

VICTIMS OF COMMUNISM AND THEIR PERSECUTORS

**VICTIMS OF COMMUNISM
AND THEIR PERSECUTORS**

**HOW CAN THE RESTORATIVE JUSTICE PROCESS
PROVIDE RESTITUTION AND TRANSFORM FUTURE
RELATIONS BETWEEN SURVIVORS AND OPRESSORS?**

Forgiveness for Acceptance of Responsibilities

by
Gabriel Teodor Gherasim
Master of Arts
in
Negotiation, Conflict Resolution, and Peacebuilding

VICTIMS OF COMMUNISM AND THEIR PERSECUTORS

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ABSTRACT

Part One of this book addresses the question of how can the restorative justice process provide restitution and transform future relations between the victims of Communism and their persecutors.

Part Two of this book includes reviews of several important components of the Negotiation, Conflict Resolution & Peacebuilding literature such as: The Prisoner's Dilemma; Intragroup, intergroup and extragroup approaches; Research Design and Interpretation; Communication and Conflict; Negotiation Tactics; Mediation; and Intercultural Conflict.

Part Three discusses several aspects of the Literature Review, namely: Restorative justice; Methodology; Introduction; Intrapersonal; Interpersonal; and Societies.

Part Four analyzes a satisfactory solution to the proposed question, by using a two tier process: conflict management and conflict resolution. They involve the focus on: Sources of conflict; Analytical versus synthetic approach; Social contents of constructive competition; From retributive to restorative justice; Mediation as reparation for Communist persecutions; Multi-Track Diplomacy; Pluralism by the rules; Reg-Neg; Justice and conflict resolution; Strengths and weaknesses of conflict resolution techniques; and Conclusion.

Part Five concerns an application for a future program which includes: conferences, exhibits, research, college and university curriculum geared to both educate the public on Communist violence and to help the victims of Communism come to a conflict resolution with their perpetrators and find meaning in their ordeals.

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FOREWORD

The Red Holocaust: the Case of Romania

The Red Holocaust which took place in the 20th century in the Central/Eastern European former Communist countries left multi leveled and indelible scars on peoples' souls, not only for the generations which had to go directly through that experience, but also for those which followed and for those to come.

The case of Romania is no exception to this reality. What makes the matter worse is the fact that there was no radical passage from the old Communist system to the Democratic one, as those who took power after the December 1989 fall of dictator Nicolae Ceausescu's regime were people who had been connected with the same Communist system. In fact, most of them were deeply involved in the oppressive system where they had held positions of responsibility in which they had implemented the Communist ideology and its draconic rules on their fellow citizens. So the regime changed in form and appearance but not in the mentality of those who were part of it. They were rightly called Neo-Communists and the writer of this book is well aware of this fact.

Hence, the value of his idea to do something about this situation by addressing it objectively and scientifically head-on. In order to achieve this purpose, namely to raise awareness of the imperative need to establish a restorative justice process, provide restitution and transform the relations between perpetrators and victims in his native country, Romania, and to eventually see concrete steps taken in this direction, Gabriel Teodor Gherasim did significant research and reflective and critical thinking on what might work best in a possible implementation of strategies designed to bring the matter to fruition.

He did extensive evaluations of literature in the field of Negotiation, Conflict Resolution

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and Peacebuilding and studied specific applications of this literature and theories in previous conflicts. In doing that, the author not only lists the main ideas of this specialty's concepts, and explains what they are about, but he also personalizes them by explaining what attracted him most during his study and why, and very importantly, he also details how he would use elements of those theories of literature in a concrete fashion in any case in which he might be involved in the Post-Communist restorative justice process.

The overview of the Negotiation, Conflict Resolution and Peacebuilding courses he took when studying for his Masters in this specialty at California State University (the Dominguez Hills Campus), indicates clearly that the author has understood the courses' content, the concepts and the theoretical frame of his specialization and his future practice as a mediator. That is also indicated by the special attention he gives to communication, negotiation and mediation skills, as the sine qua non vital tools for the process of such a difficult mission as implied in the topic of this book.

This enterprise is interdisciplinary in character in that it touches the fields of psychology, sociology, anthropology, philosophy, economics and politics. By using relevant bibliographies, such as books of narrative testimonies by writers who lived under the Communist regime, in Romania, and books by other authors specializing in conflict resolution, mediation, negotiation, counseling etc., Gabriel Teodor Gherasim presents his own views on what is to be done in Romania from the subject of the book's point of view, including how and with what chances of success.

In his endeavor, the author also explores the Israeli-Palestinian conflicts, the work of The Truth and Reconciliation Commission in South Africa, and other such conflicts, in order to see the different approaches that were used or can be used in conflict resolution cases. He analyzes

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them critically, looks for strengths and weaknesses, and then proposes his own sustainable alternatives that could work in the case of Romania. This is all the more important since many other analysts who know the situation in former Communist Romania, have investigated, critiqued, commented, and clarified their findings, but failed in the completeness of their investigation, in the objectivity of analysis and consequently in the proposal of vital, concrete steps for resolution in terms of restorative justice and compensatory restoration.

Such was the case for instance, of the Tismaneanu Report which not only absolved or ignored many of the Communist perpetrators of abhorrent crimes against human life and dignity, but also incriminated people and institutions which actively were repressed by, and suffered under the Communist regime and its criminals. As the author puts it: “for example, preparing a report condemning the institution of Communism in 2006, by Vladimir Tismaneanu, a Communist leader's son, which was read in the Romanian Parliament in the same year by Traian Basescu, a Securitate spy before 1989, turned afterwards democratic President of the country, meant symbolically that there were no more Communist handlers and their subjects, in Romania, but only Romanian citizens united in decrying the crimes of the tyrannical past” (p. 63). This was an episode of “lip service rhetoric” on the government's side, and maybe some sporadic media attention to the problem, as Gherasim remarks; yet, without serious concern for reparations to victims, and: “with continued self-justification for crimes perpetrated on the innocents and lack of introspection, or wish to take responsibility for the past personal acts of generalized violence on the civilian population by the Communist culprits, not only will there not be any closure on past crimes, but there will be ongoing continuous injustices against the other stake-holders” (p. 53).

One major point that validates the author's preoccupation, research and thesis on this

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subject is the paradox related to the atrocities committed by the Nazi and Communist regimes. While the Nazi crimes, where 6,000,000 Jews, Gypsies, political dissidents and others were killed, have long been acknowledged and condemned in most European and other countries, the Communist crimes, where over 100,000,000 people were killed did not lead to any real justice for the victims and their descendants, despite numerous requests by the US Congress, the European Parliament and other local and international forums.

Consequently, the author requests that universal, unanimous condemnation of Communist crimes should be applied by the international community on Communist atrocities as it was applied to the Nazi crimes. Double standards are not acceptable, as they are contrary to any right understanding and definition of justice. As he puts it: “It is somehow unacceptable socially (and in Europe legally) to display the Nazi paraphernalia of the genocidal 6,000,000 Jews dictatorship, yet it is both socially and legally acceptable to wear hammer and sickle t-shirts or hats, not to mention Kremlin's and Maoist red stars, or the Che Guevara's likeness proudly, while these symbols also glorify the death of over 100,000,000 victims to date, killed by Communists all over the globe.” (p. 38).

Following such a situation, Gabriel Teodor Gherasim proposes the adoption of the Israeli model in bringing every criminal to justice, locally and internationally, and the model of the German state and of other institutions, banks or businesses, which were forced to give compensation to the victims and their descendants.

Yet, a conscientious approach to the subject of the injustices done to the Communist system's victims needs to be an ongoing process. That is why the author also suggests conferences on the topics, exhibits, research, books, courses, and other activities that could fulfill this imperious need.

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Gabriel Teodor Gherasim's book is a necessary and meaningful contribution to the need for solving the greatest unsolved problem of the 20th century and one of the most repugnant episodes in the history of mankind.

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CHAPTER ONE

CRITICAL QUESTION

*HOW CAN THE RESTORATIVE JUSTICE
PROCESS PROVIDE RESTITUTION AND TRANSFORM
FUTURE RELATIONS BETWEEN THE VICTIMS
OF COMMUNISM AND THEIR PERSECUTORS ?*

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The subject of restorative justice regarding the victims of the various Communist genocides is an unanswered quest, even 20 years after the collapse in Europe of the most decimating and bloodiest state terrorism known in the history of that continent, that has cost the world over 100,000,000 lives in 100 years to date (Courtois, 1997). While both in the US and in the European Community, the atrocities of the Nazi regime have long been acknowledged, condemned and (in the European case) it led to Nazi activism being declared illegal, there remains no relief for the human suffering perpetrated by Communist persecutors against their victims, despite numerous requests in both the US Congress (US Congressional Bill, 2008) and in the European Parliament to address this (Gherasim, G. 2006).

Mediation in regard to pro-Communist and anti-Communist groups is difficult when there are double-standards in evaluating human victims: if one suffered under the Nazis she/he is a victim, but if one suffered under the Communists, she/he is collateral damage (West, 2010).

While we can concoct elaborate meanings and justifications to condemn one crime but excuse the same crime if done by and onto others, environmental, relationship, and personal suffering still seeks healing, validation, and restoration of one's dignity (Deutsch, 2000). This would be more appropriately done in front of a mediator or facilitator (for larger groups), to address the plights of innocent people who have been suffering, or who have died by wrongful convictions and persecutions under various Communist tyrannies.

This book will attempt to analyze from a mediator's, facilitator's and negotiator's perspective the Communist crimes in terms of emotions, intentions, actions and reasons, with both the victims' and the perpetrators' testimony, of what is commonly called in Europe the *Red*

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Holocaust (Matrescu, 1995), with particular focus on Romania. It will go to the sources of intergroup conflicts, its cognitive factors, its implications for understanding and will make some recommendations for compensatory resolutions (Deutsch, 2000).

It will do that by presenting an overview of several micro and macro-level approaches to understanding the origins, the nature and the dynamics of this conflict, as well as, of possible healing. It will detail several psychological, social, economical, political, systemic, and cultural perspectives that have led to and are still adding innocent victims, from Cuba to China, in the name of Marxism and of the Communist Party.

There are enormously vested Russian, Chinese, European and American interests, businesses, private citizens, funding sources, public opinion and lobbying forces to maintain the Communist crimes in anonymity and if possible to render people oblivious to their cost in human lives and suffering. This book will therefore, also address both the Track II and the Track I diplomatic efforts that will need to be involved, in order to successfully condemn the Communist genocides, the Communist systematic military occupations, raping, property confiscation (i.e. nationalization), environmental pollution and toxic dumping, and interdiction of basic human rights in the international arena, and bring both victims and oppressors to a durable conflict resolution. The persecutors or their representatives might come together in mediation with former victims, for a long overdue repair of what the Communist atrocities' legacy continue to mean to half of Europe, Latin America, Africa and Asia. These efforts should condemn Communist atrocities, give some emotional validation, financial compensation and closure to its victims and subsequently, bring former Communist perpetrators to acknowledge their responsibilities and rights in the society (Hemlick, 2001).

The intended readership for this book includes American (including Latin American),

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European, African, and Asian mediators, counselors, facilitators, negotiators, academia, students, survivors of Communist and of other prisons and labor camps and their families, as well as, former Communist torturers and their families.

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CHAPTER TWO

A REVIEW OF NEGOTIATION, CONFLICT RESOLUTION & PEACEBUILDING CONCEPTS

THE PRISONER'S DILEMMA

Violent conflicts between different groups and nations are generated from diverse causes, affecting political, economic, ethnical, religious, cultural and regional levels. Unlike conflict mitigation, conflict amelioration, or conflict management, conflict resolution involves a transformation of the situation with sustainable alternatives from a destructive conflict into a harmonious society. This is done via mutually acceptable conscious compromise of issues between parties (Schellenberg, 1996).

The Prisoner's Dilemma

The exercise of The Prisoner's Dilemma gives two separated subjects, in the role of prisoners, several choices: if they both confess to a suspected crime they get some punishment; if none confess at all they get no punishment; or, if one does not confess, and if the other prisoner and suspected accomplice confesses for both of them, she/he gets the maximum punishment, while the informant gets immunity (Schellenberg, 1996).

This exercise is important because it stimulates two kinds of interests in the prisoner: limited individual interests versus an implicit cooperation with the other prisoner (Schellenberg, 1996). Also, it evokes the factor of trusting (or not trusting) that the other prisoner will not confess, and therefore that they'll receive no punishment. With conflicting nations the issue of trusting or not trusting that the other will act detrimentally is the difference between attacking,

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evading, or cooperating with the other. One can appreciate the seriousness of the Prisoner's Dilemma, be it in two-way negotiations between nations, or between couples or groups of people.

I would add the aspect of non-material values to the Prisoner's Dilemma. For some "prisoners", spiritual values, social loyalties, cultural upbringing, philosophical ideologies and religious considerations, are more important than freedom or life itself.

INTRAGROUP, INTERGROUP AND EXTRAGROUP ASPECTS

Intragroup, Intergroup and Extragroup Derailing Approaches

The mediators are invited to consider many factors in their praxis such as: empowering the bullied stake-holder, thus creating a balance of power; act as sound-board or moderator between the dialoguing parties, in order to allow for constructive discussions or for emotional venting; consult or teach communication skills, such that the disputants may communicate more clearly on their own; and -following investigation of complaints-, make recommendations based on the disputants' accepted compromises, which are mutually agreeable to the parties (Erbe, 2003).

Erbe cautions the mediator of various distractions which may lead to negotiations' failures such as: intragroup conflicts in the opposing coalitions; intergroup conflicts united by a common cause; and extragroup powers, meddling in the conflict and trying to keep it from coming to a resolution (Erbe, 2003). A facilitator of disputants should be willing to review proposed ground rules, ask for and discuss questions with the stake-holders prior to the actual negotiations.

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The mediator's conflict resolution process dialogue should include: paraphrasing substance; framing open ended inquiry; identifying implicit and explicit interests; note shared commonalities of interests; and frame issues as collaborative questions.

In terms of agenda setting she/he should: arrange with disputants the basis, or necessary steps for good communication; and discuss the most difficult topics first, or the easiest topics first, as per the stake-holders' preferences.

She/he should strive for an inter-cultural or inter-ideological dialogue: use brainstorming; propose guidelines; suspend her/his own judgment; create a balance of quantity and speed in mediation sessions, and if need be, piggyback on ideas of use (Erbe, 2003).

This multilateral approach to looking at conflicting issues is very encompassing in terms of having a microscopic and macroscopic view on conflicts.

Research Design and Interpretation

Scientific evaluation of facts is important in explaining social science processes, creating theories, proving or disproving academic concepts and methodologies, and how to apply various systems in real life. Such concepts as research design, interpretations, descriptions and predictions from a researcher's perspective, are also a necessary aspect in addressing the post-Communist conflicts in their respective societies.

Evaluation of Research

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One of the cautionary tales of research is the obstacle of applying general concepts to specific cases or vice-versa. Also, the paradigm of the researchers often creates a self-fulfilling prophecy: if the researchers look for black and white answers they'll see that in the results, and if they'll try to retain elements of opposing positions by seeking a middle way, they'll often seek and "see" such results (Druckman, 2005).

Researchers have to be aware that at any stage in research, such as designing an experiment, collecting data, running them and interpreting the results, that both the experimenters themselves and variables not accounted for during the experiment can influence the results (Druckman, 2005). They'll also have to decide whether they'll move toward, with, against, or away from the conclusions of the research, as the latter may enthuse or irritate the researcher and his or her expectations of the prospective results (Druckman, 2005).

Researchers may use singularly or conjointly their intuition, logic, authority or observations to come to conclusions (Pelham, 2007).

I found of particular interest the suggested sequencing of researching a conflict between two opponents. It involved:

1. Who are the parties in relation to each others' and in relation to the mediator/facilitator?
2. What are the parties' positions, interests, issues and needs?
3. How do parties seek to resolve a conflict?
4. Which values are explicit and which are implicit, during discussions?
5. How does the mediator see the conflict in relation to time and place?
6. What resources are committed towards the conflict?
7. Are there any turning points in the conflict?

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8. Are there inconsistencies in the narratives and if yes, are they being discussed?
9. Do narratives match the parties' body language and behaviors?
10. Does the facilitator see a resolution to the conflict and if yes, what is it?
11. Are there latent aspects to the conflict that erupt at some point?
12. Do conflicts follow cyclical events and if yes, what is the addressed stage?
13. Will the stake-holders agreements meet the disputants' short and long-term needs? (Druckman, 2005, p. 24)

For societies that go back hundreds or thousands of years, sociological research, its design and interpretation needs to be done in the appropriate time, place, modality (Ex: research on rape in the Communist prisons, needs to be prefaced by counseling the [female] victims, on how this was not their fault, or that they are not indelibly "dirty" because of that. Otherwise, the victims will not likely talk, due to perceived stigma of being "damaged goods").

Also, due to destruction or censorship of still existing incriminating archival evidence of Communist crimes, the narrative testimonies are very important for the analysis and research on Communist abuse. Corroboration from other survivors may at times be the only "fact-finding" checking in the tool of Communist atrocities' investigations.

COMMUNICATION AND CONFLICT

Professor William, one of the guest speakers in a Mediation class at California State University Dominguez Hills campus, offered in a 2009 class lecture the P.O.W.E.R. anagram model of listening and reframing, which stands for: **P**(ositive reframing) **O**(pen to persuasion) **W**(ant/needs/positions) **E**(motions, aware) **R**(espect).

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By combining both academic and hands-on analysis on communication and conflicts' origins, interpretations, implementing, and seeing their consequences, author Robert Bolton (1986) has created a clear picture of one of the great longstanding puzzles: how do people argue, and how to communicate better?

Barriers to good communication

Bolton (1986) cites 12 barriers to good communications, based on three categories:

1. Judging: criticizing; name-calling; diagnosing; praising evaluatively.
2. Sending solutions: ordering; threatening; moralizing; excessive/inappropriate questioning; advising.
3. Avoiding the others' concerns: diverting, logical argument; reassuring. (p. 56).

Some communication barriers may be made by what is commonly perceived as "good" communication, such as: praising; being reassuring; or advising. But as it was clearly revealed by Bolton (1986), while in appearance positive, these comments remain nonetheless negative, in the sense that they inhibit the speaker to open up and discuss one's feelings or need for specific counsel.

To give some examples of leading statements that may constitute barriers to communications let's evaluate the following hypostases:

1. Ordering: "You must..."; "You have to..."; "You will..."
2. Threatening: "If you don't then..."; "You had better or else..."
3. Preaching: "It is your duty..."; "You should..."; "You ought..."
4. Lecturing: "Here's why you are wrong..."; "Do you realize..."
5. Advice giving: "It would be best for you..."
6. Judging: "You are bad...lazy"; "Your hair is too long..."

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7. Excusing: “You’ll feel better...”; “It’s not so sad...”
8. Diagnosing: “You are just trying to get attention...”; “I know what you need...” (NYC Department for the Aging pamphlet, 2000).

It has to be said that sometimes, it’s not so much the content of the statements that are under scrutiny from the other interlocutors, but the context in which they are said. For example, open-ended questions such: “Why?”; “What?”; “How ?”; “When ?”; “Where ?,” may be seen as prying. It is the job of the skilful communicator to understand the perceptions with which her/his questions or statements are interpreted by the other parties, to clarify any misunderstandings, and to specify her/his intentions when using a certain language or questions, in order to transmit, or elicit information from others. Other roadblocks to communications may be statements that could be interpreted as: distracting; ridiculing; withdrawing; being sarcastic; name-calling; humoring; diverting; and stereotyping (NYC Department for the Aging pamphlet, 2000).

Robert Bolton (1986) mentions the ardent need of people to both be able to self-express and to be heard. Both in terms of being a sound-board, or being able to accurately reflect and (when need be) reframe what the interlocutor is saying, are important factors for both informal discussions and as a mediator. Whether using attending skills (body language), or reflective skills (attentive silence, paraphrasing and mirroring feelings and meanings), the careful listener diffuses arguments and creates better communication with the affected parties (Bolton, 1986).

I would only add here that I would find that neuro-linguistic aspects of expertise improve communication, and understanding of otherwise the unexplainable phenomenon of mass docility, even 20 years after the Communist collapse. By addressing the subliminal techniques used in indoctrination, be it political (slogans), or commercial (such as in advertisements), their effects on the subconscious and their reflection in real life, would give a clearer picture of the

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conditional reflex so powerful in all of us. Thus, the effects of the subconscious are usually triggered by association (buy the beer next to the beautiful girl in the advertisement and you'll have a beautiful girl next to your beer in the real life), or by mechanical repetition (the mantras of praising the Communist tyrants, by subdued masses, from the elementary schools morning calls of the pupils, to the stadium size or main squares sophisticated Communist pageantries, involving thousands of regimented participants).

NEGOTIATION TACTICS

The concept of B.A.T.N.A. (Best Alternative to Negotiated Agreement) may turn a negative situation into a positive one, simply by expanding the pie of perception regarding a conflicting situation.

B.A.T.N.A.

Best Alternative To Negotiated Agreement is the alternative to negotiations (Fisher and Ury, 1993). Usually, if the B.A.T.N.A. is perceived to be better than negotiations, negotiations don't happen. Or they happen but they break down if perceived to come at a less gain than the B.A.T.N.A. point. According to the authors, people, interests, objective criteria, and options should all be part of the B.A.T.N.A. evaluation (Fisher and Ury, 1993). It is based on this kaleidoscopic view that we can get a complete perspective of our B.A.T.N.A. options.

I would add to the perspective of Best Alternative to Negotiated Agreement, the cultural fluidity needed to understand what is important for the stake-holders. For example, if a mountain peak in the Carpathians is a sacred mountain for the Romanian villagers, but is a source of gold for a multi-national corporation, a compromise is hard to reach, when the corporation wants to

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blow the mountain away and churn its rocks for precious metal. A mutually agreed way of expanding the pie of BATNAs for the two disputants needs to be made, before any negotiation may occur successfully.

MEDIATION

Unlike litigation or arbitration, mediation is non-binding and most likely varies from nature of conflict to field of specialty. The mediator is simply a conduit between the disputants' and their dialogues. For larger groups, the facilitator may replace the mediator, with many of the same techniques of conflict resolution remaining the same.

The Mediation Process

Some of the mediator's responsibilities are: report possible conflict of interests between mediator and disputants; leave preconceived notions (of guilt, or intention) outside the mediating room; give fair attention to both parties (time-wise, question-wise, body language wise, etc.); realize that it is in the power of the disputants to walk away; that mediator's decisions may be challenged at any time; that there are no binding methods to reinforce decisions, unless it is arbitration and litigation (but then there would be specialists and lawyers involved); come to ground rules of how to conduct the meetings, in consensus with the parties and implement them afterwards.

The dilemma of an impartial mediator versus the power balancing mediator, is of interest to explain ethically. I would suggest that a mediator, should condition mediation to the disputants having a priori arranged for fair representation, of their interests. Thus, with that precondition from the mediator, she/he will have no conflict of interest and will be able to run the mediation sessions truly impartially.

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If mediation is conducted successfully, then disputants feel that they have been heard in their concerns, in a fair manner; that possible misunderstandings have been clarified through dialogue; that conclusions and definitive decisions are preferable to litigation (due to the decisions per se', the lesser cost compared to litigation and the more expedient resolution and implementation of these compromises or mediated decisions, such as, the expediency of the awards delivery) (Moore, 1996).

Five Steps of Breakthrough Negotiation

According to Fisher and Ury (1993) a very efficient breakthrough in mediation is their five step model. This model allows for the mediator's self control and at the same time it invites the stake-holders to a constructive dynamic process: (a) go to the balcony (controlling one's behavior); (b) step to their side (be empathetic to disputants whenever possible); (c) reframe (ask problem-solving questions); (d) build them a golden bridge (enable opponents to save face); (e) use power to educate (reassure stake-holders that your goal is mutual satisfaction) (Fisher and Ury, 1993).

INTERCULTURAL CONFLICT

There are multi-faceted forms of conflicts derived from intercultural competitions and/or misunderstandings. We are warned by Le Baron (2003) that intercultural conflict is often a perception based conflict and that it is by clarifying misperceptions that we can redress said conflicts and in fact often even transform them in success stories.

Cultural Fluency

Cultural fluency is a language of looking at the world without the specter of our ethnocentrism limiting our view of the world. It involves such factors as: realizing that our

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standards of “normal” may not be everybody’s cultural norms; that we cannot fit every culture in our taxonomy of norms; that by concentrating on the world from a universalist perspective and not seeing the differing factors and that by going to the other extreme of seeing everybody else as separated from our world, we fail to see individuals as they see themselves, but rather we see them in stereotypes. Cultural awareness is being conscientious about these generalist traps, and is willing to suspend judgment while trying to see the world also through the others’ cultural norms and experiences (LeBaron, 2003).

I would add to this a needed focus of the facilitators’ on the stake-holders’ possible “hybrid preferences”, to create their own cultural concoctions, based perhaps on time or place. For example, we can take a Romanian immigrant in the US, who is very traditional in behavior during the Sunday Liturgy at the Romanian church, who is perhaps eclectic at home with the wife, (both in traditionally Romanian or acculturated American customs) and perhaps who is Americanized to the bone at work in either manners or interests.

High Context vs. Low Context

High context paradigms are cultural norms where people tend to communicate with subtleties and in indirect ways. These cultures are within groups where the non-verbals and the nuances of communication have a tradition of dialogue that may span for many generations. It is in these societies, often located in Asia, that such factors as “saving-face” are very important.

Low context paradigms are cultural norms where, direct and detailed communication is praised and expected. These cultures tend to be very task-oriented, very vocal and emotionally ebullient, and tend to look at the direct statements without seeking more subtle meanings. The Europeans are considered being in such a mind-set (LeBaron, 2003).

Communitarianism vs. Individualism

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Comunitarianists tend to see themselves as part of a whole. They are rewarded for obedience, loyalty, conformity and harmony within their group. The expression “it takes a village to raise a child” accurately describes this mind-set.

Individualists are praising independence and autonomy. Leadership and initiative are highly praised. The expression “self-made man” accurately describes this paradigm (LeBaron, 2003).

Bridging Cultural Conflicts

Just like its title, the book *Bridging Cultural Conflicts* proposes the willingness to experience other cultures in order to avoid unnecessary cultural misunderstandings. With cultural fluency and with mindful awareness as guiding perspectives on our and other cultures, we can bridge cultural differences and create a dynamic engagement with dialogic spirit in our surroundings (Le Baron, 2003).

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CHAPTER THREE

Literature Review: How can mediation create an integral and durable conflict resolution method between the victims of Communism and their persecutors?

Resolution

This literature review will focus on how the mediation between Communist victims and their persecutors (at both the intrapersonal and at the interpersonal levels) may impact the conflict resolution efforts. Details will be given in order to familiarize the reader of Communist related paradigms, actions, and geography of impact, particularly in the case of Romania.

Restorative Justice Methods for Victims of Communism and Intended Audience

The purpose of this literature is to inquire and discuss a little known region of conflict resolution studies, namely the Communist and post-Communist life in Central/Eastern Europe, as it has been tackling negotiated efforts to restore equality amongst its citizens, following 50 years of power imbalance between Communist torturers and their victims and 20 more years of neo-Communism. This is an interdisciplinary effort that will analyze pertinent information from the fields of mediation, psychology, sociology, counseling, arbitration and economy.

Methodology

Relevant peer reviews, research of historical data spanning decades of observation, and survivors' biographic literature, journal articles, books, video documentaries, and abstracts, were collected from both Romanian online periodical databases (*Ziare.com*, *Google.ro*, *Institutul Pentru Cercetarea Crimelor Comuniste/The Institute For Research of Communist Crimes*, *Romanian Global News*, *Memoria.ro*, *Moldova.org*), and located using English language search engines (such as *JSTRO*, *DAI*, *Academic Search Premier*, *the globalmuseumofcommunism.org* or *beyondintractability.org*). These databases were searched using various combination words

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(e.g. alternative conflict resolution, communist crimes, Bolshevik genocide survivors, Karl Marx, Frederick Engels, Stalinism, Maoism, Vladimir Lenin, Nicolae Ceausescu, restitution, mediation, work, Capitalism, leisure, Communism, advanced industrial society, holocaust, genocide, the new man). Articles were selected, reviewed and analyzed with regard to their pertinence to contemporary conflict resolution, academic praxis, and hands-on approaches.

Introduction

The following review is divided into six sub-sections representing different ways Communist destruction and healing from its effects were conducted.

The first section discusses the roots of conflict, including directions, theories, dimensions, costs of conflict, and processes affecting conflict resolution.

The second section discusses the topic of intrapersonal manipulation and conflict resolution from a philosophical, theological, neuro-scientific, psychological, symbolic, and cross-cultural perspective.

The third section discusses the employment of interpersonal alterations, be they actively or passively, as experiences of traumatic natures under Communist dictatorships led most people to act unreasonably and in a subservient fashion even after the official European Communist collapse of 1989.

The fourth section is on societal solutions proposed to terminate the cycle of learned hopelessness and powerlessness in the subjected populations. It will discuss the bio-psycho-social-individual levels and will propose multi-track diplomatic efforts to recreate a balanced community in the minds, hearts and actions of the communities affected by the Communist holocaust. It will vary between Nuremberg-style and Truth and Reconciliation styles methodologies of actions, whose end result should recalibrate the “artificially revolutionized”

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communities into one where both former victims and former persecutors can come to appreciate the rights and responsibilities of their societies, from an equal level of membership.

The fifth section addresses mediation considerations such as forgiveness, counseling and restitution.

The sixth section discusses international considerations such as global condemnation of the Communist theories and suggests commemorative and educative actions regarding the Communist genocides and their impact to the victims and in the world.

Each subsection warrants its own literature. I project that there will be ulterior attention, analysis and debate given to such topics as: ongoing Communist dictatorship human abuses in China, Vietnam, Cuba and North Korea; their yet not completely known tally of human lives destroyed, mutilated, tortured; and the overall terror provoked in their respective societies.

The Roots of conflict:

Chronological, (centuries old), religious, economical, separated psychology, customs, mannerisms, social identities, false sociology, false biology, negatively relating to each other (i.e. my gain is your loss), are roots of conflicts.

How do we determine the direction a conflict is going?

We determine a course of conflict by analyzing whether it is: a) active [facts or interpretation based], “towards others”; or b) passive [facts or interpretations based] “towards self”. We understand determinants of conflicts in theory or practice based on antecedents/speculations of past and/or sometimes overlapping with present and future concerns, by words or actions. The ultimate goal is to find cooperation and win/win solutions from conflict. Highly respected mediators and facilitators modify long held conflictual positions, reduce win/lose aspirations and increase win/win compromises which lead to successful

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negotiation.

When dealing with negotiable and non-negotiable conflicts, we try to resolve the negotiable differences and then reframe the non-negotiable ones. A drawback to resolving conflict is that prolonged conflict is a known routine, whereas conflict resolution is scarier because it involves elements of the unknown (such as greater self-disclosure). Changing conventional conflict with a mutually accepted agreement doesn't make the disputants necessarily happy, but is reframing the overall dynamics of disputants as partners.

One way to reframe a conflict is by presenting differences as a "salad" of interests as opposed to the more traditional "melting pot" dynamic. The new selection is a more federative paradigm, where people can see each other both essentially different (vegetables) but sharing also common interests (the bowl).

Theories emphasizing conflict

Lynn Mc Taggard (2002) suggests that the following theories were used as rationales for racism, slavery, class superiority, sexism, invasion of sovereign nations, religious, economic, ethnic, political persecutions and war:

Biology: Dawin's "survival of the fittest" evolutionism.

Psychology: Freud's "Oedipal complex".

Sociology: Marx's "abolition of the family", "class struggle" and "continuous revolution" (p. 17).

Because all these paradigms created conflict of interests between individuals (from the superiority of aristocratic heredity of the British royalty, to the superiority of the "healthy origins" of the Russian Communists' proletariat), or a "win/lose" (it's they or we) paradigm, they were positioning humanity at the antipode of conflict resolution. It led to conflict escalation

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triggers, hostile assumptions and destructive behaviors towards one another, be it individually, nationally, or internationally.

Dimensions of conflict:

Intrapersonal, interpersonal, intragroup, intergroup individuals are affected by conflicts.

Costs of conflict:

Death, violence, planned starvation, planned diseases, imprisonment, torture, rape, deportation, property confiscation, withholding medical treatment, traumas, Post Traumatic Stress Disorder, sabotage, are some of the costs.

Processes affecting resolution:

Cooperation, social justice, motivation, trust, communication, attribution processes, persuasion, self-control, power equality, non-violence, unbiased judgment, character, develop similarities, group problem solving, creativity, intergroup and intra-group communication and transformations, culture, mediation, holistic paradigms, constructive conflict management, constructive controversy, may all lead to conflict resolution.

Intrapersonal

Is there a self, be it spiritual or mental, and if yes, what are its strengths and limits? The question addressed by Rotter's Locus of Control theory was: "Can our destiny be manipulated by an oligarchy into submission and program individuals to follow the State's orders, even when they are against the best interests of the individual, or can there be an immutable inner strength greater than the outer psychological and mental stressors" (Rotter, 1966, p. 492)? Also, can there be a transition from being hurt or hurting to inner peace and strength?

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Pastor Richard Wurmbrandt (1994) a former prisoner of Communized Romania, and a religious refugee and author in the United States, is a proponent of all the above. Fluent in several languages including German, he traces the Communist persecutions on millions of people, not just in the name of material revolutions, but also at psychological, spiritual and at subconscious levels (Wurmbrand, 1994). These are derived primarily from various Karl Marx's writings, which advocated forceful revolution, not just of a society, but also within the man himself (Wurmbrand, 1994).

Paradoxically, Marx (1835) switched from advocating:

The love of Christ, from which we guide our hearts towards those who are interconnected to us intrinsically, and for whom He gave Himself in sacrifice (p. 600).

To advocating:

The abyss yawns gaping night to both of us,

If you sink down, smiling,

I'll follow you and whisper to you,

Down! Come with me!

Comrade...Then fly away to Hell,

And tell the Devils it was I that sent you!"

(Marx, 1839, p. 60).

As well as:

I'd leap therein, though I must smash a World,

That towered high between myself and it!

It would be shattered by my long-drawn curse,

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And I would fling my arms around a cruel Being,
Embracing me, 'twould silent pass away (Marx, 1839, p. 60).

The idea that Communism, as an atheist state, would be so interested to compromise the souls of the faithful may seem preposterous at first, but in a time when we study mindfulness and meditation practices, -as Schneider and Honeyman, (2006) put it-, with their: “breath, bodily sensations, awareness of sensations and (almost) choiceless awareness” (p. 48), we might find ourselves to be otherwise inclined, after delving into and looking at Communism as an anti-spiritual (NOT an *a*-spiritual) creation.

Furthermore, we learn from Fisher and Ertel (1995) that the *position* of Communism, or that of a purportedly atheistic system, disinterested in theological matters, may really hide the *interests* of said political system (Fisher, and Ertel, 1995), **that is** to forcefully reprogram the conscience oriented practicing of the subjugated masses, into hating that which they love, be it spiritually, mentally, physically, socially, or otherwise, in order to reprogram them for the Communist state's idolatry, Satanism, or, -to use Communist lingo-, for “the workers' paradise”. In Marx's own words: “A curtain had fallen, my holy of holies was rent asunder, and new gods had to be installed” (Marx, 1839, p. 62).

Mikhail Bakunin, a supposedly atheist anarchist wrote: “The devil represents the satanic revolt against the divine authority, a revolt in which we see the fecund spirit of all the mankind movements to free themselves: the revolution” (Bakunin, 1970, p. 206).

Physiological Modifications.

According to Wurmbrandt (1994) during Communist interrogations, physical and mental abuse (torture), as well as, environmental restrictions (unsanitary cells, overcrowding, sleep deprivation, cold, heat and insufficient food), created a physical alteration in prisoners which led

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many of them to give up hope, control of their souls and paradigms, and inverse their values by condemning those who loved them and praising their torturers.

Stanislav Grof (2000) agrees by stating that spirituality, be it in its conscious or subconscious forms, can be reprogrammed by such means, but not limited to: “cerebral traumas, intoxications with heavy chemicals and/or mood altering drugs, and poisons” (p. 13). Intense exposure to and prolonged withholding of environmental or physiological necessities may also induce a sense of confusion. These situations may create from superficial deliriums to organic psychosis and induce confusion. “They don’t know anymore: who they are, where they are, what time it is” (p. 13). Under these harrowing circumstances most victims don’t know anymore what is commonly seen as good or as evil and put up the least amount of resistance to have their paradigms about God, country and family “revolutionized.”

Dr. Teodor Gherasim (2000) invites the international community to visualize the typical portrait of prisoners under the Communist dictatorship as having: “...dark circles under their eyes, which were sunk deeply into their sockets; their skin was sallow and barely covered their bones; they were devoid of energy” (p. 42). They were fed with “food” programmed to kill people by starvation; they were crowded in places planned to kill people by suffocation and infections. They were forbidden to speak in normal tones for years, and forced to be silent unless they were responding to the interrogators’ questions (between beatings). Most died but some prisoners from the Communist holocausts did survive. Of these, most of them were broken people, *but not all*. Some of them managed to come out with broken bodies, yes, but spiritual integrity (Gherasim, 2000).

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The term “psychopolitics”, according to Warren B. Heath’s Preface to Dumitru Bacu’s *Anti-Humans*, (1968) is:

a technology rather than a science, since it is a practical application of data obtained by research in several sciences, and may be defined as the art of controlling a nation, controlling the minds of the politically dominant majority of its population (p. XVI).

Dumitru Bacu (1968) mentions how drawing from Pavlov’s experiments on animals, the inmates were reduced to total prostration. By producing conflicts between established reflexes, the Communists developed with large percentage of success, stringent techniques to destroy at will the victims’ conscience, and replace it with Party useful convictions. They used conditioned reflexes based on neuro-psychological abuse. The interest of Communism was to persecute the victims while eventually inducing the victims to denounce their own ideals, and even thank their torturers for such tortures. If during the Nazi oppression of minorities, Jewish victims may have suffered a martyr’s death and the heroism of withstanding various travails with dignity, which may have created a psychic exaltation, by giving various noble meanings to their undeserved holocaust, in Communist prisons, according to Bacu (1968), the powerless prisoners were induced to arraign and damn: “not the ephemeral creatures that carried out the techniques of torment, but that which they had most cherished, loved and admired prior to incarceration” (p. 38).

In the Pitesti prison of Romania for example, the mind-deformation procedure which the Communists called “re-education,” had the stages of: a) associate words of beloved concepts with excruciating pain and horror (e.g. Pavlov’s bell adapted to human torture) as humans were rendered to animal helplessness in “hospital rooms,” by means of horrendous physical pain, and the prisoners were asked to “unmask” themselves and participate in denying any merit to

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experiences of “former” values (e.g. call their mothers “whores,” celebrate a mock Mass by eating feces and drinking urine, instead of the Holy Communion, call one’s country “a whore,” and praise the Communist Party as the “true and only ‘country’”); b) prisoners were asked afterwards to “unmask fellow cell-mates”, by provoking them in private talks, to anti-Communist discussions, and turning in those who had joined in criticizing the Party; c) following the turning in of the cell-mates, they would have to participate as torturers of their cell-mates, until the new prisoners would accept their own “re-education.” Those who would not give-in would be killed. Yet, any means that could have been used by the prisoners to inflict suicide were withheld (Bacu, 1968).

Psychological Modification.

A Romanian priest, called Fr. Roman Braga, and who was imprisoned over 24 years in Communist prisons for his faith, told his fellow cellmate, pastor Richard Wurmbrand, why they were being tortured and asked by KGB commissars and Securitate agents to not only keep silent about their faiths, but to curse the Messiah: “If they just kill all of us, Christians, we will go to Heaven as saints. But they don’t want us to become martyrs. First, they want us to curse God, Jesus, and the Bible, so that after our deaths we’ll also go to Hell” (Wurmbrand, 1994, p. 74). Lynne Mc Taggart (2002) considers the existence of spirit (tainted or untainted), explained as an energetically fundamentally living and intelligent field, and that is a scientifically proven phenomenon.

One may also explain how despite a draconic regimen of unilateral decimation, starvation, exposure to physical and mental abuse, some victims of Communism (and of other totalitarian regimes), managed to survive, prosper, recreate internal and external harmony, forgive, and even pray for their persecutors, just as many did not make it beyond the first

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interrogation. The intrapersonal influence we may have over the universe, based on our intentions, interpretations, and actions, may be that which the Communists tried desperately to inhibit in their victims, and at the same time that which was the saving grace for those very victims, in surviving, healing, moving on in life, despite their ordeals, or simply to die in peace. Yet, the effects of the forcefully inversed common sense values are still lingering with millions of Post Traumatic Stress Disorder victims among the masses.

Stanislav Grof (2000) agrees by differentiating between people with different physical strengths or body chemistries that react differently to the same indoctrination, torture, environmental limitations, in surviving at all, or in healing afterwards. Grof (2000), also points to each individual's self or societal expectations, emotional state, social role or spiritual affect, which may all contribute to that person's intrapersonal traits and overall biological survival.

According to Schellenberg, (1996) conflict resolution may be addressed in counseling and mediation by exploring and understanding the stake-holders' awareness of emotions, of their mutual issues and different interpretations of the same facts, of their physical sensations, or how to differentiate between manifested and implied positions and interests.

For the oppressors, introspection and understanding of the intrapersonal motivators to do good and bad, be it done individually, in mediation, or during counseling, may disarm the same inner potential which has been tapped into doing harm for over 70 years. For both victims and perpetrators, their understanding of these intangible but powerful forces, may mean the difference between a life continued in misery, or in harmony, according to the sense they give to their destinies to date.

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Authors Helmick, and Petersen (2001) describe how during the South African Truth and Reconciliation Committee, addressing the intrapersonal aspects of sufferings from the victims and accountability from the oppressors, was of paramount importance, in order to make the healing process a durable one in that country. Reframing otherwise justified shock, anger, sadness, depression, regrets, hopelessness, and other P.T.S.D. manifestations in both the victims and the perpetrators, from the original destructive venting, into dialogue, allowed for valid emotional complaints to be stated in constructive frameworks, so that the society could find mutually acceptable restorative measures, move on to tangible reparations, reach closure of apartheid, and restart anew building a country from more equalitarian paradigms.

Interpersonal

Twenty years after the official Communist demise in Europe, research shows that Central/Eastern European countries which had been behind the Iron Curtain, still struggle with mending interpersonal relationships that had been destroyed or seriously damaged by Communist manipulation of the masses (European Voice, 2008). Interpersonal alterations, be they active (individual initiative) or passive (imposed on the individual), are due to experiences of a traumatic life under Communist dictatorships that led most people to act unreasonably and in a subservient fashion towards an oppressor, even after the official European Communist collapse of 1989. Changing the societies' mentalities, actions and interactions is needed in order to create the right premise for an equilateral dynamic.

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In a documentary called *The Soviet Story* (2008), the director was able to give the audience a glimpse into the harrowing experiences of interpersonal damage Communism has meant for its subjects, which included but was not limited to, murder of millions of civilians through: arrests, torture, mass killings, organized famine, forced relocation, destroying the privacy of the institution of marriage, forced Russification, using family members as hostages in order to extort silence from refugees abroad, prohibition, or long delays in allowing family reunification abroad (Snore, 2008).

Fisher, and Ertel, (1995) discuss some of the reformation of communication paradigms that need to occur in interpersonal dynamics that will help resolve such a great tear in the fabric of Communist societies. Communities need to avoid the mistakes of: lumping together people and their problems; trying to solve spiritual and relational problems with material trade-offs; blame others for the Communist system's own abuses, mismanagements, or incompetence; and think as the only solution to solving people's problems to be of a violent resort, that is, revolution (Fisher, and Ertel, 1995). With new respect in dialogue and mutual acceptance of people's differences, there will be no more killing of the God that "doesn't exist" and persecuting of the social classes, even of those that the government supposedly "represents" (Wurmbrand, 1994).

Possession of (or detachment from) other ethnic groups, such as with some members of the Russian or Jewish ones, of the Communist revolutions, and the justification, denial, or diminishing of the Communist genocides, with their over a hundred millions victims to date, need to give way to a case by case judgment of Communist criminals and of their crimes. Communism was an international tyrannical system, where Communist torturers came from all ethnic groups and walks of life and persecuted innocent individuals from all walks of life and from all ethnic groups (Wurmbrand, 1994).

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Instead, individuals such as Jonathan Sacks (1997), Chief Rabbi of the United Kingdom, have showed in the USA, in Europe, and in Israel, particular favoritism for Communist doctrines and ideologues/dictators, even defending Karl Marx being called an anti-Semite as an “[anachronism](#)”, because: “when Marx wrote *On the Jewish Question*, virtually all major philosophers had expressed similar views against the Jews, and the word anti-Semitism had not yet been coined, let alone developed into a racial epithet (sic!). Thus, Marx simply expressed the commonplace thinking of his era” (as quoted by Wikipedia, 2010).

Also, some members of the Jewish communities consider that the Communists are to be forgiven and forgotten all their genocides and only admired for the saving of Jews from the Nazi Holocaust. For example, Efraim Zuroff, the director of the Simon Wiesenthal Centre's Israel office, describes the failed effort in 2010, by six Central/Eastern European countries, to have the European Community condemn Communism, as a ‘false symmetry’: “For all the terrible crimes of the USSR, you can't compare the people who built Auschwitz with the people who liberated it” (Phillips, 2010).

In general, as the *Soviet Story* (2008) details, to this day, there are double standards in universally condemning the Nazi crimes, but somehow defending the Communist genocides as “justified” or “necessary”. It is somehow unaccepted socially (and in some European countries illegally) to display the Nazi paraphernalia of the genocidal 6,000,000 Jews dictatorship, yet it is both socially and legally acceptable, including in the United States, to wear hammer and sickle t-shirts, or hats, not to mention Kremlin's and Maoist red stars, or of Che Guevara's likeness proudly, while these symbols also glorify the death of over 100,000,000 victims to date, killed by Communists all over the globe (Snore, 2008).

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President Obama's 2009 White House Christmas tree displaying an orb depicting the genocidal Chinese dictator Mao (Foxnews, 2009 webpage), London Fashion Week having models wear clothes (including panties) with hammer and sickle and Che Guevara likeness on several occasions, or Tim Vincent of television's *Access Hollywood* going on air in 2006 sporting a hammer and sickle t-shirt, are some regrettable examples of what is now called "Communist chic". Meanwhile, when in 2005, Prince Harry wore a Nazi uniform to a costume party, there was unanimous scandal in the media. Also, when a clothing chain in London inadvertently stocked a bag whose design included swastikas in 2009, there was a big outcry, and its instant removal from the shelves. As a side-note, in all probability, the bag came from India, where the swastika (in its original shape, not the Nazi one, which is inverted), is an old and perfectly honorable symbol (Nordlinger, 2011 webpage).

In one of Marx's –the prophet of Communism- 1856 articles in *The New-York Tribune*, quoted by Wurmbrand (1994), Marx candidly states: "The fact that the Jews have become so powerful that they are endangering the life of humanity, determines us to unveil their organization and true purposes, so that the putrid smell they emanate will incite in the fight against them, the working class all over the world" (p. 49). As Richard Wurmbrand (1994) –an ethnic Jew himself- documented, Karl Marx was equally anti-German and stated that: "the only way to wake up the Germans is to slap them" (p. 50). Meanwhile, Frederick Engels, the other ideologue of Communism, also quoted by Wurmbrand (1994), called Slavs, along with GAELS, BRETONS, and BASQUES "national refuse" and claimed that they deserved: "to perish in the universal revolutionary storm" (p. 51).

The applicability of Marxism by all the Communist powers that ever took control of any nation, was as deadly as it was Marx's and other Communist writers' dogmas for mass

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annihilation. *The Soviet Story* (2008) details in fact, how *both* the Nazis and the Communists used Marx's writings to propagate their genocides. While the National-Socialists based their holocaust primarily on Marx's false biology, the Communist-Socialists based their holocaust primarily on Marx's false sociology (Snore, 2008).

Furthermore, these two state terrorist systems colluded before WWII and until 1941, with the veteran and more homicidally experienced Communists (which had come to power in 1917), assisting the Nazis to attack, occupy and/or partition neutral countries (Poland, Norway and Romania), training Gestapo troops to run extermination camps, hand over Jewish refugees, provide oil and grain supplies to the Nazi war machine and army, and order the Communist International movements to sabotage *anti*-Nazi resistance in and assist Nazi occupation of Western Europe (Snore, 2008).

From Marx's and Engels' instigations for revolution against middle-class and higher class individuals, as well as, from their xenophobia against Jews, Germans, Slavs, Bretons, Gaels, Basques and others, to the Communists' actual classist and racist crimes, it is clear that the blanket demonization implemented by Communists spared no one ethnic group, and it involved Communist oppressors from each corner of a society respectively (including the infamous ethnic Jewish Soviet NKVD/KGB commissars and Politburo members), to perpetrate the atrocious crimes they committed (including being involved in anti-Semitic and anti-Zionist persecutions). The position of blanked exculpation of the Communist holocausts and the existing demonization of the Nazi holocausts should be replaced rather by lucid analysis and universal condemnation of each crime, both individually and systemically, and as equally outrageous by the world.

Societies

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Material Considerations

Dr. Florin Matrescu (1998) documents, how during and after the WWII occupation of Russian forces in Romania (including Republic of Moldova), in conjunction with local tyrants, the Communists, have used various methods of persecution, such as repeated deportations to Siberia (1941-1964), calculated famine (1946-1947), mass executions (1944), instant execution or imprisonment for refusing to hand-over personal urban property (1944-1958), raping of women by the Russian occupation army (1941-1956), confiscating the lands from farmers (1949-1955), fighting the anti-Communist partisans in the mountains (1946-1974), massive imprisonment (1944-1989), massive internment in forced-labor camps and mines (1944-1958), internment in psychiatric hospitals (1944-1989) and neo-Communist sponsored attacks against peaceful demonstrators (1989-1992). Total victims killed by the Communists in Romania, with its population of 24,000,000 (including Republic of Moldova), known so far are over 1,891,500 (Matrescu, 1998). This created a great societal trauma and divide between victims and oppressors, which will require private and governmental intervention to recalibrate the various levels of this society into a democratic and civil one.

A survivor of Communist prisons and a political refugee to the United States, Dr. Teodor Gherasim, stated in his autobiographical book *Astride 2 Worlds* (2000), that the solutions resolving the conflict between the Communist oppressors and their victims can be found at two levels: tangible and intangible. At the intangible levels, the victims should be given societal recognition and appreciation, be it individually, and as a class of wrongfully tormented people.

Society at large should hear the testimonials of their ordeals, learn what destroyed the ones who perished, and what kept the survivors going. By receiving this validation, the survivors

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will feel that their suffering may serve as a lesson in the future as to why to opt for democracy and how to deal with future tyrannies.

At a tangible level, monuments to the victims, courses in schools, state anniversaries to tragedies, mass-media and literature coverage of their sufferings, should insure that the memory of their suffering will remain in perpetuity (as was already started as a process in Romania) (Gherasim, 2000).

In another analytical book called *Ancient Dictators, Modern Tyrants* (2006), Dr. Teodor Gherasim followed the evolution of democracy from ancient Greece to modern America and found out that whenever a society had a strong middle-class, wide-spread education, a high standard of living, high moral values, and a rule of law with democratic checks and balances, it created and maintained democracy most successfully. Conversely, the smaller a middle class and the more ignorant population a country had, the sooner it became a tyranny, with its afferent horrible crimes against targeted civilians (Gherasim, 2006).

Mediation Considerations.

In terms of mediating between the victims and their perpetrators, Fisher and Ertel (1995) emphasize stabilizing mutually agreed notions which should be followed during the mediation, particularly as they are related to commonly accepted: interests, options, alternatives, legitimacy, communication, relationship and commitment. Kovach (2003) contends that in order for a conflict to be resolved equitably, both the theories propagating violence and their actions need to be discussed, reviewed, modified and resolved, in order for successful resolutions to be met in mediation (Kovach, 2003). Whether it follows the scrivener model (passive), the shuttle model (inter-caucus), the muscle model (coercive), or the therapeutic model (address emotional aspects of disputes) (Kovach, 2003), mediation should focus on transforming the paradigms of the

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stake-holders from win-lose/right-wrong to a win-win interpretation of the mediation.

Particularly of great importance to the victims of Communist persecution is the idea of forgiveness of their enemies. Since the majority of the sufferers were tortured because they were Christians and/or wanted to seek spiritual, physical and intellectual freedom, forgiving the torturers of a purportedly atheistic State, but whose goal was to pervert the victims' souls and family values, is of paramount importance. But how to equitably come to a forgiving resolution of a Party and State whose idea of opponents is to make revolutions, in order to subjugate, exploit or destroy them "in the name of the people"?

Helmick and Petersen (2001) offer various perspectives on how best to approach forgiveness in victim/perpetrator dynamics. Among other things, they present the act of:

1. Forgiving, looked upon as strength, rather than a weak act.
2. Use forgiveness as a practical or psychological tool, rather than just as an abstract or spiritual dogma.
3. Understanding the value of forgiveness in reshaping the perception of past, present, and future experiences.
4. Understanding the benefits of forgiveness both internally and externally.
5. Concentrating on the good side, rather than on the evil side of human beings.
6. Understanding that survivors are outsiders no more, being active participants in restorative justice measures.
7. Have a desire to heal broken relationships.
8. Use past suffering memories as cathartic, rather than an immutable reliving of pain experience.

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9. Understanding the scape-goating mechanism and that the victim was not at fault for going through such suffering.
10. Offering self-acceptance and praise for enduring unwarranted suffering.
11. Separate actions from the perpetrators (forgive the perpetrator but not the crime).
12. Use personal ordeals to work for justice.
13. Create justice first, and then expect reconciliation.
14. Be an active participant in restorative justice measures.
15. Receive reparations commensurate with crimes, and seek conviviality, but not necessarily communion, between victims/perpetrators (pp. 20-21).

Helmick and Petersen (2001) state also that this forgiveness doesn't come automatically for the former perpetrators, from their victims. In addition to addressing the above appropriate steps for themselves, they'll also have to: confess fully their crimes, take responsibility for the criminality of these actions, listen to the victims' harrowing accounts of their suffering, be willing to relinquish their inordinate power in society (if still in power), be received back as an equal (rather than privileged) member of the society, and pay reparations commensurate with crimes.

International Considerations

In an interview I took for English language publications, from Swedish-born European Parliamentarian, Goran Linblad (Gherasim, 2006), on the subject-matter of Communist crimes' condemnation by Europe, he confirmed that victims of the Red Holocaust have a hard time getting Europe to condemn the ideology which destroyed their countries and lives, let alone seeking restorative justice from Brussels, from Moscow, or from any other European capital.

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In another interview I took for Romanian language publications from Ioan Rosca, a prominent spokesperson for victims of Communism from Romania, he adds to the ideas mentioned above:

1. Prohibition of their sacrifices to be used as pretext for violence against Communist civilians by right-wing governments.
2. Prohibition by corporations to use the Communist crimes' specter in order to take over other countries' economies and destroy those countries' middle-class and local economy.
3. True representation with victims' representatives when governments are discussing restorative measures.
4. Appropriate counseling and education of societies to treat the effects of 70 years of neo-Communist brainwashing.
5. Make the West and the US aware of their countries' own involvement (government agencies) and private institutions' own responsibilities (banks, corporations) in supporting the inception and the perpetuation of Communist governments in, but not limited to Eastern/Central Europe (Gherasim, 2006, p. 13).

Ioan Rosca, who runs a NGO committee in charge of the trials of Communist crimes, has established various kinds of crimes that will need to be considered for reparations such as: incarcerations, torture, overall terrorization, blackmail, infractions against human decency, theft, economical destruction, attacks on churches, betrayal of national interests, brain-wash, indoctrination, moral and spiritual alienation (Rosca, 2004).

Deutsch, Coleman and Marcus (2000) look at constructive conflict resolution techniques as integrating: reciprocity, human equality, shared community, awareness of human fallibility

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and the promotion of non-violent values. They counsel in favor of restorative justice due to its effects as: cathartic, accountability, educational, and restitution. The ultimate result, according to these authors should be: mutual security, mutual respect, humanization of the other, fair rules for managing conflict, curbing the extremists on both sides; gradual development of mutual trust and cooperation.

Some countries such as Romania's state funded *Institutul de Investigare a Crimelor Comunistului si Memoria Exilului Romanesc* (The Institute of Investigation of the Communist Crimes and the Memory of the Romanian Exile) (The Institute's web page, 2010) or the American NGO funded virtual *Global Museum of Communism* (The Museum's web page, 2010) have been providing valuable information on Communist crimes and giving possible solutions to mediate a lasting and fair restorative justice approach to the victims of the Communist holocaust, starting with knowing what is the complete toll of the victims of Communism.

CHAPTER FOUR

Discussion of a satisfactory solution

Sources of Conflict

Political reasons

From a restorative justice and peacebuilding perspective, despite certain diplomatic efforts, and toning down of visceral rhetoric, dialoguing with moderation between these two parties has proven to be political suicide for the proponents of this concept, from either side. In the survivors' case, unanswered peace talks and actions for the past 20 years, led to the creation of powerful reactive hard-line opponents, who are interested in scape-goating all Communists (even those not involved in violent crimes) and who are seeking physical revenge (Tismaneanu, 2010). On the other hand, after moderate neo-Communists (Partidul Democrat) were voted into power in Romania and condemned the ideology of Communism in 2006, they were blacklisted by Moscow sponsored neo-Communists (Partidul Social-Democrat) and considered "traitors" and "American patsies" (Tismaneanu, 2010).

Socio-economic reasons

Central/Eastern European Communists and their successors have been receiving considerable support of money from the West. Survivors of Communism groups and politicians have been receiving minuscule aide in state and private funds from the survivors themselves. As the Israeli-Palestinian precedent can show, a drawback to peace is that it may bring lesser

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financial support for one or both sides, given the lessened urgency for helping a crisis situation from more peaceful societies (Wikipedia, 2010).

Dr. Teodor Gherasim (2006) argues however, that with peace, a society increases its overall production and the middle-class, which in turn brings a different sort of funds to it (middle-class and production based, not crisis based).

Our conflict resolution model will address some of the past grievances of both the stakeholders, in terms of consequences and potential of human life and assets lost by both, which may be the best motivator to date to bring them to peace talks.

It has been suggested that the South African model of Truth and Reconciliation which kept “Mandela’s South Africa” from seeking punitive actions against “Botha’s South Africa,” may be a good model of conflict resolution for the victims of Communism, and for their oppressors (Hemlick and Petersen, 2001).

There are some reservations that despite intra-ethnic civil oppression, which may echo the black against black African National Front versus Zulu tribes precedents of South Africa, and that despite comparing the white Afrikaner apartheid against the blacks, with the control of Communists against the pariah socio-economical classes within the Romanian population (middle-class and above), the parallels may not be sufficient to warrant a similar resolution to peace, as propagated by Bishop Tutu’s *Truth and Reconciliation Commission*.

As mentioned before, in addition to the socio-economic and predatory take-over by a Communist revolutionary minority, the Communist factor brings the “working class” exclusionist element of self-entitlement of the State over ANY private property, and its complete control over all citizens. However, much like the Boers and Afrikaners at large, looking at themselves as colonists in an occupied land and needing the blacks as farm hands and mine

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workers, the Communist revolutionaries, including the colonists from Russia in Moldova and Romania for example, have been looking at the Romanian citizenry as the masses to be used according to State decisions (Tismaneanu, 2010).

There are, and always were impartial voices of civilians trying to bring a sense of multi-lateral fairness to Communists and to their victims, but much like other political leaders involved in peace talks, this may have proven “hazardous to their health.” In pre-1989 Romania, they were promptly fired, black-listed, arrested, imprisoned, killed, or sent into exile (Wurmbrandt, 1994). After 1989, they were beaten, arrested, or killed by either Securitate agents (renamed S.R. I.), or attacked in the streets by bands of miners brought from the Carpathian mountains by the neo-Communist Iliescu government to do a henchman’s job (Rosca, 2004). They have been kept at bay from public life, or relegated to virtual anonymity from governmental infrastructure, and many chose internet (virtual) educational activities, or exile and to distance themselves from continuing to be involved in victims of Communism’s rights (Rosca, 2004).

Analytical versus Synthetic approach

We must decide whether to synthesize theories, or make a collage of several with specific adaptations. A theorist states universal truths. A practitioner uses the specificity of the situation to adapt these truths and reach a desired consequence with minimal costs.

Outcomes

There are various outcomes to a conflict which may have their pros and cons. Equalizing quotas (such as Affirmative Action) for example, may find critics both from the majority population wanting admission to schools strictly based on merit, as well as, from other minorities

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who had not been included in this preferential treatment.

Conflict resolution

A facilitator may also consider changes in conditions, circumstances, nature of agreements, implementations from conflictual to constructive approaches such as:

- a) cooperative orientation INSTEAD of a competitive one.
- b) positive interdependence (parties' goals are linked to positively correlate with each others).
- c) goals are substitutable (one's actions equal the other's intention); attitudes: predisposition to respond favorably to self and the environment/other people; inductibility (positive readiness to approve the other's actions) (Schellenberg, 1996, p. 54).

Social Contents of Constructive Competition

The aim of negotiations should seek similarity in beliefs and attitudes, open communication, friendliness, commonality of interests. Competition is positive when used as means to integrate competitors' interests. Reframing present conflicts as a mutual problem requiring cooperative processes to solve, is a necessary communication paradigm.

Norms of Cooperation

The parties should be encouraged to define disagreements from common ground and common interests basis. Deal with issues, NOT ad hominem attacks during disputes. Transpose oneself to other parties' concerns in order to understand their motivations. Use others' ideas and give credit to them when possible. Seek the positive in the other and seek possibilities of mutual

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solutions. Take responsibilities for harmful actions and consequences. Make amends. Offer forgiveness for acceptance of responsibilities. Address legitimate needs.

All parties should be made active and effective participants in a cooperative problem solving process. Awareness of the temptation to violate norms of cooperation by disputants is necessary throughout. Cooperative attitudes, norms, values, skills, problem solving questions and decisions are made based on paradigms, intentions, interpretations, behaviors, and consequences.

Social Conditions

Methods of mass oppression that need to be addressed include dehumanize, decrease living standards, claim superiority, use authoritarian order including violence, with no power balancing factors, exclusionism based on false biology or false sociology.

From a Retributive to Restorative mindset

Use empathy (imagine someone else's place), confession, sincere apology, contrition, restitution, compensation, self-abasement, self-report, penalty at justice levels when needed by former oppressor.

Forgiveness and Reconciliation

Reframe past traumas in a supportive, safe, secure environment. Acquire skills, attitudes, knowledge and social support, that reestablish internal and external balancing power in life.

Establishing Cooperation

Mutual security, mutual respect, humanization of the other, fair rules for managing conflict; curbing extremities to its extremes; gradual development of mutual trust and

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cooperation.

Skilled disagreement

Disagree over ideas, not people but confirm people's personal competence. People are not ideas, but their vehicles. Disclose all points of view, restate unclear ideas. Differentiate ideas from facts. Integrate back into discussion the valid ideas. Be flexible to change position when other interests show better outcome than the original ones. Use the adage: "Do unto others as you would have them do unto you."

Intervention models and individualized approaches to mediation

Assess if the relational context for dispute is ready or not for intervention. Decide the nature of deliberation: some "hard cases" (abuse, violence) may need to go to arbitration or to Courts.

Mediation as reparation for Communist persecutions

Communism as trauma

Trauma has been existing as long as has Communism. Issues such as private property versus nationalization, family versus state child rearing, citizens' family values versus state values, post-Communism outcomes (i.e. neo-Communism versus bona-fide democracy), adjustments to meritocratic elites from bureaucratic or police-state elites, Communist transformation of societies through revolutions versus Communist power holding, Communism versus Capitalism, emotional, mental, physical, social, economical and personal stressors have been all affecting the above.

Replacing recrimination, sabotage, collusion, stress, verbal, emotional, physical violence,

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with legal, economical, international, community, emotional interventions and psychological atonement, from the drama and trauma of the Communist holocausts, to both support mutual responsibilities (shared) and respect for the victims of Communism's regained individualism and independence, is the sine qua non condition of the conflict resolution between the victims of Communism and their persecutors.

Various attempts to create some sort of cooperation between the survivors and the oppressors of Communist atrocities, may include communal meals, national, cultural events and ecumenical conferences, which may give some good results, as long as the big elephant in the room is properly addressed: power imbalances between the affluent neo-Communists and the poor survivors. Issues need to cover topics of interest for both parties. Those related to survivors include civilian population destruction via arrests, confiscation of land, black-listing, deportation and deliberate impeding of freedom of movement. Those related to the Communist oligarchy, include security concerns from retaliation attacks, and law suits (Rosca, 2004).

There seems to be however, insufficient concerns to make actual universal reparations to the victims, on the Romanian government's side, except giving some lip-service rhetoric, sporadic media attention, or during private commemorations (Rosca, 2004). All these concerns need to be addressed in creating a sense of fairness from and trust in the other stake-holder. With continued self-justification for crimes against the innocents and lack of introspection, or wish to take responsibility for the past personal acts of generalized violence on the civilian population by the Communist culprits, not only will there not be any closure on past crimes, but there will be ongoing continuous injustices against the other stake-holder. There is no way to "extend the pie" in oppressor-victim negotiation, if the paradigms of these negotiation gravitate entirely on positions (power dominance) and with no chance to concentrate on common interests at all

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(security, sharing the same space, create a better world united) between these disputants.

Multi-Track Diplomacy

In an ambitious effort to compare and contrast Track II Diplomacy processes with collaboration processes under Pluralism by the Rules, in the victims of Communism/oppressors perspective, I shall first define these two schools of thought and then elaborate on their similarities and differences.

In 1982 Joseph Montville coined the term “Track II Diplomacy” in order to make the distinction between Track I (official, governmental action) and Track II (unofficial, nongovernmental action) approaches to conflict resolution (Mc Donald, 2003). Olga Botcharova, (2003) in her essay from the *Forgiveness and Reconciliation* collection of essays, continues to elaborate on Montville’s Track II definitions, by stating that it is:

an unofficial interaction between members of adversarial groups or nations to develop strategies, influence public opinion, and organize human and material resources in ways that might resolve their conflict. Track II diplomacy seeks often political formulas that might satisfy the basic security and esteem needs of the parties to a particular dispute (Botcharova, 2003, p. 274).

Apparently, according to Botcharova (2003) the most powerful tool of Track II strategy is: “a series of facilitated workshops that bring together representatives of groups in conflict for dialogues that target relational transformations and the integration of the society” (p. 275).

This is easier said than done, considering the oligarchic power imbalance between oppressors and their victims. Some discussions on the formatting and implications of Track II

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diplomacy are analyzed by Douglas M. Johnson Jr. in *Forgiveness and Reconciliation* such as starting from the premise that not discussing the matter with the nemesis is worse than discussing it (Johnson, 2010). Yet, in the post-Communist societies, of power imbalance, talking in itself may be seen as unnecessary by the monopoly of neo-Communists, unless the victims accept beforehand the continuation of power in their societies by these oligarchies.

The conceptualization that the conflict at hand is due to “failed interaction” between stake-holders is a pre-condition to starting these meetings (Johnson, 2010), but the stake-holders' precondition of solving unilaterally the conflict prior to any talks is not considered in this model. Once that realization is made, conditions need to be created that would tailor a safe environment for discussions and dialogue. But when “discussion” alone equals betrayal of your kin, as felt by many intra-group survivors and neo-Communists respectively, short of sporadic and complacent meetings between distrusting parties, these discussions amount to a little more than an exercise in futility.

This kind of realization was quite poignant to the PACIS Project itself vis-à-vis the Middle East intractable conflict, as the conclusions from their 5/12-5/31 2010 Israeli-Palestinian Mission # 4 states:

Over the past five years we have had extensive discussions with senior level Track I Israeli and Palestinian negotiators from Madrid (1991), Oslo (1993), Camp David (2000) and Wye River (2002). There is general agreement on all sides that a negotiated settlement has little hope of success without a paradigm change in both Israel and the Palestinian Territories on the grassroots level that prepares people's hearts for reconciliation. This involves more than “hummus and hugs”, but rather, creating a public conversation on both sides to prepare “hearts and minds” to grapple with the emotional

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realities of justice, forgiveness and apology. Polls taken on both sides show that, in theory, 70% of Israelis and Palestinians want peace. Nevertheless, on the heart level, the idea of apologizing or forgiving past or present injustices or acts of violence presents enormous obstacles on both sides. Our experience with both Israelis and Palestinians on the ground level has taught us this sobering reality (PACIS, 2010, quoted from website).

Thus, the goal is to have the disputants face each other and aiming to reconstruct the relationship from one that is characterized by dominance and subjugation to one that is respectful of human dignity (Johnson, 2001).

To motivate the high power group to balance the consequences of maintaining dominance denied to the low power group, is just as difficult as discouraging the latter from seeking revenge. The common goal of a respectful society between the parties (win-win) is the primary force and motivation of Track II diplomacy, which sometimes is at the antipode of various political and governmental agendas, which are in fact seeking the maintenance of the status-quo elites in power, or are focused on their replacement and destruction by another elite of (presently) powerless individuals (win-lose), be it through democratic elections or through violent revolutions (Johnson, 2001).

Track II diplomacy changes the dynamic of parties by allowing for the manifestation of the emotional repercussions on the victims and the retrospective explication of the victimizers for their crimes from their own past perspectives, as long as these motivations are seen with remorse by the latter. But for high power groups to reach a regretting stance, denial of self-justification is now needed. A third party is needed to moderate in a safe environment both the emotional outpouring of hurt and the attempt of former victimizers to make amends. The role of the third party is often that of a balancing force between former victim and victimizer, while also

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walking the fine line of advocating against the revengeful approach towards the wrong-doer. So we'd need a mediator, mutually respected and trusted, to set up some guidelines for the would-be conciliatory parties representing the opposing sides.

However, a change in paradigm to interest based, commonalities based, and fair decision based arrangement, will be needed from the stake-holders, in order to proceed to successful mediations. But time and time again, before sitting down and talking with each other, the intentions of the stake-holders' need to be cooperatively based, or else, as judge Goldstone mentioned in his Newsweek interview on the Israeli-Palestinian conflict, he would have refused to get involved with the United Nations' commission on human rights: "What would be the point" (Newsweek, 2010, pp. 36-37)?

In elaborating on Montville's Track II diplomacy model, John McDonald, continues to make the distinction between political, economic, and institutional peacebuilding, all better served by Track I diplomacy, as opposed to social peacebuilding, -which is approaching peace through the human element-, the realm of Track II diplomacy. In fact, with regard to efficient diplomacy he takes into consideration nine aspects of state and individual diplomacy, which he called "multi-track diplomacy". These are: government; professional conflict resolution; business; private citizens; research, training, education; activism; religious; funding; and private opinion/communication (Mc Donald, 2003). His take on this multi-faceted diplomacy has a strong reverberation with the pluralism by the rules' theoretical concepts, practical applications and successful results, which I'll address bellow.

Pluralism By The Rules

Traditional pluralism builds a model of politics and policy outcomes based on the win-lose model. However, Edward P. Weber (1998) argues in *Pluralism by the rules*, that when

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pluralism is played by a fair set of rules, collaboration between differing stake-holders is possible as the costs of developing, implementing and enforcing regulations are kept to a minimum, and thus: “traditional adversaries consult, negotiate and build consensus in supports of regulatory arrangements emphasizing the environment and the economy” (p. 86).

This cooperative approach, as per the author’s own admission, is quite an ambitious model. Because of the high risk of exposing one’s weaknesses or the “bottom line,” which in turn can be used by other stake-holders for manipulative purposes, collaborative games, such as pluralism by the rules, are hard to start and also hard to run, let alone bring to successful conclusions. Also, without some assurances that collaborative games and cooperation results, will lead to mutually binding acting decisions, all efforts would seem a priori as futile, if not just gratuitous exposure to competitors of [perceived] limited resources.

The motivating factors to switch participants from positions to interests and from even conceptualizing such paradigms as “expanding the pie,” have to be quite powerful, in order to make the actual switch from conflicting to collaborative mentalities, words, and actions. The parties would have to believe that they could reap significant benefits in converting to the collaborative games (Weber, 1998). Some factors conducive to playing pluralism by the rules are: mutually agreeable transaction-specific conditions; credible commitment to collaboration from all participating parties; appropriate credibility regarding the power that be in managing the interpretation and application of the “rules” used; formal binding agreements to implement the adopted commitments; the inclusion of all stake-holders in discussing, preparing, approving and applying said rules; all participants’ interest in solving the core issues (Weber, 1998).

In the post-Communist Wild East, conflict binding agreements are routinely ignored, inclusion of the other's representative often means including them on a character assassination

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campaign or physical hit-list, and any application of rules are arbitrarily interpreted to the benefit of whomever has the bigger stick in the yard (List of Journalists killed in Russia, 2010).

Reg-Neg

Negotiated rule-making or Reg-Neg, brings together the key stake-holders affected by a rule-making process, in a collaborative fashion, where all stake-holders build consensus based rules and applications. This interactive based bargaining format is intended to increase the flow of information and communication, create innovative solutions to common problems, which can be used in a timely manner to facilitate the interests of the co-interested parties. Again, of primary importance are dialogue, co-participation, objective application of binding rules and a sense that the best cost saving decision was made (Weber, 1998).

Successful Reg-Neg applications seem to stray from the purist antagonist ideologies of command and control monopoly versus the market-based diversity. Significant success was achieved when the two antipodes were allowed to leave temporarily the deliberations' room to get away from the emotional influence of these black and white paradigms, as each solution required specific combinations of concepts from the two. In the Camp David talks, President Carter recounts how time-outs were of essential importance to bring the antagonists to reasonable decisions (Weber, 1998).

Even in intractable conflicts we can see successful actions of collaborative games such as: the negotiated rule-making (reformulated Oslo agreements); the government imposed decision (tearing down of illegal settlements); and a multi-layered joint exploratory measure of private-public partnership (the handling of power in the Gaza Strip, from Israeli to Palestinian

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forces). Each case addressed the-most conclusive reasons for working collaborative games, namely cost-savings anticipated by participants, whether it was government imposed decisions (bilateral government agreements in international negotiations), pluralism by the rules (implementation of mutual agreements), or joint exploratory venues (inter-governmental/or state-private interests explorations) (Weber, 1998).

Justice and Conflict resolution

There are five types of justice to be considered: distributive (fair outcome), procedural (fair treatment), a sense of justice (experienced), moral justice (universal), and restorative justice (integrative) (Hemlick, and Petersen, 2001).

Distributive

Equity (economy): production equals consumption. Equality (social harmony): same rights for all members. Need (special groups focus): need based. Team spirit: player helps team and is rewarded (Hemlick, and Petersen, 2001).

Procedural

Fair treatment and procedures, “innocent until proven guilty” (Hemlick, and Petersen, 2001).

A Sense of Justice

Victims and victimizers have been living in the same system but have also been experiencing it differently. Very often the victimizers will justify their oligarchy by using logical fallacies such as: either/or; ad hominem attacks; all/none, band wagon, other generalizations, stereotypes and absolutisms (Hemlick, and Petersen, 2001).

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Moral Justice

Why fight atrocious conditions and power imbalances, and maintain an integral self? Lynne Mc Taggart (2002) considers the existence of a strong, unbreakable life and energy-giving spirit, explained as: “an energetically fundamentally living and intelligent field, and that it is a scientifically proven phenomenon” (p. 15).

Her book, *The Field*, tells the story of a group of ingenious scientists who discovered that the Zero Point Field connects everything in the universe, much like “the Force” in the movie Star Wars. *The Field* offers an avant-garde view of the way our living world and our bodies work, and gives both meaning to suffering and motivation to the oppressors to transform themselves into nobler beings.

The human mind and body: “are not distinct and separate from their environment, but a continuum of pulsating energy, constantly interacting within this vast energy sea” (p. 19).

The Field illustrates an interconnected universe and a new scientific theory which makes sense of supernatural phenomena. It talks about the juxtaposition of the Newtonian views on the world based on materially separated and distinctive particles, with the quantum physics paradigms, based on the Zero Point (e.g. the ocean of microscopic vibrations which is between and within beings). In other words, at our most basic essence, we are not a chemical reaction, but an (intelligent) electric charge (Mc Taggart, 2002).

These paradigm distinctions are important for psychopolitical purposes, because according to the Zero Point perspective, there is a living conscience which observes, modifies and is modified, based on the intentions and actions being present. While many basal processes -such as feeding, digestion, sleeping, sexuality-, remain regulated by physical laws, it is the quantum physics perspective of interrelationship between living beings, that offers a more

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integrative view on consciousness, (e.g. that each living being has a field of influence over the world and vice-versa).

Restorative Justice

Karl Marx justified violent overthrow of societies (e.g. revolution) due to blaming specific *ethnic groups* (false biology) and specific *economic groups* (false sociology) for the misery of another specific group of people, the working-class (Wurmbrand, 1991). This in turn allowed for the Communists and the Nazis to create aggressive blanketed demonization of nations' civilians based on social class and ethnicity respectively, which in turn were subjugated, exploited, tortured and decimated in the name of "justice".

Whether it is a pick-pocket thief, a gang of revolutionaries, or a country taking over other countries (Germany, Russia), the first step in conflict resolution is to make the culprits accountable for their actions and return the stolen property. Therefore, both the Marxist theories that justified aggression, and their subsequent resulting criminal actions, need universal condemnation in order to create a basis of discussion for aggression, reparations, its elimination and the peacebuilding achievement and maintenance. Should condemnation of Communism not happen prior to mediating between the parties, the mediator herself may look favorably to Communism as a legitimate governing force and therefore, may interpret the Communist crimes as negligible, or as a necessary evil (Druckman, 2005). Instead, the mediator should strive to create reconciliation between abuser and abused, which would also be amenable to the reformed oppressor.

The three subclasses of societal reduction of unforgiveness from the victims are: punitive justice; economic justice; and restorative justice (Hemlick, and Petersen, 2001). I recommend the restorative approach, due to the fact that punitive justice only continues to present a history of tit

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for tat crimes in post-Communist societies, and because economic justice alone, would bring no attempts of the parties to re-create a relationship of mutual accord and respect between these parties.

Restorative justice however, in addition to addressing the material needs of victims and/or of their families on both sides, also creates an environment for both of the stake-holders' unanimity of sincere condemnation to injustices, from victims and perpetrators (or their representatives), without turning a past abuser into a future victim.

The goal of restorative justice is to establish a relationship of mutual dialogue and societal partnership in a more equitable society for all involved. While the South African Mandellian views of restorative justice involved bringing in some black figure heads into politics and eliminating all apartheid laws, the victims nevertheless didn't receive appropriate restorative compensations, the white corporations and the status-quo remained, from the diamond and gold industries to the gated white communities (Hemlick, and Petersen, 2001). There was in other words, a moral sentiment of justice achieved for those victimized by whites, but this was mostly symbolic in nature and the commission was arbitrarily run (and terminated) by Bishop Tutu's overseers (Hemlick, and Petersen, 2001).

Also, unilateral condemnation should be applied by the international community, to Communist crimes, as it was applied to the Nazi crimes. As far as the societal dichotomy between the victims of Communism and their persecutors, what would reconcile victim and oppressor at the interpersonal level would be reframing the duplicity of "us/them" with the awareness of an "us all." For example, preparing a report condemning the institution of Communism in 2006 by Vladimir Tismaneanu, a Communist leader's son, which was read in the Romanian Parliament in the same year by Traian Basescu, a Securitate agent before 1989, turned

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afterwards democratic president of the country, meant symbolically that there were no more Communist handlers and their subjects in Romania, but only Romanian citizens united in decrying the crimes of the tyrannical past (Tismaneanu, 2010).

Seeking the Israeli model of pursuing inveterate torturers, even internationally, and bringing them to justice (Matrescu, 1998), or the German model of state retribution to Holocaust victims, including but not limited to, the survivors' relief, rehabilitation and resettlement (The Jewish Virtual Library, 1999), or the Swiss banks' partial return of assets to victims of Nazi confiscated gold (Komisar, 1996), or the Volkswagen and Siemens' return of funds to former inmates involved in forced labor (via German government) model (Mazal, 2004), may serve as good examples of material reparations for victims of Communism.

Romania itself returned in 1990 only the gold confiscated by Communists from the gypsies in 1947, but did not return the gold stolen from the majority ethnic Romanians themselves (Romanian History and Culture Virtual Encyclopedia, 2005). Also, while a limited number of properties have been returned to former owners, such as King Michael's palaces, (Timoc, 2005), the law is still applied selectively and lackadaisically with regard to most of the usurped owners (Rosca, 2004).

To be sure, faith-based precedents of conflict resolution attempts, such as the Abrahamic reconciliation in Israel-Palestine, as a means of bringing about genuine social and paradigm change that provides a sustainable environment for peace, have been tried by more ecumenical groups such as the PACIS project, but these efforts have not addressed the core of Palestinian legitimacy over Palestine or the Zionist zeal to sustain the created state of Israel over Palestinian interests, which are the seeds of discord between these two communities (PACIS, 2010).

Mahatma Gandhi, addressed in an essay published in 1938, some of the historical issues

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invoked by Jews to regain access to Palestine for historical perspectives. Gandhi makes the argument however, that massacres on both sides make no sense, especially since the Palestine of the Biblical conception:

...is not a geographic tract. It is in their hearts. But if they must look to the Palestine of geography as their national home, it is wrong to enter it under the shadow of the British gun. A religious act, -the return of Israel's tribes to their ancestral land-, cannot be performed with the aid of the bayonet or the bomb (Gandhi, 1938, quoted from website).

To paraphrase Gandhi, in a post-Communist context, a true revolution is bloodless, democratic and based on dialogue and respect for human liberty. The fervid enthusiasm for social architecture via demolition and destruction, of the Communists, should be reframed as a democratic process based on mutual interests. For the victims of Communism, the quest for justice should be reframed as a quest for an overall better society, where safeguards are implemented to stop any attempts of extremisms and dictatorship and tyrannical acts.

Both the documenting literature on the Communist atrocities and the Conflict Resolution theories and methodologies proposed, are lackadaisical in terms of explaining and overturning the Western implicit or explicit acceptance of Communist crimes. With the duplicity of condemning one Marxist ideology and crimes (National-Socialism) but excusing the other Marxist ideology and crimes (Communist-Socialism), by the Western countries, Communist and neo-Communist governments have very little official motivation to want to be normal members of a society, when they can remain its privileged oligarchy. Neither the memorializing literature of the survivors, nor the conflict resolution praxis, can prescribe, under such Western duplicity, a material and social transformation in neo-Communist interests, so that their representatives will willingly come to the negotiation table with their victims.

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However, there is a two-fold solution implied, despite the governmental lack of interest to cede its power, at both the intrapersonal and at the inter-dependent levels.

At the intrapersonal level, there is an inner human barometer of what's universally good and what's bad in the world, which makes us to seek inherently, fairness. Some want to "come clean" and bring closure while saving face for them or their parents, if belonging to the neo-Communist cadre of past or present times. One of them was Vladimir Tismaneanu, who in 2006 conducted and created a document condemning Communism in Romania, and naming among its culprits his own father (a privileged Communist party member) (Tismaneanu, 2006). His example was emulated by various children of notorious Communist apparatchik, who whether in Romania, Europe at large, Israel or in the USA, condemned the Communist crimes and their own parents and the injustices committed, even if they themselves benefitted greatly from a privileged life-style, until and after 1989, thanks to their parents' Communist allegiances (Rajk, and Simecka, 2010).

At the inter-dependent level, many Communists realize that they are just as dependent on the (formerly) subjugated population, as that population is dependent on them. At societal levels, due to religious conversions, living among "common" people and bonding with these peers, being the citizens of the same country, marrying into a family of survivors, living in the same environment and being linked in everyday activities, living or moving abroad and comparing Communism to a democratic society, led some Communists to make their own "mea culpa" at the individual level, be it privately, or during informal meetings with victims (Garner, 2009). Furthermore, many of the insiders or bureaucrats who were aware of Communist atrocities came out to unveil closely guarded government documents detailing some Communist crimes (Pacepa, 2006). Also, many artists and media people, who had praised the Party and various Communist

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revolutions before 1989, have been subsequently putting their talents in the service of documenting, emulating and praising the sacrifices of their peers, who had fought for the country's freedom and democracy, at the cost of being fired, imprisoned, tortured, or killed (Hossu, 1991).

Given the history of Communist monopoly, any arrangements between the survivors and their oppressors should be moderated by powerful and reputable third parties. The facilitators in charge should be also advocates for the victims, when need be, in order to balance the physical, mental, emotional and spiritual imbalance that the neo-Communist monopoly still exercises over the oppressed.

Many interventions to condemn Communism and seek reparations at the government level for its victims, collapsed (Gherasim, G. 2006). Due to the Western governments' complicity with the Communists, from the Yalta agreement (Ultima Thule, 2010) to the present day validation of the Chinese occupation of sovereign Tibet (New-Delhi Television, 2009), there is virtually no interest in taking actions to condemn, internationally, Communism in the USA or the European Community, be it legally, socially, morally or economically. Furthermore, from the loans awarded to Communists by US and Swiss banks (TheHiddenEvil.com 2010) to start their terror campaigns, until contemporary business arrangements with Communist China (Funderburk, 1990), there seems to be a banking and corporate approach to not only tolerate, but in fact to support the Communist terrorism in their countries, as long as Western establishments can turn in a profit in the process too.

If neo-Communist governments however, continue unabated by Europe and by the USA, in their criminal and imperialist politics, such as Russia, by shooting dissenting journalists and civilians (list of journalists killed in Russia, 2010), killing oversees refugees (BBC, 2006),

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maintaining occupation armies in Georgia and Moldova (Voice of America, 2010), glorifying criminal dictators such as Lenin (Shlapentokh, 2009), imposing economic blackmail to former hostage nations (Reuters, 2010) and conditioning their delivery of resources (natural gas) to Europe, based on the European Community's silence on Communist crimes (Gherasim, G. 2006), it makes no sense for them to negotiate, what essentially amounts to a voluntary decrease of power, to admit the inherent criminality of their system and to pay reparations.

Also, if the Occident is directly or indirectly part of the Communist machinations (or too weak to control it), it creates lack of credibility in it, as a mediator, arbitrator, or litigator, for both victims of Communism and for their oppressors. The same goes for the neo-Communist governments in formerly communized countries.

Strengths and Weakness of Conflict Resolution Techniques

Strengths

By employing intrapersonal, interpersonal, intragroup and intergroup theories and case precedents of application from Negotiation, Conflict Resolution, and Peacebuilding materials, would help resolving the separation in fabric between victims of Communism and their oppressors.

Essentially, I see a combination of non-governmental and governmental efforts in mediating between the two parties, as the best form of reframing the antagonist victims/perpetrators positions with the interests of a mutually secure, united interdependent and peaceful society between these two parties. The non-governmental mediation would assist with the reconnection of dialogue and addressing the emotional aspects of this societal split with the

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stake-holders. It would also create a mutually satisfying framework of reference for governmental implementation at a later time. The government would add structure, expertise, and would implement the agreed upon actions, and would make official the closure of this societal divide, once the agreed upon restorative measures are satisfied.

Weaknesses

The principal problem I found was two-folded: conflict of interests between equally or more powerful international mediators and the oligarchic (neo) Communists, since they have to this day vested economical, political and raw materials dependency on (neo) Communist countries; and also, the existing legitimacy of the Communist system being still in place, despite having the same source of theoretical self-justification (Marxism) and the same genocidal practices as the Nazis.

Conclusion

Essentially, the stake-holders tend to come willingly together because there is no Better Alternative to a Negotiated Agreement (B.A.T.N.A), particularly when addressing the following questions: why collaborate; why now; on which transactions to collaborate; and catalyzing and sustaining the collaborative game (Weber, 1998).

The structure of process designs in Track II diplomacy is geared towards re-establishing justice, healing, and society's relationships via restorative measures, whereas in pluralism by the rules, progress is prompted by the calculations of anticipated cost saving results. In both cases, whether explicitly (Track II diplomacy) or implicitly (pluralism by the rules), a better communication between parties is a main convincing factor for disputants to speak with each

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other. Communication per se' is avoiding unnecessary misunderstandings and therefore unnecessary conflicts, clarify former stereotypes which were based on assumptions by demonizing "the other", and show commonalities of interests, there where segregated parties might have seen none.

In contrast to Reg-Neg and other collaborative games, where successful pluralism by the rules creates a mutually accepted authority to oversee and implement objectively mutually agreed upon rules, Track II diplomacy has very few reinforcing factors, given its non-governmental structure, unless it becomes part of a greater force which can reinforce its results, such as in the case of McDonald's "multi-track diplomacy" model. In that case it resembles more and more the pluralism by the rules models and its collaborative approaches to social issues and individual concerns, and becomes an efficient multi-lateral system of conflicts' identification, discussion, clarification, solution and solutions' implementation, where "cost reduction" is not seen simply in pecuniary values, but also in human interaction and conviviality.

In the end, unless both parties realize that they are neighbors, and that they are inter-dependent for each others' progress, safety, peace and collaboration, they will not join forces, express their feelings, communicate each other's concerns for security and fairness, and in fact they will not be willing to communicate with each other from an inter-dependent paradigm. Human life and assets lost may be the best motivator to date for peace and peacebuilding paradigms, once they'll switch focus to collaboration instead of mutual destruction.

Many reviews and many subjects pertinent to this topic were under-reported, or not explored at all due to space concerns. I'll leave the reader with the following statement, which may motivate return to peace talks, or to an eventual mutual destruction of the disputants. This is what the three Israeli Supreme Court judges wrote, in denying Ygal Amir's appeal for clemency,

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for the assassination of a Nobel Prize winner and peacebuilder, Yitzkah Rabin:

Every murder is an abominable act, but the act before us is more abominable sevenfold, because not only has the accused not expressed regret or sorrow, but he also seeks to show that he is at peace with himself over the act that he perpetrated. He who so calmly cuts short another's life, only proves the depth of wretchedness to which [his] values have fallen, and thus he does not merit any regard whatsoever, except pity, because he has lost his humanity. (Israeli Supreme Court Appeals decision, 1999, quoted from website)

The need for an equitable reconciliation between victims of Communism and their perpetrators remains active to date.

In 2005 President George Bush Jr. stated at Riga:

As we mark the victory of six decades ago, we are mindful of a paradox. For much of Germany, defeat led to freedom. For much of Eastern and Central Europe, victory brought the iron rule of another empire. V-E Day marked the end of fascism, but it did not end oppression. The agreement at Yalta followed in the unjust tradition of Munich and the Molotov-Ribbentrop Pact. Once again, when powerful governments negotiated, the freedom of small nations was somehow expendable. Yet this attempt to sacrifice freedom for the sake of stability left a continent divided and unstable. *The captivity of millions in Central and Eastern Europe will be remembered as one of the greatest wrongs of history* (emphasis added) (The Cranky Conservative, 2005, quoted from website).

Yet in 2010, in the same year Georgia took down Stalin's statue in Grozni (Al Jazeera, 2010), America raised a statue of Stalin in Bedford, Virginia, courtesy of the D-Day Memorial Foundation (Watson, 2010). It seems that the victims of Communism still have to live with the idyllic explication of their torturers, and persecutors, as somehow "justified liberators."

CHAPTER FIVE

Application: Outline of Future Program

Developing and applying the concepts and methodologies from both the literature review and discussion sections of this book, involve organizing conferences, exhibits, conducting research, and design a curriculum to find and share useful information with conflict resolution theorists, practitioners and observers.

Conferences

Organizing conferences seem to be a hands-on approach to follow-up on the literature discussed earlier. The primary goals of these conferences are to stimulate the attention of both guest speakers and audience members in learning about the victims of Communism and how to bring a resolution to this still unknown holocaust. The most likely audience will be similar to the literature review one: conflict resolution negotiators and scholars, alternative dispute resolution practitioners, anthropologists, sociologists, political and religious survivors and refugees from Communist and other totalitarian regimes. As pointedly noted by President Bush Jr.: “The captivity of millions in Central and Eastern Europe will be remembered as one of the greatest wrongs of history” (The Cranky Conservative, 2010).

Presentations by both academics and practitioners of mediation, facilitation, negotiation and peacebuilding techniques, would join historians, victims and retired Communist diplomats, Radio Free Europe and Voice of America staff, in order to give a kaleidoscopic view of the victims of Communism phenomenon, that left over 100,000,000 million people dead in over 70 years.

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Conflict management and conflict resolution hypothesis and practices aimed at repairing the intragroup broken trust of former Communist societies will be discussed from intrapersonal, interpersonal, intragroup, intergroup, environmental, cultural, self-regulation, (re)framing, narrative and counseling perspectives.

The goal of such conferences is to encourage a collaborative dialogue between former victims and perpetrators, in the hope that a better communication and proper reparation will mend the societal disruptions of these two parties. A proposed panel discussion might include direct participants, social sciences theoreticians and practitioners, religious figures, philosophers and even gulag humorists, where the audience and the guest speakers have the opportunity to relieve the victims of Communism's world (e.g. via live and recorded narratives, documentaries, or even artistic films depicting the common folks' struggles under Communism), prior to the guests' discussions.

Furthermore, the conference should be an avenue of collateral information, offered to the audience in the form of auto-biographical books (Gherasim, 2000), history and essays of writers who lived under Communism, human rights organizations' booths (with updated information on present prisoners of conscience), free and for sale "Freedom from Communism!" accessories (t-shirts, cd, DVDs), various embassies' presentations of their countries' ordeals under Communism and, a Questions and Answers section at the end of the formal conferences for the interested audiences.

Exhibits

Just as art was used for Communist propaganda, art may be also used to unveil the hidden truth of Communist crimes. If done in a professional fashion, the audio-visual arts forms, from samizdat manuscripts to prisoners' poetry, to paintings and photographs, may bring to the public

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the experience of life under Communist dictatorship, be it of the incarcerated population, or of the masses controlled outside the prison walls. Several documentaries done by the Romanian National Television (Hossu 1991), or as an international European co-production (Snore, 2008), demonstrate the power of the audio-visual media, which may be used in conjunction with other visual aids (photographs, sculptures, paintings, Communist prison and museum props), to educate the visitors, on the magnitude of loss and resolve the victims of Communism went through. The same kind of art forms may be used to show the other side of the Communist world: the opulence in which the Communist oligarchy has been living since taking control of a country, until the regime's demise, including their summary execution (the Ceausescus').

These exhibits may also come into one's home in the form of a virtual museum, as the globalmuseumofcommunism.org demonstrates.

Research

Research on crimes committed by the Communist powers, is requested both at an academic level and as a general interest for Western and Eastern citizens alike. The information in the area of existing archives, narrative collections of survivors' accounts, interviews of former elites and repressive regimes' interrogators/torturers, comparing official doctored statistics with realistic economical data (production, expenditures, management), espionage, covert versus overt policies with Eastern neighbors and Western rivals, all these may give a more accurate view of what the world was like behind the Iron Curtain. Research into propaganda, coercion and manipulation techniques, may prove invaluable in understanding the still present effects of PTSD and paranoia in large sectors of post-communist populations (Bacu, 1968).

Curriculum

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Borrowing from a Master's program in Communist History, overseen by the Universitatea Alexandru Ioan Cuza (University Alexandru Ioan Cuza) in Iasi (Alexandrescu 2010), I would propose both a set of mandatory and optional college and university classes for students, as well as, a Masters in Communist Mass Manipulation and Mass resolve. The only difference between the Romanian courses and mine, would be in terms of reducing the historical input and focusing the students instead on the manipulative actions of Communist systems, with the parallel, intertwined, and subsequent reaction gamut of the masses' devastation: shock, denial, anger, revolt, opposition, acceptance, cooperation, adherence, paranoia, humor, direct and indirect coping, liberation, rage, revenge, healing, explication and condemnation of the Communist system and of its crimes. I believe that it is through courses such as these, that we can better understand the antecedents, intentions, interpretations, behaviors, consequences and the lessons that this genocidal dictatorship taught the world.

This would be a parallel, not a comparative or juxtaposing course, to the already present classes on the Nazi Holocaust. Much in the same vein with the American poetess Audre Lorde (1983), it is also the opinion of this writer that there is no hierarchy of oppression for the victims, and nor should be one for those who analyze these crimes. Qualifying one tragedy as greater than the other, will only serve to the various perpetrators' propagandas and agendas, be they committed by left or right wing dictatorships, past, present, or future, according to the adage: "Divide et Impera" (Divide and Conquer).

In fact, in all religions of the East and West, with the exception of satanic or suicidal cults, the sanctity of all human life is universally recognized as priceless, since time immemorial. It is when false paradigms of economical, racial, ethnic, religious, military, geographical, gender or other social hierarchies are made, that some human beings decide to eliminate other human

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beings.

This curriculum would simply use the Communist Holocausts to describe the victims of Communism, in the hope that it will reduce such lethal ideologies to fringe aspects of our society, as opposed to have them come to power and become again a source of suffering, torture, imprisonment and death for millions of innocent people.

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