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Large-Scale Victimisation as a Potential Source of Terrorist Activities

Importance of Regaining Security in Post-Conflict Societies

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U. Ewald and K. Turković (Eds.)
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Preface

This book presents a compilation of presentations to the Advanced Research Workshop (ARW) on “*Large-Scale Victimization due to Protracted Conflicts as a Potential Source of Terrorist Activities – Importance of Regaining Security in Post-Conflict Societies*,” which was held in September 2004. The authors deal with a subject that is, unfortunately, as significant today as it was two years ago. Sadly, this continuing relevance seems to confirm the views of the German radical pacifist Kurt Tucholsky, who stated in response to the atrocities and sufferings of WWI: “*But men never ever learnt from history, and they will not do so in the future. Hic Rhodus!*”¹ Recent events in Iraq, the Middle East, East Timor or the Democratic Republic of Congo, and possible links regarding issues of terrorism, raise the question what criminological and victimological research offers in assisting to break vicious spirals of ignorance of gross human rights violations and the immense human sufferings in the context of armed conflicts and terrorism.

We are afraid that the answer to this question still remains open. Yet, the spirit and the result of the workshop confirm the substantial willingness to ‘learn’ from the past by critically reviewing large-scale victimisation arising out of protracted conflicts in order to better understanding the necessary prerequisites for enduring peace-making in post-conflict societies and to anticipate and suggest approaches to healing victimising effects.

From the outset, the notion of an open approach to the topic of the workshop was strongly supported by Mr. Carvalho Rodrigues, the Nato Programme Director, Security-Related Civil Science & Technology. Ultimately, funding for the ARW project was generously provided by the Nato Programme. This allowed the workshop to be organised at the University of Zagreb together with the Max Planck Institute for Foreign and International Criminal Law, Freiburg, i.Br., Germany.

The contributions contained in the book cover a wide variety of approaches to large-scale victimisation in armed conflicts and post-conflict societies from different academic and applied disciplines. However, one of the interesting discoveries at the workshop was how closely related all these different perspectives were and that the future discourse on large-scale victimisation should overcome the divide between the various concepts and approaches in order to provide more holistic, and therefore more effective, proposals.

It is now up to the academic community, the field of applied human rights work, international criminal justice and the interested public at large, to digest and reflect on

¹ Kurt Tucholsky, ‘*Vorwärts -!*’, *Glossen und Essays, Gesammelte Schriften (1907–1935)*, Die Weltbühne, 05.01.1926, Nr. 1, p. 1. (1926). Original quotation: »Denn noch niemals haben Menschen aus der Geschichte gelernt, und sie werden es auch in Zukunft nicht tun. Hic Rhodus!« (translated by editors).

the observations made by the contributions presented in this book, particularly insofar as they identify possible solutions and the need for further research on issues related to large-scale victimisation.

In any case, addressing these issues appears essential in enhancing learning in the field of large-scale victimisation and preventing further massive suffering.

The Editors, September 2006

Contents

| | |
|---|-----|
| Preface | v |
| I. Large-Scale War Victimization and Terrorism | |
| Magnitudes and Focus of Terrorist Victimization <i>Alex Schmid</i> | 3 |
| International Terrorism: Large-Scale Victimization <i>Zvonimir Paul Šeparović</i> | 20 |
| Regaining Trust and Confidence in Post-Conflict Societies as a Way to Prevent Terrorism <i>Hans-Jörg Albrecht</i> | 30 |
| What Victimology Has to Offer in the Fight Against Terrorism <i>Ksenija Turković</i> | 54 |
| II. General Understanding and Victimological Research of Large-Scale Victimization | |
| Between Sacrificion and Victimization: On Political Semantics and Its Strategic Functions <i>Karsten Fischer</i> | 67 |
| Victimization in Wars – A Framework for Further Inquiry <i>Ernesto Kiza</i> | 73 |
| Protracted War, Terrorism and Mass Victimization: Exploring Victimological/ Criminological Concepts and Theories to Address Victimization in Israel <i>Edna Erez</i> | 89 |
| The Self-Traumatized Perpetrator: From Vietnam to Abu Ghraib <i>Allan Young</i> | 103 |
| Researching War Victimization Through the Deconstruction of Organized Crime <i>Biljana Simeunović-Patić and Vesna Nikolić-Ristanović</i> | 112 |
| Hate Crimes and Their Practical Use in Risk Assessment and Terrorism Prevention <i>Anna-Maria Getoš</i> | 125 |
| III. Role of the International Criminal Justice from the Perspective of Victims | |
| The Fight Against Impunity and the Establishment of the International Criminal Court <i>Iruno Aguirrezabal Quijera</i> | 137 |

| | |
|--|-----|
| Large-Scale Victimization and Small-Scale Trials: Selection Criteria and the Use of Sampling Techniques in the Investigation of International Crimes <i>Xabier Agirre Aranburu</i> | 151 |
| Large-Scale Victimisation and the Jurisprudence of the ICTY – Victimological Research Issues – <i>Uwe Ewald</i> | 171 |
| Experiences of the Victims and Witnesses Section at the I.C.T.Y. <i>Wendy Lobwein</i> | 197 |
| Genocide's Orphan: The 1979 Trial of Pol Pot and Ieng Sary <i>Howard J. De Nike</i> | 208 |
| IV. Victim Assistance and Restorative Justice in Post-Conflict Societies | |
| How to Deal with Mass Victimization and Gross Human Rights Violations. A Restorative Justice Approach <i>Elmar G.M. Weitekamp, Stephan Parmentier, Kris Vanspauwen, Marta Valiñas and Roel Gerits</i> | 217 |
| Mental Health in the Wake of War and Terrorism: Lessons from Humanitarian Experience in Victim Rehabilitation <i>Claire Colliard</i> | 242 |
| V. Necessity to Reconstruct War-Affected Communities in Order to Counter-Terrorism | |
| Rebuilding War-Affected Societies: Implementing the 'Responsibility to Protect' Agenda <i>Alistair D. Edgar</i> | 253 |
| Post-Conflict Peace-Building as Terrorism Prevention <i>Ivan Šimonović</i> | 260 |
| Barriers to Social Reconstruction of Communities in the Aftermath of Organized Violence <i>Dean Ajduković</i> | 269 |
| The Role of Religion and Spirituality in Post-Conflict Reconstruction <i>Phyllis Fierro Robinson</i> | 278 |
| Author Index | 299 |

Between sacrifice and victimization On political semantics and its strategic functions

Karsten FISCHER

Abstract. Other than in criminology and the penal system, victimology still awaits due attention within the social sciences and political theory. This is all the more astonishing since its political relevance is evident and mirrored by complex semantics. Within the political realm sacrifices for certain values are demanded – from the relinquishment of claims in favour of a balanced national budget to sacrificing one's life in wartime – whereas elsewhere there is talk of victims of welfare state redistribution, social discrimination and crime as well as of armed conflict.

Therefore, these political semantics are an obvious place for examining in more detail the strategic functions they serve.¹ For this purpose a typology of sacrifice and victimization respectively is drawn up first (part I), from where their socio-political meanings can be differentiated and shifts in those meanings diagnosed (part II).

Also, I will show that the politico-rhetorical positioning between sacrifice and victimization is of crucial importance for the semantic settlement of political disputes, while self-description clearly differs from outside perceptions. From here, the political implications of sacrifice and victimization discourses in *post-heroic*² societies can be considered (part III).

I. Towards a typology of sacrifice and victimization

In the 20th century a powerful sacrifice-rhetoric unfolded, which until the end of World War II was mainly aimed at the war itself. With the beginning of the *Wirtschaftswunder* (economic miracle) this rhetoric took the shape of victimization discourses and shifted in emphasis toward traffic issues, the dark side of technological progress and finally, since the end of the 80s, to issues of discrimination and political oppression and persecution. Even so, there is no established theory of sacrifice or victim in the social sciences. Both terms have received attention only as distant characteristics of archaic societies although, in everyday language as in public, there is often talk of traffic accident victims, victims of crime, war victims or more or less voluntary sacrifices of renouncing something or other.³

¹ The observations below partly follow those in Herfried Münkler / Karsten Fischer: "Nothing to kill or die for..." - Überlegungen zu einer politischen Theorie des Opfers, in: *Leviathan. Zeitschrift für Sozialwissenschaft*, Vol. 28 (2000), 343-362. I thank Christina Gingelmaier for valuable comments and suggestions.

² Herfried Münkler: *The New Wars*, Cambridge/Malden 2005; Edward N. Luttwak: *A Post-Heroic Military Policy*, in: *Foreign Affairs*, Vol. 75, 2004, No. 4, 33-44.

³ Walter Burkert: *Opfertypen und antike Gesellschaftsstruktur*, in: Gunther Stephenson (ed.): *Der Religionswandel unserer Zeit im Spiegel der Religionswissenschaft*, Darmstadt 1976, 168-187, 171; Walter Burkert: *Anthropologie des religiösen Opfers. Die Sakralisierung der Gewalt*. München 1983, 16; Hans-Martin Gutmann: *Die tödlichen Spiele der Erwachsenen. Moderne Opfermythen in Religion, Politik und Kultur*, Freiburg 1995, 19; Michael Reiter: *Opferphilosophie. Die moderne Verwandlung der Opferfigur am Beispiel von Georg Simmel und Martin Heidegger*, in: Gudrun Kohn-Waschke (ed.): *Schrift der Platonen*

These uses of sacrifice and victim correspond quite well with etymology. As already pointed out by Isidor of Seville, *sacrificium* stems from *sacrum factum*, that is from the transubstantiation of the bread and wine into the body and blood of Christ,⁴ which shows the religious element in any act of sacrifice. 3. Moses 1, 1ff. is typical of that, where God's laws on sacrifice as a condition of the possibility of human communion with God are prescribed – an aspect central to such theories of religion as those of Sigmund Freud and Max Weber.⁵ In any case, the terms of both sacrifice and victim demote a general renunciation of something or the loss of something.

This can be a matter of sacrificial offering to the gods or cosmic powers – material objects, animal or even human sacrifice – which is tied to ritual and a magical conception of the world. The offer is believed to have immediate positive effects through its influence on mysterious forces accessible only to an initiated elite of priests.⁶ These sacrificial cults are long lasting since the effects attributed to them never fail to materialize, be it natural spectacles as the sun which rises again, the beginning of the rainy season or the continued existence of social order and discipline. In the latter case the sacrificial cult has indeed immediate effects, not in a magical manner but by virtue of psychological processes.

A different type of sacrifice is represented by the *renunciation* of things, values and even one's own life. In so far as the interpretation of actions (or their omission) takes the place of ritualistic acts in the strict cultic sense, dedication and renunciation do not necessarily need to be ritualised in similar ways to sacrificial cults. For this very reason a commission of sacrifice and the readiness to sacrifice may result, since it is not only cultic actions but also certain situations are interpreted also quasi-ritually as sacrifice-bearing. In this regard, soldierly and military motives of the 20th century wars come to mind.⁷

A third type is the powerless *suffering* present in such terms as *accident victim*, *suffering* from an illness, etc.⁸ Different to the first two types which have an active relation to the sacrificial act, the relationship here is passive: it is not a matter of a *sacrum factum* but of involuntary damage and, therefore, *victimization*. It is characterized by a fatalistic emphasis since what the term *victim* refers to here is a deficiency of control as well as unintended by-products of other people's actions. This can be clarified best by looking at the term *accident victim*. What is meant is individual involuntary, but with regard to civilization, apparently inevitable loss of life or at least of the physical integrity of individual men or women. It can be interpreted both as the due price for future progress which will subsequently render such losses unnecessary and, in opposition to it as well as civilization as a whole, as portents of an ultimately uncontrollable technical progress.

⁴ A. Seigfried/Red.: Opfer [I], in: Joachim Ritter / Karlfried Gründer (eds.): Historisches Wörterbuch der Philosophie, Vol. 6, Basel/Stuttgart 1984, 1223-1230, 1227.

⁵ Sigmund Freud: Totem und Tabu, in: Gesammelte Werke, 18 Bde., ed. Anna Freud et al., London 1940 ff., Vol. 9, 161 f.; Max Weber: Wirtschaft und Gesellschaft. Grundriss der verstehenden Soziologie, ed. Johannes Winkelmann, Tübingen 1980, 258 f.

⁶ Marcel Mauss: The gift, London/New York 2002. Friedrich Schlegel: Philosophie der Geschichte, in: Kritische Friedrich-Schlegel-Ausgabe, ed. Ernst Behler unt. Mitw. v. Jean-Jacques Anstett u. Hans Eichner, Vol. I/9, München 1971, 145 ff. assumes that historically human sacrifices preceded animal sacrifices and that they were gradually replaced by the latter. René Girard: La violence et le sacré, Paris 1972 negates the existence of a fundamental difference between human- and animal sacrifices.

⁷ George L. Mosse: Fallen soldiers. Reshaping the memory of the world wars, New York 1990; Kathrin Hoffmann-Curtius: Opfermodelle am Altar des Vaterlandes seit der Französischen Revolution, in: Kohn-Waechter (ed.), Schrift der Flammen, op.cit., 57- 92; Reinhart Koselleck / Michael Jeismann (eds.): Der politische Totenkult. Kriegerdenkmäler in der Moderne, München 1994; Sabine Behrenbeck: Der Kult um die toten Helden. Nationalsozialistische Mythen, Riten und Symbole 1923 bis 1945, Vierow bei Greifswald 1996.

⁸ Josef Drexler: Die Illusion des Opfers. Ein wissenschaftlicher Überblick über die wichtigsten Opfertheorien ausgehend vom deleuzianischen Polyperspektivismusmodell, München 1993, 9 f.

The above differentiation between these three typological meanings can be schematized as follows:

| Semantics | Logic | Object | Self-description | Outside perception |
|--------------------------|--|---|----------------------|---|
| active: <i>sacrifice</i> | cultic-ritual offering; renunciation; devotion | material-, animal-, human-sacrifice; ultimately: self-sacrifice | readiness for action | fanaticism => withdrawal of sympathy |
| passive: <i>victim</i> | loss; disadvantage | poverty-, epidemic-, accident-, crime-victim | despair; apathy | need => support |

A further distinction between self-description and outside perception will now lead to an analysis of meaning shifts among sacrificiation and victimization.

II. Shifts in meaning in the semantic settlement of political conflicts

With the passive turn from *sacrifice* to *victim* as current predominant semantics in the post-heroic, western societies, the ultimate self-sacrifice - the sacrifice of one's life for supposedly higher purposes (God, freedom, fatherland) - is by and large discredited. Instead of active dedication and renunciation the term now denotes loss or disadvantage. Instead of legitimizing one's actions, it serves to legitimize claims against others, to take the *pole position* in the race for welfare state redistribution so to speak. "Victims may serve to bolster state legitimacy, to gain political mileage, and to enhance social control" and may therefore "help perform an ideological and political function".⁹ Today sacrifice has been replaced by donations. The sacrificial act is no longer determined by the identification of the individual making a sacrifice by the superior addressee of the offering but by the discovery of an investment opportunity. Donations are simply expenditures that can be made for tax relief purposes or publicity. In the same way as the traditional meaning of sacrifice marked the recognition of a higher power by which the individual eased the feeling of the contingency of his existence, at least for some time, so does donating involve elements of strategic action. Whereas the cultic-ritual sacrifice secured one's own existence by offering something of value or importance,¹⁰ donations follow the exchange-logic of investing. Some value devoid of any existential relevance for one's identification is utilized in anticipation of potential financial or other gain.

And yet the semantics of sacrifice are not entirely obsolete: in order to appropriately substitute sacrifice, certain sacrifice-businesses are needed which, of course, operate today within a totally different line of business. What was once the job of money changers, the conversion of coinage and currency, has nowadays been taken on by the banks. Whereas the money changer served those sacrificing, the banks collect donations for the victims' sake. Hardly has a catastrophe occurred when donations accounts are opened. Chief editors, TV entertainers, politicians, and whoever else feels called upon appeal to the then publicly quantified and evaluated willingness to donate. In the same way as the Gods of archaic societies took pleasure in burnt offerings, modern society celebrates its willingness to sacrifice snatches of its carefully accumulated prosperity for a good cause. Donations, organised and administered by sacrifice-businesses, thereby execute a key function in turning the public from passive observers of victimization into active, intervening participants. It is no

⁹ Robert Elias: The Politics of Victimization. Victims, Victimology, and Human Rights, New York/Oxford 1986, 231, 233.

¹⁰ Mauss, The gift, op.cit.; Maurice Godelier: L'énigme du don, Paris 2002.

longer acceptable to fall victim to poverty, epidemics, crime, and traffic. Giving donations constitutes the active taking of counter-measures. This finds expression in ambiguous semantics: victims of catastrophes are countered by sacrifices in the form of donations – victims are helped with sacrifices. By responding to losses which are no fault of one's own by voluntary relinquishment, some of the old, active understanding of sacrifice is preserved.

The media is one of the most important players in the sacrifice-line of business. Since sacrifice is no longer a rite but understood as a fateful loss, it is the media's responsibility to present sacrificion and victimization. Whereas in archaic societies the appropriate sacrifice would have been chosen and prepared by priests, in modern societies victims are described as such only in hindsight. This characterization is made by journalists and intellectuals in their role as mediators of social meaning. And whereas the priests actually offered sacrifices by spilling blood, the media performs semantic operations: they do not kill but talk about victims, through the function of generator of meaning they lift the burden of contingency and *Vergemeinschaftung* (communal socialization) remains largely the same. Above all it pays to be perceived as victim. Since the sacrifice is no longer about killing and has lost its existential quality – that is since it is merely a question of interpretation and therefore virtual – to be able to claim the victim status has come to be of considerable advantage in terms of welfare state redistribution and compensation. Socio-politically it constitutes a strategic privilege.¹¹ For example, those who fell victim to floods can regard state aid and private donations as a matter of course and those who know to present themselves as victims of an apparent wrong social - or labour-market policy or a rigid bureaucracy - may reach the public through talk shows, a public which is receptive to any rhetoric of justice whatsoever, and a public feared by those supposedly in power at election time.

This change in semantics from sacrifice to victim correlates in Western welfare states with varying descriptions of the self and external situations. A sacrificial act in its self-description is understood as virtuous readiness for the good of one's own group, one's fatherland or the Almighty, whereas from an external point of view the very same sacrificial act is met with a complete lack of understanding and appears as fanaticism which is subsequently sanctioned by the withdrawal of sympathy. The post-heroic hedonism of sated and self-satisfied members of the affluent society lacks any appreciation for such sacrificial pathos which they encounter "within the subculture, sects, terrorist suicide squads, or within the foreign culture of the militant Islam".¹² The very reverse is true of victims in whom self-described despair and apathy are dominant, and this is precisely why they are perceived as needy and can count on the sympathy and support of the beneficiaries of well-established welfare states. The political implications of these differences will be considered in a concluding section.

III. The political implications of sacrificion and victimization

A critical attitude towards sacrificial pathos characteristic of Western welfare states is by no means to be expected when seen from the point of view of the history of ideas.¹³ Even Ludwig Feuerbach made a distinction between religious and moral sacrifices, the latter being voluntary "self-sacrifices for the best of others, the state, fatherland."¹⁴ In agreement, Hegel defined political virtue as "deliberate work" "with reference to the substantial objec-

¹¹ Richard Schenk: Einleitung in die Thematik "Zur Theorie des Opfers", in: Richard Schenk (ed.): *Zur Theorie des Opfers. Ein interdisziplinäres Gespräch*, Stuttgart/Bad Cannstatt 1995, 1-7, 3.

¹² Burkert, *Anthropologie des religiösen Opfers*, op.cit., 16.

¹³ Burkhardt Wolf: *Die Sorge des Souveräns. Eine Diskursgeschichte des Opfers*, Zürich 2004.

¹⁴ Ludwig Feuerbach: *Vorlesungen über das Wesen der Religion. Nebst Zusätzen und Anmerkungen*, in: *Gesammelte Werke*, ed. Werner Schuffenhauer, Vol. 6, Berlin 1967, 89.

tivity, the whole of moral reality" "and the ability to devote oneself sacrificingly to it."¹⁵ Jean-Jacques Rousseau in the first version of his *Contrat social* had already coined a formula accordingly: "Dans tout État qui peut exiger des ses membres le sacrifice des leur vie, celui qui ne croit point des vie à venir est nécessairement un lâche, ou un fou".¹⁶

Although these thoughts might be just as distant from fascistic sacrifice-ideology as they are from welfare state post-heroism, they were nevertheless a ferment for the body of doctrine and myth of such thinkers as Ernst Jünger and Carl Schmitt. The former, for example, said that "the deepest delight of man" is that "he is sacrificed", and the greatest art of command is "to show goals worthy of making sacrifices".¹⁷ And Carl Schmitt made Rousseau's reflection radical in an anti-liberal way: "If necessary political unity must demand the sacrifice of life. For the individualism of liberal thought this demand is in no way to be achieved or legitimized. [...] All liberal pathos is directed against violence and a life without freedom."¹⁸

Feuerbach's distinction taken into account, the 20th century moral sacrifice, which was stripped of its religious motivation, seems to have been fundamentally politicized through totalitarianism, especially National Socialism, and again exhibits religious traits. The conclusion is that sacrifice is being deprived of its pacifying effect, emphasised by René Girard, as soon as it is secularized and politicized.

It is remarkable that this 20th century ideology is aimed at a certain target group from which sacrifices are to be drawn, that is men between the age of 16 and 40. This does correspond to the archaic practice of sacrifice drawing on virgins, first-born sons, exceptional young men, and even kings. How deeply ingrained in the public perception this idea of the particular aptitude of this group really is becomes clear when the dead resulting from war or violence do not belong to this group and are hence perceived as victims.

This difference in how sacrifices and victims are perceived is of central political importance, as is plainly recognizable when looking at the most recent armed conflicts of the end of the 20th century and the beginning of the 21st. Both the civil wars in Bosnia and Kosovo and the various wars and genocides on the African continent seem to be perceived as especially cruel when women, children and old people are killed, whereas tolerance or indifference are comparatively greater when members of the male-juvenile sacrifice group meet the same fate. Here, unconscious collective ideas of legitimate sacrifices seem to be passed on and perpetuated. Those ideas are at the root of Carl Schmitt's notion of the *Hegung* (enclosure) of war by international law. According to this notion, war is *gehegt* (enclosed) when the dead are members of the accepted sacrifice group, it is *enthegt* (dis-enclosed) when war breaks through to the rest of the population.

The consequence is a stark difference in the level of willingness and in the reasoning for so-called humanitarian military intervention: if women, children and old people are affected by human rights violations the willingness to intervene is not only greater, but there is also a certain public pressure placed on those in power. *Cum grano salis* one could say that the fascination with sacrifices predominant in the first half of the 20th century has given way to an equal fascination with victims. Subsequently, the global communication in the case of the Balkan conflicts centred around semantic dominance over the victimization discourse: both the Bosnian Muslims and Kosovars, and on the other hand the Serbs, presented themselves as victims of Serbian aggression or traditional anti-Serbian resentment respectively.

¹⁵ Georg Wilhelm Friedrich Hegel: *Enzyklopädie der philosophischen Wissenschaften III*, § 516, in: *Werke*, ed. Eva Moldenhauer / Karl Markus Michel, Frankfurt/M. 1970 ff., Vol. 10, 319.

¹⁶ Jean-Jacques Rousseau: *The Political Writings of Jean Jacques Rousseau*, ed. C. E. Vaughan, Vol. 1, Oxford 1962, 500. "In every State that can require its members to sacrifice their lives, anyone who does not believe in the afterlife is necessarily a coward or a madman."

¹⁷ Ernst Jünger: *Der Arbeiter. Herrschaft und Gestalt*, Hamburg 1923, 71.

¹⁸ Carl Schmitt: *Der Begriff des Politischen*, Berlin 1963, 68, 70.

In comparison, from the Western external point of view Bosnian Muslims and Kosovars appear as victims and the Serbs, who committed regular archaic sacrificial acts from which NATO derived its obligation to intervene, appear as aggressors.

The importance of such public victimization, decisive for political action, corresponds to an especially typical and lasting moralization of the political decisions made at the time. As post-heroic societies, the Western powers have a hard time admitting to themselves that in times of war soldiers put their lives at risk and that they will only be willing to do so if this potential self-sacrifice is meaningful to them. Moralizing military intervention is a prominent way of achieving just this.¹⁹

Both aspects – the perceiving of victimization and Western post-heroism – are mirrored by the US American military strategy to bring peace to Kosovo. The precision bombardment of Belgrade from a distance of fifteen miles served the purpose of minimizing both the Serb self-victimization discourse and the number of American war victims, which, under post-heroic conditions, are no longer justifiable as sacrifices.

The obvious conclusion from those experiences, that the extent and course of victimization discourses determine with certainty the freedom of decision regarding political action, can only be considered when dealing with those terms and the moralization inevitably attached to them. Only then will it be possible to remain the master of one's own political decisions for action and to successfully control as well as prevail in the politically crucial battle for semantic dominance.

¹⁹ Paul W. Kahn: War and Sacrifice in Kosovo, in: *Philosophy and Public Policy*, Vol. 19, 1999, 1-6. Herfried Münkler: Den Krieg wieder denken. Clausewitz, Kosovo und die Kriege des 21. Jahrhunderts, in: *Blätter für deutsche und internationale Politik*, H. 6/1999, 678-688.