

# THE DENIAL OF ALTERITY AND ITS REFLECTION IN IDEOLOGIES OF GENOCIDE: WHAT CAN WE LEARN FROM RWANDA AND YUGOSLAVIA

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## Abstract

The journey undertaken towards the realization of human rights in the last century is closely related to a great number of treaties and conventions that protect human rights, but also to the *ad hoc* International Tribunals of Rwanda and Yugoslavia. With the aim to promote and guarantee those rights, the genocidal politics of those countries must be analysed in the context of the mass atrocities and the political construction of ideologies. Furthermore, the necessity of the societies to engage with extreme democratization is not only an achievement of this century, but a work in progress that must be daily fomented. Only in a strong democracy and in a rule of law victims can be recognized and alterity respected in order to emancipate citizens and promote standards of coexistence and respect, and this is why taking into account social and legal exclusion is crucial to understand social and political changes in transitional societies and create possibilities of emancipation and recognition of citizens integrally.

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**Keywords:** Ideologies, Mass Atrocities, Alterity, Denial Of The Otherness

## Introduction

Twenty years ago Ratko Mladić and Radovan Karadžić were indicted in the International Criminal Tribunal for the former Yugoslavia, and the

decisions of this tribunal led the world to new forms of comprehension with regards to genocide and the establishment of an international justice. At the time, both Serbia and Croatia tried to obstruct the persecution of justice in a global level and the fight against impunity that were being held<sup>62</sup> – and these are some of the reasons why international standards of justice are being drawn since then. Also, we recently remembered the 20<sup>th</sup> anniversary of the Rwandan atrocities in which more than 800.000 citizens had been killed in less than 100 days<sup>63</sup>. After that and as a measure to avoid new episodes of the same nature, the International Criminal Tribunal for Rwanda was created and indicted 93 individuals considered responsible for the violations occurred in 1994.

The path taken by those tribunals showed us new forms of understanding genocide and its causes, established new standards to understand responsibility and means of perpetration as well. Considering the political issues of these societies and the precedents set by those courts, both in light of academic and political values, the aim of this work is to analyse the role played by ideologies in the genocide construction and how it relates to the political statements regarding exclusion and the dehumanization of some citizens. Moreover, how the forms of identifying victims of human rights violations nowadays, considering the international courts and the new approach provided by the international community, are engaged with the necessity of democratization to provide human rights to every human being.

Therefore, taking into account such those new forms of interpretation of genocide (in a political, not biological way), these perspectives together will contribute to a significant scholarly debate, as considering the narrow borderline between the political construction of a genocide and the crime against humanity scenario that was created - which is the intent of international community to avoid it to happen again. Considerations will be made, then, in two separate ways: about the essence of humanity and the denial of the otherness, and how these concepts are influential in the construction of ideologies as a place to start; complementary, as a consequence of that, how ideologies of repression may create a genocidal scenario and how these happenings occurred in Rwanda and Yugoslavia.

As human rights and international law play a prominent role in the fight against impunity and the protection of the victims of the above mentioned crimes, besides the construction of genocidal politics and its role in mass atrocities, the importance of those Tribunals and decisions in order to provide peace and justice in post-conflict societies are an important

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<sup>62</sup> **ABOUT THE ICTY.** World Wide Web: <http://www.icty.org/sid/3>. Access in 10.jun.2015

<sup>63</sup> **HOW THE Genocide Happen.** BBC News. World Wide Web: <http://news.bbc.co.uk/GO>. Access in: 08.aug.2014.

analysis. Social and legal exclusion, thus, are crucial studies to make possible to understand social and political changes in transitional societies, both in the light of politics and global value changes, taking into account that such these themes are not only current, but also of relevance. With these considerations done, the following paragraphs will try to provide forms of identifying victims of human rights violations that arise from ideologies of repression and denial of alterity; also, the necessity of strong democracies to avoid new politics of genocide.

### **Recognizing Others And The Construction Of Ideologies**

The way a society works is constituted by images, languages and signs adopted by its social groups and this is an important place to start to understand how politics of oppression arises<sup>64</sup>. But is also important to analyse when and how these ideas begin and how the fundamentals of this oppression relates to discourses and its conversion in common sense<sup>65</sup>, something that comes from an interior perspective and is converted in an exterior discourse – and institutionalizes hegemony and the maintenance of some sort of social status quo that intend homogeneous societies and the exclusion of those considered ‘different’.

About this intention of bringing spaces homogenous inside the society, what can be perceived is that it is extremely related to the use of violence and with the denial of the alterity and humanity of some groups. This denial, likewise, has the aim of extinguishing those groups and is of great concern, because denies also plurality, diversity and the possibility of some people to be recognized as a member of a community<sup>66</sup>. Thus, the importance of this acknowledgement is because the hegemony of a State and the denial of alterity had been used as means of maintenance of terror states and of destruction of citizens in military dictatorships in Latin America and in conflicts in the Ex-Yugoslavia, for instance.

### **Alterity And Denial Of Others**

The denial of alterity, for the intentions of this work, is comprehended as a synonym of *denial of the otherness*, as we consider the act of not recognizing an human being as an human alike. Alterity, to this purpose, refers to the possibility of someone to effectively be the other, of

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<sup>64</sup> HALL, Stuart. **The problem of ideology: Marxism without guarantees**. Journal of Communication Inquiry. June, 1986, p.31.

<sup>65</sup> LACLAU, Ernesto; MOUFFE, Chantal. **Hegemonía y estrategia socialista: Hacia una radicalición de la democracia**. 2ed. Buenos Aires: Fondo de Cultura Económica de Argentina, 2004, p.171.

<sup>66</sup> LAFER, Celso. **A Reconstrução dos Direitos Humanos: A Contribuição de Hannah Arendt**. São Paulo: Companhia das Letras, 2003, p.34.

being placed or constituted as the other<sup>67</sup>. Although a concept more restricted than diversity or plurality, without alterity there is no possibility of recognizing someone: without alterity, there is no longer a man, there is no longer a woman; there is only inferiority and no singularities<sup>68</sup>.

Another important point regarding the above mentioned denials, is that it is not only related to hate speeches and in explicit attacks<sup>69</sup>. It is present when there is dehumanization of individuals and when ignoring them is a part of an ideology of repression<sup>70</sup>. The lack of recognition, therefore, results in demonization or invisibility in social and political life<sup>71</sup>.

Considering the recognition of human beings and the possibility of knowing and respecting others, it is necessary to contemplate singularities and the authenticity of the citizens and how it implies in alterity and in a peaceful community with no invisible people. About this, Tzvetan Todorov states that with the passage of time people become more authentic: life is a process of personal discoveries as liberties and individualities are connected. Also, as more liberties one has, more unicity and authenticity will be available to her<sup>72</sup>.

In this sense, it is possible to sustain that the whole humanity has an universal factor, singular characteristics to each individuals, a particular identity to each human being. There is in the necessities and aspirations of anybody some sense of singularity which is bigger than any formal equity. Furthermore, the author do not refers only to the persons, but also to the passage of time each minute, to the constant changes that comes not only from the interior of each, but from the interpersonal relations that arise from life in community (hereby understood as a place where people live in absolute connection, together with shared ideas and principles with some feeling of belonging<sup>73</sup>). There is so, such a permeability between oneself and *the other* that make humanity and relations a complex patchwork; in other terms, as stated in the Universal Declaration of Human Rights, a mosaic:

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<sup>67</sup> ABBAGNANO, Nicola. **Dicionário de Filosofia**. Martins Fontes: São Paulo, 1998.

<sup>68</sup> VISKER, Rudi. *The Inhuman Condition: Looking for Difference After Levinas and Heidegger*. Kluwer Academic Publishers, Netherlands, 2010, p. 180.

<sup>69</sup> Idem. *Ibidem*.

<sup>70</sup> SCARRY, Elaine. *The Difficulty of Imagining Other Persons*. In HESSE, Carla; POST, Robert. **Human rights in Political Transitions: Gettysburg to Bosnia**. NewYork: Zone Books,1999, p. 282.

<sup>71</sup> Idem. **Op.cit.**, p.288.

<sup>72</sup> TODOROV, Tzvetan. **Imperfect garden: the legacy of humanism**. Translated by Carol Cosman. New Jersey: Princeton University Press, 2002, p. 144.

<sup>73</sup> BAUMAN, Zygmunt. 2001. **Identidade**. Rio de Janeiro: J. Zahar, 2005, p.17.

“And there were never in the world two opinions alike, any more than two hairs or two grains. Their most universal quality is diversity<sup>74</sup>”.

This concomitant equality and difference that characterize human beings is well defined by Hannah Arendt, as we can see:

Human plurality, the basic condition of both action and speech, has the twofold character of equality and distinction. [...] In man, otherness, which he shares with everything that is, and distinctness, which he shares with everything alive, become uniqueness, and human plurality is the paradoxical plurality of unique beings. Speech and action reveal this unique distinctness.[...] With word and deed we insert ourselves into the human world [...]. This insertion is not forced upon us by necessity, like labour, and it is not prompted by utility, like work...; its impulse springs from the beginning which came into the world when we were born and to which we respond by beginning something new on our own initiative<sup>75</sup>.

Thus, besides the difference intrinsic to each human being, there are, in the same way, permanent changes that come with the passage of time and make each member of a society singular and part of the whole. It implies, also, in an unpredictability of acts that restrain any possibility of universal senses that could be applied equally to everyone<sup>76</sup>. These constant changes that frame human relations and the recognition of each in itself and in others, therefore, are what permit diversity and the necessity of its protection.

Limiting and categorizing these singularities of humans would, then, reduce the possibilities of alterity and, consequently, render impossible to live in liberty and in the originalities of ethnicity, religion, sexuality etc. In addition, these impossibilities would restrict the human plurality to some previously defined concepts – which would be an atrocious and totalizing violence<sup>77</sup>. This perspective would also affront the notions that any human being have rights that are born from the recognition in another human being and the necessity of coexistence to permit life in society. The realization of an individual bound to the realization of the others, as stated by Francesco D’Agostino, happens in the sense that “men have rights because they are one with another, because the existence of one requires the existence of the other,

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<sup>74</sup> TODOROV, Tzvetan. **Imperfect garden: the legacy of humanism**. Translated by Carol Cosman. New Jersey: Princeton University Press, 2002, p. 144.

<sup>75</sup> ARENDT, Hannah. **A Condição Humana**. São Paulo: Forense Universitária, 2003, p.189.

<sup>76</sup> ARENDT, Hannah. **A Condição Humana**. São Paulo: Forense Universitária, 2003, p.189.

<sup>77</sup> SCARRY, Ibidem, p.288.

because in one identity, the singular is attached to the plural; the affirmation of one happens with the recognition of the other<sup>78</sup>”.

### **Ideologies And Repression Discourses**

With regards to ideologies and how official discourses foment the exclusion of some citizens from life in society, it is important to emphasize that it is such an obligation of States and its representatives to avoid repression based in race, religion and gender/sexuality. On establishing rules and promoting political relations that promote recognition and plurality, something becomes clear: protecting citizens and promoting human rights is an unalienable responsibility of each State and this cannot coexist with ideologies of exclusion.

To the goal of this article, therefore, we must be heedful that politics that deny humanity of some people and make them deprived of dignity and recognition are based in the construction of some ideals by State representatives. The exclusion of people, in addition, helps the constitution of some kind of hegemony once it is necessary to maintain some hierarchy of the dominant classes and the dehumanization of some *others*.

Thus, to this analysis, it is necessary to consider Antonio Gramsci works, to whom the supremacy of a group is noticeable in two ways, as domain and as in the promotion of intellectual and moral directions<sup>79</sup>. A social group when exercising its domain with the intent to destroy or submit (even with armed force) its ‘enemies’ – or people that do not fit in some ideals of standards of acceptance or recognition – intend to direct the way of living of the other groups and guarantee its positions in society. Notions of hegemony and domination, by now, will be taken from the perspective of Ernesto Laclau and Chantal Mouffe, once they have considered plurality as a precondition of the human existence; well, no hegemonic logic could comprehend the totality<sup>80</sup> of a society and this understanding is important as

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<sup>78</sup> D’AGOSTINO, Francesco. Pluralità delle culture e universalità dei diritti. Torino: G. Giappichelli Editore, 1996, p. 50. *Apud* BARRETO, Maira de Paula. **Os Direitos Humanos e a Liberdade Cultural**. Artigo. Revista Antropos – Volume 1, Ano 1, Novembro de 2007, ISSN 1982-1050. Translation: “Gli uomini hanno diritti perché sono gli uni con gli altri, perché l’esistenza dell’uno richiede l’esistenza dell’altro, perché nella loro identità il singolare si unisce al plurale, l’affermazione dell’io al riconoscimento del tu”.

<sup>19</sup> GRAMSCI, Antônio. **Risorgimento, notas sobre a Itália**. Tradução de Luiz Sérgio Henriques. Rio de Janeiro: Civilização Brasileira, 2002, p.62-63.

<sup>80</sup> LACLAU, Ernesto; MOUFFE, Chantal. **Hegemonía y estrategia socialista: Hacia una radicalición de la democracia**. 2ed. Buenos Aires: Fondo de Cultura Económica de Argentina, 2004, p.186.

recognizing oneself in others – and this is the most important thing to value all forms of life and the real effectiveness of human rights.

In this same path, it is important to find concepts of ideology as to “give an account, within a materialist theory, of how social ideas arise. We need to understand what their role (as a citizen<sup>81</sup>) is in a particular social formation, so as to inform the struggle to change society<sup>82</sup>”. An example of how the creation of ideologies may result in a situation of oppression can be seen in this analysis:

The construction of white identity and the ideology of racial hierarchy were intimately tied to the evolution and expansion of the system of chattel slavery. The further entrenchment of plantation slavery was in part an answer to a social crisis produced by the eroding capacity of the landed class to control the white labor population. The dominant paradigm of social relations, however, was that while not all Africans were slaves, virtually all slaves were not white. It was their racial Otherness that came to justify the subordinated status of blacks<sup>83</sup>.

Hence, irrespective of difficulties in acknowledging how ideologies appear, they are essential to the maintenance of the *status quo* of a group and it is equally important to consider the impossibility of totality and homogeneity of a society. Furthermore, it is worthy to take into account that politics and hegemony exist beyond an alliance of classes, but in between the necessity of moral leadership and intellectual commands<sup>84</sup>. One has also to consider that the most important factor in the analysis of hegemony is the composition of a plurality of factors, as discourse, articulation and antagonism<sup>8586</sup>.

These conditions that constitute hegemony show the impossibility of some logic of equalizing kinds of people and lead us to strong theories that recognize the unstable character of social relations and differences. Ergo, there is no space in the world to universalities and eternal dogmas. This way,

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<sup>81</sup> Inserted by the author

<sup>82</sup> HALL, Stuart. **Da diáspora: Identidades e mediações culturais**.Org. Liv Sovik; Adelaine La Guardia Resende et al. (trad.) Belo Horizonte: Editora UFMG, 2008, p.267.

<sup>83</sup> HARRIS, Cheryl. **Whiteness as a Property. Critical Race Theory and Legal Doctrine**. Harvard Law Review, 1995, p.278.

<sup>84</sup> LACLAU, Ernesto; MOUFFE, Chantal. **Hegemonía y estrategia socialista: Hacia una radicalición de la democracia**. 2ed. Buenos Aires: Fondo de Cultura Económica de Argentina, 2004, p. 100.

<sup>85</sup> It is also important to highlight the issue of the antagonism of identities and discourses; how they have some incompleteness as well, once they are all responsible for the ephemeral nature of all political discourses.

<sup>86</sup> LACLAU, Ernesto; MOUFFE, Chantal. **Hegemonía y estrategia socialista: Hacia una radicalición de la democracia**. 2ed. Buenos Aires: Fondo de Cultura Económica de Argentina, 2004, p.100.

analysing those aspects show us that societies do not try only to exercise control over citizens and who is supposed to be accepted<sup>87</sup>; ideologies work in the sense of avoid conflicts and take away from communities everything that is different from the hegemonic pattern<sup>88</sup>. Thus, life depends from recognizing the diversity inherent to individuals and to interpersonal relations – and sociopolitical life must be inclusive not only regarding to culture, but foremost about identities.

Considering that some group deserves to hold power and be in a position of dominance, moreover, is related to some feeling of superiority that causes more exclusion and, sometimes, atrocities and crimes. The text ‘Common Ideologies Foment and Justify Genocide’ can illustrate:

Closely associated with an idealized image of the land and the folks that work the land is the notion that the greatness of a people is tied to the proper use of the land. Never mind the fact that the people currently in control of the land may use similar methods of cultivation, the point is that the ideology of the aggressors is that their race or people could do it better. Genocidal regimes in places as disparate as Cambodia, Germany, Guatemala, Rwanda and East Timor have used model farmers or model villages to accomplish territorial expansion<sup>89</sup>.

This politics of subjugating some people in order to promote superiority can be seen in a large field of classifications: in race, as legal exclusion in United States of America and in Rwandan Genocide; in religious matters as in the ex-Yugoslavia; in gender based atrocities as in Uganda etc. Aleinkoff, about this, remembers that in democracies some decisions may be taken ignoring some minorities and its wishes in some ways that in reality foments the exclusion. As quoted by the author, an exemple of this is that racial exclusion in United States of America comes from an ideology of supremacy, not from discourses of constitutional rights<sup>90</sup>.

Those mentioned ideologies and constructed discourses that foment prejudice and inferiority of some groups works in order to maintain hegemonies with diverse forms of control. It provides means to reinforce superiority of the dominant groups, which use military forces, politics, media and propagandas and domination over public opinions, as well as education,

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<sup>87</sup> FOUCAULT, Michel. *Op.cit.* 2000, p. 306.

<sup>88</sup> ESPOSITO, Roberto. *op.cit.* trad. M. Freitas da Costa. Lisboa: Edições 70, 2010, p.75.

<sup>89</sup> **COMMON IDEOLOGIES Foment and Justify Genocide.** 2015 USDA Evidence Analysis Library. From the Internet: [http://clg.portalxm.com/library/keytext.cfm?format\\_tables=0&k\\_eytext\\_id=183](http://clg.portalxm.com/library/keytext.cfm?format_tables=0&k_eytext_id=183)

<sup>90</sup> ALEINKOFF, Thomas Alexander. **Re-reading Justice Harlan's Dissent in Plessy v. Ferguson: Freedom, Antiracism, and Citizenship**, 1992 U. ILL. L. REV. 961 (1992). p.25.



university indoctrination and political organizations<sup>91</sup>. As Schmitt notes, even people's will can be framed by ideologies, even when it should emanate from their liberties and free will<sup>92</sup>. These are some reasons why control and equalization policies are so hideous to diversity and to life in society, and is also a reason why genocidal states must and will be analysed in the next section.

### **Ideology Of Genocide**

Politics of superiority, as was observed, is a constructed issue and an "ideological proposition imposed through subordination<sup>93</sup>". And in this sense, is important to perceive that denying the possibility of the true relation between two individuals is the most atrocious crime that humanity may know. Lukacs, about this human nature of relations, states:

Its basis is that a relation between people takes on the character of a thing and thus acquires a 'phantom objectivity,' an autonomy that seems so strictly rational and all-embracing as to conceal every trace of its fundamental nature: the relation between people<sup>94</sup>.

The denial of alterity and the rejection of human plurality refrain interpersonal relations and happen as an instrument to a great kind of atrocities that the Universal Declaration of Human Rights has tried to avoid. This is why the Declaration was created, to promote equality and human rights and this is why recently so many Tribunals has been created as to stop impunity to state representatives that promote politics of hate and denial. Making violence something normal and ordinary happens combined with official acts that strengthen hegemonies. This officials, as Mark Drumbl studies show, bring violence to a commonplace of comfort and instigate it as a civil duty<sup>95</sup>; they are conflict entrepreneurs and its consequence are crimes of extraordinary proportions, as can be seen in the nazi regime that caused victims not only in concentration camps, but in every part of world<sup>96</sup>.

The construction of ideas of supremacy and its reproduction in an institutional level mask the ideological content of these definitions (in any sense: color, religious or gender based supremacy) and promote the conformism with the power exercised to maintain it, 'converting abstract

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<sup>91</sup> SCHMITT, Carl. A situação intelectual do sistema parlamentar atual. In: \_\_\_\_\_. **A crise da Democracia Parlamentar**. Tradução de Inês Lobhauer. São Paulo: Scritta, 1996, p. 29.

<sup>92</sup> Idem.

<sup>93</sup> LUKACS, György. **History and Class Consciousness**. Translation by R. Livingstone, 1971.p. 83.

<sup>94</sup> Idem.

<sup>95</sup> DRUMBL, Mark A. **Atrocity, Punishment, and International Law**. New York: Cambridge University Press, 2007, p.02.

<sup>96</sup> Idem, p.03.

concepts into an entity'<sup>97</sup>. These constructions are also corroborated with Hannah Arendt acknowledgements that standing truths have a despotic character. Totalizing perspectives difficult debates and promotes homogenizations and this can be clarified in this excerpt:

It is important to comprehend, moreover, the identification of a myth and how it is created and how it is being applied. Also, if its functions and effects in national, popular, ethic and esthetic levels are something that must now be reinvented or turned against<sup>98</sup>. As in the construction of superiority discourses, myths and ideologies may promote acts of violence and, systematically and/or in large scale, offend the whole human population<sup>99</sup>. When with the intention of destroying national, ethnic, racial or religious groups, the crime configured is the genocide, even if with a physical or cultural facet<sup>100</sup>. About racial superiority, we can state:

In the present century, black people are believed to be totally different from whites in race and origin, yet totally equal to them with regard to human rights. In the sixteenth century, when blacks were thought to come from the same roots and to be of the same family as whites, it was held... that with regards to rights blacks were by nature and Divine Will greatly inferior to us. In both centuries, blacks have been bought and sold and made to work in chains under the whip. Such is ethics; and such is the extent to which moral beliefs have anything to do with actions<sup>101</sup>.

Thus, considering how recent were the denial of equality based on color standards, as well as nowadays we have so many other kinds of discrimination and impediments to the achievement of social justice, perpetrators of offences of this kind are enemies of the whole human population<sup>102</sup>. Moreover, when such practices relate to crimes with the intent of destroying some national group, ethnic, religious or gender based communities, crimes against humanity receive a new and specific definition: genocide; a crime that may occur in a physical, biological or cultural way, but people that provoke this crime do not victimizes only targeted groups. Large scale suffering is extended to familiars, group members and the whole

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<sup>97</sup> GOULD, Stephen Jay. **The mismeasure of man**. New York: W.W. Norton & Co. 1981,p. 25.

<sup>98</sup> LABARTHE, Philippe Lacoue. NANCY, Jean-Luc. **O mito nazista. O espírito do nacional-socialismo e seu destino**. Tradução Márcio Seligmann-Silva. São Paulo: Editora Iluminuras, 2002, p.14.

<sup>99</sup> Estatuto de Roma do Tribunal Penal Internacional, adotado em 25 de Setembro de 2002.

<sup>100</sup> SCHABAS, William A. **Na Introduction to the International Criminal Court**. Fourth Edition. New York: Cambridge University Press, 2011, p. 102.

<sup>101</sup> LEOPARDI, Giacomo. In: THOMAS, Kendall. **Racial Justice: moral or political?** Orgs. SARAT, Austin; GARTH, Bryant G. Cornell University Press, 2002, p.78.

<sup>102</sup> LUBAN, David. **A Theory of Crimes Against Humanity**. Georgetown Law Faculty Publications and Other Works. Paper 146, 2004, p.90.

world, as we consider the anguish that comes from the fundamentals of practices that are ‘above human comprehension’<sup>103</sup>.

Acknowledging the extremely grave conducts that represent genocide and these exclusions/denials of alterity and identity, we can also recognize some fundamentals of the genocidal conducts. As stated by Ben Kiernan, we can recognize four ideologies that are strongly related to the foment of genocide: racial and ethnoreligious hatred; cults of antiquity; cults of agriculture and territorial expansion. These political constructions serve to both foment and justify genocidal atrocities<sup>104</sup>.

Stigmatization of victims are part of the crime of genocide<sup>105</sup>, but is still unclear to the international community how to objectively create a concept of this ‘crime of crimes’ – notwithstanding the great amount of treaties regarding this crime (as the Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG), adopted by the United Nations General Assembly on 9 December 1948, and the statutes and jurisprudences of the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR)<sup>106</sup>.

Targeting civilians as a way to promote some *cleansing* or *persecution*, for instance, is the intention of some totalitarian governments to deny access to public spaces and the right to belong to the political community<sup>107</sup>. The implementation of these policies, furthermore, hinder the right to have rights, equality and liberty – all of them essentials to a life with dignity. We shall reinforce that the creation of these practices come from a past where identities suffer racialization, stigmatization or religious labeling for instance, what leads to feelings of inferiority and necessary subordination<sup>108</sup>.

It is also important to say that these denials are imposed by violence. As recognized by Hannah Arendt, violence was used in each and every

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<sup>103</sup> ARENDT, Hannah. **Eichmann em Jerusalém: um relato sobre a banalidade do mal**. Trad. José Rubens Siqueira. 5ª Reimpressão. São Paulo: Companhia das Letras, 1999, p.232.

<sup>104</sup> KIERNAN, Ben. **Blood and Soil: A World History of Genocide and Extermination from Sparta to Darfur**. New Haven, CT: Yale University Press, 2007.

<sup>105</sup> Tribunal Penal Internacional para a ex-Iugoslávia, **Prosecutor vs. Krstic**, julgamento de 02.ago.2001, parágrafo 557: “scientifically objective criteria” were considered “inconsistent with the object and purpose of the convention”.

<sup>106</sup> AMBOS, Kai. **International Criminal Law: quo vadis?**. Vol. 19. Toulouse: Nouvelles Etudes Penales, 2004, p. 219.

<sup>107</sup> LAFER, Celso. **A reconstrução dos direitos humanos: a contribuição de Hannah Arendt**. Estud. av. vol.11 n.º.30 São Paulo May/Aug. 1997. World Wide Web: <http://dx.doi.org/10.1590/S0103-40141997000200005>. Accessed in 20.jun.2014.

<sup>108</sup> HARRIS, Cheryl. **Whiteness as a Property. Critical Race Theory and Legal Doctrine**. Harvard Law Review, 1995, p.278.

society at some point, but an instrument<sup>109</sup> related to the degradation of politics and of social and interpersonal relations<sup>110</sup>. Taken to extremes, violent regimes become a model of “one against all”, a mark of totalitarian ideologies and governments<sup>111</sup>.

This regimes that create ideologies to justify violent conducts had also victimized citizens with an ordinary violence. As observed by this author, violence in all aspects reduce men to conditions of extreme degradation and transform lives in something superfluous or disposable<sup>112</sup>. And these conditions of inhumanity are the main cause of exterminations and of the reduction of men lives to something without value, to the lack of dignity and possibility of being recognized by their fellow brothers and sisters.

Considering also that these crimes affect humanity as a whole, it is important to now remember the unity of the ‘human gender’, as stated by Celso Lafer, that have fundamentals in the traditions of the bible, Talmud and the Jewish books – not forgetting the plurality of cultures and nations mentioned in the previous topic<sup>113</sup>. The importance of this recognition have more evidence, also, when promote the possibility of people to be citizens, being recognized by the others and being protected by the states<sup>114</sup> - which will see demonstrated, only with strong democracies.

### **Ideologies In Rwandan And Yugoslavian Genocides**

Justice is an open concept and hard to be reduced to words, mostly if compared in the relation between eastern and western cultures. Because of this, the first step to the comprehension of the local Courts in Rwanda and the democratic fight process against genocide is the notion of multiculturalism and the acceptance of the otherness as basis of Law and justice. In Rwanda, questions of violence and intolerance are so old as the ethnicities that live in that community: the Hutus, the Tutsis and the almost

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<sup>109</sup> ARENDT, Hannah. **Eichmann em Jerusalém: um relato sobre a banalidade do mal**. Trad. José Rubens Siqueira. 5ª Reimpressão. São Paulo: Companhia das Letras, 1999, p.41.

<sup>110</sup> ARENDT, Hannah. **A Condição Humana**. São Paulo: Forense Universitária, 2003, p.242.

<sup>111</sup> ARENDT, Hannah. **op. cit.**, 2003, p. 121.

<sup>112</sup> DUARTE, André. Modernidade, biopolítica e violência: a crítica arendtiana ao presente. In: DUARTE, André; LOPREATO, Christina; BREPOHL de, Marion (orgs.). **A Banalização da Violência: atualidade no pensamento de Hannah Arendt**. Rio de Janeiro: Relume-Dumará, 2004, p. 33-54.

<sup>113</sup> LAFER, Celso. **A reconstrução dos direitos humanos: a contribuição de Hannah Arendt**. Estud. av. vol.11 n.º.30 São Paulo May/Aug. 1997. World Wide Web:

<http://dx.doi.org/10.1590/S0103-40141997000200005>. Accessed in 20.jun.2014.

<sup>114</sup> SUNSTEIN, Cass. **Designing Democracy: What Constitutions Do**. New York: Oxford University Press, 2001, p. 222.

forgotten Batwas (pygmies). Although they share space and language, follow similar principles and traditions, differences always existed between the two first groups and became more intense with the Belgian colonization that classified them with cards of ethnic identification. This division took into account only contexts of birth and physical characteristics as height and nose forms to classify the habitants by them ethnicity.

Well, is evident how barbarous and arbitrary is this form o classification, completely unscientific: “a Tutsi is a Tutsi because was born from a Tutsi father, as well as an Hutu was born from an Hutu father”<sup>115</sup>, what shows us that the Belgian classification had no reasonable grounds to be defended. Considering that Tutsis were recognized as an ethnically superior group (as dominants in hegemony and ideologies), they had along the years better jobs and opportunities, which fomented the resentment of their fellow Hutus. This group, in 1959, provoked diverse manifestations in reaction to their proclaimed inferiority, also by violent acts – when a great number of Tutsis were killed and obliged to exile in neighbor countries<sup>116</sup>.

In 1962, therefore, Rwanda became independent from their colonizer country, Belgium, when Hutus took the power and left Tutsis as responsible by all of the uncomfortable situations in the country (exercising power as dominants in hegemony and spreading discourses of inferiority of their Tutsi ‘opponents’). Already in the 90’s, at the same time that the Hutu government had some kind of popularity crisis, some Tutsis that were still refuged organized a patriotic army to come back to the country and took back the power and dominance, in continuous negotiations and treaties that spread tension in the State. Then, right after an attack to the plane where the president of the country was flying the massacres became, in April 1994<sup>117</sup>. Back there, atrocities of different natures happened as a way of retribution and more than 800.000 were killed in only 100 days<sup>118</sup>.

With this historic considerations, it is important to state that the fight undertaken in Rwandan territory after the atrocities period was against the ideas that “foster ethnic hatred, whether revealed through speech, writing or

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<sup>115</sup> MELVERN, Linda. **Conspiracy to Murder: the Rwandan Genocide**. London: Verso, 2004, p.4.

<sup>116</sup> **HOW THE Genocide Happen**. Notícia publicada em BBC News. World Wide Web: <http://news.bbc.co.uk/GO>. Accessed in: 08.ago.2014.

<sup>117</sup> MAGNARELLA, Paul J. **The Background and Causes of Genocide in Rwanda**. Journal of International Criminal Justice, Oxford, v. 3, 2005, p.815.

<sup>118</sup> **HOW THE Genocide Happen**. Notícia publicada em BBC News. World Wide Web: [http://news.bbc.co.uk G](http://news.bbc.co.uk/G). Accessed in: 08.ago.2014.

actions<sup>119</sup>”; the ideologies that fomented genocide was than recognized as the root cause of the massacres. That said, it becomes pretty clear why the post conflict politics had one special concern besides the actuation of the ICTR, the Supreme Court and the *gacaca*<sup>120</sup> courts: the national law that prohibits the distinction between ethnicities in Rwanda. Since then, there were no Hutus, Tutsis or Batwas, only Rwandan citizens. As considered by Mark Geraghty, “Though it appears as a utopian promise that installs a dystopian assumption about its citizens (i.e. that they are racist), the campaign against genocide ideology does suggest a new form of nation-building based on the attempt to effect a radical break with the past and imagine a “new” future<sup>121</sup>”. With this intentions of ignoring race, it rests undoubted that this indistinction had the aim of promote equality and avoid new constructions of superiority speeches or hate practices in the country, transcending the past and looking forward to the future with healing and no demonization or dehumanization of the others.

Moreover, there were local level practices that helped to reunite the population, as the above mentioned *gacaca* courts, that with a frame and spirit of democracy led us to the conclusion that the use of traditions was really *avant garde* and inclusive to bring recognition to victims. With concepts of forgiveness, truth and reconciliation, this alternative form of justice pulled away the complementarity intended by the International Criminal Tribunal of Rwanda and brought the victims comfort and reparation.

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<sup>119</sup> GERAGHTY, Mark. The Rwandan state’s campaign against genocide ideology. World Wide Web: <http://www.mmg.mpg.de/research/all-projects/the-rwandan-states-campaign-against-genocide-ideology/>. Accessed in 08.jul.2015.

<sup>120</sup> Local and traditional courts presided by civilians that deliberate about penalties to be applied to criminals. Once the complementarity of the international tribunal would judge just the main perpetrators and the ideological chiefs of the genocide and the supreme court of the country could not adequately give response to all of the crimes, some judgements were left to these traditional courts (which meaning is, in rwandan, justice on the grass). Communities would elect local judges responsible to conduct trials of commitment of a diverse number of crimes, except genocide. This, because this great crime is one of the most serious and atrocious of humankind and intended/prepared by chiefs of state – that needed to be judged by specialized courts and receive more severe penalties. In: HILKER, L. M. Everyday ethnicities: Identity and reconciliation among Rwandan youth. *Journal of Genocide Research*, 2009, p. 81-100; MGBAKO, C. In Solidarity camps: Reconciliation and political indoctrination in post-genocide Rwanda. *Harvard Human Rights Journal*, 18, 2005, p. 201-224. In: BILALI, Rezarta. **Between Fiction and Reality in Post-Genocide Rwanda: Reflections on a Social-Psychological Media Intervention for Social Change**. *Journal of Social and Political Psychology*, 2014, Vol. 1. p.5.

<sup>121</sup> GERAGHTY, Mark. The Rwandan state’s campaign against genocide ideology. World Wide Web: <http://www.mmg.mpg.de/research/all-projects/the-rwandan-states-campaign-against-genocide-ideology/>. Accessed in 08.jul.2015.

These practices and the efforts of the national leaders to emphasize harmony and coexistence of the ethnicities (as long as distinctions started with colonialism), there is the intention to discuss the past and to recognize the others – more than that, the *otherness*<sup>122</sup>. Nothing that happened in Rwanda can be forgotten<sup>123</sup>, since history can only be constructed democratically with that notions and with equality politics; individual and collective memory will share the space with social and inter-group conflicts, as well as values and identities, promoting a society with the free proposal of diversity in politics, respect and dignity<sup>124</sup>.

The genocide that happened in Rwanda caused one of the greatest periods of atrocities in the last century and was followed by a state of social peace, which is of concern to students in all the world. However, questions of justice and reconciliation must be analysed by people who lived that history and horror. Also, denying the possibility to that people to tell their own history would deny also the restorative intentions of that groups involved in the genocide<sup>125</sup> – to know how the ideologies were constructed and to avoid, in the ‘new-Rwanda’, that it ever happen again. This is why it is so important to contextualize the post conflict situations that are permeated by ideologies, culpability and forgiveness in the same proportion: between Germans and Polish, Turkish and Armenians in the Caucasus, between Tutsis and Hutus in East Africa; and between Serbs, Muslims and Croats in the former Yugoslavia<sup>126</sup>.

The dismemberment of Yugoslavia in 1991 was a result of historical disputes by the antique ethnicities that coexisted in the Socialist Republic of Yugoslavia. Right after a period of diverse crisis and internal conflicts that followed the independency of Croatia and Slovenia, several battles on that territory spread in the world a fear that a new war would happen, considering the use of ethnic cleansing and genocide as means of destruction.

The republic represented six states (Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia) and two regions (Kosovo and Vojvodina) that were part of the Republic of Serbia. Besides the plurality of ethnicities in such a big country, there was also plurality regarding the religions in that place, since Orthodox Christians, Catholics and Muslims shared that community. However, even though living in peace for a while, 90’s brought the collapse of communism and new facets of nationalism in

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<sup>122</sup> Idem. Ibidem. p.5.

<sup>123</sup> BENJAMIN, Walter. **Magia e técnica, arte e política: ensaios sobre literatura e história da cultura**. 7. ed., 1994, p. 223.

<sup>124</sup> POLLAK, Michael. **Memória e identidade social: estudos históricos**. v. 5, n. 10, 1992, p. 204.

<sup>125</sup> VOLHARDT, Johanna Ray; BILEWICZ, Clark. *Op.cit.* 2013. p. 1-15.

<sup>126</sup> Idem. Ibidem.

Europe, alongside the political and economic crisis that the Balkans was living<sup>127</sup>. As a result, independence of the republics was being defended by several political parties, that reconstructed ideological speeches to destroy the feelings of unicity and “erode a common Yugoslav identity and fuel fear and mistrust among different ethnic groups<sup>128</sup>”.

It could be perceived, therefore, in another mention of the ideologies that recurrently foment genocide, that in Yugoslavia there was a combination of two of them: racial and religious hatred, combined with the aim of territorial expansion, as we can read:

In some cases, territory must be claimed for a state since people of the aggressor state's race or ethnicity are already living there. For instance, the problem for ethnic Serbians was not that they were without a country following the breakup of Yugoslavia. The problem was that a large population of Serbians lived outside Serbia in neighboring Bosnia-Herzegovina and Croatia and they were forced to live among Muslims and Croats. A greater Serbian motherland needed to be created. As Bosnian Serb leader Radovan Karadzic put it in 1992, “The time has come for the Serbian people to organize itself as a totality, without regard to the administrative [existing] borders.” The purity and protection of the Serbian people demanded that Muslims be “cleansed” from Bosnia and a re-imagined Serbian history justified this<sup>129</sup>.

Accordingly, in the same space that the identities of that people were constructed, there was the formation of some speeches that once became prejudice and hate<sup>130</sup>. As the author (Wilmer) states, there were narratives that formed identities, the feeling of belonging to that place and, as a result, nationhood; but there were also narratives to destroy it. He also states: “it was a conflict about identity because political leaders made a conscious choice to rally support by appealing to grievances which had long been a subject of political discourse, and within were constructed in terms of identity within both political and historical narratives<sup>131</sup>”.

Promoting speeches and fantasies of inferiority or superiority of some groups (one of them more advanced, noble and deserver of power), as well

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<sup>127</sup> **ABOUT THE ICTY: the conflicts.** World Wide Web: <http://www.icty.org/sid/322>. Accessed in 08.jul.2015.

<sup>128</sup> **ABOUT THE ICTY: the conflicts.** World Wide Web: <http://www.icty.org/sid/322>. Accessed in 08.jul.2015.

<sup>129</sup> KIERMAN, Ben. **Blood and Soil: A World History of Genocide and Extermination from Sparta to Darfur.** New Haven, CT: Yale University Press, 2007, world wide web.

<sup>130</sup> WILMER, Franke. **The social construction of man, the state, and war: identity, conflict, and violence in former Yugoslavia.** Routledgem 2002, p.30.

<sup>131</sup> WILMER, Franke. **The social construction of man, the state, and war: identity, conflict, and violence in former Yugoslavia.** Routledgem 2002, p.29.



as fantasies of threat<sup>132</sup>, led the conflicts in Yugoslavia to the so-called ethnic cleansing, with the aim to purify the land of the living of Bosnian Muslims. About the practice, it can be stated:

Ethnic cleansing—the use of force or intimidation to remove people of a certain ethnic or religious group from an area—was the central fact of the wars of Yugoslavia's destruction. The practice has a method: terror. It has a smell: the fetid misery of refugees. It has an appearance: the ruins of ravaged homes. Its purpose is to ensure—through killing, destruction, threat, and humiliation—that no return is possible<sup>133</sup>.

Furthermore, the urge of removing from that territory, fomented by the refuse to share the space and by the impossibility of recognize oneself in the *other*, encompassed a large number of practices, as murder, torture, arrests, detentions, executions and sexual assault. The historical and ideological context of those conflicts permitted those practices to happen with the intent of destruction, characterizing genocide and some extreme need of intervention from the international community in the former Yugoslavia. The revival of ideologies of hate, also, since conflicts had already occurred in the past, made possible new manipulation of truths and new traumatic memories that had a need to be judged and revisited.

Considering that there was several territories in conflict (consequently many different constitutional systems) and a huge possibility of the trials of the perpetrators be influenced by revenge<sup>134</sup>, the trials took place in an ad hoc tribunal located in The Hague, Netherlands. The resolution of the conflict as a puzzle spread on the territories of the Balkans would contemplate only a part of the whole needed. Nevertheless, the problems in that territories were pieces of the whole, they would be better solved abroad, but could only be extirpated by policies and affirmative actions in all of the new countries and territories. Once that since beginning of last century there was the need of the international community to deal with massive violations of human rights, the new paradigms created by the ICTY were important not only to the people of the former Yugoslavia, but to all citizens in the world.

This possibility of an international interference in countries sovereignty when human rights are offended, therefore, alongside the principle of complementarity in the international criminal law, brings up the necessity of avoiding ideologies of repression and to respect citizens in their

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<sup>132</sup> KIERMAN, Ben. **Blood and Soil: A World History of Genocide and Extermination from Sparta to Darfur**. New Haven, CT: Yale University Press, 2007, world wide web.

<sup>133</sup> COHEN, Roger. **Crimes of War: ethnic cleansing**. World Wide Web: <http://www.crimesofwar.org/a-z-guide/ethnic-cleansing/>. Accessed in 08.jul.2015.

<sup>134</sup> DRUMBL, Mark A., **Atrocity, Punishment and International Law**. Cambridge University Press, 2007, p.37.

unicity and identity as a *jus cogens* norm; this, an imperative of to all countries to obey not only as a rule, but as something peremptory and constringent related to its essential meaning<sup>135</sup>. Thus crimes as genocide, war crimes and crimes against humanity may be prevented and their happen sent to trials in each and every country or community, irrespectively of their local rules or acceptance to treaties (even immunities may be waived since it was already recognized in the jurisprudence of the Karadzic<sup>136</sup> trial and reinforced in the Blaskic<sup>137</sup> case.

What could be perceived in the above stated situations, both in Rwanda and in the former-Yugoslavia, is that ideologies that promote the *denial of the otherness* also promote genocide, mass atrocities, blood and fear. There is, hence, a need to find a path to construct societies that respect regional perceptions and identities in parallel with the universality of human rights and its protections in regional and supranational levels; to constitute “techniques to converge certain conducts and determined actions with the coincidence of beliefs and moral reasons<sup>138</sup>”. Trials will, therefore, not judge, but promote memory and reinforce the feeling that in democratic states, the atrocities will mean both a rejected past and a promise of a shining future”<sup>139</sup>.

### Final Considerations

As well observed by Slavoj Zizek, “the only way to comprehend the true newness of the new is by analysing the world by the lens of what was eternal in the old<sup>140</sup>”, and it is in this sense that it is reiterated the importance of denying hegemonic ideologies that intend homogeneity and, with this avoiding of diversity, cause politics of totalitarianism. Hence, the interpretations that shall be made must be focused in the respect of the human rights and in the responsibility of the countries and their representatives to promote equality and trials of everyone that institute politics of denial of alterity. In this sense, it is important to remember that it was recognized by the United

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<sup>135</sup> SALMON, Jean. *Discrionaire de Droit International Public*. Bruylant: Bruxelles, 2001, p. 1198. Apud: NASSER, Salem Hikmat. **Jus Cogens: ainda este desconhecido**. *Revista Direito GV*, vol. 1, p. 167-178, jun-dez.2005, p.163.

<sup>136</sup> Tribunal Penal Internacional para a Ex-Iugoslávia. **Prosecutor vs. Karadzic**. Ch III, 17.dez.2008 Parágrafo 25.

<sup>137</sup> Tribunal Penal Internacional para a Ex-Iugoslávia . **Prosecutor vs. Tihomir Blaskić**, Judgment, IT-95-14-108bis: Blaskic (Interlocutory), 29.out.1997. Parágrafo 41.

<sup>138</sup> NINO Carlos Santiago. **Ética y Derechos Humanos: un ensayo de fundamentación**. Buenos Aires: Editora Astrea deAlfredo y Ricardo De Palma, 1989b, p. 103.

<sup>139</sup> KOSKENNIEMI, Martii. **Between Impunity And Show Trials**. Max Planck Yearbook of United Nations Law, Volume 6, 2002, p. 1-35.

<sup>140</sup> ZIZEK, Slavoj. **Primeiro como Tragédia Depois como Farsa**.São Paulo: Boitempo, 2011, p.19.

Nations Report from 1994 that the ethnic cleansing happened in Yugoslavia, as well as rape and sexual assault, had been product of a state policy and of a “consistent failure to prevent the commission of such crimes and to prosecute and punish of their perpetrators<sup>141</sup>”.

Irrespective of the construction of identities and their expression in some context, as well as the morals and the comprehensions of each citizen that may vary, it is responsibility of the States to give materiality to human rights and dignity. The constitution of these, in this sense, will encompass questions as rights to liberty, equality, democracy and sovereignty, which will have by consequence right to be a member of a global republic<sup>142</sup>. These Tribunals, also, are important to history as give value to the intentions provided by the human rights treaties that were strengthened in the last century<sup>143</sup>.

Considering the damages caused by extremist ideologies, Marcelo Neves remembers that we are attached to the globalization of the constitutional law<sup>144</sup> - but not as proposing one universal constitution, as protecting several constitution that establish boundaries to citizens hailed in their human rights<sup>145</sup>. Thus, putting aside the idea of a large scale constitution, there is a universal need to countries have limitations to their acts, when offensive to human rights and its presumed diversity/alterity. States and its constitutions must be a normative text that aims to promote basic rights and symbolic politics<sup>146</sup>, not means to the execution of atrocities – and this interpretation comes from the new forms of transterritorial relations that brought up a necessity to constitutionalism to go further the state boundaries<sup>147</sup> - respecting historical constructions and cultural conceptions of every community.

The strengthen of constitutional states and policies to implement basic rights must be, hence, attached to the valorization of local identities and rights of minorities – with the intent to globally avoid oppression and tyranny of the dominant groups, that shall not threaten the materiality of rights of any group. The engaging of States in break the limits of inclusion

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<sup>141</sup> UNITED NATIONS Security Council. **Comission of Experts Report**. 1994. World Wide Web: [http://www.icty.org/x/file/About/OTP/un\\_commission\\_of\\_experts\\_report1994\\_en.pdf](http://www.icty.org/x/file/About/OTP/un_commission_of_experts_report1994_en.pdf). Access in 08.jul.2015.

<sup>142</sup> KERSTING, Wolfgang. Em defesa em um universalismo sóbrio. In: **Universalismo e Direitos Humanos**. Porto Alegre: EDIPUCRS, 2003, . p.95.

<sup>143</sup> Idem. Ibidem. p. 771-797.

<sup>144</sup> TUSHNET, Mark. **Taking the constitution away from the courts**. Princeton: Princeton University Press, 1999; WALDRON, Jeremy. **The core of the case against judicial review**, in Yale Law Journal, 115, 2006, p. 1346-1406.

<sup>145</sup> CANOTILHO, J. J. Gomes. **Branços e Interconstitucionalidade: itinerários dos discursos sobre a historicidade constitucional**. 2ª ed. Coimbra : Almedina, 2008, p. 190.

<sup>146</sup> CANOTILHO, J. J. Gomes. *op.cit.* 2008, p. 190.

<sup>147</sup> NEVES, Marcelo. **Transconstitucionalismo**. São Paulo: Martins Fontes, 2009, p. 120.

will give power to excluded groups and victims of repression ideologies, having, consequently, the creation of public spaces to articulate and question their own identities (free to do this, not subjected to hegemonic powers)<sup>148</sup>.

With no promotion of identities and its connections between citizens that share a community empower them to fight hegemonies that deny to some individuals some rights. In the same way, the historic toleration of abuses and the contemporary culture of reproducing violence (by action or omission) may left some citizens to death, caused by their ethnicities, religion, political statements and many others, in societies that have violations as ordinary. Also, victims of hate speech and state omissions lost their feeling of belonging and start to feel as enemies<sup>149</sup> of their own soil – and this is the starting point of the above mentioned conflicts in Rwanda and Yugoslavia.

Constitutions must be implemented and interpreted, thus, without any mention to exclusion and possibility of denying any person because of their characteristics. Considering patterns of hegemony, ideologies and dehumanization of some citizens, there is a huge risk to the future of politics, democracies and solidarity<sup>150</sup>; but the new forms of interpretation and the history told by those Tribunals and to those victims gives us some fresh air to continue this journey.

Human plurality and diversity, therefore, lead us to the path that the protection of human rights will occur by giving effectiveness to the ideals of constitutionalism and democracy – and the democracy that is intended is not “liberal in its traditional conceptions, but in some new perspectives of democracy, radical and plural, because only in democracies it will be a possibility of non-totalitarianism<sup>151</sup>. With the achievement of these intentions, it can be reached again the unity of the human rights in its first meaning and the recognition of the human behind the human rights<sup>152</sup>: the leading force of development and social inclusion. Only with this alterity will promote the identification of *one* in *an-other* and every human and identity will be the center and the focus of social relations based in memory and hope, shared in communities and with the community fellows.

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<sup>148</sup> ZIZEK, Slavoj. **Bem-vindo ao deserto do real: cinco ensaios sobre o 11 de Setembro e datas relacionadas**. Tradução de Paulo Cezar Castanehira. São Paulo: Boitempo, 2003, p.14.

<sup>149</sup> SCHMITT, Carl. **The Concept of the Political**. Tradução George Schwab. University of Chicago Press, Chicago, 1996, p. 26.

<sup>150</sup> LIMA, Abili Lázaro de Castro. *op.cit.* 2006.

<sup>151</sup> KOZICKI, Katya. A política na perspectiva da filosofia da diferença. In: OLIVEIRA, Manfredo. *et. al.*(orgs.). **Filosofia política contemporânea**. Petrópolis: Vozes, 2003, p.141-160

<sup>152</sup> DOUZINAS, Costas. **Quem são os ‘humanos’ dos direitos? In: Revoluções**. World Wide Web: <http://revolucoes.org.br/v1/>. Accessed in 10.dez.2014.

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