



Extracted from *Reconciliation after Violent Conflict*  
© International Institute for Democracy and Electoral Assistance 2003.

**International IDEA, Strömsborg, 103 34 Stockholm, Sweden**  
**Phone +46-8-698 37 00, Fax: +46-8-20 24 22**  
**E-mail: [info@idea.int](mailto:info@idea.int) Web: [www.idea.int](http://www.idea.int)**

# Offenders

LUC HUYSE

Violent conflict produces a wide variety of offenders - men and women, state and non-state actors, local and foreign individuals and organizations, generals and foot soldiers. Ideally, the processes aimed at reconciliation should touch them all. In practice, many of them will remain outside the reach of healing, truth-telling, justice and reparation initiatives. Perpetrators may be unknown, on the run or simply unwilling to engage in reconciliation activities. Whatever the situation, it is essential to understand and recognize their role and motives (section 5.1). It is also in the interests of a post-conflict society that perpetrators be reintegrated in their community (section 5.2).

## 5.1 Understanding Offenders

Understanding the “why” and “how” of offenders’ actions is not by any means the same as excusing them. But it is a precondition for any reconciliation policy. It is necessary to understand the diversity of their guilt, the gravity of their offence and their motives.

*Understanding the “why” and “how” of offenders’ actions is a precondition for any reconciliation policy.*

### 5.1.1 Varieties of Offender

Offenders can be classified according to the nature of guilt. Is it criminal, political or moral? Is it individual or collective? The range of sources and forms of guilt demands that a reconciliation policy reflect a diversity of approach.

#### “Primary” and “Indirect” Offenders

The presence of criminal guilt is the distinctive factor for what are called primary offenders. They are the ones who, on the basis of national or international law, can be brought before a criminal court. This is the category that receives most attention from political actors, international institutions, public opinion and NGOs working in the field of human rights, the media and the academic community.

In the case of indirect offenders, guilt is of a political and/or moral nature. Their offence is caused (a) by the direct or indirect advantages they enjoyed as a result of the offences of others, (b) by inaction when witnessing violations of human rights, or (c) by unintentional harmful action.

Each regime that is based on gross inequalities, each civil war, has its many silent beneficiaries. They do not kill, torture, abduct or abuse physically. But they profit whenever scarce resources are allocated - jobs and income, health care and education, housing and personal security, status and political power. In many cases the benefits they receive continue from the past over the present into the future. The report of the South African Truth and Reconciliation Commission (TRC) rightly says:

*Silent, indirect beneficiaries do not kill, torture, abduct or abuse. But they profit from the past.*

“Reconciliation requires a commitment, especially by those who have benefited and continue to benefit from past discrimination, to the transformation of unjust inequalities and dehumanizing poverty”. Focusing on beneficiaries also sheds more light on the victimhood of the majority, whereas an emphasis solely on the primary offenders inevitably limits the scope to individual victims whose

suffering is most visible. The accountability of indirect beneficiaries must also be addressed in reconciliation processes.

Domestic beneficiaries are those among the population who benefit most from the unjust situation. Their accountability, too, must be addressed in a reconciliation process. Otherwise, certain key aims, such as distributive or social justice, will remain a distant goal. (It was in this context that the South African TRC proposed the introduction of a wealth tax to enable those who benefited from apartheid policies to contribute towards the alleviation of poverty. Up to now the scheme has not been put in place.)

Bystanders and onlookers are another type of indirect offender. Complicity here is due to inaction when confronted with victims of violent conflict. They know what happens, or choose not to know, and remain silent. Their guilt is moral. Sometimes bystanders belong to the international community. The inaction of the UN in general, and of Belgium, France and the United States in particular, at the start of the genocide in Rwanda was a forceful demonstration of such guilt. Another example was the passive attitude of the Dutch UN battalion in Srebrenica, Bosnia, while thousands of Muslim men were abducted and killed by Bosnian Serb forces.

Unintentionally harmful action is a further sort of indirect offence. This is a problem that continually haunts UN institutions such as the United Nations Development Programme (UNDP) and the United Nations Commission for Human Rights (UNHCR), and large NGOs like Médecins Sans Frontières (MSF). They have sometimes been involved in actions that involuntarily led to the persistence of a civil war or of human rights violations. For example, the genocide in Rwanda produced massive Hutu refugee camps in East Congo. MSF played a prominent role in the camps in responding to a major food and health crisis that broke out, while extremist Hutu elements in the camps exploited the crisis for the purposes of mobilization and indoctrination. It has been argued that a section of MSF, by maintaining aid provision for a year in the camps, in fact fuelled the war between Hutu and Tutsi by indirectly facilitating the reorganization and regrouping of Hutu combatants.

## Individual and Collective Offenders

Criminal courts deal with individual guilt. Truth commissions, on the other hand, can look at cases of collective guilt (see chapter 8). Their findings confirm that churches, professional groups such as the judiciary and the medical profession, business and the media have contributed to human injustice. In many countries they act at least as beneficiaries and bystanders. Business leaders refrain from criticizing state violations of human rights because they need government contracts. In South Africa,

*Churches, the judiciary, the medical profession, business and the media have contributed to human injustice.*

the mining industry supported the migrant labour system that damaged black family life. Faith communities chose to look the other way when confronted with the effects of state-sponsored terrorism. The line between being silent or active supporters of apartheid often became extremely thin. Churches provided theological arguments in support of apartheid. Members of the

medical profession advised police on torture techniques that left no marks.

## Gender

The perpetrators of genocide and mass atrocities are chiefly men. Understanding of the biological, psychological, cultural and political foundations of male violence in the area of human rights is extremely limited, and knowledge about the role of women in this domain is even more lacking. Basic statistical information is scarce and, where it exists, merely anecdotal. For example, the report of the

South African TRC has a section on women as perpetrators, but the only information is that one per cent of amnesty applications of those where the applicant's sex was known came from women.

In effect, the inclusion of a gender perspective and information about the roles of women in situations of armed conflict is both recent and restricted, and there has been a tendency to depict women as natural peace-lovers who altruistically take care of others. But, even when there is a difference between the social behaviour of men and that of women in conflict situations, it is important to recognize the roles that women may play as offenders as well. It has already been mentioned that women have been active members in a number of liberation movements and armed forces. In Sri Lanka, for instance, there are women in both the national army and the Tamil liberation movement, the Liberation Tigers of Tamil Eelam (LTTE). In the LTTE women are said to be involved in the torture of enemy soldiers, and they play an important role as suicide bombers and in recruiting for and justifying the war among civilian Tamils through seminars and public meetings. Women also play a significant role in justifying war through the upbringing of children, particularly sons. We know from Sri Lanka, Palestine and other places that mothers actively encourage their sons to take up arms and fight the enemy. Also, women, like men, may take advantage of a militarized situation to involve armed factions in resolving local and domestic disputes.

**5.1.2 Hierarchies of Cruelty, Hierarchies of Offenders**

The term “perpetrator” is not applicable in all cases of victimization. Actions that produce considerable harm may be unintentional or the result of plain errors. In civil war, for example, collateral damage - killing or wounding civilians, destroying homes and communal infrastructure - is sometimes

*Box 5.1: Categories of Offence*

<p><b>International Crimes*</b> (crimes posing a threat to international security and the safety of humankind; these cannot be modified by any treaty or domestic law):</p> <ul style="list-style-type: none"> <li>• <i>Crimes against humanity</i> as defined in the Statute of the International Criminal Court (ICC) of 1998 (article 7) are crimes committed as part of a widespread or systematic attack directed against any civilian population: murder, extermination, enslavement, deportation, severe deprivation of physical liberty in violation of fundamental rules of international law, torture, rape, sex slavery, forced prostitution, forced pregnancy and sterilization, and all other forms of severe sexual violence, persecution, enforced disappearance of persons, apartheid or other inhuman acts of a similar nature.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Genocide</i> (ICC Statute, article 6) is acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group as such, by killing members of the group, causing serious bodily or mental harm, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, imposing measures intended to prevent birth within the group or forcibly transferring children of the group to another.</li> <li>• <i>War crimes</i> (ICC Statute, article 8) are severe violations, committed during an international or domestic armed conflict, of the Geneva Conventions of 12 August 1949 and of other international humanitarian laws, in particular if these acts are directed against people not actively participating in combat (e.g., civilians or prisoners).</li> </ul>	<p><b>Gross Violations of Human Rights*</b> (severe violations of human rights (e.g., torture, disappearances committed by state or non-state agencies). This category entails (isolated) acts that are not necessarily part of a widespread or systematic attack, hence the difference with crimes against humanity.</p> <p><b>Associated Violations**</b> These are not gross violations of human rights but cause all the same victimization (e.g., violating a corpse after death, sexual harassment including threats of rape, deprivation of essentials such as medical attention, ruin of business, intimidation by dismissal from work).</p> <p>* Based on Gunnar Theissen. ** Based on vol. V, chapter 1 of the report of the Truth and Reconciliation Commission of South Africa.</p>
---	--	---

unavoidable. No humanitarian or moral laws may have been violated. The strict notion of a perpetrator must be reserved for those whose acts fall into the categories of international crimes, gross violations of human rights and associated violations. Box 5.1 offers a short definition of these categories, portraying the faces of cruelty. It also helps to answer the questions whom to prosecute and/or whom to involve as perpetrators in programmes of healing, truth-seeking and reparation.

Information on offenders must be located, processed and utilized. One of the first steps is to classify offenders according to the gravity of the crimes they committed or are suspected of having committed. This often proves to be difficult: the majority of the population has participated in human rights violations; records have been destroyed; the new regime lacks the logistical capacities.

Two quite different approaches to offender classification can be found in Rwanda and Ethiopia.

In Rwanda, the Organic Law of 12 October 2000 creating the special *gacaca* tribunals (see the case study following chapter 7) provides for the classification of (suspected) perpetrators into four categories. Category 1 includes the planners, organizers and leaders of the genocide, persons acting in their official capacity, famous and excessively cruel killers and those who committed torture and sexual crimes. Persons suspected of physical assault resulting in the death of the victim belong to category 2. Category 3 is made up of criminals who committed serious but not deadly physical assaults and violence. Finally, persons who committed offences against property (theft, destruction, looting etc.) fall into category 4. However, the obstacles and handicaps in information management are immense and the implementation of this classification has proved to be extremely difficult.

In Ethiopia, the Special Prosecutor's Office had a double advantage: the former regime had kept meticulous records and the US-based Carter Center contributed to the establishment of an information management system. The Special Prosecutor's Office divided the suspects of genocide and other human rights violations into three groups. Category I consists of the policy and decision makers. These are the people being tried in the so-called Dergue trials. (The Dergue was the government in the previous regime.) Category II consists of the field commanders. They passed on the orders from the Dergue to the lower echelons. In the third category are the individual perpetrators of crimes. Right from the start, the Special Prosecutor has given priority to bringing category I offenders to court. This means that the most complicated cases are dealt with first, causing considerable delays to the proceedings. In the meantime, some 9,000 suspects of the two other categories have been on remand since May 1991. The philosophy behind the Special Prosecutor's strategy is that it will yield an understanding of the chains of command.

### ***5.1.3 The Motives of Offenders***

Understanding offenders requires the examination of a multitude of potential sources of violent deeds - biological, psychological, cultural and political. Asking offenders what their motives were is important, but it opens only one window on this immensely complicated matter. Many of the causes of vicious behaviour are consciously or unconsciously repressed.

#### **The Context as a Source of Motives**

Psychological sources of acts of atrocity (e.g., pure revenge or sadism) are an important dimension to explaining and understanding violent behaviour. However, in the context of reconciliation processes, factors of a social, cultural and political nature are even more significant, because they are more tangible targets for change-oriented policies than the psychology of real and potential offenders.

Offenders may have acted or thought that they were acting under orders or under threat. Or, given the context (e.g., an authoritarian regime), their actions may not have been unlawful when they were

committed. A major discussion in France, during and just after World War II, focused precisely on the legality of the Vichy regime, which had collaborated with the German occupiers, and on the actions of those who, believing Vichy to be the legal and legitimate government of France during the war, obeyed its laws and committed ugly crimes. Some of the physical and psychological violence carried out by the communist regimes of Central and Eastern Europe was sanctioned by the legal codes then in force. Claus Offe, a German sociologist, gives the example of a communist offender who might argue that he was “unaware of the now alleged criminal nature of the acts of which he is accused; given the fact that he has been brought up in a regime that pardons and in fact mandates acts (now deemed criminal) for the sake of higher political purposes, he had no reason to doubt the rightfulness of what he had been doing”.

Perpetrators may themselves be “victims” of hate speech, as in Rwanda, where Radio Mille Collines incited the Hutu population to exterminate the “cockroaches” (i.e., the Tutsi). The use of such dehumanizing language is a well-known technique that can turn ordinary citizens into violators of human rights. As Alex Boraine says: “The moment one designates a person as sub-human, one can act against them as an object with very little feeling. After all, if they are not quite human, then they don’t feel as we do, they don’t hurt as we do, and in a sense they don’t bleed as we do”. In yet other ways, language creates confusion about the sources of, and the accountability for, violent behaviour. Authoritarian regimes tend to use ambiguous words and codes when they discuss security matters with the military, the police and secret services - “take out”, “neutralize”, “methods after detention” and “informal policing”. Adriaan Vlok, Minister of Law and Order in the last South African apartheid government, said in his testimony to the TRC: “We at the top took certain decisions and we used terminology without actually really thinking about it and that worked its way through to the people on the ground and they misinterpreted it”.

*Perpetrators may themselves be “victims.”*

Finally, the existence of a culture of impunity also adds to the ambiguity of some forms of violence. The Zimbabwe Human Rights NGO Forum published a report on alleged perpetrators and their crimes during the 2000 parliamentary elections. They saw the culture of impunity in their country as one of the explanations for the violent behaviour of some of the followers of the governing Zimbabwe African National Union-Patriotic Front (ZANU-PF) party.

Amnesties have proven to be a dangerous practice in Zimbabwe and have set an unfortunate precedent. A general amnesty was imposed both after the Liberation War and after the Matebeleland massacres in the 1980s. As a result, Zimbabwe’s disinclination towards seeking accountability in both these eras has been instructive to the populace in general: crimes will not be prosecuted, criminals are free and are even encouraged to terrorize again, and victims will be denied justice.

Latin American countries such as Colombia have a similar legacy of impunity, giving perpetrators the impression that their acts are politically, socially and morally accepted. (See chapter 7 on the question of amnesty and impunity.)

## Political Motives

Violence in the area of human rights is a multidimensional phenomenon. The political motives which often lie behind it are similarly varied.

A frequent excuse is “We were at war”. This can be a genuine explanation in situations of civil war between ethnic or religious groups. But it appears just as often in the context of colonial and anti-colonial operations. The Cold War, too, was an extremely effective context for similar self-justifica-

tion. Ideology and a true “belief in the cause” can operate in the same way. Another, almost inexhaustible, source of rationalization appears when a society is caught in a cycle of violence. Revenge then becomes the fuel that continually causes breaches of human rights: new violence is justified, or even demanded, as retaliation or punishment for previous violence.

Non-state actors (paramilitary groups, rebels, and so on) who use violence will often explain their acts as justifiable “politically-motivated violence”, unavoidable in response to state violence. Their fight for freedom or against repression, for example, is purely motivated by political and/or moral aims, and is only dismissed as criminal in the eyes of an unjust regime. Setting aside for the moment the question of the morality of violence in general, undoubtedly this is a genuine explanation of why many “ordinary” people around the world feel compelled to engage in “extraordinary” acts (i.e., violence) and see themselves as freedom fighters and reluctant heroes.

*Distinguishing political from other motives for atrocities is a crucial mission in truth-telling and prosecution.*

Political motives can sometimes be used merely to camouflage criminal purposes. Examples can be found in the recent history of countries like the former Yugoslavia, Liberia, Sierra Leone and Somalia. The violence employed by official agencies (such as military and paramilitary units, police and so on) and by rebel movements is meant purely to protect their control over drug traffic, illegal migration routes or smuggling operations.

Distinguishing political from other motives for atrocities is a crucial mission in truth-telling and prosecution. Victims will never accept amnesty, for example, as the outcome of a testimony in a truth commission if there is no clear and unambiguous certainty that a human rights crime had a political foundation. And transitional justice trials frequently use the notion of a “political offence” as a way to identify attenuating circumstances. (See chapter 7.)

## **5.2 Offenders and Reconciliation**

What can facilitate the reconciliation of offenders with their victims, with their society and with their own destiny? Much depends on the context in which the victimization of fellow citizens was committed and on the motives of the perpetrators. In some cases background, motives and perspectives raise serious obstacles to reconciliation; but experience suggests that under certain circumstances the reintegration of offenders is a principal step towards reconciliation.

### **5.2.1 Obstacles**

#### **Denial of Guilt**

The findings of truth commissions demonstrate that rejection of guilt and responsibility is based on a variety of discourses. “We are heroes, not perpetrators” is the interpretation repeatedly given when violence is committed against a background of civil war or of colonial and anti-colonial wars. In addition, where impunity is a dominant theme in the political and legal culture (as was the case in many Latin American countries), offenders feel that they were entitled to do what they did. Others refuse to be called offenders, employing the well-known argument that they were “only obeying orders”. They experience and acknowledge no guilt.

Michael Ignatieff, writing on the tragic events in the former Yugoslavia, identifies yet other forms of denial, such as complex strategies of relativization: “One accepts the facts but argues that the enemy was equally culpable or that the accusing party is also to blame or that such ‘excesses’ are regrettable necessities in time of war. To relativize is to have it both ways: to admit the facts while denying full responsibility for them”.

## The “Magnitude Gap”

Roy Baumeister, a German philosopher, has compared the perspectives of victims and perpetrators on the importance of the violence that took place, on the intensity of emotions, on the duration of the effects of the events, and on the moral evaluation and interpretation of what happened. He argues that the differences are such that a “magnitude gap” exists between the two perspectives. Offenders generally tend to undervalue the significance and consequences of their acts, while victims understandably feel the full weight of their suffering. This “disconnect” is a major obstacle on the route to reconciliation. (See box 5.2 for a concrete application of this analysis.)

*A “magnitude gap” exists between the perspectives of victims and perpetrators on the importance of the violence that took place.*

### Box 5.2: The “Magnitude Gap” in South Africa

This magnitude gap has a number of features:

1. The importance of the act is usually far greater for the victim. Horror of the experience is usually seen in the victim’s terms; for the perpetrator it is often “a very small thing”
2. Perpetrators tend to have less emotion about their acts than do victims.
3. The experience of violence typically fades faster for perpetrators than for victims. For victims, the suffering may continue long after the

- event.
4. Moral evaluations of the events may differ: actions may appear less wrong, less evil, to the perpetrator than to the victim. While victims tend to rate events in stark categories of right and wrong, perpetrators may see large grey areas.
5. Discrepancies exist between victims and perpetrators regarding the question of motives and intentions, the crucial question of why? Victims’ accounts show two versions, one which emphasizes sheer incomprehensibility - the

perpetrator had no reason at all - and one which presents the perpetrator’s action as deliberately malicious, as sadistic, as an end in itself. By contrast, the vast majority of perpetrators, even if they admit wrongfulness, provide comprehensible reasons for their actions.

*Source: South African Truth and Reconciliation Commission. Report, Vol. V:271–272*

## Apologies without Accountability

Some observers, reflecting on reconciliatory steps taken by offenders, have emphasized the importance of apologies. Others ask if saying “Sorry” is enough. They argue that apologies without admitting responsibility to the victims will not lead to genuine reconciliation. This question has been debated fiercely in South Africa after former President de Klerk’s appearance before the TRC. He apologized in the following terms: “Apartheid was wrong. I apologize in my capacity as leader of the National Party to the millions of South Africans who suffered the wretched disruption of forced removals in respect of their homes, businesses and land. Who over the years suffered the shame of being arrested for pass law offences. Who over the decades and indeed centuries suffered the indignities and humiliation of racial discrimination”. But he also told the TRC that he did not feel responsible because, “I have not been involved in anything which can...constitute any form of credible charge that I have been guilty of any crime”.

While apologies can indeed add significantly to the reconciliation process, at the same time many victims can find incomplete apologies insulting, thus actually creating a further obstacle to reconciliation.

### 5.2.2 Reintegration of Perpetrators

It is ultimately in the interests of the society as a whole that perpetrators be reintegrated into their community. Their continued exclusion from the community threatens the overall integration and reconciliation of the society.

*Perpetrators' continued exclusion from the community threatens the overall integration and reconciliation of the society.*

advocate the reintegration of perpetrators:

- Quite soon after the end of a violent conflict prisons often have to cope with overpopulation, exerting untenable pressure on public resources.
- Lengthy punishment of one particular category of offenders, namely administrative and managerial staff, risks being very counterproductive as it could endanger the badly needed political and economic reconstruction of the country.
- External threats may speed up the urge to reincorporate former perpetrators in view of a much-needed national reconciliation. This is what happened in France and the Netherlands a few years after World War II ended. Both countries became involved in a colonial war, France in Indochina and the Netherlands in Indonesia, and sought domestic unity through the reconciliation of the Resistance and those who had been punished for their collaboration with the Germans.
- Other motives are of a politico-moral order. The prolonged physical and social exclusion of certain sections of the population may drive the perpetrators into social and political isolation, giving birth to a class of outcasts who will take revenge on society. It can also result in the creation of subcultures and networks which, in the long run, will become hostile to democracy.
- Easy access to weapons in many societies emerging from conflict contributes to creating a highly explosive situation.

All these considerations may obstruct the processes leading to reconciliation.

Sooner or later most offenders will return to their community of origin. This homecoming could become a source of re-traumatization of the surviving victims if no explicit measures with respect to adequate reintegration are taken.

*Sooner or later most offenders will return to their community of origin. This homecoming could become a source of re-traumatization of the surviving victims if no explicit measures with respect to adequate reintegration are taken.*

remission of financial sanctions, restitution of office and of civil rights, and rehabilitation.

- Actively promoting reintegration by way of re-socialization is a further, but quite difficult, task. Moral persuasion is rarely enough: instilling democracy and human rights values requires intricate education programmes and is a long-term enterprise.
- Reintegrating offenders at the level of the local community. This is generally carried out by NGOs, religious institutions and other civil society groups. Local authorities may involve offenders in com-

### Why Reintegrate?

The reasons for setting up reintegration programmes vary according to the context of the transition. Several practical considerations may lead state authorities to

### How to Reintegrate?

There is a host of strategies available to national policy makers.

- Removing legal and administrative obstacles. Such measures include release on parole, reduction or

munity-based projects, asking them to offer their skills and time in rebuilding schools, hospitals and roads. That is precisely the reconciliation-oriented sanction that the Rwandan gacaca tribunals at the level of the cell will be able to impose (see the case study following chapter 7).

In countries such as Cambodia, Indonesia, South Africa and Mozambique, reintegration initiatives are often based on traditional rituals which express the acceptance of offenders back into the community. In Canada, Aboriginal ceremonies, called healing circles and including contacts with elders, have been integrated into official prisoner release preparation programmes. The philosophy behind such schemes is that modern criminal justice systems have disempowered local communities with respect to reintegrating offenders by giving all the power to professionals such as social workers, psychologists and psychiatrists. These cleansing rituals place the crime back in the context in which it happened. This approach is part of the broader perspective of restorative justice (see chapter 7).

Reconciliation between offenders and victims will profit if both national and local policy makers can retrieve, reassemble or combine elements of traditional mechanisms of healing, reintegration and rehabilitation.

### **A Top-Down or Bottom-Up Approach?**

Balancing the needs of the political system against the desires of individuals and local communities, state authorities often give full priority to a top-down approach, developing policies such as amnesty or collective pardon. These may be perceived in the population as imposed solutions and, thus, be resented. Local initiatives, on the other hand, are frequently too few in number and too small in scope to constitute an adequate form of policy. The reintegration of members of the army or of armed rebellion movements, for example, needs to take place preferably in the context of a national demobilization policy. What is wanted is a suitable mix of programmes and projects, both top-down and bottom-up.

That is exactly what is planned in East Timor. The Commission for Reception, Truth and Reconciliation, created in late 2001, will try to achieve the objective of “reception” or reintegration by using East Timorese traditional justice mechanisms and by facilitating “community reconciliation agreements” between the local community and the perpetrators of less serious crimes such as looting, burning and minor assault.

Such a blend is particularly needed where child soldiers form an important part of the ex-combatant population. Approximately 300,000 children, some as young as 10 years, are currently serving as soldiers in more than 40 armed conflicts. They have often been kidnapped. (One of the most brutal examples is the abduction of some 10,000 children by the Lord’s Resistance Army in Northern Uganda.) According to Human Rights Watch, child soldiers in post-conflict societies are schooled only in war and tend to be drawn into crime or to become easy prey for future military recruitment. Breaking this cycle of violence entails specific demobilization and reintegration projects, based on creating opportunities for education, training and employment.

### **5.3 Concluding Remarks**

Ideally, reconciliatory steps by offenders include fully exposing the facts, looking the victims in the eye, listening to them, repairing (part of) the harm done, acknowledging sorrow, guilt or shame, and ultimately feeling empathy with them. However, in many cases a variety of obstacles will block the way to such moves. Offenders may be unwilling to engage in reconciliation projects because they underestimate the consequences of their acts. Or ideology and a culture of impunity may incite them

to reject guilt and responsibility or, even worse, look for revenge.

Overcoming such obstacles should be the ambition of any reconciliation policy. Positive developments include accepting the diversity of guilt in violent conflict and distinguishing political from other motives in atrocities. Reintegration of offenders into their local communities once a reasonable degree of coexistence has been reached is another possibility. There is no guarantee that reintegration programmes will convince offenders to reconcile with their victims, or vice versa. But such programmes certainly create opportunities for perpetrators to break out of their isolation and, in the case of community-based initiatives, to realize the harmful impact their behaviour has had on the victims and thus to consider how they might respond.

## References and Further Reading

### Main Sources

South African Truth and Reconciliation Commission. *Report, Vol. V*. Cape Town: Juta & Co., Ltd, 1998.

Theissen, Gunnar. "Supporting Justice, Co-Existence and Reconciliation after Armed Conflict: Strategies for Dealing with the Past". In *Berghof Handbook for Conflict Transformation*. Berlin: Berghof Research Center for Constructive Conflict Management, 2001,

<http://userpage.fu-berlin.de/~theissen/biblio/index.html>.

Lorentzen, Lois Ann and Jennifer Turpin. *The Women and War Reader*. New York: New York University Press, 1998.

Offe, Claus. "Coming to Terms with Past Injustices." *Archives Européennes de Sociologie* 33(1992):195.

Tushnet, Meredith and C. Twagiramariya. *What Women Do in Wartime: Gender and Conflict in Africa*. London: Zed Books, 1998.

Zimbabwe Human Rights NGO Forum report, <http://www.hrforumzim.com>

### Other References

Baumeister, Roy. *Evil: Inside Human Cruelty and Violence*. New York: Freeman, 1996.

Boraine, Alex. *A Country Unmasked: Inside South Africa's Truth and Reconciliation Commission*. Oxford: University Press, 2000.

Gibbs, Sara. "Postwar Social Reconstruction in Mozambique: Reframing Children's Experiences of Trauma and Healing." In *Rebuilding Societies after Civil War: Critical Roles for International Assistance*, edited by Krishna Kumar. Boulder, Colo.: Lynne Rienner Publishers, 1997:227–238

Human Rights Watch, <http://www.hrw.org/campaigns/crp/index.htm>.

Ignatieff, Michael. "Articles of Faith." *Index on Censorship* 5(1996):110–122