and policy discussions about truth-seeking mechanisms and public perception of truth commissions is not justified. One of the problems facing truth commissions is a distinction between ‘inadmissible’ blanket amnesties and ‘admissible’ conditional amnesties, when such amnesties cover serious human rights violations. She points out that most truth commissions have not regarded the South African model of “granting amnesty for serious human rights violations in exchange for information” an accepted practice. Instead, they are in favor of prosecutions for all perpetrators of human rights violations. She also concludes that the stories of truth commissions around the world could be seen as stories of bravery against impunity, oftentimes at great personal risks, and attempts towards accountability frustrated by governments in power (Pizzutelli 2010).

Using Pizzutelli’s work as an entry point, this keynote address is an attempt to suggest that the problem of “blanket” and conditional “amnesties” arises out of how human rights violation in conflict is seen as well as the importance of seeing social phenomena, such as the performance of truth commissions, as stories. My thesis is that the promise of reconciliation lies in the ways political conflicts where gross human rights violations often occur are seen. Unpacking the visuals of these conflicts into areas of light and shadows, I would argue that by looking into the shadows of these conflicts, it might be possible to find traces of human actions conducive to reconciliatory moves necessary in fostering a humane world where rights to life, the most basic form of human rights, is respected. In arguing along this line, this keynote address has only 5 words: reality, tensions, shadows, story, and choices.

1. Reality 1

On July 17, 2014, MH 17 was downed and the new world disorder where “clarity seemed to follow in silence” was born. It was born when the bodies and belongings of 298 people tumbled out of the sky and then lay unhallowed and uncollected in the fields of Eastern Ukraine because political responsibility is no longer fixed where it belongs. As a result, consequences for such horrifying actions have not been seen, security guarantees are not given to the vulnerable, and these guarantees- the rights to life of people who are free to travel, to fly far above conflict terrains without any ill intention to conflicting parties- are no longer believed (Ignatieff 2014 b, 30). Ignatieff argues that “we” are entering the third phase of globalization when political convergence ended in 1989. In this new world disorder, capitalism turned out to be politically promiscuous, no longer allied to freedom but ready to partner with authoritarian rules. Economic integration, instead of softens conflict, actually has sharpened conflicts between open and closed societies. He writes: “From the Polish border to the Pacific, from the Arctic Circle to the Afghan border, a now political competitor to liberal democracy began to take shape: authoritarian in political form, capitalist in economics, and nationalist in ideology” (Ignatieff 2014 b, 30).

Some have argued that the tragedy of MH17 is a product of ruthless political economy of energy where Russia could not allow its flow of gas from Eastern Siberia into Eastern Europe to be interrupted by an independent Ukraine with freedom to choose to align herself with the European Union. To pursue such ends, it could be speculated that what in fact happened was that the Russians were targeting a Russian commercial plane. Once shot down over Ukraine, it would provide a valid justification for a planned Russian invasion. Putin’s motivation in such a conspiracy theory notwithstanding, it is sickening to ponder the fact that a commercial plane could become but a pawn in a calculus of increasingly deadly conflict. It also needs to be pointed out that after September 11, 2001, the rights to travel by commercial plane has been compromised in more ways than one since under certain circumstances they could become targets of attacks and destroyed by the country they are flying high above. For example, the Hungarian Minister of Defence informed the media in 2004 that the government has adopted a secret resolution permitting the shooting down of any civilian aircraft suspected of being used to carry out terrorist attacks. The destruction of the civilian aircraft in question is permitted when all contacts with the aircraft were lost or the aircraft deviates from its planned route without “suitable explanation”. What is even more worrying is his claim that every NATO member must have a similar resolution (The Budapest Times, June 28-July 4, 2004).

2. Reality 2

What does it mean to speak about human rights and peace in Asia Pacific in general or in Thai society at this time-October 2014? It means at least 4 things: first, I speak under the spectre of the May 22 coup where the junta claimed, perhaps with some truths, that it was necessary to put an end to the prevalent use of violence alongside expressive uses

of rights to protest nonviolently in order to restore security. Second, I speak as someone who wrote an op-ed piece titled “The sound of the coup” right after the coup which argues that its sound is mainly one of hopelessness in peaceful political process (Bangkok Post, June 5, 2014-op.ed.), and yet I have to continue to work with friends from all political spectrums in my capacity as the chair of a small think tank policy group called: Strategic Nonviolence Commission (SNC). Third, I speak as a citizen under an interim constitution 2014 whose character is reflected in Section 44:

“In the case where the Head of the National Council for Peace and Order is of the opinion that it is necessary for the benefit of reform in any field and to strengthen public unity and harmony, or for the prevention, disruption or suppression of any act which undermines public peace and order or national security, the monarchy, national economy or administration of state affairs, whether the act emerges inside or outside the Kingdom, the Head of the NCPO shall have the powers to make any order to disrupt or suppress regardless of the legislative, executive or judicial force of that order. In this case, that order, act or any performance in accordance with that order is deemed to be legal, constitutional and conclusive, and it shall be reported to the National Legislative Assembly and the Prime Minister without delay.”

Fourth, I speak as an academic supervising several theses in political science, and since my interests lie in the fields of violence/nonviolence, one of these theses is on suicide. My student is looking at cases of suicide among farmers in Thailand which have been on the rise since early 2014 resulted from the previous government’s failure to pay them for the rice they pawned, among other things. But then the striking fact is that suicide among farmers is a global crisis. The suicide rate for farmers throughout the world is higher than the non-farming population. In the Midwest of the U.S. suicide rates among male farmers are twice that of the general population. In Britain farmers are taking their own lives at a rate of one a week. In India, one farmer committed suicide every 32 minutes between 1997 and 2005. More than 100,000 farmers have taken their lives since 1997—86.5 percent of farmers who took their own lives were financially indebted. Their average debt was about \$835. On average, there has been one farmer’s suicide every 32 minutes since 2002. The tipping-point is relatively low: A crop failure, an unexpected health expense or the marriage of a daughter are perilous to the livelihood of these farmers. Suicide has spread like an epidemic among distraught farmers, many of them have committed suicide by drinking the very pesticides that no longer work on their crops (Center for Human Rights and Global Justice 2011). As a form of human atrocity, one also has to raise the question of what happens to their families after farmers committed suicide? Here is a small and sad list from India: farms are confiscated due to inability to pay back high interest loans; harassment of the family by corrupt money lenders; widows burdened with the new responsibility as the sole breadwinners; children who sometimes lose both parents to suicide can no longer afford education since they have to work and earn their livings.

3. Tensions

It goes without saying that the terms human rights, peace and conflict can mean several things, can be contested, and can be used to justify both domination and resistance to existing forms of state power. It is important, however, to understand that when one is working on the “human” faces of rights, peace and conflict, the notion of what constitutes being human itself is not unproblematic. Though different cultural locations of being human can certainly be discussed, I want to call attention to its epistemological side. By that I mean, the notions of being human could be construed as a product and/or a process, or in Aristotelian terms as an actuality and/or a potentiality.

In the evolution of the concept of human rights, when the notion of human is understood as a finished product/actuality, his/her civil and political rights have generally been underscored. But if they are seen as a process/potentiality, then conditions that would make it possible for people to realize their full potentials such as health care and education would also be inherent in the more expanded notion of human rights. More problematic, or I should say crazier, are those who choose to work, and by “work” I mean not as a detached academic or a solemn critic but as engaged academics, in the in-between space between human rights, peace and conflict. They cannot avoid the fact that they have painted themselves into a highly contested terrain between different tribes, much of the time with competing languages, rationales and experiences.

4. Shadows

I began this address with realities and tensions. It is a way of saying that the works that all of you/us have been working on, though admirable, is difficult and at times stressful. How then could one search for meaningful actions that might allow us all to continue to work in the context of such difficult realities? Perhaps to find meaningful actions in the midst of deadly realities, it is important to look into their shadows?

As a peace researcher, I would suggest that most arms-related negotiations take place in the shadow of conflict and violence. To focus only on the highly visible weapons and violence issues would oftentimes mean to ignore the success of negotiation, such as those that lead to the functioning of the nuclear nonproliferation treaty (NPT), which often takes place in its shadow (Suleman, 2008). Is it then possible to imagine that sometimes a clue as to how a conflict would unfold might be found in its shadow?

From a Jungian perspective, everyone carries a shadow and perhaps in spite of its function as a reservoir for human darkness, some would argue, with Erich Neumann, that:” The self lies hidden in the shadow; he is the keeper of the gate, the guardian of the threshold. The way to the self lies through him; behind the dark aspect that he represents there stands the aspect of wholeness, and only by making friends with the shadow do we gain friendship of the self....” (quoted in Zweig and Abrams 1991, 6). Put another way,

not only will darkness be found in the shadow, but a gateway out of it in the form of “stories” may also lie there.

5. Story

To paraphrase Michael Ignatieff’s statement on foreign policy, I would say that perhaps most policy makers and many human rights advocates may consider narratives and stories the province of language scholars or novelists. But then narratives are stories about what history means and what they justify. Some would argue that it is these stories which constitute the single most decisive mental construct presently shaping human rights/peace policies and discourses (Ignatieff 2014 a).

In *The Righteous Mind: Why Good People are Divided by Politics and Religion*, Jonathan Haidt maintained that: “It would be nice to believe that we humans were designed to love everyone unconditionally. Nice, but rather unlikely from an evolutionary perspective. Parochial love – love within groups – amplified by similarity, a sense of shared fate, and the suppression of free riders, may be the most we can accomplish” (2012, 245). This is because Haidt believes that functioning moralities must draw on intuitive emotional responses, namely care/harm, liberty/oppression, fairness/cheating, loyalty/betrayal, authority/subversion, and sanctity/degradation to control behavior, and that reason plays a relatively minor role in morality.

Perhaps a way to call Haidt’s opinion into question is by looking into the shadows of extremely deadly conflicts to find stories of the prevalence of actions where ordinary people risked their lives to cross the enemy lines to help those from outside their circles (Satha-Anand 2001). Let me provide three stories from the shadows of three extremely deadly conflict cases—the Nazi holocaust, the partition of India, and the massacre in Liberia.

5.1 Nonviolent actions of SS guards

The courage of Oscar Schindler, a German and a member of the Nazi Party, who helped thousands of Jews from concentration camps and death at the gas chambers, was well known, especially since Spielberg turned the story into an Oscar – winning movie— “Schindler’s List” in 1993. A question could be raised: is such human kindness that transcends the line dividing the “enemy” from “us” but an exception due to an individual’s idiosyncratic nature? The answer must be a resounding NO because there are cases of even SS officers helping the Jews as well, including that of Viktor Pestek.

Viktor Pestek was an SS guard at Auschwitz. He offered to help his victims escape by dressing them in an officer’s uniform and leaving the camp with him. Suspicious at first, one inmate accepted the offer and the Pestek’s plan succeeded. He returned to arrange more escapes but he was caught and executed. Apparently, he was once helped by his

“enemies” before. When he was fighting on the Russian front, he was wounded and left behind by his troops. After several days, members of a Russian family found him. Instead of killing him, they saved his life.

“He never forgot that these people had saved his life when they had absolutely no reason to spare a uniformed SS officer whose unit had just massacred their entire village” (Todorov 1997, 202).

In fact, there are reports from other prisoners that their lives were saved by several SS guards (Staub 1995, 141). There was also a case of an SS guard who accompanied two children and their fathers from Schindler’s camp to Auschwitz and then accompanied three hundred women from Auschwitz back to Schindler’s camp, acting in humane, friendly, and helpful manner, even crying in response to their sorrow (Staub 1995, 141).

5.2 A Sikh who saved a Muslim woman

A couple of days after independence in 1947, a group of 200 people from the Sikh and Hindu-dominated villages planned an attack on the Muslim camp in Meharbanpura. The leader of the group was a Sikh fanatic by the name of Bhan Singh who was later killed during the attack. His son, Harbans Singh, a head constable at Jhabbal in the Khem Karan area found a helpless young Muslim woman, Nawab Bibi, whose immediate family had been murdered and was left without relatives. The Sikhs gave her shelter and she stayed there. In early 1949 after partition, Nawab Bibi was taken away by some Pakistani officials. Harbans Singh tried to look for her at the border and everywhere without success. He then used the Muslim name of Barkat Ali, and with bribery managed to cross the border into Pakistan. In Lahore, Barkat Ali produced some papers to show that he was a displaced Muslim from the outskirts of Amritsar and was allowed to start a small business there. Barkat Ali, or Harbans Singh the son of the feared fanatic Bhan Singh, killed by the Muslims, kept trying to trace his “beloved” NawabBibi, a victimized Muslim woman whose entire family was killed by the Sikhs. Finally he managed to find her (Nandy 1999, 325-326). Although the Indian newspaper which reported this story did not say if they lived happily ever after, Nandy characteristically ends his article with this sentence: “But frankly, I would like to believe that they do” (Nandy 1999, 326).

5.3 Charles Taylor’s good soldier who helped the Mandingo people

In June 1990 at a small Liberian town of Bakedu, there was a massacre. On that day, two pick-up trucks full of armed NPFL fighters, the feared Charles Taylor’s National Patriotic Front of Liberia (NPFL), led by a woman commander burst into the village. The commander shouted at the trembling villagers gathered in a hut and said: “You, together with your belongings, belong to us. We will kill you because you are Mandingo people, strangers and not citizens. So we will kill all of you on this land.” The soldiers

opened fire at everyone in the hut, including children, killing 36 people instantly. Then they went out to kill some more. Some 350 villagers were killed in the shooting that lasted thirty minutes. After telling the story of the killing to the visitor, a village elder walked over to a spot by the river, near the mosque where people fled in panic on that very day and said:” There was soldier standing here too, but he was a good man and let the people pass by him without shooting them.” Other villagers nodded, also remembering this good but unknown soldier who has entered their collective memory of goodness in the midst of killing time (Slim 2008, 9-11, the quotes appear on p.10 and 11 respectively).

Cases and stories like these are usually relegated to the realm of exception. But here I wish to invoke the thought of Emmanuel Levinas to explain the acts of that nameless Liberian “good” soldier, and perhaps the S.S. guard Pestek and the Sikh Harbans Singh as well. The French philosopher argues that the acts could be the result of a sudden normative decision that is less rational from a conventional perspective but is quite beautifully surprising. This sudden turn takes place as a result of “pure emotion” when one human sees the face of another – imagine the eyes of Taylor’s “good soldier” when he saw the fear and suffering in the faces of the Mandigo villagers fleeing the bullets of the NPFL. This encounter of the other as a face, Levinas maintains, is to encounter him/her in a state of absolute alterity to oneself. The face one sees becomes irreducible because it “is present in its refusal to be contained” (Levinas 2002, 194). This is perhaps because the face is naked and vulnerable. It is at once common to all and yet absolutely unique at the same time. As a result, the act that followed from such encounter forecloses conventional ethics and makes it possible to cross institutional or other cultural lines that separate one human being from another.

These stories serve to show that if one looks carefully even in the shadows of deadly conflict, one could find acts of human kindness to those earlier demonized as the enemies. The problem is to connect these acts lying in the shadows of deadly conflict with the ensuing peace and conflict transformation projects that often try to move societies beyond the traumatic history of past, or at times continuing, violence.

Looking into the shadow of deadly conflict and find stories like the ones I choose to share here could serve as an antidote to the memory cage that would lock a society of past violence in a petrified moment without hope. These stories, though small and likely to be individuals’ stories, are important since in this day and age, the power of story could be much more powerful in shaping the course of conflict (Nye 2005). The smallness of these stories could also be extremely powerful since it could be argued that the shape and form of gigantic political changes in Poland after the fall of Soviet Union could be better understood if one looks at the small things, oftentimes relegated to the realm of shadows. Goldfarb points out that it was the Polish student theatre movement, organized in the 1970s, with the sort of public it helped constitute, and the kind of expression it presented to the Polish public that prefigured the Solidarios movement and thus ushered in the

transformation of the geopolitical world in late twentieth century (Goldfarb 2007, 3). In other words, it is these small things which live and breathe “in the shadow of big things”, a Goldfarb’s phrase which he uses in his introductory chapter, that help foster the shape of big things to come (Goldfarb 2007, 1).

6. Choice

In 1951, the US House of Representatives had set up its Committee on Un-American Activities (HUAC) charged with rooting out Communist activities in every sphere of civilian life. Senator Joseph McCarthy of Wisconsin had begun to denounce the legions of secret Communists embedded in left-wing strongholds like the labor union and the arts. Arthur Miller whose *Death of a Salesman* had won Pulitzer prize in 1949 was about to work with the legendary Elia Kazan to produce it as a movie. But the US government didn’t like the script where the villains were corrupt businessmen and wanted Miller to change it to corrupt Communist union leaders. Miller refused. But Kazan, in order to preserve his cinematic career, told Miller that he decided to do what was asked by the government-to supply HUAC with the names of former members of the Communist Party. Sadly looking back at the incident decades later, Miller writes: “ It was not [Kazan’s] duty to be stronger than he was, the government had no right to require anyone to be stronger than it had given him to be, the government was not in that line of work in America. I was experiencing a bitterness with the country that I had never even imagined before, a hatred of its stupidity and its throwing away of its freedom. Who or what was not safer because this man in his human weakness had been forced to humiliate himself?” (Rowland 2014, 59).

The world-renowned novelist Amos Oz reflects on what the solution to one of the most difficult and intractable deadly conflicts in the world-the Israel-Palestine case would look like this way:

“Tragedies can be resolved in one of two ways: there is the Shakespearean resolution and there is the Chekhovian one. At the end of a Shakespearean tragedy, the stage is strewn with dead bodies and maybe there’s some justice hovering high above. A Chekhov tragedy, on the other hand, ends with everybody disillusioned, embittered, heartbroken, disappointed, absolutely shattered, but still alive. And I want a Chekhovian resolution, not a Shakespearean one, for the Israeli/Palestinian tragedy” (quoted in Pinker 2011, 547).

Oz has made up his mind, now perhaps it’s time for us all to make a choice as well.

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