

Designing Peace: Cyprus and Institutional Innovations in Divided Societies

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Neophytos Loizides' recent book, *Designing Peace: Cyprus and Institutional Innovation in Divided Societies*, is a timely and much needed reflection on the challenges and opportunities for creative institutional design in complex societies that have lost their trust in options beyond division.

Reading this book in the immediate wake of the Crans-Montana collapse, the author's core questions become particularly stark: How to convince negotiators that innovative institutional design can provide for win-win solutions? How to encourage people to put their trust in institutions that are able to moderate tension, when institutional failure lives in communal memories as a precursor to war, haunting efforts to (re)build? How can such arrangements, in promise or in practice, work in concert with victim-facing initiatives to help repair those tears to the social fabric that have held Cyprus in its state of a normalised five-decade state of emergency? And how can we learn from institutional innovations, both in Cyprus and globally, to stack the deck in favour of long-term peace?

Loizides goes about answering these questions by crafting a path both towards and away from the book's Cyprus focus. The reader begins with a recounting of the primary Greek and Turkish Cypriot narratives of what we know as the 'Cyprus Problem'. The chapter is a masterful dual historical journey. It performs the rare purpose of forcing multiperspectivity upon mainstream Cyprus-focused readers who may not be used to confronting both Turkish Cypriot and Greek Cypriot narratives in one space, while also bringing an international audience swiftly into the waters of Cypriot historical memory and its impact on the peace process. Its second chapter moves backwards and outwards, drilling into the legacy of the Ottoman Empire, and linking failed efforts at power-sharing in the region to this shared history. Bringing Cyprus's unhappy history with consociationalism together with broader post-Ottoman experiences, the author argues that 'a selective reading of the past and false analogies drawn from the Ottoman and western colonial legacies make the endorsement of power-sharing settlements difficult even in conditions that seem permissive' (p. 17). This is a foundational point, and one I'll come back to.

The next three chapters move away from post-Ottoman historical reasoning, and instead towards three case studies upon which he draws to highlight his book's purpose: good and innovative institutional design can help overcome electoral, structural, and societal stalemates.

As one of a number of alternatives to some of the Annan Plan's more cumbersome provisions, Loizides offers Northern Ireland's d'Hondt mechanism. D'Hondt sidesteps the need for political bargaining for the allocation of ministries between parties in a power-sharing system, by allocating seats in the executive or ministerial positions according to a stable mathematical formula. This is a valuable suggestion, particularly because it would provide most political parties with an incentive to endorse the system. Given the core role of marginal parties in blocking peace processes in Cyprus, providing them with an incentive to support resolution may help move them beyond their perception that they benefit primarily from division. He also canvasses a number of deadlock-breaking mechanisms that rely on Cypriot political elites, rather than international actors. All of these are aimed at a peace plan whose provisions are more quickly able to resolve difficulties, and which is more inclusive of parties across the board – addressing fears of both primary communities on the island.

In chapter four, he picks up Bosnia and Herzegovina's Dayton Agreement, focusing largely on human rights and refugee return and their role in building a conducive climate. In the chapter, Loizides argues that previous peace plans and their human rights derogations have embedded the perception among Greek Cypriots generally that federal solutions, and specifically the various versions of bicomunal, bizonal federation proposed for Cyprus, constrain human rights, specifically freedom of movement. In the chapter, therefore, the author sets about showing that one of the strengths of federalism is that it actually 'enhances the protection of vulnerable groups' (p. 103). In this chapter, he develops the idea of 'critical linkages', essentially using a sequence of concessions and incentives to encourage agreement across difficult areas such as refugee return or displacement of 'settlers'. These are important suggestions.

To come back to Bosnia, he uses the slow and painful process of return of the displaced to show what this can look like, and how it can be done. The area of return within Bosnia on which Loizides focuses is one of relative success, and his points about the importance of social networks, economic incentives, electoral provisions, and neutral arbitration mechanisms are all important lessons for Cyprus. Nowhere does he paint an unduly rosy picture of post-Dayton Bosnia; on the contrary, he is careful and guarded. But still, the chapter left me uneasy: within the same country, but in Serb-controlled areas rather than in Croat-controlled areas, the picture looks very different. Refugee return has been intensely contested. Returnees do not feel protected, their rights are not respected, schooling is problematic, nationalist symbols feed tension between groups, and harassment continues. While the relative success of regions like Drvar are important to learn from, failures not so far away are equally valuable to reflect on for the purposes of institutional design and trust-building more generally.

In chapter five, the South African early 'mandate' referendum is on the table, within a context of examining peace referendums and how they can be used more productively than they have been to-date in Cyprus. Chapters six and seven bring us back to Cyprus, respectively developing a 'stalemate theory' of how to make progress in unexpected

moments, and the value of alternative scenario planning to encourage more creativity and realism among interlocutors.

While the book itself is an effort to collate and share the author's multi-decade thinking on the topic, I believe its real contribution to both the broader field of institutional innovation in 'stuck' societies and Cyprus lie in these final two chapters. Stalemate theory challenges Zartman's elaboration of ripe moments, instead arguing 'for the effective use of dormant moments in peace negotiations'. To illustrate the value of making creative use of times when the stakes are not as high (as during negotiations), the author draws on the examples of the Committee on Missing Persons and the return of Kormakitis.

The Committee on Missing Persons' work over almost the last two decades is widely used as an example of how to delink a humanitarian situation (in this case, those still missing from a conflict whose remains are in unknown locations) from a politically fraught context (the idea that all parties have a stake, largely for reasons of complicity, in not talking about who killed whom and where those bodies might be). Since all sides received an unofficial amnesty,¹ and as a result of a number of factors including pressure from families of the missing and civil society, the CMP is held up as the most successful bicomunal initiative that has withstood derailment over time.

Secondly, the Maronite Cypriots of the village of Kormakitis successfully lobbied Turkish Cypriot authorities, using various strategies over a number of years, to allow them to return to their village, which they did in 2006. These examples illustrate the value of taking advantage of periods between negotiations to tangibly build peace and trust. Both also required elite consent and intervention, but the success of neither has been driven by elites. Instead, they are citizen- or professional-level success stories, which elites essentially facilitated or have left alone.

Reading this book at the point while another Cypriot peace process has appeared to stumble, three particular points stand out to me.

The first is the significant value of Loizidies' work sketching out the ways that dormant moments can be developed into a theory of how to build trust in lower-stakes moments. This, together with his final chapter on alternative scenario planning (here he uses the challenges and opportunities around Europeanization and the hydrocarbon finds in the Eastern Mediterranean), could provide us with important linking principles, breathing life into institutional design.

This is important because without such linking principles, even the most innovative institutional design will not be able to convince large enough numbers of people to take what they will always perceive to be a risk away from the safety of what they know – even if what they know is not in reality safe at all.

This is because in Cyprus, as in other contexts, institutional breakdown is remembered as both a symptom and a cause of conflict. And in such remembered landscapes, it is the

1 For more on this, see C. Yakinthou, 'The Quiet Deflation of Den Xehno? Changes in the Greek Cypriot Communal Narrative on the Missing Persons in Cyprus', *The Cyprus Review*, Vol. 20, No. 1.

work done *between* negotiations that will help dislodge the false security of the status quo. This offering from the author is therefore tremendously important as a step towards that goal, and towards a new literature. It is a contribution we need to build on.

However, both the CMP and Kormakitis also point to the perversions of (post) conflict societies. Despite decades of activism, their successes have still not meaningfully shifted public perceptions on either side about the value of living together (even in a federal state). The CMP itself has a peculiar presence in the media and public eye. While everyone respects its work and understands its value, society in general still does not know how to address the individual or cumulative stories of violence that accompany the missing. We see daily stories in the press on both sides about funerals or discovery of gravesites – indeed, we drive past the CMP digging behind everyday venues, like cinemas and supermarkets. Yet we split the meaning from the event. The stories in the press are purposefully factual, brief, and silent on the detail.² In fact, society is largely silent on the issue, and so the missing, when they are unearthed and buried, tend to take the form of an absent presence. Present, because we acknowledge their existence now, as physical people whose lives have ended violently. Absent, because their stories – aside from the work of some key journalists and an NGO of families of the missing – are not heard. Indeed, they are not required by society. We simply do not want to know too much.³ Beyond victims' loved ones and those working with the CMP, it would be difficult to gauge how much this genuinely important work has helped build trust between communities.

Similarly, while I was writing this review, the Turkish Cypriot authorities announced that they would be returning three more Maronite Cypriot villages to the Maronite community. In pro-peace circles, this was largely perceived as a small win for peace, and for the larger principle of refugee return. But the Greek Cypriot leadership responded to this news with fury, arguing that the decision was 'part of Turkey's plan to ensure that such villages are not placed under Greek Cypriot administration after a solution and will create discord among refugees'.⁴

In the same week as the Maronite return was announced, rumours began circulating

2 In part, this is done in order to prevent politicisation of the issue.

3 I do not agree with the author's point on p.169 that Cyprus 2015 polling showing that people support a truth and reconciliation commission-type body means that they support engaging more deeply with the island's past. The lens of reconciliation is problematic and politically loaded in Cyprus (as in other contexts) for a number of reasons. The moment looking at the past is framed through the lens of forgiveness and reconciliation, it is motivated by a desire for something particular – often to 'forgive and forget' – and therefore cannot be seen as evidence that society wants to engage more deeply with the past. Because the claim is conditional on reconciliation, it is also inclined to pre-select what is included and excluded as acceptable things from the past to engage with. For these reasons, public will towards such commissions or bodies does not necessarily indicate genuine willingness to engage with the past.

4 Evie Andreou, 'Government scathing over move to open up Maronite villages', *Cyprus Mail Online*, (2017, July 30), available at [HTTP://CYPRUS-MAIL.COM/2017/07/27/GOVERNMENT-SCATHING-MOVE-OPEN-MARONITE-VILLAGES/](http://cyprus-mail.com/2017/07/27/government-scathing-move-open-maronite-villages/).

about a Turkish decision to allow those displaced from Varosha to return to their homes, under UN administration. To this, the Republic of Cyprus Attorney General began drafting a legal note in protest of the (unconfirmed) decision. Most Greek Cypriot refugees appear to have viewed the Maronite return suspiciously, as a form of divide and conquer by Turkey, and, at the extreme end, of treachery by the Maronite community. The possibility of return to Varosha was met with mixed responses.

What does this tell us?

This leads me to my second reflection on the book, and on intractable but not murderous conflict. It tells us that, as Loizides points out in his work, there are more key elements to building support for federal power-sharing in Cyprus and beyond. It also tells us that public perception of hegemonic narratives about the past and the causes of violence are not easily dislodged. Aside from those already committed to peace, people are generally disengaged from the peace process, and where they are not, they are often suspicious of institutional suggestions for reform. This is something Loizides points out, but the problem becomes particularly acute when politicians show themselves to be zero-sum in their responses to unilateral efforts to create change, such as the two examples of refugee return.

Stefan Wolff has argued that diplomacy, leadership, and institutional design are the three most important aspects for transforming intractable conflicts. Of these three, institutional design is key for Loizides (p. 197). But the elephant in the room of even the most innovative institutional design is public buy-in. The public will need perhaps to endorse the institutions, but certainly it will need to live with them on a day-to-day basis. And this book hints throughout at the total public absence from the peace process. This presents us with a dilemma: the work of this book is to look at means of using innovative institutional design to encourage people (and elites) to put their trust in a different future. But institutional design cannot itself bridge trust gaps. Instead, it is the work of parallel fields like peacebuilding, conflict resolution, and transitional justice to propose ways of enabling publics to feel that they are willing to move forward. And despite the multi-decade dedication of civil society actors in Cyprus and beyond, the sad reality is that most people remain disengaged, and politicians continue to be resistant to the ideas proposed in this book and elsewhere about how to engage society to care more about peace, or to understand that what they live is not peaceful.

Chapter five outlines what is, for me, the core dilemma of ‘moving to yes’ in Cyprus. In a section called ‘Options for (Non)Referendums’, we read that: ‘Luckily, the island does not face immediate violence or the possibility of renewed conflict; federalism and consociationalism have to win the hearts and minds of Cypriots on their own, not as an alternative to war and violent conflict’ (p. 142). But there is a real tension both in the book and in reality: it will be difficult to win hearts and minds if society is disengaged.

This brings me to my final reflection. How do we burst the bubble? Loizides rightly points to the core role civil society has played over the years supporting peacebuilding in Cyprus. He reminds us through various international and Cypriot examples that civil

society, as grassroots actors, can be a powerful catalyst for change. But the sad reality is that Cyprus's peace community – on both sides, but particularly in the Greek Cypriot side – is isolated from broader society. This is reflected in comments, both serious and joking, of the need to create a 'third republic of bicomunal activists in the buffer zone'.⁵ Civil society actors unable to fully engage with society is not a uniquely Cypriot phenomenon, it is common across post-conflict societies.⁶

The book *Designing Peace: Cyprus and Institutional Innovation in Divided Societies* is an important contribution to the literature on the Cyprus conflict and on intractable conflicts more generally. The innovations Loizides suggests would improve any power-sharing solution in Cyprus, making it highly workable. The suggestions he makes for getting there via alternative referendum options also provide food for thought, though more difficult for a number of reasons he also canvasses in the chapter.

Institutions ultimately are ways of ordering societies, and of ordering people and their relationships. The problem of overcoming the deadly pairing of inertia and historical myths about failed institutions of the past that are now deeply embedded in both societies means that we must also think, across fields of academic thought, about what needs to be done in parallel. By focusing on the importance of better institutional design, Loizides' work provides us with a powerful springboard from which to rethink our approach to overcoming inertia in fractured societies.

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5 Interview with peace activist in Cyprus, 23 June 2017, Nicosia.

6 For a broad background, see P. Arthur and C. Yakinthou, 'Introduction', in *Transitional Justice, International Assistance, and Civil Society: Missed Connections*, (Cambridge, Cambridge University Press, 2018).