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Delaying Truth Recovery for Missing Persons

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The fate of missing persons is a central issue in post-conflict societies facing truth recovery and human rights dilemmas. Despite widespread public sympathy towards relatives, societies emerging from conflict often defer the recovery of missing for decades. More paradoxically, in post-1974 Cyprus, the official authorities delayed unilateral exhumations of victims buried within cemeteries in their own jurisdiction. Analysis of official post-1974 discourse reveals a Greek-Cypriot consensus to emphasise the issue as one of Turkish aggression, thus downplaying in-group responsibilities and the legacy of intra-communal violence. We compare the experience of Cyprus with other post-conflict societies such as Spain, Northern Ireland, and Mozambique and explore the linkages between institutions and beliefs about transitional justice. We argue that elite consensus initiates and facilitates the transition to democracy but often leads to the institutionalization of groups opposing truth recovery even for in-group members.

Keywords: Elite Framing; Truth Recovery; Missing Persons; Spoilers; Political Learning; Cyprus.

Introduction

All the missing persons' families have suffered regardless of their ethnic origins. They might be Turkish Cypriots, Greek Cypriots, Armenians, or they might be Israelis, Palestinians, Argentineans, Vietnamese, or in Bosnia-Herzegovina they might be Serbs, Bosnians or any other ethnic origin. All families had similar fate and suffering dreams and nightmares. All these missing persons' families are in a way related.¹

In deeply divided societies, groups tend to mobilise widespread sympathy for victims of conflict including those persons kidnapped or missing and their families left behind without an answer for their fate. Recovery of missing persons also ranks high in the international agenda as illustrated in the high-level meeting of US Secretary of State Hillary Clinton with the families of Japanese citizens kidnapped by North Korean agents in the 1970s (Landler & Fackler 2009). Likewise, the release of Israeli soldier, Gilad Shalit, held hostage by Hamas has become a *cause célèbre* in Israel prompting the personal intervention of former US

President Jimmy Carter (Derfner 2009). In Northern Ireland the fate of several persons who ‘disappeared’ in the 1970s – presumably by the clandestine activities of the IRA -- remains a pressing issue, prompting calls for truth recovery a decade after the signing of the Good Friday Agreement (Hamber 1998:78-79; McDonald 2007). From the Middle East to the Balkans to sub-Saharan Africa and Latin America, civil society groups and international organizations call for a humanitarian approach to the recovery of missing persons (Baraybar et al 2007; Cretoll & La Rosa 2006). The recent remarkable mobilization of Spanish civil society to exhume the body of poet Federico Garcia Lorca as a means of addressing the legacy of the Spanish civil war (Tremlett 2006) reaffirms that a dead body is ‘the mark of a good political symbol: it has legitimating effects not because everyone agrees on its meaning but because it compels interest despite views of what it means’ (Verdery 1999:31). Arguably, among the strongest symbols to revitalize virulent Serbian nationalism in the former Yugoslavia were the televised exhumations and reburials of WWII victims of genocide in Croatia and Bosnia-Herzegovina (Denich, 1994: 382).

Looking at the case of Cyprus, we argue that missing persons carry huge symbolic and emotional capital that can be easily manipulated, becoming hegemonic and institutionalised, shifting public discourse away from legitimate, even commonsense approaches to truth recovery. Missing and kidnapped persons, or more generally, unrecovered dead bodies, constitute emotionally charged symbols in the aftermath of conflict. Their stories frequently turn into instruments which bolster propaganda, demobilise agents of conciliation, and mobilize extremist groups by reasserting ‘cultures of victimhood’ (Bouris 2007; Brewer 2004; Kaufman 2001; Ross, 2007).

The article is divided into two sections. The first contains a brief introduction to the problem of missing persons in Cyprus and the puzzle of why the two communities have not addressed this problem, either together or unilaterally. We compare the experience of Cyprus

with other post-conflict societies, and we present a number of alternative explanations that are ultimately unconvincing. In the second part, we propose an explanation of the considerable delay in truth recovery and the resolution of the problem. After analysing interviews with members of the designated parliamentary committee for missing persons, as well as material from parliamentary debates, we argue that an early tacit consensus was constructed surrounding the case of the missing persons which identified Turkey as the sole responsible agent and downplaying the legacy of intra-communal violence within the Greek-Cypriot community. This consensus gradually became a ‘hegemonic’ founding tenet of the transition to democracy and restricted both the prospect and the scope of truth recovery.

The Cyprus Puzzle

During two waves of violence² – the inter-communal violence of 1963-1967, and the intra-communal violence accompanying the 1974 coup against the legitimate government of Cyprus and the subsequent Turkish invasion – approximately 2,000 persons went missing from both Greek-Cypriot and Turkish-Cypriot communities (Sant Cassia 2006:195).³

Despite the rigorous involvement of the international factor - with the participation of the UN and its establishment of a bicomunal Committee for the Missing Persons (CMP) in 1981 - until lately, not a single grave was dug because of the lack of bicomunal trust and cooperation.⁴

Oddly, only a few months after the failed referenda for the reunification of the island (April 2004) and at a time when bicomunal trust had reached a nadir, a bicomunal agreement was reached. This strengthened the role of the CMP and rekindled the hope that some missing persons would be exhumed and buried (Kovras 2008). In fact, the CMP has managed to exhume 466 individuals and identify 110 (CMP 2008). At the same time, other recent developments reveal a renewed interest in ‘unearthing’ the truth of the violent past

within and across communities. These include attempts to revise history textbooks on both sides of the division (Vural and Özuyanık 2008; Papadakis, 2008) and a growing grassroots civil society with a pro-reconciliation profile (Hadjipavlou 2006) which supports the struggle of the relatives of the missing to trace their relatives and recover historical memory. An example is the recently established (2007) ‘Bi-Communal Initiative of Relatives of Missing Persons, Victims of Massacre and War’, whose agenda contravenes the ‘official narratives’ of the two communities.

The question that unavoidably emerges is why, despite massive popular support for the resolution of this humanitarian issue, not to mention the long-term involvement of the international community and the expressed political will of political elites to resolve it, there was no coordinated action by the two communities for more than three decades. Perhaps even more surprisingly, there was valid information that Greek-Cypriot citizens of the Republic of Cyprus – presumed missing – were actually buried in cemeteries within the control of the internationally recognised state. Given the deadlock in bicomunal negotiations, why did Greek-Cypriots not take the option of unilateral exhumation?

Alternative Explanations

A fairly obvious reason for the stagnant situation over the last decades was the *de facto* partition of the island; this prohibited any investigation for missing persons on the ‘other’ side of the divide while simultaneously preventing the formation of bi-communal grassroots initiatives vociferously demanding the truth. According to the politicians we interviewed, before the opening of the checkpoints in 2003, it was absurd to talk about exhumations because of the (physical) obstacles set by the division.⁵ Still, the first exhumations took place after the Ministry of Foreign Affairs called for a process of unilateral exhumations within the jurisdiction of the Republic of Cyprus in late 1999 (Sant Cassia 2007). These revealed that

several mass graves containing Greek-Cypriots perceived to be missing were located *within* the Republic of Cyprus (Paroutis 1999). Therefore, the argument that any development on the issue of missing persons before 2003 was impossible is not convincing, precisely because the fate of the first identified missing persons was unravelled without the cooperation of the ‘other’ side (Drousiotis 2000).

The ‘demonization of the other’ is an ordinary feature of post-conflict settings (Anastasiou, 2008; Hadjipavlou 2007; Heraclides 2002). Hence, according to the Greek-Cypriot narrative, another (popular) justification for the delay is that the missing persons problem was exclusively created by the Turkish invasion. Thus, the single factor determining the resolution of this problem was Turkey – any development was out of the control of the Republic of Cyprus. As a member of the designated parliamentary committee on missing persons starkly put it, ‘Here we have to deal with Turkey ... [Y]ou cannot cooperate easily with the Turks’.⁶ Yet while Turkey and the Turkish-Cypriot side were responsible for the majority of the Greek-Cypriot missing, a number of cases could have been resolved internally, thus mitigating the pain of relatives.

Another popular explanation points to the influence of European institutions. Recent developments regarding the identification of the fate of missing persons in Cyprus have been attributed to the decisions of the European Court of Human Rights (ECHR) condemning Turkey for its non-cooperation.⁷ This explanation is not entirely sufficient, however, because other countries with similar problems of missing persons had joined the EU or had been subject to ECHR rulings decades earlier with minimal positive effects. Although Spain has been influenced by European norms for decades, the issue of exhuming missing persons from the civil war did not become a state priority even when consecutive socialist governments came into power (1982-1996) (Tremlett 2006). It was inserted into the national agenda only after a demand for truth recovery was clearly framed and formulated by civil society groups.

Interestingly, non-European nations with similar memories of clandestine violence and missing persons, such as Argentina, Guatemala, and Chile, have seen more successful mobilizations of their societies towards ‘truth recovery’ (Kovras 2008; Rotberg and Thompson 2001). In Cyprus, European institutions might have had a facilitative effect, primarily through ECHR decisions, but the effort to understand the puzzle of the missing needs to focus on domestic factors, particularly the framing of human rights issues to combat the ‘other’ side.

Linking Frames and Policy Outcomes

A well-entrenched elite consensus was constructed in the aftermath of the *coup d'état* and the Turkish invasion (1974) defining the fundamental (political) tenets upon which the post-1974 Republic of Cyprus is established. This consensus – regarding what will be remembered and what will remain hidden – was subsequently transformed into a hegemonic belief, dictating public discourse and decreasing both the adaptability of the political leadership to new conditions and the possibility of resolving the issue.⁸ This section discusses the causal mechanisms that allowed the original elite consensus to become hegemonic, effectively preventing truth recovery: elite framing of the issue of the missing persons; the (negotiated) nature of the transition to democracy; and the institutionalization of ‘spoiler’ groups.

Framing processes account for the ways political elites disseminate ideas to the public, particularly on emotionally charged issues such as missing persons and more generally truth recovery. According to Ervin Goffman, frames denote ‘schemata of interpretation’ that enable individuals to ‘locate, perceive, identify, and label’ occurrences within their life space and the world at large (1974:21). Put another way, to frame is to select aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation,

and treatment for the item described (Entman 1993:52). Frames define ‘reality’ because of their ability to emphasise certain aspects of an issue while downgrading others (Benford 1997; Benford and Snow 2000; Brewer et al. 2003). A central feature of the framing process is the degree of instrumentalisation involved, particularly in appropriating, negotiating and reaching a consensus on a shared meaning of a given situation (Loizides, 2009).

The primary objective of a hegemonic belief is ‘the containment and political neutralization of latent tensions which, if unleashed, would threaten the power of those whose interests the conceptions serve’ (Lustick 1993:123). The concept of hegemony, as expressed in the work of Antonio Gramsci, indicates ‘active consent’ of dominated groups, founded on ‘ideas’, values, and symbols, not on force (Bates 1975; Jessop 1982:147; Martin 1998:66). Therefore, the success of hegemonic beliefs depends on successful framing. Eventually, when a frame becomes hegemonic – as the case of missing persons in Cyprus reaffirms – certain inconvenient questions are excluded from public debate. According to Ian Lustick hegemonic beliefs become so well-entrenched in our daily life that are perceived as ‘natural’ and, as such, not subject to critical scrutiny (Lustick 1996).

Hegemonic Frames and the House of Representatives

The framing process has two essential analytical components. The first, ‘diagnostic framing’, refers to the need to identify the source(s) of the problematic situation and attribute blame (Benford and Snow 2000). The concept is founded on the presumption that the present situation is unjust, and grievances are largely due to the action of another agent (Gamson 1992; Kaufman 2008; Klandermans 1997). The second component, ‘prognostic framing,’ is the articulation of a projected answer to a given problem, along with a strategy to implement this plan (Benford and Snow 2000).

It is important to note that in the Greek-Cypriot community the foundations of the hegemonic framing on the issue of missing persons were laid immediately after the Turkish invasion when a common diagnosis of the problem was widely endorsed by the political parties in Parliament.⁹ More precisely, in the House of Representatives, Turkey is held causally and morally responsible not merely for the creation of the problem, but for other ‘traumas’ such as the occupation of 37 percent of the island which forced approximately 211,000 persons to become refugees, and the creation of the problem of ‘enclaved’ persons.

Since 1974, 12 resolutions on the issue of missing persons have been issued by the House of Representatives, all identifying Turkey as the primary responsible actor and all of them adopted unanimously.¹⁰ Every member of the designated parliamentary committee for missing persons that we interviewed identified the Turkish invasion (1974) as the starting point of the problem and Turkey as the sole morally responsible agent. This reading recurs in every reference to the problem of missing persons – irrespective of the ideological inclination of the speaker – in the speeches of the members of parliament. Moreover, in the pre-election political programs of the candidates for the Presidency over the last three decades, the issue of missing persons has always been grouped with the other problems triggered by the Turkish invasion and issues more generally related to the ‘Cyprus Problem’, namely, demanding justice from Turkey.¹¹

The first and perhaps most significant illustration of this reading of the problem emerged in the debates of the political leaders during the first anniversary of the coup, in 1975. During this session, all party leaders endorsed a perspective which tacitly linked the problem of missing persons to the side-effects of the Turkish invasion, such as refugees and the occupation of the island.¹² Twenty years after the Turkish invasion (1994), the reading remains unaltered, as illustrated in the following Parliamentary announcement:

The House of Representatives of the Republic of Cyprus, with the completion of the grievous anniversary of 20 years after the Turkish invasion and the creation of the tragic problem of the Missing, heavily condemns the continuous intransigent stance of the Turkish side.¹³

Debates about intra-group conflict are absent from the diagnostic framing. In fact, the Turkish invasion was preceded by internal violence within the Greek-Cypriot community between supporters of President Makarios who followed a ‘pro-independence policy’, and supporters of ‘union with Greece’ (*enosis*). This period of intense intra-ethnic conflict led to a short-term coup by the supporters of a pro-enosis policy – sponsored by the Greek junta – on July 15, 1974, sending President Makarios into exile and leading to atrocities and assassinations against his supporters including members of the communist party (AKEL 1975).¹⁴

The tacit consensus to avoid debates related to intra-communal violence is illustrated by the definition of missing persons in laws passed by Parliament over the past three decades: ‘the Greek-Cypriot who is still missing since the July the 20th 1974, due to the Turkish invasion...and the state has no positive information that s/he died’.¹⁵ Several interesting aspects of diagnostic framing are present in this definition. Firstly, there is no provision for the Turkish-Cypriot citizens of the Republic of Cyprus still missing from 1963 or for the missing Greek-Cypriots of the same period. Secondly, the Greek Cypriots who died during the intra-communal violence (July 15-July 20, 1974) but whose remains were not found are excluded. As a result, the diagnostic framing concerning the problem of the missing persons overlaps with the Greek Cypriot ‘official narrative’ on the Cyprus issue, beginning only after the Turkish invasion of July 20, 1974. Moreover, although there was an effort to de-link the issue of missing persons from the Cyprus problem – at least verbally – every speech of the

members of the parliament, irrespective of their ideological inclination, on the Turkish invasion was followed almost spontaneously by a reference to the missing persons.¹⁶

It should be mentioned that there was a degree of variation concerning this discourse among political parties. More specifically, those political parties with historical affiliations to President Makarios (DIKO, EDEK and Leftist AKEL) have apportioned blame to ‘extremist individuals’ in the anti-Makarios camp for atrocities committed against the Turkish-Cypriots. However, no party has blamed state-controlled institutions such as the police for complicity.¹⁷ ‘Forgetting’ particular aspects of the Cyprus problem along with the responsibilities of the institutions of the Republic related to the human rights abuses of Turkish-Cypriots became part of the tacit pact which facilitated the transition to democracy and the ‘reestablishment’ of the Republic of Cyprus.

Cyprus is not the only case of ‘negotiated’ transition established on oblivion. Mozambique presents an equally interesting case of a ‘silenced’ transition. The independence of the country from Portugal in 1975 was followed by a bloody civil war which lasted until 1992. The consolidation of democracy was achieved with the tacit consensus between the former parties in conflict (FRELIMO-RENAMO) to forget their violent past (Graybill 2004; Igreja 2008). In a similar vein, the transition to democracy in Spain was founded on the ‘pact of oblivion’, or the widespread political consensus to ‘forget’ the violent legacy of the civil war and the dictatorship (Encarnación 2008). Even when the Spanish Communist Party was legalised and the Spanish Socialist Party (PSOE) held power for 14 consecutive years (1982-1996) the two parties deliberately ‘silenced’ the demand of a ‘handful of relatives of the victims’ to exhume the civil war *desaparecidos* because that might have derailed the path towards democratic consolidation (Tremlett 2006). Similarly, in Northern Ireland, the case of ‘the disappeared’ – the nine persons alleged to be ‘spies of the British’ who were killed by the IRA but whose remains have not been found – reasserts that comprehensive truth

recovery is unwelcome because it sheds light on the ‘notorious’ aspects of previously admired groups and delegitimizes the predominant discourse.

Any reference either to the Turkish or the Greek-Cypriots who went missing before the Turkish invasion would have seriously delegitimized the predominant discourse; it would have opened a Pandora’s box, letting out all sorts of inconvenient questions (Kovras 2008:377). For example, was the Agreement of London-Zurich an end in itself or a means to a higher end (*enosis*)? Were the Greek Cypriot victims of EOKA – predominantly leftist – conspirators, and if not, should their memory be acknowledged? To what extent were institutions of the Republic responsible for Turkish-Cypriots who went missing in the 1960s? Were the coupists traitors, outdated ideologues, or simply unlucky conscripts serving their military service at the wrong time? Was the Turkish invasion partly justified by the preceding inter and intra-communal fighting?

The issue that naturally follows the attribution of blame is the development of a strategy to alter the problematic situation (prognostic framing). A widespread elite consensus in the post-1974 -- Greek-dominated -- Republic of Cyprus on the causes of the invasion facilitated a process of political learning and paved the way for a stable transition to democracy. Three fundamental strategies addressed the causes of the problem: (a) emphasizing national unity and reconciliation, as expressed through the strengthening of the institutions of the Republic to avoid the divisive experiences of the past and promote re-unification; (b) accentuating the culture of victimhood as expressed in the traumatic side-effects of the Turkish invasion (missing persons, refugees, casualties, those still in enclaves, etc) as the foundation of this new ‘invented unity’; and finally, (c) lobbying international forums to condemn Turkey and force it to adopt a more accommodative stance.

The first seems to have been determined by the first anniversary of the coup. Although not directly referring to the missing, debates among party leaders during that

session are revealing. The starkest image is provided by Glafkos Clerides (DISY), later President of the Republic, who underlined the ‘dangers’ lurking from the ‘partisanship’ objectives in the common struggle for the ‘survival’ of the Republic.¹⁸

Likewise, an emphasis on the need to overcome past divisions and construct a unified block within the Greek Cypriot community to protect the Republic of Cyprus and promote reunification is shared by the leaders of all political parties.¹⁹ Several resolutions adopted by Parliament reveal that a common ground for consensus was the feeling of victimhood triggered by the ‘unjustified’ Turkish aggression. This was symbolised in the problems of missing persons, the occupation of part of the island, the refugees, and the enclaved.²⁰ The name of the parliamentary committee tackling issues related to the problem of missing persons is the Committee on Refugees-Enclaved-Missing-Adversely Affected Persons, thereby noting an emphasis on constructing a (coherent) narrative to link all aspects/symbols of victimization. In any national narrative, the credibility of the proffered frame is based on the claim’s consistency, and there is an effort to establish a symbolic continuity.

According to this reading, all refugees, missing, enclaved, and casualties of the invasion became victims of the (unjustified) Turkish aggression, and it was a national duty to redress their suffering. According to the prevalent view of members of Parliament, ‘the society should become the head of the family for those families without a guardian’.²¹ The framing of the missing persons as the symbol of the unjustified suffering of the Greek-Cypriot people and the ‘natural’ duty of the society to compensate these victims gradually became a hegemonic truth/reality which was difficult to challenge. The most significant symbol of this culture of victimhood became the number 1,619, denoting the number of the (Greek-Cypriot) missing persons. Framing of the issue was closely linked to this number, and although the number was inaccurate, it became difficult to re-adjust it to reflect the real number of missing persons. Strikingly, over the period 1981-1999, although the names on the

list of missing persons were sometimes different, the overall number/symbol remained intact, 1,619 (Sant Cassia 2007:51).

In the early 1990s during discussions for the establishment of the University of Cyprus, there was consensus that the relatives of the victim groups should enter university without exams. A member of the parliament dared to challenge this hegemonic frame by saying, ‘My brother was killed during the first day of the invasion, but I can see no reason why his children should enter the university if they do not qualify in the exams’.²² The reply from the rest was fierce, insisting that the ‘university cannot be founded without incorporating the Cypriot realities’.²³ The fact that missing persons became an integral element of this ‘Cypriot reality’ shows that framing assumed a hegemonic position.

It is important to highlight that this framing was remarkably stable and widely endorsed by the vast majority of the political elites. According to the literature on framing, the criterion for a successful framing is the ‘credibility of the proffered frame’ (Benford and Snow 2000:620) which is based on: (a) ‘frame consistency’, that is the correspondence between frames, beliefs, and actions; (b) ‘empirical credibility’ denoting the correspondence between the frames offered and the realities of social life (Kaufman 2008); and (c) the reliability of the frame-maker (Benford and Snow 2000:620). We could add a fourth factor – the degree to which the ‘framing process’ revolves around securing a ‘value’ that is highly cherished by the given society (Snow et al. 1986:469).

The framing of the issue of missing persons by the political elites in Cyprus satisfies all of these requirements. First, the ‘credibility’ of the frame-maker is important given that in Cyprus the level of trust in governmental institutions is remarkably high (CIVICUS 2005:97; Mavratsas 2003), making any challenge to the discourse offered by the state very unlikely. Furthermore, there was a remarkable consistency in the framing – persisting even today – which was coupled with abundant empirical evidence that Turkey was solely responsible for

the humanitarian disaster, ranging from the national narrative of the past to a series of decisions taken by ECHR condemning Turkey as the principal perpetrator. Indeed, even when it was revealed that several missing persons were buried in the areas controlled by the Republic, thus significantly challenging the core assumption of the diagnostic framing, the framing was so well-entrenched that neither the political leadership nor civil society dared question it.

Eventually, there was no ‘counter-framing’, that is an effort to ‘rebut, undermine, or neutralise a person’s or group’s myths, versions of reality, or interpretive framework’ (Benford and Snow 2000:626). Any potential source of counter-framing was prevented by the particular ‘texture’ of the nationalist discourse that characterise both Cypriot communities, founded on ‘ethnic autism’ and self-censorship (Papadakis 2006). More precisely, one factor that definitely strengthened the appeal of this specific elite-framing in the Greek-Cypriot community, was the Turkish-Cypriot official position that the majority of the Greek-Cypriot missing persons were killed by other Greek-Cypriots during the coup. Any Greek-Cypriot referring to the possibility that some may have been killed during the coup was subject to accusation of providing support for ‘Turkish propaganda’.

Although there was not coherent counter-framing it should be underlined that there were at least three major challenges to the proffered frame, namely the case of the wives of missing persons who -- in a highly symbolic act -- started digging up graves in the Greek-Cypriot cemetery where later took place the first exhumations of Greek-Cypriot missing persons, therefore overtly defying the official policy; the establishment of the *‘Bi-Communal Initiative of Relatives of Missing Persons, Victims of Massacre and War’* emphasizing on sharing their painful experiences and contravening the official discourse; and more importantly the investigative groundbreaking journalism of Andreas Paraschos and Sevgül

Uludağ. Despite the importance of these initiatives, in reality the ‘diagnostic and prognostic’ framing remained almost intact.

Counter-framing constitutes a key in identifying alternative approaches to truth recovery. In Northern Ireland, for example, a counter-frame on the missing originated from pro-reconciliation religious actors across the community divide who framed the issue in non-partisan and non-political terms, emphasizing primarily human suffering and the common religious obligation to offer victims a proper burial (McDonald 2007). In Spain, too, the seeds of counter-framing were planted during the debate over the extradition of the dictator of Chile Pinochet to Spain (1999), a catalyst for breaking the domestic ‘silence’ over the repressive legacy of Franco in general and the civil war in particular. At this historical juncture, the main grassroots organization demanding acknowledgment for the victims of the Spanish civil war, the *‘Association for the Recovery of the Historical Memory’*, was formed. In Cyprus, such counter-frames were missing from public debate. As an interviewee revealed to us, even when the government decided to change its approach on the issue of missing persons by putting forward unilateral exhumations in the Republic’s zone (Sant Cassia 2007:195), the framing was so well-established that they decided to ‘leak’ the information about the ‘missing being buried in the republic’ to journalists, because there was no alternative path of promoting a policy that contravened these long-standing framings.

These reactions demonstrate an inherent paradox in the framing process. On the one hand, the objective of any nascent frame is to become hegemonic and to be widely accepted as the sole universal truth. On the other hand, by the time a frame becomes hegemonic and institutionalised, the context of the problem may have changed so radically that the frame, originally constructed to promote certain interests and policies, now obstructs, contradicts, and entraps the promotion of these same interests. Alternatively put, elite consensus narrows

the option of policymakers preventing adaptation to new conditions even when elites realise the need for a policy shift' (Loizides, 2009).

The 'Frozen Democracy' Debate

In Cyprus the 'political learning' from the traumatic experiences of intra-communal violence and the subsequent Turkish invasion (1974) to a large extent explains the (negotiated) nature of the transition to democracy in the post-1974 Greek Cypriot community. Following the 'logic of consequences' (Snyder and Vinjamury 2004), President Makarios, extended an olive branch to his opponents, and the transition to normalcy was achieved through the unstated consensus of major political elites not to engage in trials against the coupists with the partial exception of Nicos Sampson the leader of the coup. The motives behind Makarios's decision to follow this policy of pardoning remain two of the central issues of contention in the literature on that period, the two most prevalent explanations either focus on the power of the coupists even after the restoration of the Republic, or on the calculated political decision to apportion all blame to Turkey which acted as a unifying force for the Greek-Cypriot community. Both explanations, though, seem to strengthen the argument on political learning of the main political actors.

Some degree of political learning among the political elites seems to have been at play in facilitating this process. For Bermeo 'a critical mass of learners' subscribed to the new 'reading' of the past in order to adopt a more consensual strategy and tactics which subsequently became the basis of the elite pact and facilitated the consolidation of democracy (1992: 275). This happened in Cyprus in the aftermath of the invasion. For instance, just a year after the coup and the invasion, the leader of AKEL, Ezekias Papaioannou, said: 'It is obligatory not only to condemn (the coup) but most importantly to draw useful conclusions for our future actions'; adding that 'in this anniversary of the fascist, criminal coup we have

the obligation to the memory of all those – known and unknown – heroes of the Cyprus freedom *to strengthen patriotic unity* (emphasis added).²⁴ In the same vein, the former leader of EDEK, Vassos Lyssarides, stated that ‘the tragic lesson of the criminal and treacherous coup should be analysed and utilised ... for the struggle of our people for national salvation and national survival’.²⁵

Although the literature emphasises on the ‘negative’ or ‘positive’ aspects of learning, the negotiated transition in Cyprus indicates that by drawing incorrect or even ‘false analogies’, *learning can also be ‘partial’*. The traumatic experience of the Turkish invasion, acted as a ‘painful lesson’ for the groups previously in conflict. That lesson had a positive impact on the reassessment of their objectives and priorities, and strengthened the legitimacy of the Republic of Cyprus (Mavratsas 1999:98).²⁶ However, because learning has to be directed towards a wide audience, its meaning should be simple and ‘frame’ the experience in Manichean terms (good vs. bad; perpetrators vs. victims), thus inhibiting introspection. In the case of Cyprus, the ‘lesson’ became particularly popular because it was founded on the unifying premise that Turkey was causally and morally responsible for the creation of this humanitarian problem. Turkey was demonised and became the source of every misdeed on the island. The lesson was only a partial one, however, because it abstained from debating the moral, historical, and political responsibilities of the Greek-Cypriot community.

Nevertheless, although forgetting was the norm, political parties in Cyprus frequently recruited certain (symbolic) aspects of the past to polarise political debate and gain political power. Something similar has happened in Mozambique and Spain particularly during elections. Especially, in the former, although the transition to democracy was achieved upon the agreement of the two conflicting parties to ‘forget’ the violent past and the civil war, both parties frequently use ‘memory as a weapon’ to demarcate the political field (Igreja 2008).

Democratization literature has noted the shortcomings of pacted transitions. According to the ‘frozen democracies’ argument, although ‘negotiated transitions’ minimise the conflicts among politicians in a post-conflict period and enable them to focus on other urgent problems (economy, development, etc), this is achieved at the expense of the quality of the emerging democracy because (a) the power is concentrated at the hands of few political elites; (b) they impede the development of civil and political rights; and (c) they prohibit the development of civil society (Diamond 1999; Encarnación 2003; Karl 1987; Licklider 1995:685; Linz and Stepan 1996:56). In other words, ‘pacts make democracies more durable, but also make the deepening of democracy more difficult’ (Bermeo 2003:166). In Cyprus, there seems to be a causal thread linking the framing of the issue of missing persons and the (pacted) nature of the transition. This negotiated transition facilitated the establishment of a stable frame by the political elites, but eliminated any potential sources of truth-seeking, predominantly the civil society. Undoubtedly, there also other reasons that explain the deficiency of the civil society in the Greek-Cypriot community (Mavratsas 2003). What is interesting, though, is that contrary to the example of other countries with missing persons, predominantly in Latin America, where the relatives of the missing were vocal in demanding the truth, in Cyprus the official organization of the relatives of the missing not only never challenged the official discourse, while in certain instances blocked the recovery of truth.

Institutionalised ‘Spoilers’

Therefore, an argument will be put forward that the civil society group dedicated to the recovery of truth and the fate of missing persons in Cyprus, assumed the role of an institutional spoiler.²⁷ Migdal’s ‘state-in-society’ approach contains several useful analytical insights in explaining the stance of the organization of relatives in certain historical junctures.

As Migdal argues, 'it is not simply poorly designed policies or incompetent officials or insufficient resources that explain the failures or mixed results of state policies. States must contend with opposing groupings, some of which are quietly and indirectly subversive' (Migdal 2001:12). In certain critical junctures the leadership of the 'Pankyprian Organization of Parents and Relatives of Undeclared Prisoners and Missing Persons' acted as an institutionalised 'spoiler' preventing unilateral exhumations. The relatives of the missing persons in the Greek-Cypriot community constitute a highly regarded group because they symbolise the ongoing victimization and suffering of the Greek-Cypriot people. Its leaders soon realised their symbolic capital and decided to play politics in the direction of the interests of the relatives (Drousiotis 2000). As a result of their efforts, the relatives of missing persons gained considerable material compensation from the government. One finds roads, parks, squares, even a museum dedicated to the missing persons (Sant Cassia 2007:157). More importantly state support included positive discrimination in employment, financial support for housing, no property taxation, and a pension for relatives.²⁸ Since the missing were defined as victims of the Turkish invasion those challenging the official discourse by arguing that their own relatives were killed during the coup may not have been able to claim all benefits.

To the issue of pressure groups, Haklai identifies two modes of state penetration: first, 'having members of the group appointed to various positions of decision-making' and second, 'having officials whose loyalty to the laws of the state is matched or surpassed by sympathy to the social movement's objective' (Haklai 2007:718). Both are present in the case of the missing in Cyprus, since the Organization has always been closely linked to the state (Drousiotis 2000). Moreover, in 2005 a legal provision indicated that the designated ministry for resolving the practical and material problems relevant to the relatives of the missing had to employ one member from the Organization to jointly make decisions that touched on the

rights of the relatives of the missing. Finally, the designated parliamentary committee on missing persons has always been supportive of the Organization's cause. According to the president of this committee: 'The role of the Parliament, regarding our front [the missing] is to help retain the unity whenever you need it, the Parliament along with the Organization ... can become a powerful pressure group' (Pan-Cyprian Organization of Relatives of Missing Persons 2000:25). It is worth noting that all members of the designated parliamentary committee we interviewed reiterated this sympathetic and preferential treatment of the demands of the organization.

Thus to avoid competition with civil society groups, states might often avoid politicizing the issue of their own missing. South Korean governments for example have not politicized the issue of their citizens kidnapped by North Korea in contrast to Japan who insisted in receiving official acknowledgement on the same issue (French, 2002). Likewise in Spain the case of the '*desaparecidos*' until very recently was deliberately not politicized because of the fear to unveil any aspect of the past related to the memories of the civil war.

Conclusion

As this article argues negotiated transitions to democracy in societies emerging from conflict constitute exemplary cases of widespread (elite) consensus. Because the foundations of the hegemonic discourse which determine what will be officially remembered and what will remain in oblivion are set during the pact-making stage of a transition, the struggle to understand transitional processes is pivotal. The founding tenets of elite consensus become institutionalised and are diffused to the society as 'hegemonic versions' of the past. Thus, the demand for truth about the past remains minimal. As Marie Smyth observes: 'Truth-tellers... are a threat to politicians, because they have the power to disrupt hegemonic versions of truth, which are often implicated in the "war by other means"'. Arguably, truth telling can

perform an important function in unsettling the bifurcated but fixed versions of truth associated with polarization and disidentification' (2007:175).

The experience of truth recovery in Cyprus yields insight into the struggle of other post-conflict societies to come to terms with their past. Post-Franco Spain constitutes a celebrated example of a pacted transition, one which substantiates the contention of this article that an early elite consensus prevents truth recovery and adaptability to new conditions. Following the death of Franco (1978), Spanish political elites achieved a remarkably stable transition to democracy, founded on the widespread consensus to avoid any reference to the violent past – specifically, the civil war and the Francoist repression – depicted in the *pacto del olvido*²⁹ (Encarnación 2008). Because of this well-entrenched consensus among the political elites, it became very difficult for any government over the last 30 years to 'come to terms' with the legacy of the civil war (ibid). Only in 2007, after several years of mobilization of the civil society was this 'culture of forgetting' challenged, and a demand for truth entered the political agenda (Kovras 2008).³⁰ A similar consensus was shaped among key political actors in Northern Ireland. Following the Good Friday Agreement (1998), the issue of truth recovery was perceived as risky and remained in the drawer (Smyth 2007).

Because negotiated transitions are particularly fragile, the main concern of the parties committed to an agreement is to avoid taking any measure that might polarise the political atmosphere; they do not want to provoke the intransigent actors who act outside law and who might attempt to derail the peace-process (Smyth 2007). Truth recovery is an issue that might provoke hardliners. On the one hand, in the short term, a strong consensus might be a *sine qua non* precondition for stable transition; on the other hand, in the long term, a political culture founded on 'silencing' challenging voices might be disastrous. As the case of Tito's Yugoslavia reveals, the long period of 'forceful forgetting' of WWII crimes facilitated the

emergence of previously dormant and revisionist nationalisms in the 1990s (Denich, 1994). Hence, contrary to certain ‘deontological calls’ of the literature of transitional justice for truth recovery, the experience of several societies with ‘missing persons’ reveals that pragmatic and symbolic considerations as well as the type transition are always central in the resolution/non-resolution of the problem of missing persons and truth recovery in general.

Therefore, the theoretically interesting conclusion deriving from the study of truth recovery in Cyprus is that although elite pacts may ‘impose’ a fixed version of the past, a negotiated transition seems to gestate the (institutional) preconditions for a future truth recovery. More precisely, elite pacts in transitional settings indicate that a critical mass of elites have ‘learned the lessons’ of the past, leading to a re-evaluation of societal objectives and a consensus to resolve the very specific and urgent problems experienced by post-conflict societies – such as the restoration of the rule of law, economic recovery, strengthening civil society, accessing international fora, and strengthening democratic institutions, to name only a few. Because these objectives are set consensually, they are usually met in an efficient manner, as the cases of Cyprus and Spain reveal.

Hence, in the long-term the basic tools/preconditions for challenging this ‘reality’ are in the hands of the ‘truth-seekers’, such as a vibrant civil society, democratic institutions, and civil liberties. Do ‘truth’ and ‘justice’ lead to democratic consolidation, prosperity and ‘catharsis’? Or is it the reverse? Are certain minimum levels of democratic consolidation and certain democratic institutions necessary to challenge established beliefs? Admittedly our cases could be read either way depending on the reader’s normative proclivities. We do not advocate a particular type of transition; however, the case of Cyprus demonstrates that truth recovery was delayed even when windows of opportunity were present. The article points to the significance of hegemonic framing, partial political learning, and institutionalised

constraints in evaluating delay in truth recovery and, eventually, assessing their broader impact in the study of democratic transitions.

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¹ Kutlay Erk, Turkish Cypriot politician and son of a missing person whose remains were found in 2008. *CYBC*, 15/12/2008.

² Following its independence from the British Empire in 1960, the Republic of Cyprus experienced a spiral of inter-ethnic violence between the two most significant ethnic groups on the island -- that is the Greek-Cypriot and the Turkish-Cypriot communities -- leading to the permanent division of the island since 1974. During the 1963-1967 period of turbulence, the vast majority of the Turkish-Cypriots were forced to abandon their houses and settle in enclaves controlled by the Turkish-Cypriot leadership. Since then, and especially after the Turkish invasion (1974), the Republic of Cyprus remains under the control of the Greek-Cypriot community and it constitutes the only internationally recognized authority on the island. In 1983 the authorities of the Turkish-Cypriot community declared the establishment of the Turkish Republic of Northern Cyprus (TRNC), which the international community does not recognize with the exception of Turkey.

³ According to the files submitted for consideration to the CMP by the two communities, the precise number of Greek-Cypriot and Turkish-Cypriot missing persons is 1,493 and 500 respectively.

⁴ The only exception is the exhumation of an American citizen in 1998, ‘missing’ since 1974.

⁵ In April 2003 Turkish Cypriot leader Rauf Denktaş decided to open the checkpoints that divided the island for more than 30 years.

⁶ Anonymous interview, Nicosia, July 16, 2008

⁷ Varnavas a.o.v. Turkey and the Fourth Inter-State Application of the Republic of Cyprus against the Republic of Turkey, followed by consecutive resolutions of the Council of Europe’s Committee of Ministers put significant legal and political pressure on Turkey.

⁸ Ian Lustick draws on Gramsci’s ‘overall intention to elucidate the impact on political outcomes associated with the transformation of particular beliefs into uncontested, and virtually uncontestable, “commonsense” apprehensions’ (Lustick 1993: 54).

⁹ During the first bi-communal hostilities in 1963-64 the Turkish-Cypriot members of the House of Representatives withdrew and since then this body is dominated by the Greek-Cypriot community.

¹⁰ Indicatively we can mention: N.37/1975; N.46/1978; N.58/1980; N.75/1982; N.113/1992.

¹¹ Indicative examples are the pre-electoral programmes of Spyros Kyprianou (1983); Georgios Vasiliou (1988); Glafkos Clerides (1993, 2002); Tassos Papadopoulos (2003); Demetris Christofias (2008).

¹² Parliamentary debates, Cyprus House of Representatives, July 15 1975, pp. 576-591

¹³ Parliamentary Debates, Cyprus House of representatives, July 15, 1994, p.2554.

¹⁴ The roots of this fratricidal violence were set during the anti-colonial struggle (1955-1959) carried out by EOKA (National Organization of Cypriot Fighters), when several sympathisers of the leftist party (AKEL) were assassinated by EOKA fighters (Crawshaw 1978; Papadakis 1998: 151). It is estimated that approximately 200 Greek-Cypriots were stigmatized as ‘traitors’ and were subsequently killed by EOKA fighters (Drousotis 2002:219).

¹⁵ Cyprus, House of Representatives Laws: N. 77/1979; N.34/80; N. 53(I)/92, and Resolution N.75/1982.

¹⁶ See parliamentary Debates, Cyprus House of Representatives, July 15, 1975, pp.576-591; January 28, 1982, pp.1147-1208; March 6, 1992, pp.1889-1895.

¹⁷ For a rare admission of this complicity related to the case of Kutlay Erk’s father see *CYBC*, 15/12/2008. In fact, the moral and legal responsibility of the police is always a contentious topic in post-conflict settings. Acknowledging the tacit collusion of the police forces and loyalist paramilitaries during ‘the Troubles’ in Northern Ireland was one of the most debated issues in the peace process (McGarry and O’Leary 2009).

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- ¹⁸ Parliamentary Debates, Cyprus House of Representatives July 15, 1975, p.577
- ¹⁹ Parliamentary Debates, Cyprus House of Representatives July 15, 1975, pp.576-591
- ²⁰ Cyprus House of Representatives Resolutions N.37/1975; N.46/1978
- ²¹ Parliamentary Debates, Cyprus House of Representatives, March 6, 1992, p.1893.
- ²² Parliamentary Debates, Cyprus House of Representatives, July 16, 1992, p.3607
- ²³ Parliamentary Debates, Cyprus House of Representatives, July 16, 1992, p.3607
- ²⁴ Parliamentary Debates, Cyprus House of Representatives, July 15, 1975, p.579, 581.
- ²⁵ Parliamentary Debates, Cyprus House of Representatives, July 15, 1975, p.586
- ²⁶ Post World-War II Germany offers a similar example of ‘political learning’, since the disastrous experience of World-War I, facilitated democratic consolidation by prioritizing the establishment of democratic institutions which subsequently strengthened the legitimacy of the new regime (Sa’adah 2006).
- ²⁷ Although we use the term ‘spoiler groups’, we should also acknowledge that the term ‘spoiler’ constitutes a ‘normatively negative charged’ label which does not take into account the legitimacy, the emotions and the suffering of certain groups in post conflict societies - such as the relatives of victims.
- ²⁸ Cyprus House of Representatives Laws N.53(I)/1992; N.34/1980; N.24(I)/1998; N178(I)
- ²⁹ ‘Pact of oblivion’.
- ³⁰ In 2007, the Socialist government passed the ‘Law on Historical Memory’ which to a significant extent satisfies the demand for truth (Crawford 2007).

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