



Hacettepe University Graduate School of Social Sciences

Faculty of Economic and Administrative Sciences

Department of International Relations

**RECONCILIATION AS A CONDITION FOR THE LASTING
PEACE IN BOSNIA AND HERZEGOVINA**

Elma Jelovac

Master's Thesis

Ankara, 2013

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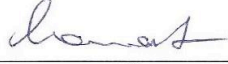
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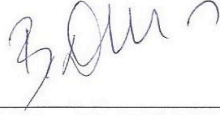
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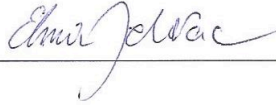
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ABSTRACT

JELOVAC, Elma. Reconciliation as a Condition for the Lasting Peace in Bosnia and Herzegovina, Yüksek Lisans Tezi, Ankara, 2013.

The aim of this study is to understand the process of reconciliation in Bosnia and Herzegovina and its importance for the peace and stability in the country. Within this framework five components of reconciliation; forgiveness, acknowledgement, apology, truth and justice are examined in order to show the level of their achievement in Bosnia and Herzegovina. To be able to understand the situation in Bosnia and Herzegovina, the case studies of Rwanda and South Africa are used to portray how different countries dealt with their troubled past. The most important source of the thesis is the questionnaire done among young Bosniaks, Serbs and Croats on reconciliation in Bosnia and Herzegovina.

Keywords: Bosnia and Herzegovina, Reconciliation, Forgiveness, Acknowledgement, Apology, Truth, Justice

ÖZET

JELOVAC, Elma. Bosna-Hersek'te Kalıcı Barışın Koşulu Olarak Uzlaşma, Yüksek Lisans Tezi, Ankara, 2013.

Bu çalışmanın amacı Bosna Hersek'teki uzlaşma sürecini ve bu sürecin ülkenin barış ve istikrarı açısından önemini anlamaktır. Bu çerçevede uzlaşma sürecinin beş bileşeni; affetmek, kabullenmek, özür dilemek, gerçek ve adalet, Bosna Hersek'teki başarının ölçülebilmesi açısından incelenmiştir. Bosna Hersek'teki durumun anlaşılabilmesi için, Ruanda ve Güney Afrika örnekleri farklı ülkelerin geçmişteki sorunlarla nasıl baş ettiklerini gösterebilmek açısından kullanılmıştır. Bu tezin en önemli kaynağı Boşnak, Sırp ve Hırvat gençler arasında Bosna Hersek'teki uzlaşma süreci üzerine yapılan anketlerdir.

Anahtar kelimeler: Bosna-Hersek, Uzlaşım, Affetmek, Kabullenmek, Özür dilemek, Gerçek, Adalet

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INTRODUCTION

The aim of this thesis is to show that successful process of reconciliation in Bosnia and Herzegovina is an essential condition for the lasting peace in the country. Whether it be a partial or complete reconciliation, reconciliation is indeed attainable in every society. Eighteen years after the war in Bosnia and Herzegovina, sentences of the leaders still start with: ‘We should open the process of reconciliation...’ which is a clear indicator that reconciliation in Bosnia and Herzegovina and reconciliation between Bosnia and Herzegovina and its neighboring countries is still far away from the horizon. Taking into consideration elements that are obstacles to reconciliation, this thesis aims to show that reconciliation in Bosnia and Herzegovina is still possible, having as the main argument answers of young people of all nationalities that took part in a questionnaire done for this purpose.

Throughout the history, Bosnia and Herzegovina was a target of many conquerors, and many wars were fought on Bosnian and Herzegovinian soil. However, in the last twenty years, whenever Bosnia and Herzegovina is mentioned, it is mainly thought of a country that was involved in a war at the beginning of the 1990s. This war was not a civil war, as being interpreted by many authors, it was an aggression against an independent, sovereign country, it was the war against the Republic of Bosnia and Herzegovina. (Ibrahimagić 1998; Čekić, 2004; Hećo, 2005; Sells, 1998; Veleđar, 2011)

At the beginning of the war, it was a war Bosnian Serbs waged against everyone who was not a Serb, ‘ethnic cleansing’ was widespread throughout the territory of Bosnia and Herzegovina. However, in 1993 Bosnian Croats also started waging war against Bosnians, here defined as people who were fighting for the independent Republic of Bosnia and Herzegovina, including Bosniaks, Serbs and Croats. The armies of Bosnian Serbs and Bosnian Croats were directly supported by the leadership of the neighboring countries Serbia and Croatia. The Bosnian Serb Republic (*Republika Srpska*) and Croat

Republic of Herceg-Bosna were created on the basis of war crimes and expulsions of people of other ethnicities. Neglecting all of this, the international community remained neutral for more than three years, although the war was waged between two sides of whom "one 'party' was doing all the killing and the other all of dying." (Kurspahić, 2006, pp. 79-80; Veledar, 2007, pp. 16) The fact that Croats fought Bosnian Muslims/Bosniaks is less represented in the literature for the fact that it lasted shorter, ceasing with the Washington Agreement signed one year prior to the ending of the war with Serbs. All of these statements will be discussed in further details in Chapter 3, which is titled as 'The historical background of the war in Bosnia and Herzegovina and the need for reconciliation'.

During the war in Bosnia and Herzegovina between 1992-1995 around 200 000 people were killed; 1 325 000 persons were displaced; the International Criminal Tribunal for the former Yugoslavia (ICTY) brought final judgment in which the massacre in Srebrenica is qualified as an act of genocide; demographic structure of the population is permanently changed; the economy is almost certainly irreversibly destroyed; Bosnia and Herzegovina is the poorest European country in which occurred the biggest conflict in Europe since World War II.

In this regard, it has a negative image in the minds of people and most think of Bosnia and Herzegovina as a belligerent country threatening peace and stability in the region. The country which is often referred to as the "backyard" of Europe, survived the war, the aggression and the genocide in the 21st century, and according to post-war relations in the country, sustainable peace to many people seems impossible.

For a successful process of reconciliation in one country, opposing sides must be related through different ways of social integration. (James, 2008) This requires interconnectedness in social activities, economy and culture. The cooperation must be the practice of a society which is trying to reconcile itself. However, ways of relating in Bosnia and Herzegovina eighteen years after the war are not on an enviable level. The

reasons are numerous, starting from the regulations of the Dayton Agreement; relations between individuals, relations between entities to the political parties representing them. All of them require more connection and cooperation on economic and societal basis, as well as encouraging moral reflection, and individual and collective repentance, because reconciliation is "in large part a spiritual and psychological process". (Yadav, 2007, pp. 50)

In order to find out whether reconciliation is present in one society Pricilla Hayner proposes three questions: how is the past dealt with in the public sphere; what are the relationships between former opponents and is there one version of the past, or many? These questions are also helpful for our discussion, thus the answers regarding reconciliation in Bosnia and Herzegovina are found in following chapters.

In this context, the main research question of the study is "Can reconciliation be achieved in Bosnia and Herzegovina, having in mind the level and the quality of the relationships in the country as well as relationship of Bosnia and Herzegovina with the neighbor countries?" In order to answer this basic question, the following questions need to be answered:

- How is the war in Bosnia and Herzegovina approached? What are the consequences of the war for the country?

- Does that kind of approach make reconciliation possible?

- Is there a consent of what is meant by reconciliation? What are the components of reconciliation this thesis argues for?

- How can forgiveness, acknowledgement, apology, truth and justice affect reconciliation?

- Can the situation in Bosnia and Herzegovina be changed over time? If yes, how?

Conceptual Framework

"A country may need to repair torn relationships between ethnic, religious, regional, or political groups, between neighbors, and between political parties. In short, societal healing might be called reconciliation - a society reconciling itself with its past, and groups reconciling with each other..." (Hayner, 2011, pp. 145) This is exactly what Bosnia and Herzegovina needs. Still, there are many different approaches and definitions of reconciliation, from which many constructive ideas can help reconciliation process in Bosnia and Herzegovina.

Since there has been no consensus on what reconciliation means, various definitions will be analyzed and explained in greater detail in the conceptual framework part of this thesis. One of them is De Gruchy's understanding of reconciliation as a journey being motivated by love and hope, which results in common, prosperous future. (De Gruchy, 2002) On the other hand, for Du Toit, reconciliation is a process that simultaneously looks to past and future, stressing importance of acknowledgement. (Du Toit, 2009) Goveir claims that reconciliation means improving relations between former enemies, which coincides with Nagy's explanation of reconciliation as building solidarity and James' definition of reconciliation as social integration through various ways (Govier, 2009; Nagy, 2002; James, 2008). Here, one more important contribution to study of reconciliation will be given and that is Yadav's definition that reconciliation is a spiritual and psychological process. (Yadav, 2007)

Taking all these and few other important definitions of reconciliation, for the purpose of this thesis, five components of reconciliation will be defined and analyzed into details. These are the concepts of forgiveness, acknowledgement, apology, truth and justice.

Some of the concepts left aside are healing, trust, retribution, amnesty etc. A lot of authors speak about importance of forgiveness, acknowledgement, apology, truth and justice, that is why in this thesis they were chosen as the most important. Authors such as De Gruchy, Griswold, Lingis, Rothifield, Andrieu, Du Toit, Govier, Hayner, Murphy, Bhargava and many others do not agree on the importance or application of the stated five components, that is why their ideas and their work will be analyzed in details in the first chapter.

Timeframe and Data Collection

The scope of this study is limited in time, having the focus of the research between 1989-2013. The year 1989 was chosen due to the fact that it represents a breaking point in the history of of the former Yugoslavia, because it is the year when Serb nationalists started their policies of hatred towards all non-Serbs. It was the year when Slobodan Milošević announced his policies that will turn Yugoslavia into bloody conflicts.

The data for the study had been collected from related books, articles and periodicals, as well as from the internet, especially regarding the latest news and statements of the leaders. A very important source of the study was a questionnaire completed by Bosniak, Serb and Croat young people (here defined as persons aged from 18 to 30 years of age). Although many similarities in understanding of reconciliation exist, there are still few but important differences. The questionnaire was semi-structured, allowing all ideas to come to front, validating all of them equally. The questionnaire was conducted anonymously.

The research is divided into four chapters and a conclusion section. In the first chapter the definitions of reconciliation, which emphasize rebuilding of ruined relationships in a given country, together with the components of reconciliation will be examined in

details. Components of reconciliation in this thesis are defined as forgiveness, acknowledgement, apology, truth and justice. Even today people in Bosnia and Herzegovina feel insecure, and the possibility of a new war is still present, because almost all of the elections since 1992 have resulted in the victory of the nationalist parties all over again during these eighteen years in the afterwar period. The main reason for this is that no reconciliation occurred between the fighting parties. Yet, as clarified before there are numerous understandings and explanations of reconciliation and its components. This thesis aims to discuss some of them, in order to get clear understanding of what does reconciliation mean. First of all, the concept of forgiveness will be discussed and what does it entail in the process of reconciliation after mass atrocities, following the notions of acknowledgement and apology. What is truth? Is there one single truth for everyone or does everyone have their understanding of truth depending on their point of view? Can the vision of truth have an impact on the relations between individuals or the overall political situation in one country? Can it be an obstruction towards more prosperous future? These questions will be answered in the first section, with regards to relating them to the concept and understanding of justice and its various types. Truth and justice are among a few most crucial concepts for understanding reconciliation in one country, so does in Bosnia and Herzegovina as well.

In the second chapter, the theoretical part approach of this thesis will be examined through the case studies of Rwanda and South Africa, since these two countries experienced different kinds of reconciliation processes. Among the countries which are often used for explaining reconciliation, Rwanda is probably the one which is most similar to Bosnia and Herzegovina, because at approximately the same period in time, people in Rwanda were subjected to genocide. South African experience was chosen because it is one of the most successful countries in dealing with their troubled past. Since many states use truth and reconciliation commissions to deal with their troubled past, here South Africa is given as an outstanding example.

In order to have a comprehensive understanding of the reconciliation process in Bosnia and Herzegovina, the historical background of the hostilities will be discussed in the third chapter. Although Bosnia and Herzegovina has been one of the most widely studied topics following the most horrible crimes after the World War II, there are many authors who explain the war in a wrong way, saying that it was a civil war. Yet, the war in Bosnia and Herzegovina was an open aggression by two states, Serbia and Montenegro and Croatia. Therefore, it is of vital importance to explain and understand the war, in order to correctly approach the process of reconciliation. This chapter also includes a questionnaire done with the young Bosniaks, Serbs and Croats in Sarajevo and Mostar, relating reconciliation as a concept and a process in Bosnia and Herzegovina.

The fourth chapter includes detailed analysis of the situation in Bosnia and Herzegovina after the war, which also includes a questionnaire, by which the postwar political situation will also be examined. The results of the questionnaire are quite impressive, because most of the answers are similar in a sense, showing that young Bosniaks, Serbs and Croats do not have very much different views regarding the achievement of reconciliation. Slight, but important disagreements, are seen in their opinion on how this should be done. Some answers of the respondents do not support arguments of this thesis, just the opposite, they can be considered as an indirect obstacle towards reconciliation.

In conclusion, all of the analyzed literature and answers of the questionnaire will be summed up in order to make a valid result of this research. This thesis will represent a new view of Bosnia and Herzegovina seen through the lens of peace rather than the lens of war, where the new generations of Bosniaks, Serbs and Croats, to varying extents, are ready to build a new, better and brighter Bosnia and Herzegovina.

CHAPTER 1: RECONCILIATION IN THEORY

The aim chapter is to present the theory on reconciliation, which in fact does not have a concrete definition. Five components of reconciliation have been chosen to be discussed in this thesis: forgiveness, acknowledgement, apology, truth and justice. They will be analyzed based on the writings of various authors.

1.1. LACK OF CONSENSUS ON DEFINITION

There are various definitions of reconciliation and each of them offers an understanding of how reconciliation should be understood and applied into practice. Hayner (2011) describes reconciliation as societal healing through which society reconciles with its past and groups within society between each other. In his book *Reconciliation: Restoring Justice*, John W. De Gruchy (2002), among other things says: "Reconciliation is something that occurs through the interplay of speech, listening and action motivated by hope and love. The way in which we speak with and listen to the alienated 'other' is already an action that makes reconciliation a possibility... a journey from the past into the future, a journey from estrangement to communion, or from what was patently unjust in search of a future that is just..." (pp. 22-28) The simple way of understanding reconciliation can be the establishment of the progressive relationships between former enemies, whether on individual or on group level. (Govier, 2009; Govier & Verwoerd, 2002) At the same time, Govier and Verwoerd (2002) suggest that rebuilding of relationships actually means rebuilding of trust between alienated sides. Reconciliation is focused on future, yet, at the same time, acknowledging the past atrocities through continuous remembrance. In this way, common memory is being used to find solutions for future problems. (Du Toit, 2009) Nagy (2002) defines reconciliation in most simple terms as "building solidarity: forging either a collective identity, shared values or

common commitments in an effort to overcome and prevent repetition of the past." (pp. 326)

Some authors make distinction between different forms of reconciliation. One of them is Bhargava, who says that there is a difference between weaker and stronger senses of reconciliation. The first one is a kind of being forced upon conflicting sides, in which past relationships are not forgotten, yet, put aside so they could be able to live together. The stronger sense of reconciliation is a result of collective efforts of all parties of the conflict, where "new values are born and shared." (Bhargava, 2012, pp. 371)

Murphy (2010) proposes four different conceptions of reconciliation: reconciliation as forgiveness, reconciliation as the creation and stabilization of normative expectations and trust, reconciliation as a political value and reconciliation as the constituting of a political community. According to Murphy, it is naive to urge forgiveness following the systematic wrongdoings, such as in ongoing conflicts, because this kind of forgiveness "places principal emphasis on internal changes among victims, these imperatives are its primary concern." (pp. 11) The second type of reconciliation does not provide sufficient results of how political relationships go wrong, because it does not divide political relationships and political reconciliation at the very beginning. Thus, it needs an additional research supported by processes of political reconciliation. In the view of reconciliation as a political value, reconciliation occurs when conflicting sides start to view and treat each other as equal, at the same time defining what the shared standards should be. Reconciliation as the constituting of a political community includes the "rebuilding of the relationships among individuals in their general interactions and relationships with ordinary citizens or officials within a particular state." (Murphy 2010, pp. 25)

Although making distinction between reconciliation as friendship, reconciliation as cooperation and reconciliation as nonviolent coexistence, Govier and Verwoerd (2002)

argue that for societies which survived violent past the most suitable form of reconciliation is the one based on cooperation. Reconciliation as cooperation requires amount of trust that will make large groups, previously fighting in the country, to cooperate. (Govier and Verwoerd 2002)

1.1.1. Successful process of reconciliation

Taking into consideration different literature, Alphonso Lingis suggests the process of successful reconciliation. This process starts with a process of establishing truth, towards a redefinition of the identity of the former belligerents to a call for a new relationship marked by a public and ritualized reconciliation event. The first step Lingis based on the writings of Hayner whose explanations are mainly based on the acknowledgement of the past verifying that telling the truth carries risks with it, for the fact that some parties in the society can be ready to do everything in preventing certain facts from becoming public. The second step is based on writing of O'Donnell and Schmitter, in Kritz (1995) according to whom members of a society need to overcome division on victims and enemies, they need to work together as partners to overcome the problems rooted in past atrocities. As the final step in achieving successful reconciliation Lingis based his conclusion on writings of Schmitter in Kritz (1995), suggesting that relationships between former belligerents need to be marked by new initiatives through social and economic integration, reforms of judiciary and politics, depolitization of military etc. (Lingis, 2008)

Having some similar points with Lingis, Hamber and Kelly (2009) propose that reconciliation process consists of five steps: developing a shared vision of an interdependent and fair society; acknowledging and dealing with the past; building positive relationships; significant cultural and attitudinal change; and substantial social, economic, and political change. In order for these steps to succeed, all of them require hard work and willingness of the whole society. This is a very hard process because

there are many different steps and it is understandable that there might be some factors affecting it in a wrong way.

As it will be seen in the next chapter truth and reconciliation commissions are the most common way used in countries where different kinds of conflicts occurred. Structure and mandate differ from one truth and reconciliation commission to another, and some of them do not even carry that name. The primary elements that each truth and reconciliation commission should have include focusing on the past overall conflict, not necessarily any one specific event; acting as a temporary body that generally concludes its mandate by submitting a report and also investigates the past while being officially sanctioned by the government. (Hayner, 2010)

The most important reason for establishment of a truth and reconciliation commission is to correct the inability to understand and acknowledge atrocities committed in the past, which can be misused very easily. These commissions are important to write down and record crimes that happened in a given society within a certain period of time. In this way, both the victims and the perpetrators are able to remember the past. (Murphy, 2010) "The very establishment of a truth commission represents a way for a society to communicate that the people who suffered matter. The message expressed by the establishment of a truth commission is that those who were victims of human rights abuses are significant enough to have their suffering acknowledged." (Murphy, 2010, pp. 157) In this way people are given hope that their suffering is respected and recorded as an unlawful act, which will not be repeated in the future. (Biggar 2008)

The establishment of a truth and reconciliation commission in a country is not a guarantee that it will result in success. Truth and reconciliation commissions are successful only when they aim to change fundamental political system as it was the case with apartheid, combined with the actions of judiciary to try all violators of human rights as criminals. (James, 2008) That is why one of the most widely used examples of

successful truth and reconciliation commissions is the one in South Africa, which will be explained in details in the third chapter. The secret of its success can be found in judging all sides equally, meaning that the same standards were used for all sides. This process was also supported by the general commitment of all citizens to the rule of law. (Gibson, 2006)

1.2. COMPONENTS OF RECONCILIATION

1.2.1. Forgiveness

Many authors relate reconciliation and forgiveness, arguing that reconciliation is based on forgiving and forgetting. People who are suppose to live together without fear that similar things from the past will repeat, must be able to see each other as individuals with various potentials, working together to achieve set goals. (Droždek, 2010; Lingis, 2008).

Yet, forgiveness is much more than that. It is easy to ask for forgiveness and tell people who survived injustice and loss to forgive, however, people who talk about forgiveness in that sense do not have much experience in being oppressed. (De Gruchy, 2002) If there is a continuous stress on forgiveness in countries and societies which survived or still trying to survive systematic violence, it cannot be understood as a wise response, rather it can result in sustention of the violence and complicated relations between conflicting sides. (Murphy, 2010) This paper agrees that the past needs to be properly engaged with, institutionalizing the true version of it, in order not to repeat or relive the atrocities. This is especially true for the societies that have troubled pasts since they have to avoid forgetting that past. (Bhargava, 2012) Forgiveness is morally justified only in case when former committers of the crimes acknowledge their misdeeds, try to understand the victims and together with them condemn what had happenned. In this way they take blame for the occurences and make distinction of the taken roles in a given conflict. (Bhargava, 2012) In order for one society to have a better future, it first must have its past recovered. The only way to do this is to remember what happened

through continuous remembrance. (Frayling, 2009) Whether it be commemorated through a remembrance day or a remembrance ceremony, a reflection on the past is necessary. In this way people show that they are aware of their past, in a way initiating change for the better future. In her research Hayner (2010) also says that an honest account of the violence in the past can make people of one society to learn from the previous mistakes and prevent similar to happen in the future.

1.2.1.1. Forgiveness as a Concept

Forgiveness is one of the most challenging parts of the reconciliation process or at least for the proponents of its importance for the successful and better future of the former enemies. There is no agreement between academicians on the role of forgiveness considering the reconciling people in one country, especially if the one survived aggression, genocide and other kinds of war crimes. Some authors argue that the future of such countries is only possible if forgiveness occurs between people, because it is the only sign that people trust each other and that they can go on cooperating without looking back to the past. (Droždek, 2010; Lingis, 2008; Tutu, 1999) At the same time it is an important part for the reconciliation itself. (Enright, 2001; Staub, 2000; Weyeneth, 2001) On the other hand, another group of authors support the thesis that without proper explanation and remembering of the past, there is no way towards the prosperous future. (De Gruchy, 2002; Murphy, 2010; Scarre, 2011) According to them forgiveness is even morally questionable without acknowledgment of the committed acts. In the context of the Bosnian and Herzegovinian war, words of authors such as Murphy, that "urging forgiveness and the overcoming of resentment in context where wrongdoing is systematic and ongoing seems at best naive and at worst a form of complicity in the maintenance of oppression and injustice" should also be studied with a great concern, because in Bosnia and Herzegovina not only did war occurred, but genocide as well. (Murphy, 2010, pp. 11) Thus, "forgiveness is not always the appropriate salve to apply to social wounds, nor can it always provide the 'quick fix' that some people expect of it, particularly where the poison has gone deep." (Scarre, 2011, pp. 177)

Geoffrey Scarre (2011) proposes that notion of grace or graciousness is more appropriate in reconciling community and preparation for the future harmony than the notion of forgiveness is. This is especially important for new generations as they can have nothing to forgive, since the victims are the only ones who are able to forgive their perpetrators. Scarre argues that grace is actually nearer to *ubuntu* and they are appropriate to use when, according to him, forgiveness is not. That is the case when generations who have nothing to do with past atrocities should forgive their compatriots. On the other side, forgiveness is generally understood as being morally obliged, in this sense forcefully trying to heal and renew a society, resulting in no success. Although Scarre's idea is an interesting contribution to the literature on forgiveness, this discussion will continue on the concept of forgiveness itself.

Supporters of the forgiveness perceive forgiving people as representing "moral duty", "moral character", or "civic virtue" being of crucial importance for the process of reconciliation. (Brudholm & Grøn, 2011, pp. 168; Murphy & Hampton, 1988, pp. 23) However, there are also authors who argue that "forgiveness is a choice," people have no moral duty to forgive their perpetrators as long as they are just, because they are only "morally obliged to be just." (Enright, 2001, pp. 37) This thesis supports the second argument.

1.2.1.2. Forgiveness as a Process

There are many preconditions for forgiveness to occur, trust and respect being at the top of the list. In order for forgiveness to occur, the victims have to change their feelings towards the perpetrator, which is the most difficult thing one can expect from a person who survived any kind of atrocity. However, it is still possible. If society creates an environment of trust and respect, it can result in the victims' forgiveness of their perpetrators, because, in this way, they are able to feel secure of repetition of the past. (Kurzynski, 1998)

When talking about forgiveness, it is generally spoken of victim-perpetrator relationship, in which victims are to forgive their perpetrators. Yet, sometimes all sides should forgive, in order to prepare the ground for trust. The reason for this is the fact that injuries on all sides exist. However, achieving forgiveness in this way is generally not possible. (Enright, 2001) Although, forgiveness is mainly related to building of better relationships, sometimes, people in a country are willing to apologize and forgive without having expectations for reconciling ruined relationships. (Exline & Baumeister, 2000)

Regarding the relationship of forgiveness and reconciliation, forgiveness can occur not necessarily being followed by reconciliation, still if there is no forgiveness reconciliation is hardly to be realized. (Enright, 2001) I don't agree with this statement for many reasons. First of all, people are different in nature. They are led by various principles in their lives, found in religion, tradition, culture or elsewhere. Some of them choose to forgive their perpetrator for the reasons such as moral obligation; feeling better regarding their psychological position; hoping that forgiveness will make common future more comfortable for living etc. Contrarily, there are ones who believe that perpetrators who have done harm to them will never change, and forgiveness can make them even more vulnerable if this turns out to be true. Sometimes victims do not forgive directly the committers of the crime, rather, they forgive innocent members of the same group. Idea of forgiveness is very difficult after terrible crimes occurred, and some can perceive it as an insult to the victims and their relatives. Difficulty of non forgiving the innocent members of the violator group can be found in fact that although some people of the perpetrator group were not directly involved in atrocities, they belong to the same group or they were "passive bystanders." They are responsible for not opposing what members of their groups were/are doing, in a sense supporting them. (Staub, 2000; Thompson, 2012) Another reason is the fact that they might think that justice will not be fulfilled if they forgive the perpetrators, and that it will be understood as a kind of justification of crimes. Yet, according to Kurzynski (1998) there are certain issues in the process of forgiveness that must be avoided at all costs. He draws the difference between forgiveness and justification, where justifying an act is putting

oneself into another's shoes, and in a matter of time it is even possible that people make excuses for the wrongdoing, and this is what must be avoided.

Process of reconciliation and forgiveness itself cannot be explained without explaining notion of healing, which according to Staub is important for victims as well as for the perpetrators themselves, because without healing of both sides no reconciliation is possible. Parts of process support each other and that is the case with healing, forgiveness and reconciliation. (Staub, 2000)

1.2.1.3. Forgiveness as a Virtue

Over the centuries, there have been many great examples of forgiveness, however I support the idea that victims are not required to forgive the perpetrators, unless they want to. To forgive does not mean to forget, yet, I believe that there are crimes which rightly can be considered as "unforgivable". The point is that people who cannot forgive their perpetrators should not be considered as morally guilty or bad. Here it is not the argument that past should be an obstacle to the future of friendship and reconciliation, just the opposite, it should be a reminder which teaches the most precious lectures in the history.

Forgiving people who destroyed lives of thousands of people can be seen and understood as really something heroic and inspirational, representing hope for a brighter and better future, for people who have for centuries lived together, regardless of the horrible past. Yet, when looking from the point of a person who survived the most horrible crimes, one can imagine that it is a kind of different thing. Thinking and talking of forgiveness as those looking from outside of the picture, is always optimistic and seems as the best possible solution. Although forgiveness can in no sense be equalized with forgetfulness I support the idea, when people forgive something they are keen not

to talk about it too much and not to explain it to others. Enright says: "The commitment to forgive includes a willingness to put aside any claim to revenge, even in its most subtle forms, against the one who hurt you. This includes the revenge of condemning the offender to people who don't need to know about the offenses." (Enright, 2001, pp. 135)

1.2.2. Acknowledgement

By acknowledging something we say "what was done in the past was wrong; it will not happen again because the error of these ways has been understood; we are committed to new values... To acknowledge a reality is to incorporate into our deliberations the awareness and recognition that the reality does exist and needs to be marked." (Govier, 2009, pp. 41-44) In other words, it is a guarantee that the same wrongs will not repeat. Acknowledgement is of crucial importance for this thesis, because it is one of the conditions for reconciliation. Govier (2009) also argues that in order for conflicting sides to reconcile and cooperate, first trust must be established, and acknowledgement is a precondition for trust. One of the most important kinds of acknowledgement is that by state leaders, because in this way they make promise to victims that state is apologetic for past crimes and mistakes, promising that they will not be repeated ever again. On the other hand, without acknowledgement and expressing regret for the past "the gap between victims and perpetrators can only widen, thus making an unbiased communication between the two even harder." (Andrieu, 2009, pp. 16-22) The importance of reconciliation process is its ability to change political relationships. Yet, conditions for this kind of transformation are hope and the acknowledgement of the need for repair. (Murphy, 2010)

1.2.3. Apology

Apology is crucial for reconciliation, because it acknowledges the occurred wrongdoing. It results in clear definitions of the survived atrocities, showing the willingness of the perpetrators to leave the past and commit to new values, flourishing the society and community. (Nagy, 2002) Apologies from institutional and political representatives are crucial to reconciliation. It is important to note, however, that they should not be interpreted as a call for forgiveness; rather, official apologies serve as a recognition of wrongdoing and an indication of a commitment to correct that wrongdoing. It should represent prevention of future crimes and it should be followed by a process of rebuilding trust and respect in a community. (Nagy, 2002) Political apology is always related to state, corporation, church, or some other institution or organization in civil society, representing their will to accept and acknowledge an occurred wrongdoing. Its aim is to hide the past from oblivion. (Griswold, 2007)

Rapport (2009) pictures apology as being one of two kinds: either a claim to knowledge or a claim to responsibility. As a claim to knowledge, an apology is rather unclear concept because there is an apologetic statement, yet, feelings on both sides are not clear and they rather overlap. On the other side, an apology as a claim to responsibility states the knowledge of committed acts for which both sides are sure that they would be happier if the same had not occurred. At the same time, apologizing side by accepting responsibility, apologizing side shows its will to build new relationships.

Different examples can be given regarding this statement, however the most famous one is Nation Sorry Day in Australia, where every 26 March is being marked, by people coming together and even having the opportunity to write sorry books. Sorry Day is referring to children of so called Stolen Generation of Indigenous Australians who were forcefully removed from their original families and given to white Australians.

Political apology is not as simple as it may seem. Before it occurs, it must meet several criteria or norms namely (a) recognize the truth; (b) state expressly and clearly that wrongdoing occurred, identifying the party that did wrong and to whom, and assume responsibility; and (c) state expressly and clearly that apology is offered. (Griswold, 2007)

Since apology is often related to forgiveness, it needs to be stated that, forgiveness cannot occur before a perpetrator acknowledge and apologize for his crimes. Forgiveness cannot occur before the victims feels that committed crimes are acknowledged in a proper way. (Bhargava, 2012) Impacting beliefs and feelings of people, apology can be understood as the basis for rebuilding of social relations.

1.2.4. Truth

Our memory of the past greatly affects the process of reconciliation in the way that it can turn to vengeance if we do not use it in the proper way to improve our future. Process of reconciliation and justice achievement is very hard without finding the truth. The truth is not to be found out and forgotten; rather, it must be lived and repeated in a given society. (De Gruchy, 2002) This means that truth needs to be studied and explained, not allowing it to be changed.

The most important part of the reconciliation process is to put down the concept of one truth which could not be changed over short period of time. Interpretating past in one way will help in establishing unity. On the other hand, if we have different interpretations of the same past events it is impossible to reach unity and reconciliation, because no party in the process can do his job in proper way: teachers, scholar nor politicians. (Pingel, 2009)

In his discussion on reconciliation, De Gruchy (2002) states that it is not matter of discussion as to whether the truth should be told, it is a matter of the way it should be told, the time it should be told at, and for what purpose it should be told. Truth is necessary to link the past and future and to use it for ongoing problems. Truth about the past is the basis of a healthy community. However, it is the concept over which consensus is hardly achievable in the aftermath of a conflict. In order to settle down history acceptable for all sides in conflict, truth must be researched and written down. Even though everyone is aware of this fact "leaders are unwilling to risk systematic investigations or determinations of culpability for wartime activities." (Lingis, 2008, pp. 47) Truth is not only about reaching reconciliation, but peace and prosperity as well, because if we live without setting free the chains of past, it is just the matter of time when will they tie us down again.

It has already been mentioned that among the states who were witnesses of different kinds of atrocities in their countries, most of them have managed to deal with the past through different kinds of truth commissions. Such was the truth and justice commissions in Ecuador, Haiti, Mauritius, Paraguay, and Togo; a truth, justice, and reconciliation commission in Kenya; truth and reconciliation commissions in South Africa, Chile, Peru, and other countries... (Hayner, 2011) The word underlined here is the truth. It is not possible to think of healing relations in the community and managing process of reconciliation without making strong link with finding the truth. Hack (2008) claims:

that although there are many and various true propositions, there is only one truth; that although some true propositions are about things of our making, truth is objective; that although some true propositions make sense only understood as relative to place, time, culture, legal system, etc., truth is not relative; that although some propositions are vague, truth is not a matter of degree; and that although some propositions are only partly true, truth does not decompose into parts. (pp. 23)

This is how truth about past conflicts must be understood and explained. As long as there are different interpretations of a given conflict, there is no chance for that society to reconcile and build future together. For Griswold (2007) "interpersonal forgiveness and political apology require that the truth be told and heard. Both are therefore committed not only to truth telling, but to the proposition that it is better to remember than to forget." (pp. 195) Every side must accept its responsibilities and acknowledge committed crimes, so the generations after them may be able to say: 'Yes, our ancestors committed these crimes, but we are here to learn from them, and live together in prosperity and peace, because we have no other choice besides living together'. In her research, which will be touched upon in more details later in discussion, Buckley-Zistel (2006) found out that many Rwandans try to learn from their past. For this purpose she quotes words of one young man: "Yes, of course we have to remember in order to fight the ideology and to avoid that this happens again. And it's a lesson for Rwandan youth to be aware of what happened. So, for instance, when you touch on fire it hurts, and teaches you to avoid touching again. (Young, male returnee from Burundi, Mayange Sector, Nyamata)." (pp. 137)

According to the Report of the independent expert, supported by the UN Commission on Human Rights:

Every people has the inalienable right to know the truth about past events concerning the perpetration of heinous crimes and about the circumstances and reasons that led, through massive or systematic violations, to the perpetration of those crimes... A people's knowledge of the history of its oppression is part of its heritage and, as such, must be ensured by appropriate measures in fulfillment of the State's duty to preserve archives and other evidence concerning violations of human rights and humanitarian law and to facilitate knowledge of those violations. Such measures shall be aimed at preserving the collective memory from extinction and, in particular, at guarding against the development of revisionist and negationist arguments.¹

¹ Report of the independent expert to update the set of principles to combat impunity, Diane Orentlicher: Addendum," UN Doc. E/CN4/2005/102/ Add.1, February 8, 2005, Principles 2 and 3.

I could not agree more with these principles, because as long as people do not know the truth about their own past, they cannot look to the future. Here, my point is not that only victims need to know the truth about their past, however, perpetrator side, and everyone else in the world should be able to know only the correct story of what occurred in a given conflict, because the truth cannot be divided into levels. It is a truth, or it isn't, there is nothing in between. (Engel, 2002)

1.2.5. Justice

Reconciliation without justice would have been unsustainable. It would have sought harmony without the effective promotion of more equitable relations. On the other hand, justice without reconciliation would have run the risk of endless cycles of recrimination and punishment, allowing the past to limit future possibilities. Furthermore, onesided emphasis on justice (or human rights) at the expense of reconciliatory measures would have meant a likely diminishing of the types of truth victims required in order to move on. (Du Toit, 2009, pp. 233)

From these words it is obvious that we must explain justice in order to reach reconciliation between conflicting sides and vice versa. Different authors pose different features and attributes of justice. The most remarkable component of achieving justice, is forgiveness, which at the same time represents a crucial moment for reconciliation. (De Gruchy, 2002) I agree that forgiveness by itself is truly remarkable, yet, at the same time, it should not be regarded as a key moment in the process of reconciliation. The key moment in the process of reconciliation must be acknowledgement of committed atrocity and apology for the same, after which possibility of forgiveness highly increases.

In their book *Pursuing Justice*, Weisheit and Morn (2004) make conclusion that it is very difficult to give a fixed definition of justice for the fact that level of justice achieved is not easily measurable in an objective way. They argue that "rather than a

destination, justice should be viewed as a journey and as a mirror reflecting the development of a particular people over time." (pp. 237) Whilst explaining justice, many authors deal with various types of it. Lingis (2008) makes the distinction between three types of justice. One of them is distributive justice which focuses on individuals, their identities and roles. Another type of justice is retributive one, which compensates survivors of horrors for their experiences, or in other words, helping the victims. In the process of reconciliation, one of the mostly used types of justice is restorative justice. The restorative justice puts the moral transformation and moral reconstruction as its final goal.

Other authors propose dimensions of justice as being legal, rectifactory and distributive justice, which are explained at the very beginning of the thesis, where necessity for them varies from country to country, yet, noticing that in most of countries mix of three is applied. Addressing the writings of Ramsbotham of three areas of positive peacebuilding Mani (2007) argues that: "The three dimensions of justice correspond to these three deficit areas. Rebuilding legal justice or the rule of law is an essential component of political/constitutional reconstruction; distributive justice is the leitmotif of the socio-economic programme undertaken in post-conflict reconstruction; rectifactory justice is the central component in psychosocial rehabilitation." (pp. 17)

1.2.5.1. Transitional Justice

The type of justice, mostly being used after violent conflicts is transitional justice which follows the violations of human rights such as wars and repressive regimes. It, thus, results in having dealt with very sensitive issues. (Du Toit, 2009; Olsen, Payner & Reiter, 2010, pp. 11) Transitional justice is the key component for establishment of peace and reconciliation in countries that survived horrors of war or some other kind of political violence. (Aiken, 2010)

Discussing the transitional justice authors sometimes distinguish restorative from retributive justice, yet, they sometimes combine them. This means that justice sometimes includes only trials, but at other times it also includes truth commissions, reparations, vetting, lustration etc. (Olsen et al, 2010, pp. 12)

Based on the empirical research of different transitional justice mechanisms, Olsen and his colleagues developed an alternative to understanding of transitional justice, which they call a 'justice balance'. They argue that the balance between different justice mechanisms is crucial for their success. The best examples of successful projects of transitional justice are the ones where trials and amnesty are combined. Truth commissions are also very important for the establishment of these kinds of balances. The truth and reconciliation commissions' role is far most important because it is less costly than international trials.

The field of transitional justice developed following the need of many newly emerged transitional countries to deal with the past atrocities, making sure that crimes from the past are not forgotten and buried. Transitional justice uses many different ways and strategies to accomplish this. The most prominent one is justice in the courts which is generally also the most difficult one. Trials in international courts are part of this kind of strategy as well. "Lustration" strategy is mostly used in Eastern Europe, where people are removed from their jobs because of having relations with the previous regime. Program of "vetting" is used in countries like El Salvador and Haiti; in some other places different reparations programs for victims or robust programs to reform some institutions are used. (Hayner, 2011, pp. 8-10)

1.2.5.2. Traditional Mechanisms of Justice

After conflicts end, different countries manage their past and make basis for the future in different ways. However, most of them try to find the truth, although it is sometimes not done in the best way. One way of dealing with the past crimes are traditional mechanisms of justice such as in the case of Rwanda, where gacaca courts were established in 2002 to investigate the 1994 genocide. The gacaca courts were locally based, yet, the investigation of the crimes was supported also by the the International Criminal Tribunal for Rwanda (ICTR), formal criminal trials at the national level. (Nagy, 2009, pp. 86) During trials at the gacaca, witnesses, accused person and also audience had the right to talk. (Brounéus, 2008) These kinds of courts are important for every country in order to show the world that they have strength to deal with their own problems. Traditional mechanisms are generally established as an alternative to failed international endeavor. (Nagy, 2009)

Conclusion

This chapter introduced us to the concept of reconciliation which is very complex for societies or individuals with troubled pasts. The concept of reconciliation, as seen through the given literature, is mainly connected with building of solidarity between alienated people; rebuilding of ruined relationships; increasing interconnectedness in all ways of relating etc. Some authors make different distinctions of reconciliation. For example, one kind being living together in normal conditions, while a higher step of reconciliation means creating new common values. Apart from having discussed literature on reconciliation, detailed analysis of forgiveness, acknowledgement, apology, truth and justice is also completed. Their role in reconciliation process in Bosnia and Herzegovina will be analyzed in the last chapter of this thesis. In the next chapter, forgiveness, acknowledgement, apology, truth and justice, will be examined through case studies of Rwanda and South Africa, which also had problematic pasts and different ways of dealing with them.

CHAPTER 2: RECONCILIATION IN PRACTICE: EXPERIENCES FROM OTHER COUNTRIES

The aim of this chapter is to identify how different countries complete their processes of reconciliation, in order to better understand the case of Bosnia and Herzegovina. Bosnia and Herzegovina is only one example of the countries that have experienced problems with reconciliation due to the violent past among its people. Experiences of Rwanda and South Africa will be discussed in details, because they faced different processes of reconciliation, while still sharing some common characteristics with each other as well as with with Bosnia and Herzegovina.

2.1. RWANDA

2.1.1. Historical background

During the time of colonization in Rwanda, European powers, Germany and Belgium, positioned Tutsi people, who were in minority, as a superior racial group. They were governing all spheres of life, while the majority of people, Hutus, were subordinated. Tutsi became the ruling group, yet, with time they started to be considered as "foreign occupants and oppressors." (Buckley-Zistel, 2006, pp. 135-136) This lasted until 1950s when colonization was abolished, and a new group of Belgian missionaries came to Rwanda. They started to apply just the opposite policies, bringing Hutus to power, supporting all kinds of domination and mistreatment of Tutsis. In 1959, many Tutsis were killed or sent to exile. This moment of history is also explained differently by Tutsis who considered it as genocide and Hutus who argue that it was the emancipation from Tutsi rule. (Buckley-Zistel, 2006, pp. 135-136; Brannigan & Jones, 2009, pp. 193-194) Domination of Hutus continued until the 1990s when Rwanda survived genocide in which around one million people were killed. Perpetrators were mainly people of Hutu origin. However, predominantly Tutsi Rwandan Patriotic Front (RPF) gained victory in the war and later on started to represent itself as a savior of the nation. The

RPF had also committed many crimes during the war, yet, they have not been prosecuted for the reasons explained in forthcoming pages.

According to Hintjens (2008), in the post-genocide Rwanda, the government has tried to make the reconciliation process more successful through three instruments: history, law and politics. Considering the history, Rwandans have been taught that there had been no problems between people living in the country before colonialist powers came, who were at the same time claimed to be the responsible for bringing division to Rwanda, indirectly causing genocide. One of the aims of post-genocide Rwanda has been the building of collective identity of people who live in the country. The very interesting point is that this collective identity is not only produced through remembering but also through forgetting. (Buckley-Zistel, 2006) With banning ethnicity, Rwanda has started new period of its history, and new regime claims that they are trying to move away from the past mostly coloured by racial policies. These policies can be called as redefinition of identity, and for that reason it is very difficult to make conclusions about its success.

The second instrument pointed out by Hintjens (2008) is law. First of all, removing use of the terms Hutu, Tutsi and Twa from the identity cards was of great importance, being followed by many legal changes in the new Constitutional and the Organic Law of 2003, which basically introduced start of new regime of RPF and President Kagame. An interesting fact regarding the 2003 Constitution of Rwanda is that it holds that there are no Hutu, Tutsi or Twa living in Rwanda but only Rwandans. The strategy of Rwandan government was to teach its people that the colonizers invented ethnicity. They base its nation building discourse on 'Rwandaness', banning and suppressing any division of Hutu, Tutsi and Twa. (Buckley-Zistel, 2006) Another instrument of law used in Rwandan reconciliation process were the traditional courts, the gacaca courts.

The third instrument used in Rwandan process of reconciliation is politics. In this sense, politics is about preserving power of RPF and Kagame, who only seems to be supported

by majority of people, yet, this is so mainly because opposition is widely being eliminated. Hintjens even claims that rather than supporting, most Rwandans fear of the existing regime, which is not very much concerned with problems of ordinary people. (Hintjens, 2008, pp. 18-33)

2.1.2. The gacaca courts

Forgiveness, acknowledgement, apology, truth and justice in Rwanda are all seen through the functioning of the gacaca courts. Thus, for the purpose of analysis of the reconciliation in Rwanda, first the gacaca courts need to be explained. According to Nagy (2009) "the primary aim of gacaca was to restore harmony and social order in the community; a subsidiary aim was punishment of the perpetrator or compensation through a gift." (pp. 99) Apart from the gacaca courts which operate on local level, the way Rwanda has tried to deal with its past is through another two different legal systems: the ICTR and formal criminal trials at the national level. On one hand, the ICTR made an important contribution to the international justice by convicting rape as an act of genocide for the first time in history. Apart from this it has brought no concrete results in bringing justice to the post-genocide Rwanda, even being accused of corruption and incompetence in its early years. On the other hand, not all academics agree with this statement. For example, Reyntjens (2010) is very critical of post-genocide Rwandan government, which, he claims, is very authoritative, cutting all relationships with the international community, especially criticizing the non-support of the ICTR. Rwanda as a nonpermanent member at the time voted against the resolution establishing the ICTR, because its Statute did not provide for the death penalty and because its seat was not located in Kigali. However, the real cause for the troubled relations with the International Criminal Tribunal for Rwanda lay in the Rwandan attempts to impose victors' justice on the institution.

Nagy (2009) points out two main reasons of forming the gacaca courts in 2001, which are the failure of established courts by the Western states which would take a really long period of time if they prosecuted all people responsible for genocide, and the fact of involving ordinary Rwandans in the process of reconciliation. Thus, one of the main reasons for establishing the gacaca courts and involving the ordinary citizens to the process of transitional justice and reconciliation is the fact that ordinary Rwandans were not even aware of the existence of the ICTR. However, in gacaca courts during the hearings everyone who wanted to speak in defence of or against an accused person or ask questions was able to do it, in that way including the whole community in the process.

If we are to explain historical development of gacaca in few sentences it must be stated that it was traditionally used for the local conflicts to restore harmony and good relations in society following some problems such as disputes over land, marriage or inheritance where cases were mostly solved by king. Thus, the courts established after the genocide differed first of all regarding the subject and great involvement of the state. (Nagy, 2009)

Pilot phase of the process started in 2001, and the whole nation became involved through prosecution, defence, testimony or judgement of more than 760,000 perpetrators in 2005. (Burnet, 2010, pp. 95) The killings and other crimes committed during and after the 1994 genocide were not prosecuted in gacaca, because gacaca had jurisdiction only for crimes of genocide, and could in no way prosecute crimes committed by RPF. (Burnet, 2010, pp. 103) Although it has been proved that RPF committed war crimes before and after 1994, they were not prosecuted for them, rejecting to be compared with those who committed genocide. (Hintjens, 2008, pp. 12-26)

Noticing that gacaca may have not be the perfect solution, Kabeera and Sewpaul (2008), point out that it was the best way Rwandans tried to deal with the legacy of genocide. These courts were ruled by the local elder people being helped by social workers, who had a great role for gacaca. They were overseeing the hearings, checking the informations given in court, as well as giving legal assistance to both perpetrators and victims.

Experiences, of people living in Rwanda, change based on their ethnicity and by their role during the genocide: whether they were victims, committers of crime, bystanders etc. However, in the post- genocide Rwanda forgetting represents the basis for coexistence in society. What Hintjens (2008) calls ‘instrument of history’ being used for reconciliation, Buckley-Zistel (2009) calls ‘chosen amnesia’. People choose not to talk about genocide, in order not to separate people on being a part of one group or not. This collective amnesia is not imposed, rather it is as already stated a ‘chosen one’. Yet, no matter how hard one tries to avoid talk of genocide, it has still been present, furthermore, "its people is built around the genocide." (Buckley-Zistel, 2006, pp. 136) Unfortunately, in Rwanda, the accent was on perpetrators rather than on survivors and victims resulting in polarization instead of reconciliation between people. (Hintjens, 2008; Brannigan & Jones, 2009)

2.1.2.1. Success of the Gacaca Courts

Rwanda formally closed the gacaca community courts on the 18th of June 2012. During ten years of work around two million suspects had been prosecuted. In order to reintegrate and heal the relationships in the society, most of the prison sentences have been changed to community service, resulting in a decrease in the number of detainees relating to genocide from over 200,000 to only 37,000. Also, about a quarter of the cases have resulted in acquittal. (UNDP, 2012) The gacaca courts were not perfect solution for the problems in Rwanda, however, they were probably the best possible one. Through gacaca courts some parts of the country even succeeded in reintegrating

perpetrators of genocide into society, reestablishing the social relations, which is of huge importance for reconciliation in the country.

2.1.3. Components of reconciliation in case of Rwanda (forgiveness, acknowledgement, apology, truth and justice)

Forgiveness, as well as all other components of reconciliation as defined in this thesis, comprised very important part of the reconciliation process in Rwanda. The most important mechanism of bringing reconciliation to Rwanda were the gacaca courts which were based on uncovering the truth behind horrible crimes that happened in Rwanda. By saying the truth and at the same time apologizing for the committed crimes perpetrators were aiming at forgiveness of victims.

Taking into consideration the acknowledgement of the committed crimes, it must be seen together with other components, because all components together represent a circle, which is supposed to result in reconciliation. Attending the gacaca courts and saying the truth indicates that acknowledgement of the committed crimes was very important, especially on individual basis, dividing people on victims and perpetrators. However, based on the provisions of the Constitution which ban the division of people on Hutu, Tutsi or Twa, it can be concluded that acknowledgement on ethnical basis was out of discussion.

Confessions and apologies at gacaca courts were very important for two reasons. First of all, it was a way through which perpetrators were able to get less punishment than foreseen for atrocities they had committed. Another reason why apologies of perpetrators were important was because they aimed at victims forgiving them. Thus, the gacaca courts in Rwanda, if understood in its ideal, represented a functioning of apology-forgiveness cycle.

The main goal of the gacaca courts was to include all people in the country in the process of reconciliation; to tell their experiences in order to find out the truth behind genocide committed in the country. The importance of finding the truth was even more important, because some people did not know what had happened with some members of their families. As stated in the first chapter, all people have right to know the truth about crimes that were committed in their country, especially if they have someone missing from their families. In this sense, the gacaca courts played very important role.

The establishment of the gacaca courts directly shows the importance of justice for the process of reconciliation in Rwanda. Although there are many critics of these courts, following her research and interaction with people of Rwanda, Burnet (2010) brought the point that all survivors have different experiences of genocide and all of them will remember it through different ways, yet, most of them share a common opinion on justice. They "view justice through the courts (whether national or international) or through gacaca as an important duty - a way to recapture the dignity of those who died in ignominious ways." (Burnet, 2010, pp. 107)

2.2. SOUTH AFRICA

2.2.1. Historical background

Reconciliation in South Africa was quite different than in any other country in the world, for it followed really long period of time of racial oppression. The main victims of a violent rule of minority white government were black people and Asians of South Africa. (Yadan, 2007) The basis for establishment of apartheid was laid by the Group Areas Act and the Population Act in 1950, and following the Act very much attention was being given to the law, meaning that all atrocities of apartheid were in accord with the law. (Yadan, 2007) This represented a basis of such a long existence of this oppressive regime. The eastern region of the country now known as KwaZulu-Natal is the region where conflict between the African National Congress (ANC) and the government supported Inkatha Freedom Party, resulted in greatest number of victims.

(Hayner, 2011) After decades of subordination of black people, apartheid was abolished in 1994.

Abolishment of apartheid brought a new challenges to South Africa as they now had to move on and solve problems from the past decades. Many proposed reconciliation as the best solution, yet, many others claimed that reconciliation after that much suffering of the black people would be nothing less than a betrayal. (Yadan, 2007)

The Constitution after abolishing the apartheid made sure of "affirmation of fundamental human rights, including the equality of every citizen before the law, non-racialism and non sexism, universal adult suffrage, dignity, freedom and security of person, and a right to life. In addition, every South African has a right to privacy, freedom of religion, and freedom of expression, assembly, demonstration and association". (Du Toit, 2009, pp. 235) All this was possible thanks to the strong leadership of Nelson Mandela who was a leading figure of reconciliation in South Africa, clearly showing his aim of national reconciliation through policies done when he became president of the country. Together with Nelson Mandela, Archbishop Desmond Tutu was a central figure for reconciliation in the country.²

2.2.2. Truth and Reconciliation Commission (TRC)

The role of the gacaca courts in Rwanda can be compared to role of the Truth and Reconciliation Commission (TRC) in South Africa. Both of them had aim to reconcile different groups in society following horrible crimes, in Rwanda's case genocide and in case of South Africa decades of racial oppression. In order to explain the role of forgiveness, acknowledgement, apology, truth and justice in South Africa the establishment, functioning and success of the TRC will be explained first.

² Tutu was the first Chairman of the Truth and Reconciliation Commission (TRC).

The formation of the TRC in South Africa resulted after the inability of ANC and National Party (NP) to agree how to deal with past atrocities, since ANC wanted criminal trials and NP amnesty. Thus, both of them had to give up on some of their claims. The TRC was established on 15 December 1995, following the passage of the promotion of National Unity and Reconciliation Act. No. 34 of 1995. The TRC aimed at setting guidelines for future policies through dealing with the past experiences. (Du Toit, 2009)

Achievements of the TRC have been widely discussed, especially its impact on the process of reconciliation in the country. Gibson's main argument of TRC's success in bringing to reconciliation is the fact that the Commission investigated all parts, breaking judgments people had had over each other. He says that the reconciliation process can only be opened if all groups share responsibility, and stop dividing people into victims and perpetrators. (Gibson, 2006) For Nagy (2002), the biggest success of the TRC was the establishment of a huge archive which will be the most important legacy to future generations." Gibson (2006) points out six conditions that contributed to the success of the South African truth and reconciliation process: reconciliation process must attract the whole society; and it is obvious that truth commissions are much more successful in this than legal process; it was not ideological or partisan bias; willingness to blame all parties regardless of ferocity and frequency of their crimes; emphasis on nonretributive forms of justice and finally the leadership of Nelson Mandela and Desmond Tutu. He argues that the majority of South African people whether blacks, whites or people of Asian origin were not directly affected by apartheid, that is why reconciliation was far easier from the processes in countries that survived war or some other kind of atrocity in which majority of population directly suffered. (Gibson, 2006) "In publicizing and acknowledging the past, the TRC reinforced the importance of the rule of law and of human rights... By recognizing the historical accounts gathered by the TRC, apologies acknowledge the moral and political accountability of apartheid leaders and their white constituents." (Nagy, 2002, pp. 339-342)

When it comes to evaluation of the Commission's work opinions of experts differ. Some of the authors negatively criticized the work of the Commission, mainly because of the inability to understand the life of black people under continuous segregation and isolation. (Murphy, 2010; Nagy, 2002) Pointing out the division among surveys of the TRC, Hayner (2011) comes to the conclusion that more than a few years of research and telling the truth will be necessary to reconcile with the decades of abuses.

The TRC released its final report ten years ago, on 21 March 2003. Yet, according to the South African History Archive (SAHA), little has been done in order to learn and apply lessons from the Report. In order to make the work of the TRC more accessible, and at the same time supporting ongoing transitional justice and reconciliation in South Africa, SAHA launched the website which contains all television series previously broadcasted. However, these series were not available to most of South Africans. This is a great example of an ongoing struggle to reconcile society, because reconciliation process has not ended with releasing the Report.³ The Report emphasizes that the children are encouraged to keep the past alive.⁴ This is probably the most important lesson other countries can learn from South Africa.

2.2.3. Components of reconciliation in case of South Africa (forgiveness, acknowledgement, apology, truth and justice)

The TRC also put great importance on forgiveness, calling victims to forgive their perpetrators. However, This resulted in some For example, Nagy argues that expectations of forgiveness put a great burden upon victims. He says that "the call for forgiveness asks that victims put aside personal anger for the sake of the public good." (Nagy, 2002, pp. 333) However, forgiveness became symbol of the TRC, and one of the prominent leaders of South African reconciliation process, Desmond Tutu, wrote a book on the TRC, titled 'No Future Without Forgiveness'.

³ Website where the complete work of the TRC can be found <http://www.sabctrc.saha.org.za/>

⁴ Final Report of the TRC, Volume Six, Section Five, Chapter Seven (12)

Gibson in his evaluation of the TRC claims that giving voices to victims represent the most important aspect of reconciliation process in South Africa, because in this way victims "were provided the opportunity to come forth and tell their stories and receive acknowledgment and, to some degree, a restoration of their dignity." (Gibson, 2006, pp. 425) Thus, it is obvious that acknowledgement of committed crimes is also imperative for reconciliation, according to South Africa as well.

Considering apology in front of the TRC, there was no legal obligation for committers of crimes to apologize to victims, however, some of them did. Apart from this, the importance of apology given by leaders can be seen through example of Nelson Mandela who apologized to all victims of apartheid on behalf of the state. In this way, accepting mistakes of previous governments and apologizing for the same, victims were given promise that no such abuse of human rights will ever happen again.

Truth represents a basis for building new relationships in a given society or in other words achieving reconciliation. That is why the commission for investigation of the past is named truth and reconciliation commission. People are obliged to testify crimes they witnessed and to tell the truth, making the TRC a trusting institution. Acknowledging the truth gives victims power to restore their dignity.

The fact that the TRC prosecuted crimes from the past, showed their respect for the rule of law, human rights and justice. The way the TRC tried to do this was through three commissions that composed the TRC itself. Those were the commissions of Human Rights Violations Committee (HRV), the Reparation and Rehabilitation (R&R) Committee and, the Amnesty Committee's (AC). They were completing the work of each other. The first committee was investigating abuse of human rights in the country between 1960 and 1994, whose aim was actually to find the victims. After finding the victims the second committee was in charge to provide support for victims, and prevent such abuses in the future. The third committee was dealing with amnesties, which were granted only to perpetrators who had political goals. The aim of the functioning of this

chain was to bring justice into South African society, which once again shows that there is no reconciliation without justice.

Conclusion

The aim of this chapter was to see how reconciliation looks in reality. Thus in conclusion it can be said that although having a lot of similarities, Rwanda and South Africa have tried to solve their problems with past in different ways. The gacaca courts in Rwanda and the TRC in South Africa, both have their positive and negative side, the most important thing is being aware of the problem and continuous wish to solve it. Having analyzed the experiences of the two countries, it is obvious that people in both of them want to solve their past legacies in just way and turn towards a brighter future. Different constitution of society and culture implies that dealing with problems in a country requires different solutions, yet, from this analysis it can obviously be seen that components of reconciliation taken as the most important ones in this thesis: forgiveness, acknowledgement, apology, truth and justice, also represented the basis for reconciliation in Rwanda and South Africa as well, thus, their application in Bosnia and Herzegovina will be analyzed in the last chapter.

CHAPTER 3: THE HISTORICAL BACKGROUND OF THE WAR IN BOSNIA AND HERZEGOVINA AND THE NEED FOR RECONCILIATION

This chapter includes the historical background of the need for reconciliation in Bosnia and Herzegovina. It will start with the dissolution of Yugoslavia, primarily observed through the rise of nationalism, followed by the 1992-1995 war and the post-war situation in the country. The aim of this part of thesis is not to explain the war in chronological order, or in terms of damage, rather this part of thesis aims to analyze and understand the reasons that can be found behind the conflicts in the former Yugoslavia, and what are their repercussions on today's Bosnia and Herzegovina. The analysis of the conflict in Bosnia and Herzegovina is necessary in order to properly understand the need for the reconciliation process in the country.

3.1. DISSOLUTION OF YUGOSLAVIA

Bosnia and Herzegovina casts a spell on all who live there or who were privileged in the past to acquaint themselves with the republic. Sentimentalism plays little part in this – it is through the middle of Bosnia that East meets West; Islam meets Christianity; the Catholic eyes the Orthodox across the Neretva, the line of the Great Schism; Bosnia divided the great empires of Vienna and Constantinople; Bosnia was perhaps the only true reflection of Yugoslavia. It is both the paradigm of peaceful, communal life in the Balkans and its darkest antithesis. (Glenny, 1993, pp. 162)

This chapter will examine what had happened to make peoples of Bosnia and Herzegovina to kill each other, because, some of the literature on Bosnia and Herzegovina, especially the one regarding the war 1992-1995, argues that the conflict was a result of a centuries long hatred between them. However, Bosnia and Herzegovina has not been threatened by the internal tensions most of the time; rather, the reasons of any instability in the country have been wishes of the great powers and its neighboring countries. (Malcolm, 1996) That is why such claims cannot be accepted,

without asking a question of coexistence prior to the war, where Bosniaks, Serbs and Croats lived side by side. Without getting an answer to these questions, it is not possible to understand the need for the reconciliation process in the country.

At the very beginning of the 1990s, Bosnia and Herzegovina was part of the Socialist Federal Republic of Yugoslavia, along with Croatia, Serbia, Montenegro, Macedonia and Slovenia. The dissolution of Yugoslavia was a result of many intertwined reasons, which have to be seen as a complete picture of external and internal factors. The overall change in international politics had its repercussions on Yugoslavia itself. The fall of socialism throughout the world, especially in the Soviet Union, left Yugoslavia without its geo-strategic position between the two blocs. Lack of common enemies, also gave space to the countries of Yugoslavia to think more in terms of their differences. That is how internal problems came to the surface. One of the most important one was the economic crisis, because of a huge debt to International Monetary Fund (IMF), together with the economic differences among the republics. These latter became even more important because it contradicts the basic idea of socialism, which is equality. People having no other choice, started to think that the solution might be in nationalism.

The first countries to have shown interest in secession were Slovenia and Croatia. Serbia was a strong opponent of this idea, and when people of these two countries decided on referendums that they support independence, Serbia started to wage wars against them. Slovenia had a lot of luck because Serbia had neither territorial nor nationalist tendencies there, thus, the war with Slovenia lasted only 10 days. Croatia was not so lucky, mainly because of the Serb minority living in Croatia. One day after Croatia proclaimed its independence, Serbian forces started a war.

3.1.1. The background of the conflicts at the beginning of the 1990s

Towards the end of 1980s the nationalism in Serbia came to its highest point. The most important person who used nationalism to bring enmity and wars to Yugoslavia was Slobodan Milošević. The official beginning of his nationalist campaign started on June 28, 1989, on Vidovdan, one of the biggest dates in Serbian history. It is the day when Kosovo battle, between Serbian and Ottoman armies occurred in 1389. When speaking to crowd of 300 000-500 000 people in Gazimestan in Kosovo, Milošević used the battle which occurred 600 years ago, to announce bloody campaigns that will follow.⁵ In his speech he clarified that if necessary wars will be waged in the region of Yugoslavia, however, many people pretended not to understand. Throughout the speech, these were the most dangerous words, yet, still not taken seriously: "Six centuries we are engaged in battles and quarrels. They are not armed battles, but this cannot be excluded yet." (Glenny, 1993, pp. 35) This was the highlight of the propaganda that Serbs are in danger. Following this day, the popularity and power of Milošević rapidly increased.

The Milošević speech was the trigger point for resurfacing different ethnic and national groups in Yugoslavia. However, glorifying the extermination of Muslims, had already started in the 19th century through the famous writings such as *The Mountain Wreath* of Petar Petrović Njegoš, in which Muslims are presented as traitors who converted to Islam. Milošević also got full support of the famous Serb nationals such as Dobrica Ćosić, who was one of the Serbian intellectuals who prepared floor for Milošević policies through the Memorandum of the Serbian Academy of Arts and Sciences, published in 1986. The Memorandum revealed the Serbian national tendencies, by claiming discrimination of Serbs in Yugoslavia. However, Milošević was not alone in this nationalist fascist politics. Beside Milošević, the very two important names are of the leaders of Serbian Radical Party (SRS) and Serbian Renewal Movement (SPO):

⁵ Most of media at that time claimed that the number of people participated was around 2 million people. This number was used by many author who later on wrote about it. However, according to Malcolm (1996), who was present at the meeting, there were 300 000-500 000 people.

Vojislav Šešelj and Vuk Drašković. They wanted to create a state with Serb dominance. In order to achieve this, one of the most important strategies was the transformation of the Yugoslav People's Army (JNA) into a nationalist one, which will fight for 'Greater Serbia'. In a short period of time, this part of the strategy was completed, allowing space to these criminals a space to commit all crimes they had in mind.

Certainly, not all Serbs were supporting Milošević and his policies. The best example for this statement are students' protests in Belgrade in 1991, by which young Serbs tried to show the world that not all Serbs are the same, that "the true Serbs love freedom, democracy and peace." (Glenny, 1993, pp. 50) Unfortunately, these protests did not have much success and most of nationalist Serbs turned to repressive measures against everyone who was not a Serb.

One of the most important tools for spreading and sustaining the Milošević regime was unquestionably, the media. Milošević was in complete control of the influential media in the country, such as the daily newspapers *Politika* and *Radio Television Belgrade*. (Glenny, 1993) Their most important aim was to convince Serbian people that they were under threat of Kosovo Albanians, Croats (who were all being presented as Ustashas) and fundamental Muslims in Bosnia and Herzegovina. Their publications and broadcasting were only reporting about how Serbs are being discriminated and purged throughout the Yugoslavia. This was how Milošević and his companions made people peacefully living in Yugoslavia, turn into bloody war. The most widely used method was frightening of Serbs by the so-called brutal Ustasha regime in Croatia and fundamental Islam in Bosnia and Herzegovina.⁶

⁶ Ustashas were chauvinist soldiers who were trying to form 'Greater Croatia' between 1941-1944, based on killings and extermination of Serbs and all others from the country. Ustashas and Chetniks (the Serb nationalists) were the groups that committed the most horrible crimes in the World War II, thus their revival was one of the scariest phenomenon in the wars at the beginning of the 1990s.

Fearing people that genocide will be executed on them, reproducing and exaggerating some historical phenomena, made many Serbs turn against their neighbors and friends, committing the most horrible crimes that a person can imagine. At the beginning of the war between Serbia and Croatia a lot of people thought of "Croatian Television (HTV) and RTV Belgrade as two of the most culpable war criminals of the Yugoslav tragedy." (Glenny, 1993, pp. 67) The same strategy was used against Bosniaks, the 'reason' was 'fundamental Islam'. The main argument used for this was the book 'Islamic Declaration' written in 1970, by the first President of Bosnia and Herzegovina, Alija Izetbegović. Malcolm (1996) in details explains that there was no ground for such statements.

The highest-ranking priests of the Serb Orthodox Church also played a vital role in serving national radicalism in Serbia. They were supporting the ethnic cleansing of everyone who was not a Serb, discrimination, demolition of mosques etc. As an argument for this, Sells (1998) gives an example of the priests who celebrated the purge of some cities in Bosnia and Herzegovina such as Foča and Trebinje. They used all their resources, such as the official Orthodox Church Journal, through which they were arguing that Croats and Muslims had genocidal plans against Serbs. (Sells, 1998) The campaigns of the Church convinced Serbs that they were on the survival level. In order to survive they were supposed to fight against Croats, Bosniaks, Albanians... It was exactly what it followed.

The third crucial tool in the Milošević's hands was the paramilitary formations and the JNA. The JNA had become servant of Serb nationalists, and had nothing to do with other countries of Yugoslavia. Considering the paramilitary formations that started to operate before any official conflict started, the most famous by their crimes was 'Arkan's tigers' under the leadership of Željko Ražnjatović Arkan and 'Chetniks' led by Vojislav Šešelj. Arkan is probably one of the most famous criminals, "a mafia style criminal", who had already been known to Europe for the crimes of murder and extortion. (Glenny, 1993, pp. 39) Their duty was to prepare the territory and afterward

to execute all non-Serbs. Arkan, Šešelj and other war criminals also had an access to media, secret police, military command and arms depots. (Sells, 1998, pp. 73) Their role was of even more importance for ruining the Bosnia and Herzegovina, after Milošević pretended that JNA left Bosnia and Herzegovina in May 1992. These paramilitary formations were in close cooperation with the media and the Orthodox Church as well.

While the nationalism was on the increase in Serbia, the same changes were occurring in Croatia under the leadership of Presidency of Franjo Tuđman. Thus, before the Serbia started a war on Croatia after proclamation of its independence, the basis had already been prepared. The main reason for this was Tuđman's nationalist policies through which he openly neglected the importance of Serbian minority in Croatia. In this way Serbs became frightened that the state would become Croatian nationalist. One of the most provocative things done by Tuđman before the war was the abolishment of Cyrillic alphabet, mostly used by Serbs, together with the formation of Croatian flag with chequerboard shields (historically Croatian symbols). These and some other policies such as purge of Serbs from the administration, frightened Serbs and this fear resulted in many exaggerated myths about Serb sufferings. All of this was helped by the source of wrong informations in Croatia, the *Srpski Radio Knin* (Serbian Radio Knin), in Knin. *Srpski Radio Knin* was part of the media that succeeded in having innocent people against each other, making Knin the core of Serb nationalism. This is how Serbia and Croatia started a war in 1991. All of these events had its repercussions on Bosnia and Herzegovina for two reasons. The first reason is the similar campaign led by Serbs in terms of frightening people with the so-called fundamentalists in Bosnia Herzegovina and atrocities that are being prepared for them. Another thing is the fact that Croatia also had territorial ambitions in Bosnia and Herzegovina. (Malcolm, 1996; Glenny 1993; Hećo, 2005)

3.2. THE WAR IN BOSNIA AND HERZEGOVINA

As stated in the first section of this chapter, Bosnia and Herzegovina has always been a state that represented true spirit of Yugoslavia, its diversity, in which nationality of one person was the least important. Thus, following the chain of all events at the beginning the 1990s, one of the first indications that war could occur in Bosnia and Herzegovina was when people in Bosnia and Herzegovina started to define themselves as Bosnian Croats, Bosnian Serbs and Bosnian Muslims, instead of Bosnians. This was a result of the nationalist policies of the Croatian Democratic Union (HDZ) and the Serbian Socialist Party (SPS) claims on territory of Bosnia and Herzegovina. (Glenny, 1993)

Just before the international recognition of Bosnia and Herzegovina and the official start of the war, there were 50 000-100 000 people protesting in front of the Parliament in Sarajevo saying that all the Serb chauvinists should go to Serbia and all the Croat chauvinists should go to Croatia, expressing their wish to stay together in Bosnia as one. (Malcolm, 1996) However, it was late for that because in the first days of April the paramilitary formations of Serbs, who had ruined Croatia, were already stationed in Bosnia. Although some soldiers of JNA were Bosnian Serbs, according to many authors the war in Bosnia and Herzegovina was mostly planned and conducted from Serbia. (Čekić, 2004; Glenny, 1993; Hećo, 2005; Mahmutćehajić, 2001; Malcolm, 1996; Sells, 1996; Veledar, 2011).

Bosnia and Herzegovina proclaimed its independence from Yugoslavia on March 1, 1992. Few days later, on March 6 and 7, European Community and the United States of America recognized the independence and sovereignty of the Republic of Bosnia and Herzegovina, consequently. However, both of them and the rest of the international community stayed silent, when immediately after proclamation of independence Bosnia and Herzegovina was attacked, when an open aggression against a sovereign and internationally recognized Republic of Bosnia and Herzegovina started. (Čekić, 2004;

Hećo, 2005; Veledar, 2011) Yet, the destruction of Bosnia and Herzegovina had started long ago before this date.

Regarding destruction of government structures of Bosnia and Herzegovina, it started by formation of the fifth columnist Serbian Democratic Party (SDS) of Bosnia and Herzegovina in July 1990, during the pre-election campaign. The first visible result of the Serb nationalist movement was formation of the Serb National Council of Bosnia and Herzegovina, in Banja Luka in October 1990. Formation of this council was followed by many others in other regions of the country, having the same aim: destruction of unity of Bosnia and Herzegovina. The formations of Serbian autonomous regions, provided the basis for the establishment of the *Republika Srpska* in the first half of the 1992. The *Republika Srpska* will be the main obstacle towards the reconciliation process in the post-war period. Together with the explained three most widely used strategies: the media, the Church and the paramilitary formations, these political operations resulted in a more than three-year war in Bosnia and Herzegovina, which ruined its economy, politics and the most important social relations.

The war in Bosnia and Herzegovina was very complex, because, both, Serbia and Croatia had plans to conquer, divide and destroy Bosnia and Herzegovina. At the beginning of the war Bosniaks and Croats were fighting against Serbs, and in some places such as Northern Bosnia, Croat soldiers played an important role against invasion of Serbs. Although, the Croatian Defense Council (HVO) was formed apart from the Army of the Republic of Bosnia and Herzegovina, they were fighting together until July 1992, after the establishment of the Croatian Community of *Herceg-Bosna*. At the same time the leader of the Croatian Democratic Union's (HDZ) in Bosnia and Herzegovina, Stjepan Kljujić, was replaced with the Croatian nationalist Mate Boban, whose government started propaganda that Bosniaks were attacking Croats and their properties. Under the influence of media, which also started to present Muslims as a threat to Roman Catholic Church, broadcasting news about fundamental Islam being the goal of a new government, prepared the ground for aggression that was going to follow.

In May 2013, the ICTY convicted six former high-ranking officials from the *Herceg-Bosna* for crimes against humanity, violations of the laws or customs of war, and ethnic cleansing against non-Croats, committed between 1992 and 1994.

The difference between Croatia and Serbia was that the top political leadership of Serbia had no real opponents from among Serbian intellectuals, who were mostly centered around the Serbian Academy of Sciences and Arts (SANU), on contrary, they were the main supporters of the radical nationalism. However, Croatian political leadership, led by Tuđman, had far more opponents in the real intellectuals, who represented a nightmare for Tuđman. These were academic Ivan Šupek, then president of Croatian Academy of Sciences and Arts (CASA), professor Ivo Banac, university professor in the United States, president of the Croatian Parliament, Stjepan Mesić (later President of Croatia), then Josip Manolić, as well as the top of Catholic Church led by Cardinal Franjo Kuharić, a prominent war generals like Anton Tus and Martin Špegelj. (Veledar, 2011) Even, Croat nationalists were very offensive, especially in Herzegovina, the hard work of the people above helped that the war between Croats and Bosniaks ended in 1994, with the signing of the Washington Agreement. The war with Serbia and against Bosnian Serbs lasted until signing the Dayton Agreement in 1995.

3.2.1. The end of the war

The world did nothing in order to stop the war for more than three years. The western countries could not agree on the position regarding the war in Bosnia and Herzegovina, until the fall of Srebrenica, when the worst genocide after the World War II, occurred. Srebrenica became the symbol of all atrocities committed in Bosnia and Herzegovina between 1992-1995. Although, Srebrenica had been under protection of the United Nations (UN) since April 1993, in July 1995, in front of the eyes of the UN soldiers thousands of Srebrenica male were separated from women for mass killings. In July 1995, more than 8,000 men were massacred in Srebrenica. Thousands and thousands of innocent men had to die before arms embargo against Bosnia and Herzegovina was

lifted, in the end of July 1995, which gave an opportunity to Bosniaks to defend themselves.⁷ However, the peace agreement was initiated only after the second Markale massacre in August 1995.⁸ It was the culmination of the Sarajevo siege which was the longest siege of one capital in modern history, during which the city was under total blockade for almost four years. Four years of killings of innocent people in Sarajevo and other cities in Bosnia and Herzegovina, was necessary for the western countries to make decision to stop the war.

The negotiations for the peace agreement were initiated on November 22, in Dayton (Ohio) and led by the U.S. Assistant Secretary of State, Richard Holbrook. The Dayton Agreement, after three weeks of negotiations, was signed on 14 December 1995, by the then presidents of Bosnia and Herzegovina Alija Izetbegović, Serbia and Montenegro Slobodan Milošević, and Croatia Franjo Tuđman. The peace treaty was signed in a very unfavorable conditions for Bosnia and Herzegovina, thus it is the result of many painful compromises.

Eighteen years on from the Agreement more or less everything is said about it. However, the most popular discussion regarding the Agreement is probably the burden of its institutional structures that Bosnia and Herzegovina needs to deal with. One of its main points is territorial division into the Bosniak-Croat Federation and *Republika Srpska*. The Brčko district *de jure* does not belong to either entity. The decentralized structure of Bosnia and Herzegovina is bestly seen through its thirteen Constitutions: one at the State level, two Entity Constitutions, ten cantonal Constitutions, plus the Statute of the Brčko district. Formally known as the General Framework Agreement for Peace in Bosnia and Herzegovina, the Agreement came as a result of genocide, ethnic cleansing, concentration camps, massive killings of civilians, rape of women, expulsion

⁷ Arms embargo was imposed on all former Yugoslavia, but it can clearly be said that it was an embargo against Bosnia and Herzegovina, because of the fact that all arms were in the hands of Serb nationalists, while the Croats could smuggle the weapons over the sea.

⁸ Markale is a marketplace in the center of Sarajevo where more than 100 civilians was killed and more than 200 was wounded in two bombings during the war. The last one occurred in August 1995.

of people from their homes and systemic destructions of the most important historical monuments in Bosnia and Herzegovina and based on this, it is certain that the Dayton Agreement was better than war. However, almost everything else regarding it, is questionable. The worst result of the Dayton Agreement is the creation of so many bureaucracies which work for entities and cantons and not for the whole country, resulting in failed reconciliation two decades after the war.

After the signing of the Dayton Agreement, the international community stayed widely represented in institutions of Bosnia and Herzegovina. The most famous institution is the Office of the High Representative, whose main function is to supervise the implementation of the Dayton Peace Agreement. International community has been trying to integrate society in the country, however that has been very hard, especially because of the fragile foundations of the state. During the period after the war there has been ongoing struggle between those who want to strengthen the state as a whole and the ones who are working on strengthening the entities. In this sense, it can be said that eighteen years after signing the Agreement, politicians from Federation demand its abolition blaming the Agreement for blocking the functioning and development of Bosnia and Herzegovina, mainly because of existence of two entities. However, according to politicians from the *Republika Srpska* the Dayton Peace Agreement confirms the continuity of international legal personality of the *Republika Srpska*. The Dayton Agreement is considered to be "the most ambitious document of its kind in modern history, perhaps in history as a whole", because it aims the setting of a state on ruins of war.⁹ (Bildt, 1998, pp. 392) Thus, from its very beginning, the Dayton Agreement has been destined to fail.

Roots of many problems that Bosnia and Herzegovina deals with, can be found in different things, and a lot of academics, politicians and other people of different

⁹ Carl Bildt was the first High Representative for Bosnia and Herzegovina from December 1995 until June 1997.

professions agree that one of the biggest obstacles to normal functioning of the state is the Dayton Agreement.

The Dayton Agreement divided Bosnia and Herzegovina in terms of its territory and population, because most of the Serbs live in the *Republika Srpska* and most of the Bosniaks and Croats live in the Federation. This situation creates an ideal basis for raising new generations in terms of their differences, everyone telling his/her own side of the story. However, the fact is that during the war in Bosnia and Herzegovina, all three nationalities were fighting, thus, all three sides committed crimes, and innocent people from all sides survived terrible events, leaving an everlasting scars on their lives. As it is the case in all wars, civilians from all sides suffered a lot, however, violence survived by Bosnian Muslims and those who fought on their side, was more brutal and more methodical. (Sells, 1998) At the same time there are a lot of examples of how Serbs or Croats helped their Bosniak neighbors or friends or vice versa. Many of them even gave their lives to save their friends of other nationality. Still, we cannot talk about the same number of victims or the same level of guiltiness on all sides. "The blame-on-all-sides position falsified important differences between the methodological genocide carried out by Serb nationalists, the predatory aggression of Croat nationalists, and individual crimes committed by Bosnian soldiers, crimes that were not related to any overall criminal policy and that have been punished." (Sells, 1998, pp. 134) That is why, one of the aims of this thesis was to show the background of the nowadays situation in Bosnia and Herzegovina.

If we talk about the post-Dayton Bosnia and Herzegovina in terms of the reasons that brought the country to the war, it must be stated that the most important reason that brought the war to Yugoslavia, nationalism, is still very high on the political agenda. The parties with nationalist signs still get the elections, bringing more divisions to society. The media is also much politicized, mostly broadcasting the news regarding the entity and target group. The role of the media and nationalism in Bosnia and Herzegovina today will be discussed in more details in the following chapter.

Conclusion

The aim of this chapter was to examine history of the perplex social and political condition in Bosnia and Herzegovina, because, it is very hard to understand how decades long coexistence turned into violent animosities. As it can be understood from this research, people in the former Yugoslavia were manipulated in terms of their nationality. Serb nationalists used media (military and civilian newspapers) and the Orthodox Church to disinform Serb masses, in such a way that they felt threatened, which resulted in violent conflicts in Slovenia, Croatia and Bosnia and Herzegovina. Regardless of the fact that majority of Serbian nationalists committed war crimes during the war between 1992-1995, yet, Serbs who fought for the independence of Bosnia and Herzegovina must not be forgotten. The same thing is with Croats, who did not support chauvinist policies of the Croats during 1993 and 1994. Because of the complex relationships during and after the war, the talk about reconciliation is even more complicated. However, in the following chapter, the answers of young people who participated to the questionnaire done for the purpose of this thesis, will help us to understand how young people of different nationalities think about reconciliation. Situation in general and their answers in particular will be examined through components of reconciliation explained in the first chapter.

CHAPTER 4: ANALYSIS OF THE RECONCILIATION IN BOSNIA AND HERZEGOVINA THROUGH THE COMPONENTS OF RECONCILIATION SUPPORTED BY QUESTIONNAIRE CONDUCTED AMONG YOUNG BOSNIAKS, SERBS AND CROATS

The aim of this chapter is to apply theory that we examined up to this point, to the situation in Bosnia and Herzegovina. Once more, pointing out the most important characteristics of each of the components of reconciliation, together with the answers of the respondents to the questionnaire, situation in Bosnia and Herzegovina will be presented and explained in details. The aim is to learn and analyze opinions of young people with respect to the concept of reconciliation. Special attention will be on their opinions about obstacles towards reconciled society. The questionnaire was conducted among 50 young Bosniaks, Serbs and Croats, whose number of was determined in proportion to the percentage of Bosniaks, Serbs and Croats in the country, according to the population census.¹⁰ Thus, among 50 respondents 23 were Bosniaks, 17 were Serbs and 10 of them were Croats. The questionnaire was conducted in Bosnian language among young people (here defined as persons aged from 18 to 30 years of age) in Mostar and Sarajevo, because these two cities suffered most during the war, and it is of crucial importance to see how young generations perceive reconciliation.

4.1. RECONCILIATION FROM THE PERSPECTIVE OF YOUNG BOSNIAKS, SERBS AND CROATS

Prior to the war Bosniaks, Serbs and Croats had lived together throughout Bosnia and Herzegovina. In his book *The Fall of Yugoslavia: The Third Balkan War*, Misha Glenny, explains how Mostar was famous by the friendly relationships of the Serb, Croat and Bosniak population where everyone was helping everyone regardless of his/her nationality. (Glenny, 1993) However, during the war, especially in 1993, Mostar

¹⁰ The last census of the population of Bosnia and Herzegovina was taken in 1991, according to which there have been 43.47 % Bosniaks, 31.21 % Serbs and 17.38 % Croats living in the country.

found itself between two nationalist armies, the HVO and JNA. It is how "Mostar became the Vukovar of Bosnia and Herzegovina with the only difference being that throughout the siege of Vukovar, Croat forces were able to supply the town with food and ammunition every night across the cornfields from Vinkovci. In Mostar and Sarajevo, no food, no medicine and no ammunition made it in and nobody made it out."¹¹ (Glenny, 1993, pp. 160) Throughout the first two chapters we have seen that reconciliation has plenty of definitions. However, probably the most important source for understanding the reconciliation in Bosnia and Herzegovina is to understand how young people think about it. The point here is that if young people in these two cities are in favour of reconciliation, it means that it can be applied to the rest of the country as well.

While I was doing this survey, I thought that it would be much harder to analyze and group the opinions of young people who participated in it. However, regardless of their nationality, young people in Mostar and Sarajevo, have very much similar positions on the questions asked in the questionnaire.

Thus, according to most of them (88% or 44 out of 50 respondents), reconciliation can be seen as accepting Bosnia and Herzegovina as a country of all its nationalities and religions; together with the acceptance of its past. According to them reconciliation cannot exist with any kind of segregation, which can still be perceived through the political system and huge bureaucracy in the country. They argue that all institutions should be common, institutions of citizens instead of nations. In a country such as Bosnia and Herzegovina, people must accept the others with all diversities. It means that people should be equal regardless of their religion or nationality. However, they are also aware of the fact that understanding of history and events in the 1990s very much differs between conflicting parties. Most of these young people are aware that parents and older of different nationalities have different views on the war and they teach new

¹¹ Vukovar is city in Croatia which is famous by its sufferings in the war between Croatia and Serbia

generations their own versions. That is why one of respondent very briefly explains how should reconciliation process look in Bosnia and Herzegovina:

Reconciliation between two or more people means that there is no secrets between them. All that matters for a dialogue must be said, and then get into the process of reconciliation. Through this prism, we can observe nationalities in Bosnia and Herzegovina. If something is left incomplete, something that is not on the surface (this includes history, justice, school programs, constitution, territory...) it needs to be changed before proceeding to reconciliation. Only when everything underneath can be seen and available to the public, through agents such media, discussions, concrete initiatives etc. we will enter the reconciliation process which will result, as people say, with a 'clean bill of health'. (Serb origin respondent 18)

However, these are still only wishes and beliefs of young people who encounter a lot of obstacles. If we look to the answers of young people of all three nationalities, the most extraordinary thing is that more than half of them see obstacles to reconciliation in two things which brought the peoples of Bosnia and Herzegovina to fight each other. These are nationalism and the media. More than 50% (26 out of 50) of all of the respondents see nationalism or media, or cooperation of the two, as the major obstacles towards reconciliation in the country. According to them, obstacles to reconciliation can be found in personal interests of the majority of politicians who are satisfied with chaos in the country, which makes people deal with unimportant things. People in power continue to see their profits in poisoning of young people with their nationalist ideas. Thus for them, today's conflicts in Bosnia and Herzegovina result from the unhealthy politics and political elites who hold their political positions by deepening tense relations. The most important tool used to spread falsehoods and nationalist messages according to the respondents, is media. Almost twenty years after the war, most of the newspapers or televisions are in the hands of political parties which are mostly nationalist ones. Thus, they have a lot of space for propaganda which divides people even more. Some of the respondents, say that politicians in power have money which is the most important weapon for manipulation of people who are on the edge of existence, thus "if people had an ability for employment, education of their children,

and basic living conditions, reconciliation would come very quickly." (Bosniak origin respondent 38)

However, only Bosniak origin respondent 6 and Croat origin respondent 29 are aware of the fact that people are those who choose these politicians. They say that most often you can hear that politicians are the main culprits for the situation in the country, yet, according to them this is only partially true, because citizens are the ones who permit nationalist policies of the leaders.

Among 50 respondents, 12 of them was aware of the very intimidating obstacle to reconciliation, which is home education. From their answers it can be seen that older generations poison their children with nationalism, so that children who did not experience the war also display animosity towards other nations. Through this primitive kind of education at homes, parents raise their children within hatred, who express their views via internet and other means. Thus, in order to reconcile, it is primarily necessary to educate all generations and social classes. According to some of the respondents, it is even necessary to introduce penalties for hate speech, in order for this phenomenon to be reduced to minimum.

10 of the respondents, which make around 17% of all Bosniaks, Serbs and Croats, who participated in the survey, do not think of reconciliation and its obstacles in terms of nationalism or media. They rather talk about different reasons such as the lack of love and respect for other religions. All religions are the same and they all teach love and respect. Unfortunately, according to them, there is only small number of true believers who understand this. Two of them even claim that the main obstacle to reconciliation is interfering of international community and their distorted vision of the situation in our country.

4.2. FORGIVENESS IN BOSNIA AND HERZEGOVINA

As we could have seen in the first chapter, ways of reconciliation may be different, especially if we talk about forgiveness. The process of forgiveness in many cases requires that all parties forgive each other for their crimes, leaving space for rebuilding trust among different groups. However, there are some cases in which people are ready to forgive, yet, having no will or intent of rebuilding or restoring relations. In Bosnia and Herzegovina it is not about the will to build relations, it is the fact that peoples of Bosnia and Herzegovina have lived together for centuries and it will continue long into future. The point is the level and the quality of these relations.

Aiming at understanding the reconciliation process in Bosnia and Herzegovina, the respondents to the questionnaire were asked about their opinion on relationship between reconciliation and forgiveness; is forgiveness the only way towards reconciliation and whether the past should be forgiven and forgotten?

As discussed in the previous chapter, many authors link forgiveness with forgetting the past. However, most of the young Bosniaks, Croats and Serbs think of history as the teacher of life. Thus, in their opinion the past should not be forgotten, yet, one needs to be careful when dealing with the past issues. 88% of the respondents (44 out of 50) answered that we should remember the past, yet, taking into consideration that each side has its own story. However, this does not mean that society in Bosnia and Herzegovina should avoid talk about the past, just the opposite, it should be openly discussed about it, without feelings of discomfort. Few of the respondents were aware of the fact that some people will hardly admit their mistakes, or mistakes of people of their group, adding that it should not be insisted on, because it would be the eternal repeating circuit.

90% of the respondents (45 out of 50) who are against projects which aim to forget the history, argue that the moment something is forgotten there is a possibility to be repeated. Too many evil happened in Bosnia and Herzegovina, that is why it must not be forgotten. They state that people in Bosnia and Herzegovina can learn from the past and be smart enough not to repeat it. All unanswered issues should be debated about, in order to create qualitative compromises which could represent an exit from an awful situation in the country. Few of the respondents said that people of Bosnia and Herzegovina certainly must learn from the past, because they were all pawns of a corrupted politics.

54% of the respondents (27 out of 50) think that without forgiveness it is not possible to speak about progress. They believe that forgiveness is precondition for real reconciliation. For them forgiveness gives a kind of serenity and peace, because a man becomes a human being only when he forgives. One of the Serb origin respondents said that: "We should always forgive if there is something to forgive. Why should we poison ourselves with some sort of hatred, when there is no need for that." (Respondent 16)

14% of the respondents (7 out of 50) believe that forgiveness is something personal, thus it depends on each individual whether he or she will forgive the perpetrator or not. According to them the worst thing is to force the forgiveness.

Some of the young people (16% which is 8 of the respondents) think that society should pay tribute to all victims, having in mind that each side has its own victims. People of different ethnicities should not hate each other because of our different memories, rather than that, everyone should maintain their memory of the people who lost their lives in the war. In this way, all three ethnicities should try to make it not happen again.

Some of the respondents think of forgiveness as being conditional. According to 13 of them (26% of the respondents) from all three nationalities, apology is a basic condition for forgiveness to occur. One of the Croat origin respondent said that: "Forgiveness must be based on a sense of responsibility of all parties that participated in the war in the role of aggressor, and their willingness to apologize for committed crimes. Only then we can talk about the bright future for all people, because only when we forgive each other, there is a good future for our youth." (Respondent 29)

8% of the respondents (4 out of 50) said that they have nothing to forgive to their friends who were not even born during the war. It shows that some respondents understood the forgiveness as forgiving all the 'others', at the same time saying that there is no need for that.

Most of the young Bosniaks, Serbs and Croats (45 out of 50) think that the war affected all people in this country, and that everyone should continue with optimism and faith, without bitterness in the hearts. For them, reconciliation would be looking to the present and learning to live in the community, taking lessons from the mistakes that happened in order that such things like war happen never again. Nobody has interest in living in the past. People in Bosnia and Herzegovina need improvement, education, and not difficult things that the past brings with it. The focus of reconciliation should be future, because living in the past does not make sense. It is quite impressive fact that most of the young people who participated in this research claim that people living in Bosnia and Herzegovina must be aware that due future generations they must live together, collaborate and work together for a better tomorrow. The world remains on the generations that have not experienced the war, thus, "why judge about something we know only from books, or maybe from a TV?" (Croat origin respondent 1) One of the respondents talked about leaving the past behind in very rigorous way: "My position is that the war is over. People who look to the past do not have right on future and prosperity." (Serb origin respondent 49)

Around 85% of the respondents (42 out of 50) said that everyone should be aware of the fact that not all Serbs, Croats or Bosniaks are war criminals. However, they point out that if peoples of Bosnia and Herzegovina succeed to reconcile, and start to live in peace, building a country in which all sides live together, it does not mean that victims should forgive criminals for their behaviour or to forget the ones who lost their lives to save the country. Only criminals from each side should be judged. One of the young Bosniaks said that: "When we think about the war, we must not think the same about all people of other groups. Not all were killing during the war, and this war certainly brought bad things to all innocent people regardless of a group to which they belong." (Bosniak origin respondent 3) These young people argue that nobody should try to find guiltiness in people of other religions or nationalities, especially not in those who have nothing to do with the committed atrocities.

Forgiveness has been given huge importance in this thesis as trying to explain the different ways of thoughts about it. In the second chapter we examined the case studies of Rwanda and South Africa, who perceived forgiveness in very similar ways. Both of the countries used court hearings to call for forgiveness, however, as claimed in this thesis it was upon the victims to forgive or not to forgive. One of the very interesting points regarding reconciliation in Rwanda was the project to ban the ethnic division of people, at the same time trying to forget the past through the 'chosen amnesia'. Forgiveness is a very sensitive issue in every country when we speak about reconciliation, that is why the respondents in the questionnaire were precisely asked about their opinion on forgiveness and forgetfulness.

Regarding the answers it can be said that there are many different visions of forgiveness, and its relationship with the reconciliation in Bosnia and Herzegovina. More than a half of the respondents think that forgiveness is crucial for a reconciliation process in the country. However, this forgiveness should not be based on forgetfulness, rather, on turning towards common future. Most of the respondents claim that nobody should forget the past, yet, everybody should take historical lessons that must not be

repeated. Few of the respondents (mostly Croats) said that they have nothing to forgive to their friends who are not guilty for the war. These responses are proof that young people in Bosnia and Herzegovina want to progress, and build common future in which there will be no room for hatred.

4.3. ACKNOWLEDGEMENT IN BOSNIA AND HERZEGOVINA

The background of the war in Bosnia and Herzegovina, and the war itself were explained in the previous chapter, in order to properly understand the complete picture and to be able to make distinction between the aggressors and the victims. Here, once more it must be stated that not all Serbs or Croats are the same, and not all of them committed atrocities in the name of nationalism. Rather, the point is on those people who were behind the aggression on Bosnia and Herzegovina.

Thus, the argument of this thesis is that Serbs and Croats in Bosnia and Herzegovina, and also the ones from Serbia and Croatia, need to acknowledge what occurred in Bosnia and Herzegovina during period 1992-1995. Because, neither people in Bosnia and Herzegovina can live in peace without this recognition nor relations between Bosnia and Herzegovina and neighbouring countries can be based on sincere intentions. Many authors argue that acknowledgement is precondition for forgiveness of a wrongdoer, however, no such thing happened considering the aggression, massacres and genocide throughout the territory of Bosnia and Herzegovina. One of the clear examples is village of Hagići where 100 people were massacred at the same day in 1992. However, there has been no public acknowledgement or mourning, nor any official recognition that something tragic had happened to the Hagići people 21 years earlier. "Only the dates of death engraved on the white headstones revealed that the people buried that day died together; in other words, they were killed on the same day in July 1992." (Halilovich, 2011, pp. 48)

Before perpetrators acknowledge what occurred during the war and got corresponding punishment, no intergroup reconciliation is possible. However, such acknowledgement could open many ways to different relations in the future. "The apparent refusal by the perpetrator to acknowledge his or her actions leads to a lack of closure for the victim and in fact may be experienced as the trauma being perpetuated." (Moosa, Straker, Eagle, 2004, pp. 141) This means that people whose sufferings has not been acknowledged continue to live fear that the similar things will be repeated.

Respondents in the questionnaire were not directly asked about acknowledgement, because it is mostly linked to their answers about forgiveness and apology. Some of them claim that there must be an acknowledgement that all sides committed crimes, while some of them clearly state which side is wrong for them and why. Everything will be more clear when you read passages on apology and who needs to apologize to whom.

4.4. APOLOGY IN BOSNIA AND HERZEGOVINA

In the discussion about apology of the committed crimes, in the first chapter, the division of apology on a claim to knowledge and a claim to responsibility was mentioned. The difference between two kinds of apology is the fact that in the first one people simply say 'sorry' without having clear picture of what occurred in the past. On the other hand, apology as a claim to knowledge is the one that occurs after acknowledgement of past events, for which all sides regret. Consequence of this kind of apology is at the same time a wish for rebuilding connections with past enemies.

Throughout this thesis the argument of knowledge, facts, and acceptance can be found, thus, an apology to victims must be apology as a claim to responsibility, because it is impossible that all crimes in Bosnia and Herzegovina happened without someone being responsible for them.

Another way to apologize, not being even considered by the committers of the misdeeds in Bosnia and Herzegovina, is to determine a day for contemplating the past. 'Sorry day' being marked in Australia, is probably the most known example of this kind of apology. The case in *Republika Srpska* is just the opposite. The perpetrator side has not accepted the guilt, leaving them space for not respecting days when people of non-Serbs, mainly Bosniaks, were killed in groups. The dates which are considered as offensive from the non-Serbs are celebrated as great national holidays by *Republika Srpska*. That is, for example, the case with the Prijedor's Liberation Day. The day, 30 April, when the process of 'ethnic cleansing' against all non-Serbs started in this region, is celebrated as a Liberation Day. The same can be said for 11 July, which is marked as Srebrenica Genocide Memorial Day.

Relying on Griswold (2007), it is argued here that political apology cannot occur without meeting some requirements such as recognizing the truth, clearly expressing the perpetrators and victims, where perpetrator accepts the responsibility, having as a result clear statement of apology.

The most common kind of political apology is that political leaders apologize in the name of their group, however in Bosnia and Herzegovina the case is just the opposite, the leaders are those who continuously neglect genocide and force that Serbs are those who suffered during the war. This is the same policy used to start the wars in the former Yugoslavia, claiming the discrimination of Serbs. Here, the point is neither that all Serbs are the same nor all Serbs are perpetrators of the war crimes, rather it is the fact that individuals cannot be taken outside of their own group, when talking about one nation. Many innocent Serbs also survived the horrors of war, and it is generally known that some of the most famous generals of the Army of the Republic of Bosnia and Herzegovina, which fought for sovereign, independent Bosnia and Herzegovina, were Serbs. Croats, too, should not be exempt from these sentences, because on all three sides there are/were people who suffered during the war and who are innocent.

Nevertheless, there has been some statements of regret and apology. One of the leaders who apologized in 2003, for "every evil or misfortune which anyone in Bosnia-Herzegovina suffered from anyone from Serbia and Montenegro," was President of Serbia and Montenegro, Svetozar Marović. Before apologizing he stated that "it was time for forgiveness".¹² Yet, the point here is that he apologized for all evil and misfortune without naming the atrocities being the hardest possible crime, the genocide. This is the reason why his apology cannot be accepted as a precondition for forgiveness, because it clearly lacks the must part of acknowledgement. According to Thompson "a bad or suspect apology can do more harm than good." (Thompson, 2012, pp. 16) Thus, it is discussable whether Marović's apology has brought any good to the society of Bosnia and Herzegovina and relationships between Bosnia and Herzegovina and Serbia.

Years have passed since the *Republika Serbia* apologized for "enormous crimes" that were committed against other ethnicities. That happened in 2004, when the Srebrenica committee of the government of the *Republika Serbia* issued a Report in which names of 8,731 missing and dead persons from Srebrenica are found. Following the release of the Report, the government of the Republika Srpska apologized for enormous crimes. However, that apology does not fulfill the requirements needed for one apology to be recognized as political apology with clear acknowledgement of guiltiness. The more disturbing thing is the fact that Milorad Dodik and its government, initiated a revision of the Report of Srebrenica commission of government of the *Republika Srpska* 2004, saying that it was a mistake and accusing the then *Republika Srpska* President Dragan Čavić for putting signature on it just for its own interests.¹³ This Report and apology were widely accepted as a positive step toward finding the truth of genocide in Srebrenica, however, as already said, today it is seen as a betrayal by 2004 government.

¹²2003, November 14. Calling For Forgiveness, Serbia Leader Apologizes to Bosnia for War. *The New York Times*. Retrieved from <http://www.nytimes.com/2003/11/14/world/calling-for-forgiveness-serbia-leader-apologizes-to-bosnia-for-war.html>

¹³2012, September, 6. Dragan Čavić snosi odgovornost za izvještaj o Srebrenici. Glas Srpske. Retrieved from http://www.glassrpske.com/novosti/vijesti_dana/Dragan-Cavic-snosi-odgovornost-za-izvjestaj-o-Srebrenici/lat/91842.html; TOPIC, T. (2004, July, 1). Otvaranje najmračnije stranice. *Vreme*. Retrieved from <http://www.vreme.com/cms/view.php?id=384060>; Milorad Dodik is the President of the *Republika Srpska* and its leader in the post-war period.

As an opponent to conclusions of 2004 Report, Srebrenica Historical Project is formed with regard to stop calling Srebrenica as "genocide".¹⁴

In 2007 International Criminal Court (ICC) has made decision that crimes committed in Srebrenica in July 1995 represent genocide, and only two days following the decision government of *Republika Srpska* send an apology to all non-Serbs that survived the crime, however, it did not agree that it was genocide and asked for apology from other sides as well. Which again bring us to the point that there has been no apology as a claim to responsibility in Bosnia and Herzegovina. On 31 March 2010, Serbia has passed Resolution on Srebrenica genocide, yet, Resolution did not refer to it as an act of genocide, but as a massacre. Srebrenica is a symbol of war and aggression on Bosnia and Herzegovina, for being the most massive atrocity committed during the three-year long war, and for being recognized by the ICC as an act of genocide. All these are reasons why it is of crucial importance that Serbia managed to condemn it. Serbian Parliament brought Resolution in which it apologizes for crimes that happened in Srebrenica in 1995, however they did not mention word genocide, leaving it open for different political interpretations, and "genocide is not kind of event that we would like to see open to multiple interpretations." (Andrieu, 2009, pp. 12) Although, being vain and not enough, this Resolution was considered as a positive step towards reconciliation between Bosnia and Herzegovina and Serbia. In this way it is shown that Serbia is partially ready to confront the past at the same time improving stability in the region. Passing the Resolution was Serbia's obligation towards the ICTY and also to Serbian people who have right for better reputation and future. I support the idea that all crimes committed during the given period must be condemned, however, this Resolution is better than no resolution, because it does not leave space to avoid that horrible crime happened there. Although, the Parliaments of different countries throughout the world such as those of the United States, Canada, Australia, European Parliament etc. have brought resolutions referring to atrocities in Srebrenica as an act of genocide, the interesting fact is that Bosnia and Herzegovina is one of the countries who has not

¹⁴ Historical Srebrenica Project, <http://www.srebrenica-project.com/>

condemned the genocide, together with Republika Srpska that negatively has criticized the Resolution since it was passed by Serbia. By Resolution of the European Parliament, 11th of July, the day when more than 8372 people, mostly man, were killed in Srebrenica, is accepted as a Day for Mourning and Remembrance of victims, but in Bosnia and Herzegovina this day is marked only in Federation and District Brčko.¹⁵ As long as situations like this continue, there is no space for forgiveness or reconciliation.

Milorad Dodik, is a political leader who continuously provokes non-Serbs. Many of his statements are about gaining autonomy, sometimes even independence of the *Republika Srpska* and negligence of genocide in Srebrenica. In that horrible way, he uses this crime for reemergence of hate, new killings and genocides, being this in continuity of previous presidents of *Republika Srpska* who all ended as war criminals in the ICTY. In November 2012, Dodik again said that municipalities of Drvar, Glamoč, Grahovo and Petrovac need to get autonomy because, according to his saying Serbs in these municipalities are marginalized. His policies are in continuity of nationalism that brought peoples of the former Yugoslavia to war. He, is certainly not the only one, but his position as the President of the *Republika Srpska* make his voice stronger. Last in a series of negations of what happened during the war in Bosnia is statement of the President of Serbia Tomislav Nikolić for Italian newspaper *Corriere Della Sera* in October 2012, who said that genocide did not occur in Srebrenica.. In this way he once again insulted the victims of genocide and those who survived it.¹⁶

Idea of equal or almost equal responsibility are being launched by many leaders in different times following the war. However, explained very well by Muslimović (2003), the evidences can be found all around us, being principally the mass graves which were formed in front of the eyes of the entire world. The Bosniak people were not able to run

¹⁵ European Parliament resolution of 15 January 2009 on Srebrenica, Retrieved from <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2009-0028&language=EN>

¹⁶ Gergolet, M. (2012, October, 9). L'Europa può chiederci tutto ma non di rinunciare al Kosovo; Srebrenica non fu genocidio. *Corriere Della Sera*. Retrieved from http://www.corriere.it/esteri/12_ottobre_09/europa-chiede-kosovo-nikolic_a4ba829e-11d5-11e2-919a-606647d2c25a.shtml

from military being commanded by Slobodan Milošević, the then President of Serbia. While explaining the impossibility of equality of responsibility, Muslimović (2003) also touches upon the cultural genocide where the aggressor destroyed more than a thousand of mosques and other Muslim religious facilities, while defending side respecting all religious facilities tried to protect them, and in most of cases succeeded. He also says that "if wishes were to be fulfilled according to the "responsibility balance", by detaining Bosniaks in Hague cells solely for the purpose of demonstrating that no bias exists, than this would contribute to the historic rehabilitation of Great Serbian genocidal program and leaders that lead aggressive and genocidal war campaigns against Bosnia and Herzegovina." (Muslimović, 2003, pp. 186-187) He concludes the discussion on "responsibility balance" as if Bosniaks are responsible for war crimes they are to be judged, yet, outside of the principle of equality.

The above stated are the examples which are necessary to see how political scene in Bosnia and Herzegovina looks at this moment. However, in order to see what ordinary people, here represented by new generations, the questionnaire conducted asked the respondents about the relationship between reconciliation and apology and whether apology is important factor of process of reconciliation. Who needs to apologize to whom and why? From the answers collected the respondents can be divided in three general groups: the ones who think that apology is very important part of reconciliation, where everyone should apologize to everyone; the ones who think that apology is important but they have different views on who should apologize to whom; and the ones for whom apology is not very important.

76% of the respondents (38 out of 50) agree that apology is one of the most important factors of the process of reconciliation. 23.6% of them (9 out of 38) think that everyone should apologize to everyone, without exception, because no nation remained with clean hands. That is the only way for issues to be opened for different dialogues. According to these young people, Bosnia and Herzegovina is a multi-ethnic society in which all have equal rights, and that is why everyone should apologize to everyone.

Some of the respondents think that apology is important, but they are not very optimistic that it will happen in near future:

The apology would be ideal, but I am not so optimistic. Perhaps that will happen in another 20 years. Everyone should apologize to everyone. Serbs should apologize for all crimes and Genocide in Srebrenica, Croats for crimes of Herzeg-Bosnia, Bosniaks for crime in Central Bosnia. Each community has their own victims, each one made harm to another one. The hardest thing is to admit own guilt, own wrong ideology and that someone else is a victim also. So I think that complete apology will not happen in near future. (Croat origin respondent 27)

For 32% of the respondents (16 out of 50) the most important factor is an official apology and acceptance of responsibility. The most supportive ones for an official apology were young Bosniaks. According to them the aggressors should apologize to families of victims for all crimes committed in the region of the Former Yugoslavia, especially in Bosnia and Herzegovina. They claim that it is well known which nations did shameful acts of aggression and genocide, thus, the aggressors are the ones who need to apologize. In word of one Bosniak respondent: "Serbs should admit that their leaders were war criminals, and that they destroyed many lives. And then, that these criminals, but also today's politicians and citizens themselves should apologize to those to whom they destroyed lives or somehow were part of the same." (Bosniak origin respondent 21) Another one thinks that first of all *Republika Srpska* should apologize to Bosnia and Herzegovina, primarily for genocide in Srebrenica, and then for the other crimes, as well." (Bosniak origin respondent 40) Croat origin respondent 11 said that the Serbs started war in this region, and they should be initiators of reconciliation. And, if we are to speak of present, he or she thinks that Bosniaks should apologize to Croats for oppressing them. One of the Serb respondents said that the war criminals should apologize to their victims without stating the nationality to which those criminals belong:

War criminals should apologize to their victims and their families because of the pain and damage. I believe that the atrocities still cause great anger to victims and that apology or acknowledgment would mean a lot to them. On the other hand, if a war criminal of one nationality would apologize it would cause anger of members of that nationality because he would indirectly admit the responsibility of all people. Unfortunately, our understanding is such that the character and actions of individuals are projected on a wide area of ethnic population to which it belongs - which is completely wrong approach in understanding of responsibility. (Serb origin respondent 18)

There are also respondents who think that apology is not important. 14% of the respondents (7 out of 50) claimed that apology is only a formal act and it does not mean anything. 5 of these 7 people think that apology is not important at all. Apology is not necessary because all parties involved in war are guilty. One of the most interesting answers regarding apology was given by a Serb respondent, in which he tried to explain his or her opinion through an anecdote: "A man got mad and threw a plate on the floor. A plate crashed. Then he gathered its pieces and apologized to a plate. But plate pieces did not connect. Thus, to apologize in our situation would be a pure marketing move for most politicians, depending on the party program." (Serb origin respondent 50) This group of respondents believe that there is no need for apology, because people can forgive, but not forget, saying that the best thing is to put everything under the carpet and move on. 2 out of 7 respondents who do not support apology, think that apology cannot change anything. They believe that the worst experiences have those who lost their family members, and no apology will bring them back to life. On the other hand these people should be provided with normal country and not divided one. (Bosniak origin respondent 23 and Bosniak origin respondent 30)

In their answers regarding apology, 8% of the respondents (4 out of 50) put stress on the future, saying that it is time to move on, without raising issues from the past. It is where it should be – in the past, we live in present building future, which should be brighter than those of our parents and ours. For them the most important things should be our behaviour by which we can facilitate lives to each other. "If we work together in order

to build our future, it is a sign that they apologized and we forgave." (Bosniak origin respondent 6)

Rwanda and South Africa case studies were used to understand the apology process as well. In both of the countries apology is one of the most important components of reconciliation. In none of them, there was no legal commitment to apologize, however, most of the perpetrators apologized hoping to get less punishment and forgiveness of the victims. In South Africa, Nelson Mandela, showed that political apology is very important to give victims a promise that they will not suffer again. Apology in Bosnia and Herzegovina is seen in different ways. Some of them say that everyone should apologize to everyone, while others say that Serbs and Croats should apologize to Bosniaks; others that Bosniaks and Serbs should apologize to Croats etc. being clear that there are differences on understanding the war and who were the aggressors and who were the victims. This is the reason why this thesis aimed to make this distinction clear. One group of respondents do not take apology seriously, saying that it is just a formal act, while others say that apology and forgiveness are to be shown by our deeds.

4.5. TRUTH IN BOSNIA AND HERZEGOVINA

Truth is also one of the components of reconciliation, considered as being very important one. It has been mentioned that most of countries with violent past deal with their problems through truth and reconciliation commissions as we saw from the South African experience or some similar local court justice such was the case in Rwanda. The main purpose of dealing with past in this way is to "uncover the 'truth' about the past, in order to provide a path to healing for the nation and, secondly, upon the ethical reception of that testimony by listeners engaged in an ongoing intersubjective dialogue." (Schaffer, 2008, pp. 89) However, Bosnia and Herzegovina is different by the fact that no truth and reconciliation commission was formed following the war.

At the very beginning of the 2001 there were some incentives of establishing the Truth and Reconciliation Commission in Bosnia and Herzegovina as well, however, at the conference entitled "An Idea Whose Time Has Come: Truth and Reconciliation Commission in Bosnia and Herzegovina," Bosnian Serb politicians did not attend, although their names were on the speaker's list. So, this initiative ended in no success. (Perry, 2009) One of the arguments against establishment of the truth commission in Bosnia and Herzegovina after the war, was that it would try to replace the ICTY, or at least that their investigations would overlap.

In the former Yugoslavia there has been no truth and reconciliation commission that achieved some success, although there were some initiatives such as the Commission for Truth and Reconciliation formed in the Federal Republic of Yugoslavia (Serbia and Montenegro). Neither civil society in the country nor the representatives of international community believed that serious inquiries will be done. The Commission was abolished with the transformation of the Federal Republic of Yugoslavia.

In most countries finding the truth is much easier than in Bosnia and Herzegovina, because they are mostly two conflicting sides. In Bosnia and Herzegovina, the situation becomes even harder to explain, understand and solve because there were five parties involved in the conflict. First of all there are Bosnian Serbs directly supported by Serbia, Bosnian Croats directly supported by Croatia and majority of Bosniaks plus Serbs and Croats who were fighting for the independent Republic of Bosnia and Herzegovina. And, all of them have their own version of history being explained in their schools.

It has already been stated that no truth and reconciliation commission was found in Bosnia and Herzegovina, however, a good initiative is the Bosnia Truth Foundation. At the beginning of July 2013, the Bosnia Truth Foundation started its work in Bihać. It aims to discover the truth about killings in the north-western region of Bosnia and Herzegovina, Bosanska Krajina, which was under the control of Serbs, during the war.

Its most important goal is to obtain documents about the responsibility for crimes in the region, at the same time financially helping the victims.

In the previous chapter, we have talked about the Dayton Agreement and its bad legacies. Among the worst legacies of the Dayton Agreement is education system, which is systematized according to the three constituent nations allowing each one of them to teach 'its own truth' of history occurred during 1992-1995. Mostly after 2000, international community has tried to make changes regarding educational system, especially teaching history yet without significant success. "The case of Bosnia and Herzegovina is probably the most salient example of the often contradictory forces that define the place of history education in the reconstruction and reconciliation process." (Pingel 2008, pp. 187) The most appropriate example for this is the 'two schools under one roof' system where students of different nationalities go to the same schools yet not mixing with each other. Two schools under one roof is a post war phenomenon in Federation where Bosnian and Croat army fought against each other. Parliament of the Federation of Bosnia and Herzegovina, has on many occasions tried to change this system yet ending in no success. Although the municipal court in Mostar in 2012 ruled that schools in Stolac and Čapljina should no longer segregate Croat and Bosniak children, the decision faced resistance and was banned. In a country where children are raised in circumstances just mentioned, it is small possibility that these children when grow up will be possible to live and share living and working places without having different kinds of partitions between them. Example of this educational system is only one example of disfunctional state created to stop war lasting for more than three years. One of the most dangerous disadvantages of the Dayton Agreement is that it has made the functioning of ethno-federalism, the unnatural territorial division of Bosnia and Herzegovina established by war activities.

Being in direct relationship with the truth, and teaching the truth about the past, 'two schools under one roof' system was one of the questions asked to participants in the questionnaire. They were asked about educational system in which 'two school under one roof' exist, where students of different ethnic groups go to one school, yet having

different programs. The aim was also to learn if they believe that it is possible to teach the same things to students of different nationalities, especially when it comes to history?

Most of the respondents do not support this kind of education. 20% of the respondents (10 out of 50) believe that it is possible that people of different nationalities go to school together. They think that intellectuals should sit down together and agree on a plan and program and thereby overcome the disagreements over the past. Their most important argument are schools that do not have the 'two schools under one roof' system. There should not be space for propaganda and fictional history in the education system. Croat Respondent 12 explained his or her opinion very clearly stating that: "I do not support such system because it is fascist at the very beginning. Of course it is possible to teach children the same things if they are presented in a healthy way which excludes national-chauvinist concepts." (Croat origin respondent 13)

For 16% of the respondents (8 out of 50) the law should regulate or legally prohibit functioning of such institutions, because instead of homogenization of society, this kind of institutions heterogenize it from early childhood. They argue that the state must lead society towards reconciliation rather than polarization on "us" and "them"? Thus, it is a huge mistake to divide students, because it deepens the rift. They are also aware of two facts; first of all that the law prohibited functioning of this system in 2012, and secondly, directors of schools and city councils in cities where such schools exist, do not do anything to solve this problem. Thus, there must be a breakpoint and acceptance of what actually happened during the war and the real view of history. According to their opinion, currently there is no political will to solve this problem.

More than a half of the responds think that should be solved first in the family, because, if there is no hatred in families, there can be no hatred in schools, either. Every division of children would become absurd and it would collapse as such. The argue that when

parents send their child to school in which his peers go to 'special' classes, that child start to think in terms of differences between students of other nationalities. And no post-conflict society needs that, because it represent a basis for reemergence of hatred that can lead to a new war. Children should not be raised by listening divisions. This kind of education, in opinion of these young people, is one of the worst examples and one of the most devastating moves that parents can do to their children. Not due to different programs or things that are being taught, but because of separation and desocialization of children who then easily differentiate themselves on "us" and "them."

52% of the respondents (26 out of 50) believe that students of all nationalities can and should go to the same schools, however, according to them some classes such as native language could be held separately. These classes could be in the form of elective course. They think that difference in the programs, is minimum and that it can be reduced to a negligible percentage. The most interesting subject is history, and the views respondents differ in a sense than around half of them believes that history could be taught together, while the other half believes that it is not possible. The respondents who can be put in the first group propose different suggestions such as the removing of 1992-1995 war from history books, and concentrating on extremely rich history of Bosnia and Herzegovina: "We must focus on our rich culture and a common heritage, and it is unacceptable to divide us at a time when we most need to stick together and cherish the wealth that no other country in the world has. (Serb origin respondent 7)

The respondents who do not suport teaching history together claim that Bosnia and Herzegovina is missing good historians, who could forget about ethnicity or religious background, while writing a book, because only with objective facts from the past we can build normal society in the future. They see solution in writing textbooks at the state and not on the entity level. Some of them are very rigorous and direct such as Serb respondent 34 who said that the reason why history cannot be taught together is the fact that: "Bosniaks children must know that their ancestors are Serbs... I think that history cannot be taught together until something is changed."

14% of the respondents (7 out of 50) think that having ‘two schools under one roof’ system is better than being completely separated, because in this way students have opportunities to interact. Talking about his or her experience in Gymnasium one of the Bosniaks respondent said: "I think we made progress in the last 8 years, since two schools under one roof is better than being separated completely. Now, students are at least able to see each other and interact. From my perspective, ethnic intolerance among high school students in Mostar is far less than before unification. But that is just the beginning of integration, the ideal would be to have students in joint classes with the same curriculum." (Bosniak origin respondent 38)

Respecting opinions of all respondents, one of the arguments of this thesis is that in order for peoples of Bosnia and Herzegovina to reconcile these kinds of institutions need to be abolished. Muslimović (2003) is one of the academics who support the idea that education is the most important stone in building peace and stability or just the opposite educational rearing, religious, cultural and informational activities may cause conflict and instability.

4.6. JUSTICE IN BOSNIA AND HERZEGOVINA

Transitional justice is a type of justice, mostly being used after violent conflicts. From the experiences of Rwanda and South Africa, it can be seen that among the components of reconciliation, justice is probably the most important one, because reconciliation cannot occur without achieving justice in a country which survived mass atrocities.

One of the mechanisms of transitional justice had been employed in Bosnia and Herzegovina even before war ended. The ICTY was established by the UN Security Council in May 1993. The most important aim of the ICTY is to try persons responsible for murder, torture, rape, enslavement, destruction of property and other crimes as

defined in the Statute of the Tribunal, committed from 1991 to 2001 against members of different ethnic groups in Croatia, Bosnia and Herzegovina, Serbia, Kosovo and the Former Yugoslav Republic of Macedonia. In this way, the ICTY is suppose to bring justice to all victims of the war at the same time making contributions to the peace in the region. The Court is sitauted in The Hague, because at the time of its establishment there was ongoing war in the region, and it was not possible to situate the Tribunal in any of the states which were party in the conflict.

According to the latest statistics of the ICTY, it has charged over 160, and convicted more than 60 persons which include heads of state, prime ministers, army chiefs-of-staff, interior ministers and many other high political, military and police leaders from various parties to the Yugoslav conflicts.

ICTY is not important only for bringing justice to the former Yugoslavia, but also to show that transitional justice can work to a certain point. It shows the world that leaders suspected of crimes will face the justice. Regarding the decisions of the Courts, many of them play a pivotal role for establishing true version of history. One of them is proclamation of mass killings in Srebrenica as an act of genocide. Another thing is that rape was declared as a weapon of war by Bosnian Serbs. The fact is that most crimes convicted and being prosecuted by the ICTY are committed by Serbs and Bosnian Serbs, however the Court also deals with crimes committed by persons with all ethnic backgrounds.

One of the biggest achievements of the ICTY was the capture of four most wanted criminals in aggression on Bosnia and Herzegovina: Slobodan Milošević, Radovan Karadžić, Ratko Mladić and Goran Hadžić. It must be stated here that justice considering their capturing came late, after years of hunting. One of them, Slobodan Milošević, died before being convicted and many people, especially victims of their atrocities, fear that other criminals will have the same destiny, because all of them are

very old. However, according to the Court the trial of Radovan Karadžić is expected to finish in 2014. The estimates for the Hadžić and Mladić cases forecast those trials finishing by 31 December 2015 and 31 July 2016, respectively.

One of the pivotal roles in the Court has been played by victims. Since the first trial in 1996 until early 2013 more than 4,500 witnesses have testified in front of the Court. Although there have been victims from all around the world, most of them have been from the countries of the former Yugoslavia (almost 50 per cent of them have been from Bosnia and Herzegovina, more than 10 per cent from Croatia, and almost 13 per cent from Serbia).¹⁷

In their work *Stay the Hand of Justice: Whose Priorities Take Priority*, Weinstein and his colleagues researched the mechanisms of transitional justice in different countries, emphasizing:

Two critical factors that should be considered in instituting transitional justice interventions: first, the interrelationship between international and local politics and the impact of domestic politics on the choice and implementation of any particular transitional justice mechanism; and second, the gap that may exist between international norms and expectations for justice and the attitudes, beliefs, and goals of the people whose lives were negatively affected by policies of the prior regime or the mass violence that may have erupted. (Weinstein, Fletcher, Vinck, Pham, 2010, pp. 27)

Regarding Bosnia and Herzegovina and the ICTY they came to the conclusion that attitudes towards the ICTY were related to identity group, war experience, postwar geography, and the ability of a group to acknowledge the deeds of its own war criminals. These influences changed over time as refugee returns occurred and the Office of the High Representative asserted control over the media reportage that promoted ethnical hatred. (Weinstein et al, 2010)

¹⁷ ICTY (2013), Retrieved from <http://www.icty.org/>

Within the same research they also tried to find answers to the reconciliation affinities. In Bosnia and Herzegovina they used three variables: readiness to accept the presence of members of the "opposing" nationality in eight different situations, readiness to be reconciled with the conflicted nationalities, and readiness to accept interstate cooperation. They just pointed out the groups that are more likable to accept reconciliation and these are the ones who were not ethnocentric, nationalistic, or authoritarian; people who mostly had positive experiences considering ethnicities and the ones who valued the ICTY ." (Weinstein et al 2010) From this statement we can see that justice plays one of the crucial points for reconciliation, and persons who support work of the ICTY are more likely to renew relationships with the people of other ethnic groups.

Thus, the ICTY has been functioning as a transitional mechanism following the atrocities in Bosnia and Herzegovina, playing role the gacaca courts played in Rwanda and the TRC in South Africa. The ICTY, once more shows how states deal with their legacies from the past in various ways. The reason why international court has been taken as a solution to Bosnian war was the fact that it was an international conflict, thus it would be really hard to try the biggest war criminals in any of the states because they were functioning over the borders. The initiative for establishing truth and reconciliation commission in Bosnia and Herzegovina resulted in failure. At the very beginning some people were against, arguing that it would distract functioning of the ICTY, which was pivotal to reconciliation in the country. Another proposed argument was that at the time victims were not ready for this kind of justice. Although it had a lot of supporters, it has still not seen the light of the day.

Another of the two main mechanisms of transitional justice is International Commission for the Missing Persons (ICMP) founded in 1996. The need for international involvement was the fact that Bosnia and Herzegovina did not have an infrastructure to address past atrocities. (Wagner, 2010) However, "despite international interventionist attempts to bound projects of transitional justice and reparation politics temporally (i.e.,

limited to the conflicts of the 1990s), exclusionary ethnonational rhetoric within the region of Former Yugoslavia often references more distant past events in attempting to interpret the results of those very projects." (Wagner, 2010, pp. 41) In my opinion, the main reason for this is that crimes from the far past had not been explained in proper way, as having one truth, having as a consequence the war 1992-1995.

As it is the case with other components of reconciliation, opinion of young people considering justice also differ from one person to another, regardless of their ethnic group. The respondents were specifically asked in which way we should deal with the past and Do they think that the role of the ICTY is important for bringing justice for crimes that happened in Bosnia and Herzegovina between 1992-1995?

Most of the respondents think that the ICTY is an essential for justice in Bosnia and Herzegovina. The role of the ICTY is very important, aggressors and criminals have to be convicted and imprisoned, and must not be allowed making heroes out of people who brutally murdered elder people, women and children just because of different ethnicity. Fair trials according to them then can certainly affect the correct construction of the image of Bosnia and Herzegovina and its past. The trials should prove who and where was guilty and that should be included in history textbooks to teach the children proper information. It is of crucial importance for determining the history and events from 1990s.

While some respondents (36% which is 18 out of the 50) think that the ICTY is excellent because its purpose is to convict all responsible individuals avoiding generalizations, others (22% of the respondents which is 11 out of 50) think that the ICTY has been politicized. 7 out of these 11 people think that the Court is biased. Serb origin respondent 22 claimed that: "It is logical that the ICTY provokes anger of Serbs for their judgments. If the captives of all three parties were in proportion and if it the war was explained as interethnic war where are all sides were wrong, we could now

start a new life. Then it would hope for reconciliation. In this way there is no lasting reconciliation, because not a single man wants to accept that he was the aggressor while he was defending his home."

Discussing the justice many of the respondents (88% of the respondents which is 44 out of 50) draw attention to the fact that it is important to allocate concept of a nation from the concept of an individual of that nation that committed crimes against civilians. They argue that generalizations of the criminals with the people of their nation will not bring any good to Bosnia and Herzegovina. As soon as people we understand that, the happier they will be in opinion of the 20 Bosniak, 16 Croat and 8 Serb origin respondent to the questionnaire.

As seen from these different opinions, the ICTY has been thought of in different ways, some supporting its role and function, some others being against. This thesis supports the argument that the ICTY is very important for the fact that war criminals cannot be indicted in any other way, the international court needs to exist because the war in Bosnia and Herzegovina was international one, it was an aggression against sovereign state. The Court has regained its image and importance in the last few years, after finding the most wanted criminals such as Slobodan Milošević, Radovan Karadžić and Ratko Mladić. The last most wanted criminal Goran Hadžić was also captured in 2011. Justice of the ICTY works slowly, but in the end it is reachable. Still, one problem that remains is the fact that trials last too long, having as a consequence the probability that most of the criminals will die before being convicted.

Conclusion

This chapter aimed to analyze reconciliation in Bosnia and Herzegovina. It was done through the components of reconciliation supported with opinions of young people of all constituent nations in the country. Although answers in this kind of questionnaire cannot be generalized, it is still clear that young people in Bosnia and Herzegovina are generally not obsessed with past and many of them pointed out that we should focus to work together on better future. However, from their answers we can easily see that there

are numerous problems that stand as barriers towards reconciliation. Most of the respondents blame politicians in the country for not reconciling the society so many years after the conflict, working only for their own interest. The most important tool in their hands is the media, which broadcasts things that divide society even more. Another very important source for hatred between people of different nationalities, are considered to be families who raise their children in that way. Among interesting answers were those who consider the international community responsible for bringing us solutions without true understanding of a situation in the country. Very optimistic ones argue that lack of love is what we need, and of course, true Muslims, Catholics and Orthodox who will teach their children true religion, and all of them teach love and respect for others. If we talk about the components of reconciliation explained in this thesis it can be said that a lot of respondents also agree that reconciliation is not possible before meeting some conditions such as justice, apology, trust or forgiveness. Thus, if components of reconciliation as explained in this thesis would be applied, then we could talk more positively about reconciliation in the country.

CONCLUSION

The aim of this thesis was to show that reconciliation in Bosnia and Herzegovina is possible and that it is actually a precondition for the lasting peace in the country; yet, at the same time, the aim was to show that it is hardly achievable without accomplishments of some certain elements such as an apology from the aggressors; acknowledgement of one truth; fulfillment of justice and a proper form of education inside the home.

As seen in the first chapter, although there are many approaches to reconciliation, the common aim is to reconcile conflicting groups in a given country. Reconciliation is mostly related to the building of solidarity between alienated people; the rebuilding of ruined relationships; the increasing of interconnectedness regarding economy, culture etc. In order to explain and analyze reconciliation in different countries five components of reconciliation were defined in this thesis: forgiveness, acknowledgement, apology, truth and justice. After analyzing theory on forgiveness, the conclusion of this thesis is that it is "naive" to urge forgiveness, especially in societies which survived horrors of genocide. Forgiveness is not moral duty, and if it is going to occur than some conditions, such as acknowledgement and apology, need to be fulfilled. Regarding acknowledgement, it must be stated once again that it is significant because in that way perpetrators of crimes claim their consistence to new values and claim that similar abuses will not happen again. Acknowledgement is generally followed by apology, which is crucial for forming public memory. It disables crimes and wrongs from the past to be burried. Truth, as stated at the very beginning of the thesis, is a basis of a healthy community. Sometimes it is hard for conflicting sides to accept one truth, yet, without finding the truth it is hard to speak of reconciliation. In order for one truth to work out justice is a *sine qua non* condition.

From analysis of Rwanda and South Africa we saw that forgiveness, acknowledgement, apology, truth and justice, served as a foundation for the process of reconciliation. Rwanda used a form of local justice, which was the most appropriate solution for the society, since Rwandans were hardly able to follow trials in the ICTR, mainly because of the language barrier. Thus, the gacaca courts were the best way to convict the perpetrators and find out the truth behind the genocide. The case study mostly used as an example of reconciliation is South Africa. Reconciliation within the country also started with opening the wounds through the court, and the TRC. While uncovering the truth, the aim of the TRC was actually unification of the nation. When Nelson Mandela became the first black President of South Africa on 11 May 1994, after decades of discrimination of black people, it was considered to be a modern miracle (De Gruchy, 2002). Along with South Africa, many other countries have experienced a troubled past. They went through different kinds of truth and reconciliation commissions in order to solve problems from the past and turn to a brighter future. Some of them were found in Argentina, Uganda, Sri Lanka, Ecuador, Haiti, Mauritius, Paraguay, Togo, Kenya, Guatemala, Chile, Peru, and other countries. However, Bosnia and Herzegovina, had no experience with the truth and reconciliation commission, besides the Truth Foundation, which was established at the beginning of July, 2013.

After the analysis of the historical background of the war in Bosnia and Herzegovina, we saw that two major factors behind the war in the country were the nationalist policies of Serb and Croat politicians supported by media. From the analysis of today's situation in the country, especially from the answers of young people in Sarajevo and Mostar, nationalists and various media are still cooperating to bring more division to the society. Politicians are responsible for waging destructive politics, and media is still one of the most disrupting factors to reconciliation. The only way to change this is to elect conscious politicians, willing to accept one truth about the war in Bosnia and Herzegovina and who will work for the benefits of all citizens in the country. People need to support politically independent media, in order to obtain the right information about the situation in Bosnia and Herzegovina.

Reconciliation has no final definition, however, whichever one we take into consideration, we can see that Bosnia and Herzegovina has a lot of work to do before achieving successful reconciliation. Whether we talk of reconciliation as an establishment of improved relations; building of solidarity and trust or economic and social cooperation, Bosnia and Herzegovina is far from being a reconciled society. Yet, motivation for diverse relations and cooperation in the future can be found in various projects. One of them is the MEDI (Municipal and Economic Development Initiative) program which showed that leaders are ready to cooperate if they recognize common interests. Gamberale (2008) exactly took this example in Bosnia and Herzegovina to show that "economic institutions that act as 'honest brokers' can bridge the ethnic divide that is otherwise an obstacle to the processes requiring trust and cooperation." (pp. 156) These kinds of projects also fit to the definition that societies with violent past should base their relationships on cooperation. However, the point of this paper is that recognition of common interests besides economic and business development is necessary in order for new coming generations to have a better future. Another very positive example of common projects between all national groups is the youth activist network *Karakter* (Character) which is formed by group of young people from all around Bosnia and Herzegovina. *Karakter* is an informal open group, formed in December 2012, to actively engage on behalf of all those whose voices cannot be heard. It is an excellent example of the new generations in Bosnia and Herzegovina, who are ready to work together, regardless of their nationalities. These kinds of new initiatives in order for Bosnia and Herzegovina to achieve social, economic and political integration.

Although it seems that the situation in Bosnia and Herzegovina is not very bright, in their work Magill and Hamber (2011) took and compared studies on reconciliation in Bosnia and Herzegovina and in Northern Ireland. According to their findings, young people in Bosnia and Herzegovina are more familiar with the word reconciliation (*pomirenje*) than the young people in Northern Ireland. According to the same research, most of them said that the obstacles to reconciliation are basically found in political instability and economic stagnation. These statements are supported by our

questionnaire, in which we see the desire of young people to reconcile. In other words, Bosnia and Herzegovina is not a failed state in establishing peace and stability, it should, and it can secure sustainable peace which is only possible through a successful process of reconciliation.

According to the results of the questionnaire, most of young Bosniaks, Serbs and Croats think that Bosnia and Herzegovina and its people should think of the future rather than looking into the past. Regarding components of reconciliation a lot of respondents agree that reconciliation is not possible before meeting of some conditions such as justice and apology. Although some stress the importance of forgiveness, this thesis' argument is that the victims are not morally obliged to forgive, it depends on their feelings and principles.

Once again, it must be said that eighteen years after the war, trust is not on a high level between peoples of different nationalities, especially those who live in different entities. However, we saw that people are aware of the need for reconciliation and at the same time they are ready for change. This gives us great hope, and "hope is critical for the transformation of political relations because of its influence on agency... By definition, when members of a transitional society are hopeful about the possibility of reconciliation, they are motivated and strive to act so as to achieve this transformation." (Murphy, 2010, pp. 126) Reconciliation in Bosnia and Herzegovina is possible, only if genocide and aggression are recognized from the side of the aggressor and if all three groups agree to write down the same history, which will be taught in schools, where each side will draw lessons from history, accept mistakes, promise not to repeat them.

REFERENCES

- Andrieu, K. (2009). Sorry for the genocide: How public apologies can help promote national reconciliation. *Millennium - Journal of International Studies*, 38: 3. doi. 10.1177/0305829809336257
- Aiken, N.T. (2010). Learning to live together: Transitional justice and intergroup reconciliation in Northern Ireland. *The International Journal of Transitional Justice*, Vol. 4, 166–188. doi. 10.1093/ijtj/ijq002
- Banac, I. (2006). The politics of national hegemony. In B. Blitz (Eds.), *War and change in the Balkans: nationalism, conflict and cooperation* (pp. 30-43). New York: Cambridge University Press.
- Bhargava, R. (2012). The difficulty of reconciliation. *Philosophy Social Criticism*, 38: 369-377. doi. 10.1177/0191453712447997
- Biggar, N. (2008). Forgiving enemies in Ireland. *Journal of Religious Ethics*, 36 (4): 559–579. doi: 10.1111/j.1467-9795.2008.00362.x
- Bildt, C. (1998). *Peace Journey: The struggle for peace in Bosnia*. London: Weidenfeld and Nicolson.
- Brannigan, A., & Jones, N. A. (2009). Genocide and the legal process in Rwanda: From genocide amnesty to the new rule of law. *International Criminal Justice Review*, 19: 192. doi: 10.1177/1057567709335392
- Brouneus, K. (2008). Truth-telling as talking cure? Insecurity and retraumatization in the Rwandan gacaca courts. *Security Dialogue Vol.39*, no.1, 55-76. doi: 10.1177/0967010607086823
- Brudholm, T., & Grøn, A. (2011). Picturing forgiveness after atrocity. *Studies in Christian Ethics*, 24: 159. doi: 10.1177/0953946810397441
- Buckley-Zistel, S. (2006). Remembering to forget: Chosen amnesia as a strategy for local coexistence in post-genocide Rwanda. *Journal of the International African Institute*, Vol. 76, no. 2, 131-150. Retrieved from: <http://www.jstor.org/stable/40027106> .
- Burnet, J.E. (2010). (In)Justice: truth, reconciliation, and revenge in Rwanda's gacaca. In A. L. Hinton (Eds.), *Transitional justice* (pp. 95-118). London: Rutgers University Press.
- Čekić, S. (2004). *The Aggression against the Republic of Bosnia and Herzegovina (planning, preparation, execution)*. Sarajevo: Institute for the Research of Crimes Against Humanity and International Law.

- Droždek, B. (2010). How do we salve our wounds? Intercultural perspectives on individual and collective strategies of making peace with own past. *Traumatology* 16: 5, doi: 10.1177/1534765610362800
- De Gruchy, J. W. (2002). *Reconciliation: restoring justice*. Minneapolis: Fortress Press.
- Du Toit, S. F. (2009). Tensions between human rights and the politics of reconciliation: A South African case study. In J. R. Quin (Eds.) *Reconciliation(s): transitional justice in postconflict societies* (pp. 232-263). McGill-Queen's University Press.
- Engel, P. (2002). *Truth*. Montreal: McGill-Queen's University Press.
- Enright, R. D. (2001). *Forgiveness is a choice: A step-by-step process for resolving anger and restoring hope*. Washington: APA LifeTools.
- Exline, J. J. & Baumeister, R. F. (2000). Expressing forgiveness and repentance: benefits and barriers. In M. E. McCullough, K. I. Pargament & C. E. Thoresen (Eds.) *Forgiveness: theory, research and practice* (pp. 133-155). New York: The Guilford Press.
- Frayling, N. (2009). Towards the healing of history: an exploration of the relationship between pardon and peace. In J. R. Quin (Eds.) *Reconciliation(s): Transitional justice in postconflict societies* (pp. 26-36). McGill-Queen's University Press.
- Gamberale, V. (2008). The role of economic development in reconciliation: an experience from Bosnia and Herzegovina. In P. Rothfield, C. Fleming, & P. A. Komesaroff (Eds.) *Pathways to reconciliation* (pp. 149-158). Hampshire: Ashgate.
- Gerkin, P. M. (2012). Who owns this conflict? The challenge of community involvement in restorative justice. *Contemporary Justice Review*, Vol. 15, No. 3, 277-296. Retrieved from <http://dx.doi.org/10.1080/10282580.2012.707423>
- Gibson, J. L. (2006). The contributions of truth to reconciliation: Lessons from South Africa. *Journal of Conflict Resolution*, 50: 409. doi: 10.1177/0022002706287115
- Glenny, M. (1993). *The fall of Yugoslavia: The third Balkan war*. London: Penguin Books.
- Govier, T. (2009). A dialectic of acknowledgment. In J. R. Quin (Eds.) *Reconciliation(s): Transitional justice in postconflict societies* (pp. 36-50). McGill-Queen's University Press.
- Govier, T. & Verwoerd, W. (2002). Trust and the problem of national reconciliation. *Philosophy of the Social Sciences*, 32: 178-205. doi: 10.1177/004931032002003
- Griswold, C. L. (2007). *Forgiveness: A philosophical exploration*. New York: Cambridge University Press.
- Haack, S. (2008). The whole truth and nothing but the truth. In P. A. French & H. K. Wettstein (Eds.), *Truth and its deformities* (pp. 20-35). USA: Wiley Periodicals.

- Halilovich, H. (2011). Beyond the sadness: Memories and homecomings among survivors of 'ethnic cleansing' in a Bosnian village. *Memory Studies*, 4(I): 42-52. doi: 10.1177/1750698010382160
- Hamber, B. & Kelly, G. (2009). Beyond coexistence: towards a working definition of reconciliation. In J. R. Quin (Eds.) *Reconciliation(s): Transitional justice in postconflict societies* (pp. 287-310). McGill-Queen's University Press.
- Hayner, P. B. (2010). Commissioning the truth: further research questions. *Third World Quarterly*, 17:1, 19-30. Retrieved from <http://dx.doi.org/10.1080/01436599650035752>
- Hayner, P. B. (2011). *Unspeakable truths: Transitional justice and the challenge of truth commissions*. New York: Routledge.
- Hećo, F. (2005). *Uloga Jugoslovenske Narodne Armije u agresiji na Bosnu i Hercegovinu*. Sarajevo: Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava.
- Hintjens, H. (2008). Post-genocide identity politics in Rwanda. *Ethnicities* 8:5. doi: 10.1177/1468796807087017
- Holbrooke, R. (1998). *To End a War*. New York: Random House.
- James, P. (2008). Reconciliation: From the usually unspoken to the almost unimaginable. In P. Rothfield, C. Fleming & P. A. Komesaroff (Eds.), *Pathways to reconciliation* (pp. 115-126). Hampshire: Ashgate.
- Kabeera, B. & Sewpaul, V. (2008). Genocide and its aftermath: The case of Rwanda. *International Social Work*, 51:324. doi: 10.1177/0020872807088079
- Kurspahić, K. (2006). From Bosnia to Kosovo and beyond: mistakes and lessons. In B. K. Blitz (Eds.), *War and change in the Balkans: nationalism, conflict and cooperation* (pp. 76-86). New York: Cambridge University Press.
- Kurzynski, M. J. (1998). The virtue of forgiveness as a human resource management strategy. *Journal of Business Ethics*, Vol. 17, No. 1, 77-85. Retrieved from <http://www.jstor.org/stable/25073057>
- Lingis, A. (2008). Conflict resolution and reconciliation of peoples. In P. Rothfield, C. Fleming & P. A. Komesaroff (Eds.), *Pathways to reconciliation* (pp. 41-52). Hampshire: Ashgate.
- Magill, C. & Hamber, B. (2011). If they don't start listening to us, the future is going to look the same as the past: Young people and reconciliation in Northern Ireland and Bosnia and Herzegovina. *Youth Society*, 43: 509-527. doi: 10.1177/0044118X10383644
- Malcolm, N. (1996). *Bosnia: A short history*. London: Macmillan

- Mani, R. (2007). *Beyond Retribution: Seeking Justice in the Shadows of War*. Cambridge: Polity Press.
- Masters, G. (2004). Transformation, healing or forgiveness? Assisting victims of crime through restorative practice. In S. Ransley & T. Spy (Eds.), *Forgiveness and the healing process: A central therapeutic concern* (pp. 105-127). New York: Brunner-Routledge.
- Mookherjee, N., Rapport N., Josephides L., Hage G., Todd L. R. & Cowlshaw G. (2009). The ethics of apology: a set of commentaries. *Critique of Anthropology*, 29: 345. 10.1177/0308275X09336703
- Murphy, C. (2010). *A moral theory of political reconciliation*. New York: Cambridge University Press.
- Murphy, J. & Hampton, J. (1988). *Forgiveness and mercy*. United Kingdom: Cambridge University Press.
- Muslimović, F. (2003). *The Balkans in the maelstrom of politics*. Sarajevo: MAKINVEST
- Mac Ginty, R., Muldoon O. T., & Ferguson, N. (2007). No war, no peace: Northern Ireland after the Agreement. *Political Psychology, Vol. 28*, No. 1, 1-11. Retrieved from: <http://www.jstor.org/stable/20447017>
- Moosa, F., Straker G., & Eagle, G. (2004). In the aftermath of political trauma: what price forgiveness. In S. Ransley and T. Spy (Eds.), *Forgiveness and the healing process: a central therapeutic concern* (pp. 128-150). New York: Brunner-Routledge.
- Nagy, R. (2002). Reconciliation in post-commission South Africa: Thick and thin accounts of solidarity. *Canadian Journal of Political Science / Revue canadienne de science politique, Vol. 35*, No. 2, 323-346. doi: Retrieved from: <http://www.jstor.org/stable/3233430>
- Nagy, R. (2009). Transitional justice and legal pluralism in transitional context: The case of Rwanda's gacaca courts. In J. R. Quin (Eds.) *Reconciliation(s): Transitional justice in postconflict societies* (pp. 86-115). McGill-Queen's University Press.
- Olsen, T. D., Payne, L. A & Reiter, A. G. (2010). *Transitional justice in balance: comparing processes, weighing efficacy*. Washington, DC: United States Institute of Peace Press.
- Pingel, F. (2008). Can truth be negotiated? History textbook revision as a means to reconciliation. *The ANNALS of the American Academy of Political and Social Science*, 617: 181. doi: 10.1177/0002716207313087
- Price, M. (2002). *Memory, the media and NATO: information intervention in Bosnia and Herzegovina*. Pennsylvania: University of Pennsylvania.

- Reyntjens, F. (2010.) Constructing the truth, dealing with dissent, domesticating the world: Governance in post-genocide Rwanda. *African Affairs*, 110/438, 1–34. doi: 10.1093/afraf/adq075
- Rothfield, P. (2008). Evaluating reconciliation. In P. Rothfield, C. Fleming and P. A. Komesaroff (Eds.), *Pathways to reconciliation* (pp. 15-28). Hampshire: Ashgate.
- Scarre, G. (2011). Political reconciliation, forgiveness and grace. *Studies in Christian Ethics*, 24: 171. doi: 10.1177/0953946810397442
- Schaffer, K. (2008). Testimony, nation building and the ethics of witnessing: After the truth and reconciliation commission in South Africa. In P. Rothfield, C. Fleming and P. A. Komesaroff (Eds.), *Pathways to reconciliation* (pp. 89-102). Hampshire: Ashgate.
- Staub, E. (2000). Genocide and mass killing origins prevention healing and reconciliation. *Political Psychology*, Vol. 21, No. 2, 367-382. Retrieved from: <http://www.jstor.org/stable/3791796> .
- Thompson, J. (2012). Is political apology a sorry affair? *Social & Legal Studies*, 21: 215. 10.1177/0964663911435519
- Unwin, N. (2007). *Aiming at truth*. New York: Palgrave Macmillan.
- Veledar, A. (2011). *Planirani genocid nad Bošnjacima u Bosni i Hercegovini*. Mostar: IC štamparija.
- Veledar, A. (2007). *Bosna i Hercegovina u okruženju neprijatelja*. Sarajevo: Bemust.
- Wagner, S. (2010). Identifying Srebrenica's missing: The "shaky balance" of universalism and particularism. In A. L. Hinton (Eds.), *Transitional justice: Global mechanisms and local realities after genocide and mass violence* (pp. 25-48). London: Rutgers University Press.
- Weinstein, H. M., Fletcher, L. E., Vinck, P. & Pham. P. N. (2010). Stay the hand of justice: Whose priorities take priority. In R. Shaw, L. Waldorf & P. Hazan (Eds.), *Localizing transitional justice: Justice interventions and local priorities after mass violence* (pp. 3-26). California: Stanford University Press.
- Weishein, R. & Morn, F. (2004). *Pursuing justice*. USA: Wadsworth/Thomson Learning.
- Weyeneth, R. (2001). The power of apology and the process of historical reconciliation. *The Public Historian*, Vol. 23, No. 3, 9-38, Retrieved from <http://www.jstor.org/stable/10.1525/tph.2001.23.3.9>.
- Yadav, A. K. (2007). Nelson Mandela and the process of reconciliation in South Africa. *India Quarterly: A Journal of International Affairs*, 63: 49. doi: 10.1177/097492840706300403

APENDIX 1: Questionnaire completed in Bosnian language

Pomirenje kao uslov za trajni mir u Bosni i Hercegovini

Poštovani,

Odgovarajući na anketna pitanja pomoci ćete mi pri izradi magistarskog rada na temu: "Pomirenje kao uslov za mir u Bosni i Hercegovini". Anketa je namijenjena samo za osobe koje se nacionalno izjašnjavaju kao Bošnjak, Srbin ili Hrvat.

Anketa je anonimna i neće se koristiti u druge svrhe. Unaprijed se zahvaljujem.

1. Šta za Vas znači pomirenje? Prema Vašem mišljenju, u čemu se nalaze prepreke pomirenju u Bosni i Hercegovini, uzimajući u obzir da su sukobi između pripadnika različitih nacija česta pojava i skoro dvadeset godina nakon rata?
2. Kakav je Vaš stav o obrazovnom sistemu u kojem se nalaze "Dvije škole pod jednim krovom", gdje pripadnici dvije različite etničke skupine idu u jednu školu, po različitom planu i programu? Da li mislite da je pripadnike različitih etničkih skupina moguće podučavati istim stvarima, pogotovo kada je riječ o historiji i na koji način?
3. Mnogi povezuju pomirenje sa oprostom, govoreći da je oprost jedini put ka zajedničkoj budućnosti. S druge strane se nalaze oni koji tvrde da se prošlost ne treba zaboraviti ni oprostiti, nego učiti iz iste. Kakav je Vaš stav o tome?
4. Da li je prema Vašem mišljenju izvinjenje bitan faktor procesa pomirenja? Ko se prema Vašem mišljenju treba kome izvinuti i zašto?
5. Na koji način se treba nositi sa prošlošću? Kakav je Vaš stav o pravdi, te da li mislite da je uloga Međunarodnog krivičnog suda za bivšu Jugoslaviju bitna za

donošenje pravde za zločine koji su se desili u ratu 1992-1995 u Bosni i Hercegovini?

APENDIX 2: English translation of the completed questionnaire in Bosnian language

Reconciliation as a Condition for the Lasting Peace in Bosnia and Herzegovina

Dear Sirs,

Responding to the survey questions, you will help me in the preparation of a master's thesis which is titled: "Reconciliation as a Condition for the Lasting Peace in Bosnia and Herzegovina." The survey is intended for persons who nationally identify themselves as Bosniaks, Serbs or Croats.

The survey is anonymous and will not be used for any other purpose. Thank you in advance.

1. What does reconciliation mean for you? What are the obstacles to reconciliation in Bosnia and Herzegovina, considering that conflicts between different nationalities are often, even almost twenty years after the war?
2. What is your opinion about educational system in which 'two school under one roof' exist, where students of different ethnic groups go to one school with different programs? Do you think that it is possible to teach the same things to students of different ethnic groups, especially when it comes to history? If yes, in which way?
3. Many people say that forgiveness is the only way to reconciliation. On the other hand, there are the ones who claim that the past should not be neither forgotten nor forgiven, yet, used to learn from it. What is your opinion about it?
4. In your opinion, is apology important factor of the process of reconciliation? Who needs to apologize to whom and why?

5. In which way we should deal with the past? What is your opinion about justice? Do you think that the role of the International Criminal Tribunal for the former Yugoslavia is important for bringing justice for crimes that were committed in Bosnia and Herzegovina between 1992-1995?