



Papel Político
ISSN: 0122-4409
ISSN: 2145-0617
Pontificia Universidad Javeriana

Espejo, María Paula
Victimizers no More: The Risk of Addressing Conflict's Actors from Binary Readings *
Papel Político, vol. 26, 2021, January-December, pp. 1-13
Pontificia Universidad Javeriana

DOI: <https://doi.org/10.11144/Javeriana.papo26.vmra>

Available in: <https://www.redalyc.org/articulo.oa?id=77774749001>

- ▶ How to cite
- ▶ Complete issue
- ▶ More information about this article
- ▶ Journal's webpage in redalyc.org



Scientific Information System Redalyc
Network of Scientific Journals from Latin America and the Caribbean, Spain and
Portugal

Project academic non-profit, developed under the open access initiative

Victimizers no More: The Risk of Addressing Conflict's Actors from Binary Readings*

No más victimarios: el riesgo de abordar a los actores del conflicto a partir de lecturas binarias

María Paula Espejo^a
Western Ontario University, Canadá
mespejo@uwo.ca

ORCID: <https://orcid.org/0000-0001-5742-5841>

DOI: <https://doi.org/10.11144/Javeriana.papo26.vmra>

Received: 16 February 2021

Accepted: 10 March 2021

Published: 30 November 2021

Abstract:

In order to grasp the obstacles faced by peacebuilding processes it is important to analyze the basics: language. The way individuals are addressed matters because it determines their agency to narrate their stories, and freely explore their identities during the conflict's aftermath. After studying Primo Levi's "gray zone", the relevance of studying the interstice between victims and victimizers becomes evident. The oxymoron makes visible a need to rethink the concepts in order to overcome the obstacle it represents during post-conflict's reintegration processes. This article attempts to contribute to the unleashing of static concepts such as "victim" and "victimizer" while in periods of transition. It is done under the premise that notions should be kinetic in accordance with the transitioning process they are part of. It is found that static concepts have a dissonance with labels anchored to a violent and complex past during peacebuilding efforts. Therefore, the article frames the transitional justice context by analyzing its objectives and special mechanisms, while revising what is understood by the words "victims" and "victimizers". The ultimate goal is to problematize the findings and contrast them with the concept of violence. Mainly, because it is violence the one that creates, and mediates the relationship between both victims and victimizers. The article is part of a three-set of theoretical exercises. This one frames the context to advance in the first steps to recognize and overcome the stigma imposed on conflict's primary actors. It is the theoretical proposal to deepen on how to make reconciliation more attainable.

Keywords: transitional justice, victims, victimizers/perpetrators, peacebuilding, violence, resentment.

Resumen:

Para comprender los obstáculos que enfrentan los procesos de construcción de la paz es importante analizar lo básico: el lenguaje. La forma en que se trata a los individuos importa porque determina su agencia para narrar sus historias, y explorar libremente sus identidades durante la etapa posterior al conflicto. Después de estudiar la "zona gris" de Primo Levi, se hace evidente la relevancia de estudiar el intersticio entre las víctimas y los victimarios. El oxímoron hace visible la necesidad de repensar los conceptos para superar el obstáculo que representa durante los procesos de reintegración de los excombatientes. En este artículo se intenta contribuir al desencadenamiento de conceptos estáticos como "víctima" y "victimario" en los períodos de transición. Éstos, bajo la premisa de que las nociones deben ser cinéticas de acuerdo con el proceso de transición del que forman parte. Se ha comprobado que los conceptos estáticos tienen una disonancia con las etiquetas ancladas a un pasado violento y complejo durante los esfuerzos de consolidación de la paz. Por consiguiente, el artículo enmarca el contexto de la justicia de transición analizando sus objetivos y mecanismos especiales, al tiempo que revisa lo que se entiende por las palabras "víctimas" y "victimarios". El objetivo final es problematizar las conclusiones y contrastarlas con el concepto de violencia. Principalmente, porque es la violencia la que crea y media la relación entre las víctimas y los victimarios. El artículo forma parte de un conjunto de tres ejercicios teóricos y enmarca el contexto para avanzar en los primeros pasos para reconocer y superar el estigma impuesto a los principales actores del conflicto. Es la propuesta teórica para profundizar en cómo hacer más alcanzable la reconciliación.

Palabras clave: justicia transicional, víctimas, victimarios, construcción de paz, violencia, resentimiento.

Author notes

^a Corresponding author. E-mail: mespejo@uwo.ca

Introduction

In principle, the problem of the present research arises from examining the gray area proposed by Primo Levi (1989), who develops the ability to “do evil” intrinsically to all human beings. This is observed by Levi while analyzing privileged Jews in service of the Nazis, especially, noting it is sometimes possible to be both victim and victimizer, which makes the need for broader or less rigid categories quite evident. However, in conflict contexts, gray areas become more visible when enlistment in armed groups becomes a recurring mechanism due to survival instinct or for seeking revenge against the indiscriminate violence exerted by others (Uprimny, 2005, p. 5).

In countries that have gone through armed conflicts, many former combatants were victims before becoming victimizers, speaking not only in terms of structural but also direct violence (Galtung, 1969). Child soldiers who once turning adults (Drumbl, 2012) end up trapped in the stigma of the “victimizer” once they reach adulthood, losing their status as victims of violence can be taken as an example thereof. But what is it that changes so much from seventeen to eighteen? Or, if considering International Law, from fourteen to fifteen?

As a matter of fact, victims and victimizers have usually been used as antagonist identity categories (Campbell, 2011; Fattah, 1994; Gross, 2012; Deutsch, 2011; Auerhahn, 2018) but at the light of addressing phenomenon like the one of child soldiers, further research has taken place to revisit and re-evaluate the entanglement of the binary categories of victim - victimizer/perpetrator (Drumbl, 2012; Fisher, 2013; Derluyn et al., 2015) that have found new identities deserving of recognition, especially after legacies of systematic Human Rights violations. One example is the research on “innocent victims” and “complex victims” (Moffet, 2016), where the first has never been a member of an armed group, and the second has victimized others. Also, different authors have explored the other side of the coin and have attributed concepts such as “complex political perpetrators” to address those who became perpetrators after being perpetrated, with an initial victimhood (Baines, 2009). The most notorious case reflecting on the importance of overcoming binary readings, even in international courtrooms, has been the one of Dominic Ongwen whose trial began in 2016 with more than 70 counts of crimes against humanity and war crimes as alleged brigade commander of the Lord’s Resistance Army in Uganda, but, who also stands as a victim of child recruitment (Kan, 2018).

This reality provides a scenario of multiple actors: victims, victimizers, those in the gray zone, civil society, the private sector, the State, and countless social groups and collectives with radically different positions on what should be built in the future. What turns out to be a sample of the lack of deeper analysis of the categories used to refer to certain groups of people. Given that the different understandings of nation, peace, justice, truth, memory... are equally diverse, then it cannot be expected that such multiplicity of actors converge in their positions amidst so many elements and concepts. Less likely when every group has different experiences, versions and particular “truths” from the same events. Hence, the challenge lies in helping all those versions to coexist under a basis of mutual respect and recognition (Espejo, 2020a, 2020b), making inescapable a thorough revision on the use of concepts such as victim, and especially, victimizer when in a context of peacebuilding and reconciliation during a conflict aftermath and transitional processes.

Consequently, the research problem is based on the need to look for alternatives that break with binary readings, which by means of labels limit the agency of all actors in relation to what happened during the violent period. It is important to recognize that those binary readings of “the good and the bad” only nests resentment —in both victims and non-victims— even when reconciliation starts from the base of non-resentful societies and especially when resentment is understood as the ignition of future conflicts. In line with Gibu Shimabukuro (2016), who understands resentment as a theoretical but also practical matter, it provides that reconciliation can only occur “from action from otherness capable of reversing the ‘thirst for revenge’ from which this feeling is nourished” (Gibu Shimabukuro, 2016, p. 12).

Ultimately, an understanding of reconciliation is promoted as recognition, which “must be conceived as a genre of different forms of practical attitude in which each time the primary objective of a particular statement is asserting the one in front” (Honneth, 2006, p. 135). Hence, it consists in recognizing ourselves as citizens based on mutual respect, beyond the different ways of thinking, characteristics and beliefs that end up allowing living among cultural diversity. Accordingly, it justifies the need to seek for alternatives that aim to adopt flexible concepts capable of acknowledging others’ identity (Espejo, 2020a, 2020b), starting from language and the way that society and those in inter-groups can either recognize or disclaim individuals, particularly those who were primary actors during armed conflicts.

Therefore, the present research has the objective to criticize the concepts of victims and victimizers in a post-conflict context, as a necessary first step for an alternative language or concept more effective to avoid future violence cycles fueled by resentment, as well as to promote peacebuilding. Therefore, it is developed around answering why is it problematic to use concepts rigid and loaded with value judgement, and why does talking about “victimizers” in a post-conflict scenario can jeopardize peacebuilding. The research attempts to describe whether or not the language we use can become an obstacle for peacebuilding, particularly using the case of the concepts: “victims” and “victimizers”, and suggest a need for an alternative.

To do so, the following topics will be addressed. At first, transitional justice will be defined based on its characteristics, medium- and long-term objectives and the special mechanisms usually used to implement it. Then, there will be a revision on the concepts of victim and victimizer, the harm and violence that mediate the relationship between these two actors and how collective violence is ignited.

The sources for this research will be secondary ones. The bibliographical review will include articles from prominent authors in the transitional justice, conflict resolution and peace research fields as well as articles in specialized journals and research papers that inform on how the concepts have been used and understood. Notwithstanding other resources and texts on the same topic are available, only those that created more contrast were chosen herein. The methodologic approach will be hermeneutical.

Methodology

The present research will use a methodology with a hermeneutical approach since it aims to encourage a critical discussion from the concept appropriation that allows thinking about individual actions and how they impact the society as a whole. The methodological design is taken from Ricoeur’s hermeneutics, who insists it represents interpretation’s mediation to recover an interpretation of the world itself. The articles and texts used for this theoretical proposal cover the period from 1969 in order to include the bases of conflict resolution all the way through the second half of 2010’s, mainly because the existing examples of conflicts and transitional processes have taken place during this period. Articles and book chapters from 2003 to 2018 will provide a broader idea of how some concepts have been understood and illustrate the need for a re-evaluation. This article is part of a trilogy. This is the introductory, background setting for a broader proposal on the power of language as a tool to prevent future conflict and resentment in transitioning societies.

Framing the context: transitional justice

The intention of framing the context stems from the need to delimit the space-time in which the proposal to review static concepts is established. Since the adoption of the concept as an alternative, although it is raised in the face of rigid categories, it is in relation to very specific ones: victims and, especially, victimizers. In addition, the proposal intends to refer to a specific moment during violence or armed conflict, since it raises the responsibility of ex-combatants in the face of their actions as warring actors, but should not define

them as individuals beyond that period. So, it is important to examine transitional justice, its objectives, and special mechanisms; in order to give congruence to the proposal with the moment in which it takes place.

Transitional Justice: characteristics and objectives

Transitional justice can be defined as the “conception of justice associated with periods of political change” (Teitel, 2003, p. 69). It includes the period of time in which a society goes from war to peace. It is a relatively new concept, as it was constituted at the end of the last century. It is called transitional because it includes both a retrospective and a prospective character (Van Zyl, 2011). Consequently, it is characterized as an exceptional period that seeks to promote structural changes that have to do with the reasons that led to political violence or conflict and, given that ordinary criminal justice cannot generate these changes by itself, other measures —or forms— of justice are adopted, which will be explained later.

Specifically, transitional justice can be understood as a “set of measures that have been and are implemented in various countries to address a legacy of massive Human Rights abuses” (De Greiff, 2009, p. 26). This type of justice has two sets of objectives, the intermediate and the final. The first is the recognition and promotion of civic trust, and the second, contributes to reconciliation and democracy (De Greiff, 2009, p. 44). Consecutively, the mechanisms to be implemented in the transition period are in line with what was proposed by Mr. Theo Van Boven (1996) as special rapporteur for the United Nations in 1996, in his follow-up on victims’ rights, justice, truth, reparation and non-repetition guarantees (De Greiff, 2009; Van Zyl, 2011).

There is a relationship between transitional justice, democracy and reconciliation (De Greiff, 2009) since the transition period pursues a claim of the citizen’s intrinsic rights. It can only exist in institutional contexts with designs in line with the needs of democracies, making them reasonable through sustainable reconciliation in the post-conflict process. It is worth noting that its success depends on the results of the implementation of the different measures and not on the existence of a Peace Agreement (Van Zyl, 2011) —for example, Rwanda or South Africa— which exemplifies how Transitional Justice is posed as a holistic concept. But it’s important to consider the decision upon the measures to be taken in this period is finally a political decision of the State. Even when it does not ensure that by going into transition there will be peace, because reaching peace, or building it, is a joint effort from society as a whole alongside with institutions and governments.

Transitional Justice’s special mechanisms

Transitional Justice develops in an exceptional period. In practical purposes, it has meant the creation of special bodies to guarantee justice, truth, reparation and non-repetition. Two of the most popular examples are special courts —such as Rwanda, Nuremberg, Sierra Leone or Yugoslavia— (Uprimny, 2005) and, Truth Commissions in South Africa, El Salvador, Chile or Argentina. These mechanisms have time limits for their operation (mandates), a predetermined line of interest, and finite special faculties. However, it is worth noting that the impact of this trade depends on the powers granted by the government’s administration at the time —or the parties, if a Peace Agreement took place.

Another important difference to analyze is how different the transition is, and whether it should be, under the light of dictatorships, as well as the level of responsibility and accountability expected from the process. Especially, considering the implications of legally legitimized abusive authoritarian regimes such as the ones in Latin America during the second half of 20th century. For example, the transition after dictatorships in Argentina (1976) and Chile (1973) are perhaps considerably different to the outcomes and expectations of accords resulting from a peace process, such as the one in El Salvador (1992) or Colombia (2016). The degrees

of accountability impact not only the effectivity to address the root causes that lead to high levels of violence, but also the trust between citizens, as well as toward institutions and non-repetition guarantees. Sadly, this is a topic that must be developed broadly, and given the limited space, the aforementioned differentiation cannot be deepened herein and future research is encouraged.

On the other side, as for the special justice, it can be said that this is a very telling bet of the parties or States. Unlike ordinary criminal justice, transitional justice does not focus on deprivation of liberty to pay the sentence, but on the recognition of unjust damage inflicted on other(s), so that exceptionality and alternatives may be considered such as restorative, retributive justice or traditional rituals, among others (Herman et al., 2012; Quinn, 2007). On the one hand, retributive justice refers to reparation through the unilateral imposition of punishment, while the restorative does so through justice and the reaffirmation of values — shared consensus in a bilateral process (Wenzel, 2008). In a more wide and complex sense, it translates to retributive justice, since it not only pursues punishment but also points directly to broader social relations and bases.

On the other hand, Truth Commissions, as Hayner (1994) points out in her text “Fifteen Truth Commissions 1974 - 1994” are bodies designed to investigate the history of systematic violations to Human Rights in a particular country —either by legal or illegal armed groups. They focus on a limited period of time, aim to understand the primary causes to outline a global picture of what caused the conflict, which is known as root causes. They have a mandate for a specific time —with some degree of authority to cite statements and access protected information (Hayner, 1994, p. 604). Finally, it is intended that their final report has a significant impact on society, linked to the fact of ensuring non-repetition. Nonetheless, these conditions do not always occur in their entirety, and generate an important distance between theory and reality, as the case of El Salvador where names of people responsible for Human Rights violations was omitted.

These mechanisms and special bodies, like transitional justice itself, are a formula whose factors are chosen by governments, which means that they may or may not coexist. It means that it is not necessary to have a special justice jurisdiction and/or a Truth Commission. There may be one, another, both or, they may have mixed mandates, like in South Africa, whose commission had the power to grant forgiveness to their prosecuted (Uprimny, 2005). It is worth emphasizing the weight of politics in the decision against the creation of these special bodies since they determine: the mandate, the period of time subject to investigation, the charges to be judged, the penalties, the heads of the courts or commissions, the amnestied and pardoned crimes, access to information, the use of the final report of the commission, etc. They are decisive when evaluating the results of the special bodies. This political decision on how much truth, justice, memory, or reparation is expected, directly affects the structural change possibilities in post-conflict scenarios, as well as non-repetition guarantees.

Finally, it is important to design a good process and follow-up on Disarmament, Demobilization and Reincorporation (DDR). This constitutes “an effort for the normalization of the lives of people who have held arms for years. The process requires deep planning, the participation of civil society and, in some cases, international organizations” (Fisas, 2011, p. 4). Persons responsible for international crimes are subject to prosecution as established by the Rome Statute (UN General Assembly, 2011), making it necessary to balance the promotion of reintegration of former combatants, and compliance with international standards of accountability (Fisher, 2013; Van Zyl, 2011; De Greiff, 2009). In addition, the privileged place of the victims must be recognized as a *sine qua non* condition for the restoration of moral relations. Hence, the vertical relationship between victim and victimizer during the conflict period should aim to return or become a horizontal one, that is, to pursue the *ex-ante* state of victimization, as proposed by Margaret Walker (2006). Moreover, for cases where there has always been a hierarchical relationship of power, a reformulation of social values must be sought, so that if the *ex-ante* state of victimization is not that of human dignity, then, such dignity must be guaranteed. Not only in a restorative sense but in a moral sense of respect for the humanity inherent to every human being as a full and rightful citizen.

Victims, victimizers and violence

The main actors: victims and victimizers

The concepts of victim and victimizer are presented with the aim to recognize what the imposition of these two categories implies. In addition, a review of what mediates the relationship between both actors and the processes of recognition and identity construction will be addressed as well as what emanates from both sides. The idea is to identify potential benefits of extending the limits that the two definitions imply for these groups of people. Additionally, the two actors will be analyzed based on identity and narrative, with the aim to frame the need for a more flexible concept against the “globalizing” labels attributed to these actors.

The establishment of individual criminal responsibility has its origins in the Nuremberg Charter and the way it was applied by the International Military Tribunal (IMT) where the principle is founded on the punishment of individuals who commit crimes against international law, as the crimes are not perpetrated by abstract entities but by men, who should be held accountable (Campbell, 2011, p. 332). This became the basis for the concept of legal personality, where the “international person is subject to international law and capable of possessing international rights and duties” (Liang, 1949). At the same time, this comprehension of responsibility towards international crimes enforced two key models: “the victim, as the possessor of Human Rights, and the perpetrator, as the bearer of criminal responsibility” (Campbell, 2011, p. 326). Furthermore, this enables the existence of the direct relationship between international law and the individual, as perpetrator, whose punishment for the international crime is the direct result of international law prosecutions (Morris & Scharf, 1995). My discussion in this paper is the limited benefits such binary readings have outside the legal courts, and beyond an objective focused solely on punishment but in reparation, such as a transitional justice scenario, where the target is reconciliation, social fabric [re]construction, and fostering civic trust.

The concept of victim is associated with notions of innocence, passivity, and a certain advantage over others followed by a need for protection (Ferguson et al., 2010). Being a victim can be an imposed or self-imposed category, since the quality of victim, and the traces of violence in his/her body and memory, directly impact the way people narrate themselves and the way they are narrated by others. The victim category allows the individual to speak from a “morally correct” place from which they deserve sympathy, compassion and, in a way, assume a privileged position that seems to be granted in order to compensate them for the unjust damage they should have never been exposed to (Bar-Tal et al., 2009). This leads to a connection between “victimhood”, self-recognition, agency and recovery; implying a debt for restoring rights that should have never been violated.

In contrast, the concept of victimizer —or perpetrator— is created from the disenchantment from the social order ruled by the State. Hence, the individual proceeds to exercise contained violence and begins to express his/her resignation to everything that culture, social system, and education had somehow promised him/her (Amador-Baquiro, 2010). In addition, the victimizer inflicts intentional damage in order to degrade the other. While the victim feels the victimizer’s blow, as a cruel act of indelible damage, the executioner does not perceive the damage caused so that s/he can continue to exert force on the other. This translates his/her actions into a quasi-methodical system in which s/he dehumanizes and reifies victims while reinforcing the moral blindness that allows him/her to continue being the victimizer (Marrades, 2004). This way, it is apprehended that the relationship that mediates victim and victimizer is the harm and the violence from which one creates the other (Payne, 2009), it is a pain relationship in which one is the object and the other a subject (Marrades, 2004). The damage done to others in a framework of armed conflict involves cruelty, and this “tells us about those who practice it and the society that allows them to do so” (Margalit, 1997,

p. 38). Notably, the need for an alternative concept is circumscribed, given that it covers from the singular (individual) to the social (collective) level.

On the other hand, there are scenarios where victims become victimizers when decisions are mediated by hate, resentment or pressure (Servaes & Birtsch, 2008, p. 6), as well as scenarios where victimizers decide to transform their lives and become peacebuilders (Servaes & Birtsch, 2008, p. 16). This shows that it is not so simple to reduce any of the two actors, because they cannot only transit but also share aspects such as stigma (Sooka, 2006, p. 319) and some physical and psychological effects of trauma (Sooka, 2006; Servaes & Birtsch, 2008; Avedian, 2013). All this proves that being a victim or victimizer goes far beyond the violent act itself and there should not be a totalizing concept that informs of their past, present and future altogether, especially because the social nature in humans does not make them static beings.

The two groups of actors have characteristics that involve social roles and personal characteristics of good and bad, completely abstracting the personal experiences that would weigh in a case-by-case review. Without this, trying to reduce the seriousness of the systematic violations of the victimizers, on the contrary, means that there are nuances within these groups, particularly for those who transit from one to another, as the reasons why they are part of armed groups in the first place. In a scenario of reconciliation having “the good and the bad” can end up encouraging a violent logic under the comprehension of “us vs. them”, leading to exacerbate effects such as trauma and resentment. During the conflict people are often perpetrated, it is undeniable! And this article does not intent to dispute or question this fact, the focus is on how totalizing categories charged with binary moral values of “good and evil” can be dangerous upon a violent re-escalation at the expense of, for example, resentment. Especially because during armed conflicts there are different sides to every story that make impossible the existence of one encompassing truth.

On the other hand, being a victim constitutes an imposed or self-imposed category, while being a victimizer is a category arbitrarily imposed by others. According to Ricoeur, identity has to do with the bodily, with the visible in the eyes of others. Therefore, personal identity has to do with psychological criteria. It resides primarily in consciousness, in reflection, and has a permanence in time that rests on something as fragile and problematic as memory (Kosinski, 2016, p. 214). This means that personal identity is formulated on what can be narrated, that is, what is remembered and, in turn, such narration is subject to the form it takes when retrieved from the memory.

Along these lines, Ricoeur develops character, and how it builds identity. About the character, the French author states there are essential “brands” that make up the personality, the visible traits through which some recognize others and oneself. The custom, in part, is what mediates the acquisition of provisions and their repeated application before being integrated as part of the character through the sedimentation of the new ones with those already acquired (Kosinski, 2016). This means that the character and, consequently, identity, are dynamic and not static, given that the individual being exposed to different contexts, spaces and groups, are exposed to new provisions.

The latter serves as a theoretical example to address the absurdity of a rigid, totalizing and static category in a transition period. Since, although it can be used as a descriptive element of a role at a given time, it is detrimental in post-conflict scenarios due to the intrinsic kinetics of the process. In other words, neither the victims nor the victimizers have a character, nor an immutable identity. On the contrary, they have the possibility to acquire new attitudinal dispositions of the scenarios in which they participate. That is why it is recommended not to limit the freedom of these actors, especially in their self-recognition and construction of personal identity. During post-conflict victims are supposed to be on a reparation process to regenerate and look into the future. While former combatants are expected to transition from armed actors to civilians. Both processes are unavoidably linked with a kinetic character rather than a static one. The opportunity to redefine themselves is not only presumed but necessary.

Self-designation has a strong ethical component, as expressed by the promises to oneself, which gives confidence that the being itself is a recipient (Kosinski, 2016), directly impacting his/her self-confidence.

Then, maybe it determines the greater or lesser success of life plans and life during post-conflict reconstruction or, in the case of victimizers, success in the DDR processes. Castrating self-determination and identity through imposed categories loaded with moral value judgments can be problematic for the processes of resocialization and reintegration into civil society, as long as they break the narrative identity by taking the autobiographical voice of another's experiences (Kosinski, 2016), which also underestimates the value of past personal experiences and personal judgment ending up on limiting agency capacity.

Finally, identity's narrative is the "autobiographical" story in which three simultaneous roles are taken: narrator, co-author, and main character. In addition, the narrative is not just the past, since it is also prospective and self-guiding, "the story subjects the identity of the character to a vast network of 'imaginative variations' typical to the various literary genres" (Kosinski, 2016, p. 219). Thus, it reflects in the best way the dynamic aspect of the character, which is not lost in the static countenance of the acquired dispositions or of the sedimentation (Kosinski, 2016), grants the temporary mobility to the identity of the being from the self-designation and that —personal— exercise must be respected to every individual.

Furthermore, the flexibility of a concept such as "victimizer" results unavoidable, since the totalizing and static version denies any transition, adaptation, learning and dynamism to whom it is attributed. After all, "to narrate is to say who has done what, why and how, unfolding in time the connection between these points of view" (Ricoeur, 1996, p. 146). Narrative limits or releases, it is present at the individual level as citizens and, from a more general point of view, as a Truth Commission's possible final report. So, if the individual's own narrative freedom is limited, through what logic is the freedom of a Commission's mandate pursued? The liberation of the stories and the recognition of the truth in its different forms, are one of the challenges that the transitional justice as a whole intends to face as well as the concept of responsibility as an alternative since this effort pursues the construction of different narratives, as well as the recognition of others from a sense of otherness as raised by Grossberg (2003).

Actions acquire a new meaning narratively, a more coherent one if they are taken by themselves. What composes the relationship with the agent, with the "who" of an action, where the latter becomes "interaction" (Kosinski, 2016, p. 219). Even the narrative could be the model under which the character of communities or nations can be displayed, which, when reading out of the context of that logic, fall into the appropriation of features that are not genuinely proper (Kosinski, 2016, p. 220). There lies the importance of the narrative freedom of individuals such as victims and victimizers because it depends on the amount of freedom they have to appropriate a positive identity rather than the denial of who they are in front of others, possibly leading them to assume attitudes and actions that are not necessarily their own.

Violence and collective violence

Another aspect that mediates the victim-victimizer relationship is violence. Therefore, it is important to talk about how it has been addressed and which forms have been systematically reproduced over time. To do so, the proposal by conflict resolution discipline authors such as Johan Galtung (2003) and sociologist Charles Tilly (2007) will be used to inform on violence dynamics.

Throwing a stone into the lake is a cause that reflects waves retreating along the water. However, several stones can be thrown, thus involving waves of different caliber and/or duration. Galtung describes how his triangle of violence —direct, cultural and structural— allows us to see the interrelation of these waves, and how they affect others over time (Galtung, 2003, p. 266). It means that the existence of one violence does not exclude the existence of another. In fact, direct violence implies the existence of many other forms of violence —not necessarily less serious— that lead to the expression of physical and public violence. More importantly, it means that violence(s) are continuously transformed.

Through the same logic, Tilly states violence: a. inflicts immediate physical damage to objects and/or persons, b. implies two or more authors and, c. it is a consequence of the coordination between individuals

who perform violent acts (Tilly, 2007, p. 3). Then, it implies groups and us vs. them logic. Collective violence includes a high range of social interactions, which unites the characteristics described by both authors. However, Tilly is inclined to differentiate and investigate the reasons that drive collective violence, since it is affected by “social ties, structures and processes” (Tilly, 2007, p. 4) and how these “...affect the transformation of violent incidents and the differences between them” (Tilly, 2007, p. 4), leading to justified violence under pretexts of noble or just causes.

Charles Tilly (2007) comments that human violence is divided into three groups of supporters: a. of ideas, b. behavior, and c. the relationship. The first is focused on the role that the individual's conscience plays as the basis of human action. The second points out that “motivations, impulses and opportunities have an autonomous character” (Tilly, 2007, p. 5), where he emphasizes that the evolution of man is of aggressive origin both individually and collectively in terms of the survival of the species. The third is considered more centered in interpersonal and group transactions that feed on the ideas and behaviors of themselves. This is why the development of personality and practices through exchange “imply a degree of negotiation and creativity” (Tilly, 2007, p. 6). However, to explain violence, it should also be understood that “anger, fear, craving, gratification and empathy often dominate the feelings of participants in collective violence” (Tilly, 2007, p. 7). This fact highlights the importance of the context, socio-economic, and political environment since it stimulates ideas, behaviors and relationships.

For this reason, these relational mechanisms must consider the effect of the political context, as well as *social inequality*, which is nourished by the *exploitation* and *hoarding opportunities*. This inequality also depends on “adaptation (the creation of practices that articulate people's lives in circumstances of inequality) and emulation (the transfer of relevant practices, beliefs and relationships from one enclave to another)” (Tilly, 2007, p. 10). All these mechanisms favour polarization, which “...combines the mechanisms of spirals of opportunities-threats, competition and the formation of categories” (Tilly, 2007, p. 21) or the excluding division of “us and them” common denominator among all forms of collective violence.

The argument above tries to show how resentment and hatred can be transformed into a new outbreak of collective violence or transform citizens into victims and perpetrators. It also evidences the importance of reviewing the categories that are imposed on certain people as a result of the conflict, given that these can be forms of violence and segregation that drive readings of good and bad, or of us vs. them, thus ignoring the multiple identities present in individuals and social groups, which may end up, in turn, translating into new expressions of structural, cultural and/or direct violence.

In synthesis, if violence itself is social, it necessarily involves a collective dynamic shared by all the citizens. In sum, it could be argued that civil society has powers to prevent, exercise and build peace after violence. At the end, it is demonstrated that a new logic for understanding the contending actors could contribute to reconciliation through the awareness of these powers. Moreover, in a period as fragile as the transitional justice when hate can easily escalate and trigger a new violent conflict, there is a need to be careful. So, if violence has a social component, and there would be an alternative for such violence to be assumed in the same way, it could discourage aggression and hostile environments by not nesting customs or validating the non-recognition and disrespect of conflict actors.

Conclusions

In summary, if transitional justice implies movement then it is not compatible with static actors from the conflict and it is within its interest to set in motion the actors into a transition toward a desired goal. To be able to move those actors, it is important to ensure they will be welcome in the place they want to be guided to. In this particular case, for former combatants to successfully reintegrate they need an assurance they will be well received on the other end, which would be: society.

If the goal is to transform vertical power relationships where one exercises violence against others, then the way is not transforming the type of violence exercised. As a result, limiting former combatants' freedom to narrate their stories and identities can jeopardize their desire to be part of the civil society either because they feel vulnerable or because they end up excluded, segregated and stigmatized, which would only make them second-class citizens, a minority group to be protected. In such a case, it could also arise resentment for the protection granted to them while being contrasted with the lack of protection guaranteed to victims during armed confrontations.

It is quite important to understand that violence is a cycle where many parties make decisions that affect other parties. In this sense, breaking the cycle implies making structural changes in how society and institutions work. Shifting from vertical to horizontal relationships means all individuals who constitute a national political collective are first-class citizens. By doing so, the idea by Walker (2006) regarding humanity could be possible.

On the other hand, as reviewed in this article both "victims" and "victimizers" are categories imposed by others. In the case of victims, it can be self-imposed but in any way it informs on a past event where they were created by the harm that connects both parties. Another aspect they have in common is the stigma and trauma they suffer after the violent event, and then, the evident need to unpin them from that moment, once they are in a post-conflict scenario. They will never lose their victimhood but, is it necessary to define their whole existence as such? Can victimhood summarize past, present and future?

While reviewing the implications of setting out such concepts without further thought, specially victimizers, the topic of character arose, informing how all individuals are part of a different set of collectives and all of them influence character as they act as provisions to character itself. It also made clear that identity's narrative is a biographical story where individuals are narrators, co-authors and main characters. It means that the apprehension of others about oneself affects the identity as much as how their own story is told.

Accordingly, what was stated while reviewing collective violence is that resentment in the shape of fear and hate can strengthen the idea of us vs. them. At the same time, it can promote segregation rather than unity. Retaking transitional justice's objectives, it can be stated that segregating, loaded with judgement value and rigid concepts such as victimizer can jeopardize peacebuilding in post-conflict contexts for discouraging both recognition and reconciliation. It does not build a society based upon respect but hinders peacebuilding processes while nurturing ideas and resentful behaviors that uninvite others to join the national collective efforts for peace or coexistence.

Consequently, there is a need for an alternative concept capable of engaging citizens beyond the traditional primary actors in armed conflicts. The quest for an inclusive language capable of strengthening the values to be introduced during post-conflict stages is conspicuous. Further research on this matter is encouraged so that transitional justice objectives become more approachable and less abstract.

In conclusion, conflict's actors are being shaped by others rather than by themselves and it makes them dependable on others' choices and actions, leaving them with a lack of agency and reproducing vertical power relationships. The association as victims or victimizers can inform on what individuals have lived and gone through, not on who they are and will be as individuals. They are, and should be conceived, as any citizen, as agents of change with the capacity to decide and renovate. To strip away that possibility from them is another way of violence because it prevents society from recognizing and acknowledging them as first-class citizens. It anchors them to a past of violence and aggression they are supposed to be actively working to overcome during post-conflict. In synthesis, summarizing or totalizing concepts such as the binary victim-victimizer are harmful when self-imposed and can potentially undermine reconciliation.

References

- Amador-Baquiro, J. C. (2010). El intersticio de la víctima-victimario: un análisis de los procesos de subjetivación de cuatro desvinculados de grupos armados en Colombia. *Universitas Humanística*, (69), 163-184. <https://www.r edalyc.org/articulo.oa?id=79118943009>
- Auerhahn, N. C., & Laub, D. (2018). Against forgiving: the encounter that cannot happen between holocaust survivors and perpetrators. *The Psychoanalytic Quarterly*, 87(1), 39-72. <https://doi.org/10.1080/00332828.2018.1430401>
- Avedian, V. (2013). Recognition, Responsibility and Reconciliation: The Trinity of the Armenian Genocide. *Europa Ethnica*, 70(3-4), 77-86. DOI: 10.24989/0014-2492-2013-34-77
- Baines, E. K. (2009). Complex Political Perpetrators: Reflections on Dominic Ongwen. *The Journal of Modern African Studies*, 47(2), 163-191. DOI: <https://doi.org/10.1017/S0022278X09003796>
- Bar-Tal, D., Chernyak-Hai, L., Schori, N., & Gundar, A. (2009). A sense of self-perceived collective victimhood in intractable conflicts. *International Review of the Red Cross*, 91(874), 229-258. DOI: <https://doi.org/10.1017/S1816383109990221>
- Campbell, K. (2011). Victims and Perpetrators of International Crimes: The problem of the legal person. *Journal of International Humanitarian Legal Studies*, 2(2), 325-352. <https://doi.org/10.1163/18781527-00202003>
- De Greiff, P. (2009). En Rangel A. Suárez (Ed.), *Justicia y paz ¿Cuál es el precio que debemos pagar?* Intermedio Editores.
- Derluyn, I., Vandenhole, W., Parmentier, S., & Mels, C. (2015). Victims and/or perpetrators? Towards an interdisciplinary dialogue on child soldiers. *BMC international health and human rights*, 15(1), 1-13. <https://doi.org/10.1186/s12914-015-0068-5>
- Deutsch, M. (2011). Justice and conflict. In P. Coleman, (Ed.), *Conflict, interdependence, and justice* (pp. 95-118). Springer.
- Drumbl, M. A. (2012). *Reimagining Child Soldiers in International Law and Policy*. Oxford University Press.
- Espejo, M. P. (2020a). *Recognizing Identities: Using language to Prevent Resentment* [Manuscript submitted for publication].
- Espejo, M. P. (2020b). *Responsibility to Reconcile: Adopting New Terms to Foster Recognition* [Manuscript submitted for publication].
- Fattah, E. A. (1994). *The interchangeable roles of victim and victimizer*. European Institute for Crime Prevention and Control (Hueni).
- Ferguson, N., Burgess, M., & Hollywood, I. (2010). Who are the victims? Victimhood experiences in post-agreement Northern Ireland. *Political Psychology*, 31(6), 857-886. <https://doi.org/10.1111/j.1467-9221.2010.00791.x>
- Fisas, V. (2011). Introducción al desarme, desmovilización y reintegración (DDR) de excombatientes. *Quaderns De Construcció De Pau*, 24, 1-22. <http://ibdigital.uib.es/greenstone/sites/localsite/collect/cd2/index/assoc/ecp0068-1.dir/ecp0068.pdf>
- Fisher, K. (2013). *Transitional Justice for Child Soldiers: Accountability and Social Reconstruction in Post-Conflict Contexts*. Palgrave Macmillan.
- Galtung, J. (1969). Violence, Peace and Peace Research. *Journal of Peace Research*, 6(3), 167-191. https://journals.sagepub.com/doi/pdf/10.1177/002234336900600301?casa_token=ppaYt4yymmkAAAAA%3AoYEKtRKy6LZ6y0i1MC7XAw0jH1S7Z4QChQs8ruInCRpa6eTr-PFRW1Bi3wx-DUuOnQr5SDGNH2Wx9A&
- Galtung, J. (2003). *Paz por medios pacíficos. Paz y conflicto, desarrollo y civilización*. Gernika Gogoratuz; Bakeaz.
- Gibu Shimabukuro, R. (2016). Sobre el Resentimiento y el perdón. *Revista de Filosofía Open Insight*, 7(12), 11-32. <https://doi.org/10.23924/oi.v7n12a2016.pp11-32.174>
- Gross, J. (2012). *Neighbors The Destruction of the Jewish Community in Jedwabne, Poland*. Princeton University Press.
- Grossberg, L. (2003). Identidad y estudios culturales: ¿no hay más que eso? En S. Hall y P. du Gay (Eds.), *Cuestiones de identidad cultural* (pp. 148-180). Amorrortu Editores.

- Hayner, P. B. (1994). Fifteen truth commissions 1974-1994: A comparative study. *Human Rights Quarterly*, 16(4), 597-655. <https://heinonline.org/HOL/P?h=hein.journals/hurq16&i=607>
- Herman, J., Martin-Ortega, O., & Sriram C. L. (2012). Beyond justice versus peace: transitional justice and peacebuilding strategies. In K. Aggestam & A. Björkdahl (Eds.), *Rethinking Peacebuilding* (pp. 58-73). Routledge.
- Honneth, A. (2006). El reconocimiento como ideología. *Isegoría*, (35), 129-150. <https://doi.org/10.3989/isegoria.2006.i35.33>
- Kan, G. (2018). The Prosecution of a Child Victim and a Brutal Warlord: The Competing Narrative of Dominic Ongwen. *SOAS Law Journal*, 5(1), 131-156. <https://heinonline.org/HOL/P?h=hein.journals/soas5&i=7>
- Kosinski, A. (2016). Una manera de responder ¿quién soy?: la identidad narrativa de Paul Ricoeur. *Avatares Filosóficos*, (2), 213-221. <http://revistas.filo.uba.ar/index.php/avatares/article/view/322>
- Levi, P. (1989). *Los hundidos y los salvados*. Muchnik Editores.
- Liang, Y. L. (1949). Reparation for Injuries Suffered in the Service of the United Nations. *The American Journal of International Law*, 43(3), 460-478. <https://doi.org/10.2307/2193639>
- Margalit, A. (1997). *La sociedad decente*. Ediciones Paidós.
- Marrades, J. (2004). Resentimiento y verdad. Sobre la réplica de Améry a Nietzsche. *Isegoría*, (31), 221-236. <https://doi.org/10.3989/isegoria.2004.i31.466>
- Moffett, L. (2016). Reparations for 'Guilty Victims': Navigating Complex Identities of Victim-Perpetrators in Reparation Mechanisms. *International Journal of Transitional Justice*, 10(1), 146-167. <https://doi.org/10.1093/ijtj/ijv030>
- Morris, V., & Scharf, M. (1995). *An Insider's Guide to the International Criminal Tribunal for the Former Yugoslavia: Documentary History and Analysis*. Brill.
- Payne, L. A. (2009). *Testimonios perturbadores ni verdad ni reconciliación en las confesiones de violencia de estado*. Ediciones Uniandes.
- Quinn, J. R. (2007). Social Reconstruction in Uganda: The Role of Customary Mechanisms in Transitional Justice. *Human Rights Review*, 8, 389-407. <https://doi.org/10.1007/s12142-007-0020-8>
- Ricoeur, P. (1996). *Sí mismo como otro*. Siglo XXI Editores.
- Servaes, S., & Birtsch, N. (2008). *Engaging with Victims and Perpetrators in Transitional Justice and Peace Building Processes. International Workshop. 12-13 February 2008. Bonn, Germany*. Working Group on Development and Peace (FriEnt); KOFF; Swisspeace. https://www.ziviler-friedensdienst.org/sites/default/files/media/file/2020/zfd-engaging-victims-and-perpetrators-transitional-justice-and-peace-building-processes-1708_4.pdf
- Sooka, Y. (2006). Dealing with the past and transitional justice: building peace through accountability. *International Review of the Red Cross*, 88(862), 311-325. DOI:10.1017/S1816383106000543
- Teitel, R. (2003). Genealogía de la justicia transicional. *Harvard Human Rights Journal*, 16, 69- 94. <https://biblioteca.cejamericas.org/handle/2015/2059>
- Tilly, C. (2007). *Violencia colectiva*. Editorial Hacer.
- UN General Assembly. (2011). *Rome Statute of the International Criminal Court (last amended 2010)*. UN General Assembly. <https://www.refworld.org/docid/3ae6b3a84.html>
- Uprimny, R. (2005). *Justicia Transicional en Perspectiva comparada: Procesos transicionales, formas de justicia transicional y el caso colombiano*. DeJusticia. https://www.dejusticia.org/wp-content/uploads/2017/04/fi_nombre_recurso_53.pdf?x54537
- Van Boven, T. (1996). *Van Boven Principles. Special Rapporteur for the United Nations*. United Nations Audiovisual Library of International Law. https://legal.un.org/avl/pdf/ha/ga/ga_60-147/ga_60-147_e.pdf
- Van Zyl, P. (2011). Promoviendo la justicia transicional en sociedades post-conflicto. En F. Reátegui (Ed.), *Justicia transicional: manual Para América Latina* (pp. 47-72). Comisión de Amnistía del Ministerio de Justicia de Brasil.
- Walker, M. (2006). *Moral Repair: Damages to Trust*. Cambridge University Press.

Wenzel, M., Okimoto, T. G., Feather, N. T., & Platow, M. J. (2008). Retributive and restorative justice. *Law and Human Behavior*, 32(5), 375-389. <https://doi.org/10.1007/s10979-007-9116-6>

Notes

* Scientific research article.

Licencia Creative Commons CC BY 4.0

How to cite this article: Espejo, M. P. (2021). Victimizers no more: The risk of addressing conflict's actors from binary readings. *Papel Político*, 26. <https://doi.org/10.11144/Javeriana.papo26.vmra>