



5-2010

Rethinking Reconciliation: The Lessons from the Balkans and South Africa

Mitja Žagar
University of Ljubljana, mitja.zagar@guest.arnes.si

Follow this and additional works at: <https://nsuworks.nova.edu/pcs>



Part of the [Peace and Conflict Studies Commons](#)

Recommended Citation

Žagar, Mitja (2010) "Rethinking Reconciliation: The Lessons from the Balkans and South Africa," *Peace and Conflict Studies*: Vol. 17 : No. 1 , Article 5.

DOI: 10.46743/1082-7307/2010.1114

Available at: <https://nsuworks.nova.edu/pcs/vol17/iss1/5>

This Article is brought to you for free and open access by the Peace & Conflict Studies at NSUWorks. It has been accepted for inclusion in Peace and Conflict Studies by an authorized editor of NSUWorks. For more information, please contact nsuworks@nova.edu.

Rethinking Reconciliation: The Lessons from the Balkans and South Africa

Abstract

Reconciliation, described as coming to terms with the past, is considered an important component of normalization and development in post-conflict societies. The international community and some political elites promote it as a desired approach to (re)establishing trust and cooperation, ideally leading to clean slate situation, which might be possible only if all sides are fully committed to the process and unconditionally accept its outcomes. Reality, however, is often different. Exploring concepts, practices and experiences in the Balkans and South Africa the contribution studies successes, problems and failures of reconciliation. It attempts to rethink and re-conceptualize reconciliation and develop alternative approaches.

Keywords: *Balkans, diversity management, post-conflict societies, reconciliation, South Africa, trust and cooperation*

Author Bio(s)

Mitja Žagar is Research Councilor at the Institute for Ethnic Studies and Full Professor at the Universities of Ljubljana and Primorska/Litoral. He is a jurist and political scientist, who specializes in: Comparative Constitutional Law, Comparative Politics and Government, International Law, Human Rights, International Relations, Ethnic Studies, Diversity Management, Peace and Conflict Studies. His research, writing and lecturing (in Slovenia and worldwide) have focused on international law and minority protection, comparative constitutional law and comparative politics and government, transition, democratic reforms, federalism, ethnic relations and diversity management— particularly in Eastern and South Eastern Europe (the Balkans), but also in other regions and globally. Email: mitja.zagar@guest.arnes.si

**Rethinking Reconciliation:
The Lessons from the Balkans and South Africa**

Mitja Žagar

Abstract

Reconciliation, described as coming to terms with the past, is considered an important component of normalization and development in post-conflict societies. The international community and some political elites promote it as a desired approach to (re)establishing trust and cooperation, ideally leading to clean slate situation, which might be possible only if all sides are fully committed to the process and unconditionally accept its outcomes. Reality, however, is often different. Exploring concepts, practices and experiences in the Balkans and South Africa the contribution studies successes, problems and failures of reconciliation. It attempts to rethink and re-conceptualize reconciliation and develop alternative approaches.

Introduction

Often reconciliation is viewed as an important (if not necessary) component of successful processes of normalization and reconstruction in post-conflict societies, particularly as a tool that might help in healing painful psychological wounds by promoting justice, responsibility and re-establishing trust and cooperation in post-traumatic situations. Particularly since World War II and its tragic experiences, the

international community, some political elites and several nongovernmental organizations have also shared this view and have promoted and favored reconciliation as a preferred approach to the management and resolution of crises and conflicts. It is also viewed as an adequate foundation for the future development of diverse and asymmetric post-conflict societies, particularly those that were characterized as divided societies. Consequently, in different parts of the world and in diverse situations reconciliation was initiated, introduced and carried out or—at least—attempted with various degrees of success.

These cases offer opportunities to study specific situations and backgrounds, expectations, concepts, approaches and practices that were employed, as well as their impacts in both shorter and longer terms. This should be considered particularly important in cases that initially are declared successes, while in a longer term deficiencies, shortcomings and problems of the processes might become evident. Consequently, one needs be aware of the time dimension in any assessment of reconciliation as well as the historic dynamics and consequences that it might generate in time. My research into reconciliation and diversity management in post-conflict situations followed such an approach and focused on the testing of the working hypothesis that reconciliation can be a useful approach to normalization, reconstruction and development in post-conflict societies, which can be successful only if all relevant actors in a certain environment agree with it, truly accept it with all consequences and fully commit to the process and its success. However, in my view reconciliation cannot replace legal justice and the role of police and judiciary in the prosecution of perpetrators

of crimes and atrocities, but can only complement them taking into account the cultural specificities of a certain environment.

Considering the limitations mentioned above the traditional concepts, nature and contents of reconciliation need to be reexamined and rethought, as well as (new) alternative concepts and approaches developed. My research, particularly in the Western Balkans but also in other post-conflict societies, shows that it is especially important to (re)establish communication, (re)build (at least) basic economic and social infrastructure and trust, as well as develop and constantly reconfirm common interests as the basis for the future common existence, cooperation and development of all distinct communities in those environments. Consequently my second working hypothesis is that if reconciliation can contribute to these goals it should be embraced and introduced. However, if reconciliation does not contribute to these short and medium term goals and particularly if it proves to harm their realization, it is not productive to insist on it or introduce it. In other words, I would consider reconciliation an approach and a possible tool for the realization of goals specified above that contribute to normalization and strengthening stability in post-conflict situations.

This article explores the diverse concepts, backgrounds and practices of reconciliation in the Balkans considering also cases and experiences from other parts of the world, particularly from South Africa. It combines qualitative and quantitative approaches and methods and draws on official documents, media reports, other materials, and scholarly works on reconciliation. To a large extent my research and interpretation of its results are based on a considerable number of (in-depth) interviews (in the past two decades more than two hundred interviews in all countries of the Balkans, more than

twenty with interviewees from South Africa and a considerable number from other countries including Argentina, Australia, Canada, East Timor, USA etc.). It also draws on several hundred conversations world-wide with scholars, politicians, public officials, civic society activists and public opinion leaders, particularly those who were in different capacities involved in reconciliation, as well as with a few individuals who directly participated in the processes of reconciliation in different environments. These interviews and conversations provide very interesting insights into reconciliation in specific environments. They illustrate the diverse views and evaluations of those processes and their outcomes and impacts in respective societies. These complement and often contradict traditional views, approaches and evaluations, including those presented by the scholarly literature.

To provide the point of reference and establish the basis and framework for the analysis of reconciliation in specific environments this article continues with the elaboration of (simple) working definitions of reconstruction, normalization and reconciliation (as social phenomena and processes). The following section discusses specific situations and conditions in the Western Balkans considering the existence of necessary preconditions for reconciliation, particularly the readiness and commitment of relevant actors, as well as existing questions regarding the possible nature and contents, procedures, institutions and actors, results and consequences of reconciliation. Comparison with other environments and cases of reconciliation, particularly with South Africa is used to analyze why initiatives and attempts to start and successfully complete reconciliation processes in the Balkans failed and continue to fail. Testing the hypotheses the article also explores possible modifications and evolutions of the current concepts of

reconciliation as well as alternatives to reconciliation that would contribute to the successful normalization, reconstruction and diversity management in post-conflict societies.

**Normalization, Reconstruction, and
Reconciliation in Post-Conflict Societies:
Concepts, Definitions and Their Characteristics**

The very title of this section includes a few complex concepts (describing even more complex social phenomena) that need to be explained and defined to avoid possible misunderstandings and to provide an adequate point of reference and theoretical framework for my further analysis. What follows are simple working definitions of those concepts that I presented also to my interviewees and partners in conversations after I had asked them for their own descriptions and/or definitions of those phenomena. This way they were better able to understand and answer my questions as well as to explain their perceptions and views regarding respective concepts and phenomena. Simultaneously, these working definitions, based on the available scholarly literature as well as my previous and current research findings were (and still are) instrumental in making my research more focused and operational. These working definitions evolved throughout my study and still continue to evolve in the light of new information and findings. The same is true also for the methodology.

The first concept that requires definition and additional explanation is the concept of post-conflict societies, used in this text to describe those societies in which conflicts of high intensity, and particularly violent conflicts, have just been terminated or (at least) deescalated and frozen. Although it is problematic to speak of post-conflict situations

and/or societies, since conflicts can always (re)appear in every diverse/plural environment, this term is often used by international organizations (for example, UN, World Bank, OSCE etc.), diverse projects (for example, United Nations University – World Institute for Development Economics Research and their *Global Governance and Conflict* project, Social Science Research Network – SSRN) and in scholarly literature. (See, for example: Brinkerhoff, ed., 2007; Fairbanks and Brennan, 2005; Lambach, 2007; Making Peace Work, 2004) From the analysis of conflicts and diversity management, and considering the probability of diverse conflicts in all plural environments as well as the life-cycles of specific conflicts and the likelihood of their escalation, I would suggest that every internally diverse society can be observed and determined simultaneously as a pre-conflict, conflict and post-conflict society. However, traumatic experiences of violent conflicts, particularly wars, large scale violence, atrocities (against civilian population) and war crimes dramatically interrupts the normal life of people and tend to influence and transform societies that have experienced them. Consequently, rather than using a general concept of “post-conflict societies” in such cases it might be more appropriate and precise to speak of “post-violent-conflict societies” at a certain historic time immediately following the cessation and/or end of respective violent conflicts. Such an approach would indicate that in every society several diverse (low intensity, protracted, emerging) conflicts still exist and – if they are not managed and/or resolved adequately – may escalate and even transform into high intensity violent conflicts. In other words, we could say that “post-(violent)-conflict societies”—if they do not manage diversities, crises and conflicts properly—could be just a transitory pre-conflict stage before the new escalation of conflicts in a certain plural/diverse environment.

The concept of a post-conflict (particularly post-violent-conflict) situation and/or society can be a useful analytical tool for the analysis and classification of conflicts in diverse environments. In the context of conflict management and resolution it can be used in determining, analyzing and explaining the phases in life-cycles (processes) of particular conflicts in diverse environments that are instrumental for the elaboration and development of effective long(er)-term strategies for diversity management at all levels. These diversity management strategies should provide for stability and peace in those environments by setting the frameworks for the engagement and coordination of all relevant actors (states and their institutions, international organization, civic society and its actors as well as individuals) that can contribute to the prevention of possible (uncontrolled) escalations and intensification of conflicts and their transformation into violent conflicts as well as to the successful and possibly democratic management and resolution of crises and conflicts. (Žagar, 2009, pp. 463–472)

Normalization can be described simply as a process of restoring and developing (the feeling and perception of) normalcy in environments affected by intense, escalated and particularly violent conflicts that in different ways can impact upon every dimension of (human) beings and relations and the very fabric of societies. This process encompasses all activities, programs, policies and strategies that can reduce the possible negative consequences of escalated conflicts, and can contribute to stability, peace and development in their respective environments. In this context reconstruction and reconciliation can be important components of normalization.

As a component of the process of normalization the process and concept of reconstruction can be defined simply as the rebuilding, reparation and reconstruction of

damage in all spheres of life and societies caused by violent and particularly military conflicts. Usually, reconstruction in a particular environment is framed and materialized in several concrete policies, programs and projects. Although the focus is usually initially on immediate humanitarian aid and later on economic and material reconstruction and rebuilding to establish the necessary economic and social infrastructure (such as transportation, energy, housing, public services – including health and education), I insist that the process of reconstruction should encompass all spheres of life and societies that are damaged by intense conflicts. (See, for example: Anderlinia and El-Bushra, 2004/2007). My research shows that, frequently, nonmaterial damage(s) caused by conflicts might be more difficult and time consuming to repair and/or compensate than any material damage. Often it proves impossible to rebuild and reconstruct relations and social structures destroyed and/or damaged by intense and violent conflicts in particular environments, which then requires building and development of new ones that, hopefully, can replace (or ideally even improve) those that were destroyed. The necessary preconditions for such processes of (re)construction, (re)building and development include functional and open communication (with information-sharing that improves adequate knowledge about other distinct communities), mutual trust and the cooperation of all relevant actors.

In this context, transitional and post-conflict justice should be mentioned as an important factor in restoring and preserving peace and stability, as well as of trust and cooperation building in post-conflict societies. Transitional and post-conflict justice can encompass various efforts, forms and activities such as the prosecution of perpetrators of war and other crimes and atrocities, purges, banishment and expulsion, as well as non-

retributive justice, such as restitution, reparations to victims, rehabilitation, and diverse forms of reconciliation, particularly truth commissions. Ideally these actions should be based on the principle of the rule of law in democratic settings or in societies that are committed to democratic development and democratization, and all forms of post-conflict justice should be based on laws passed by competent democratic representative institutions (parliaments, legislative bodies). These should precisely define and regulate material law, procedures and institutional frameworks including the powers, rights and duties of the competent institutions. Although amnesty and exile can contribute to de-escalation of conflicts' intensity and can help in establishing peace in certain environments and historic circumstances, abstaining from post-conflict justice might have destabilizing effects in a longer term. (See, for example: de Brito, Gonzalez-Enriquez and Aguilar (eds.), 2001; Elster, 2004; Galtung, 2001; Lie, Binningsbø and Gates, 2007; McAdams, 1997)

From this perspective reconciliation could be described simply as a specific form of non-retributive post-conflict justice that might be a useful tool in the process of normalization. However, concepts and practices of reconciliation are far more complex and, in many ways, problematic in their efforts to reach a broad agreement (particularly of those sides opposing each other in the conflict) regarding the (historic) "truth". Consequently, in search of a compromise acceptable to all involved parties, processes and efforts of reconciliation should attempt to consider, recognize and reconcile diverse views and perceptions of history, the role of history, history teaching and various interpretations of history. (Marko-Stöckl, 2008, pp. 3–4)

The concept of reconciliation as a possible component of the process of normalization and “social reconstruction” in post-conflict societies can be described as “a process that reaffirms and develops a society and its institutions based on shared values and human rights” thereby enabling former belligerent groups and individuals to find and develop new ways of living together peacefully, based on mutual respect, tolerance, cooperation and inclusiveness. (Weinstein, and Stover, 2004, p. 5) In other words, peaceful coexistence and restoration of normalcy in a diverse society that was torn apart by a conflict requires the ‘building of (working and cooperative) relationship’ that corresponds to Lederach’s minimal definition of reconciliation as a process that includes critical components such as truth, justice, mercy, and peace. (Lederach, 2004, p. 151) To stress the temporal dimension and complexity of the process of reconciliation, it can be said that:

Reconciliation is not an event but a process. It is not a linear process. It is a difficult, long and unpredictable one, involving various steps and stages... the first stage is replacing fear with non-violent co-existence; the second step is building confidence and trust, and the third step is achieving empathy. (Ilievski, 2008, 6)

Galtung summarizes reconciliation after violence in a simple equation: “Reconciliation = Closure + Healing; closure in the sense of not reopening hostilities, healing in the sense of being rehabilitated” (2001, p. 4) In his view the best results can be achieved when all parties in a certain environment, especially those that were involved in a conflict, agree to cooperate in resolution and reconstruction.

My research findings confirm such a view. The full agreement of all relevant actors that participate in the process as its parties, particularly their full acceptance and commitment to reconciliation, are the necessary—although not always sufficient—(pre)conditions for its success. In other words, based on the views of my interviewees, every successful attempt of reconciliation requires that before the formal and actual start of the process all participating parties should agree, at the very least on:

- The reasons for reconciliation, as well as the principles and declared main goals of reconciliation,
- The parties that should participate in the process,
- The content(s), particularly on precisely defined historic period(s) and (traumatic) events that are to be addressed by the process of reconciliation,
- The institutional framework, structure and organization, most frequently in the form of Truth Commissions (or, possibly, public hearings/meetings) that might be given administrative and expert support by diverse state and public institutions, for example by public administration, judiciary and police (particularly in the phase of investigation), as well as by civic society and its actors (such as NGOs, churches, as well as others, including economic enterprises),
- The exact competences, rights and duties of the institutional structure and its institutions,
- The procedural and material rules of reconciliation, particularly the rules of procedure and conduct of participating parties, procedures and criteria for the establishment of individual responsibility of perpetrators, as well as the conduct of individuals—both perpetrators and victims—including the formal and symbolic

Rethinking Reconciliation

acts of confession of perpetrators, acceptance of individual's guilt and responsibility, and forgiveness expressed by victims,

- The formal consequences of confessions and acceptance of individual guilt and responsibility, particularly formal criminal amnesty of perpetrators,
- The time-frame (duration of reconciliation), particularly the deadline when the process of reconciliation and all activities within it should be completed,
- The process of reporting and evaluation in particular phases and at the end of the process of reconciliation.

The likelihood that such agreements would provide an adequate basis for reconciliation depends on the specific situation, the relations between the parties and the balance of power in the post-conflict environment. It is believed that this likelihood increases in environments committed to (re)building democracy, tolerance, peaceful coexistence and cooperation. Reconciliation might be more likely in post-conflict situations and societies where a clear-cut division between parties exists and where victorious sides request and promote such a process. On the other hand, reconciliation is less likely in environments and post-conflict situations where it is impossible to identify victors and losers clearly, where there are diverse and opposing interpretations of history and traumatic experiences, where there are several opposing interests, and where one or some sides oppose reconciliation or demand concessions (such as exculpation or amnesty) that are unacceptable to other parties. Reconciliation might be even less likely or, at least, more complex and uncertain in ethnically plural post-conflict societies, where ethnicity becomes a dividing line and the process is perceived as interethnic reconciliation, particularly in cases when certain parties reject it. Namely, reconciliation

is impossible without the consent and participation of all parties that need to agree “to face recent past objectively” (Petričušić, Kmezić, and Žagar, 2008, 5).

Taking into account possible social impacts, my research developed a working definition of reconciliation that saw it as a tool for diversity, crisis and conflict management that could contribute to normalization and stability in internally diverse societies, particularly those considered divided-societies. As such,

reconciliation is a specific process that leads to the commonly acceptable and accepted (re)interpretation of the past, especially of specific shared traumatic past developments. In a way it is a past-oriented and usually painful process of healing that, however, has several present- and future-oriented goals and impacts. Ideally, it can create the formal basis and conditions for peace, coexistence and cooperation in the present and future and for the necessary social cohesion that enables elaboration and realization of common interests (Žagar, 2007/8, p. 401).

In this context the importance of the temporal dimensions and limitations of reconciliation should be stressed—both in terms of exactly defining and agreeing upon the historic periods it addresses, as well as in determining the exact duration of the formal processes of reconciliation and their deadlines. Traditionally, all temporal dimensions of reconciliation should be exactly defined and, normally, limited to a certain, relatively short period. Reconciliation should follow conceptual, procedural, material and institutional frameworks and foundations as well as time-frames determined by the legislation and political decisions that should be agreed upon and accepted by all relevant

actors. Often we can detect fears that processes of reconciliation can result in possible threats to stability if they are not limited to a relatively short time. There are also fears that reconciliation “can become a never-ending, permanent process that constantly reinforces certain historic traumas.” (Žagar, 2007/8 (©2010), p. 401) However, successful diversity management in plural and particularly divided societies demands the development and utilization of effective approaches, mechanisms and procedures that can address, prevent, manage and resolve problems and tensions in intercommunal and interethnic relations. If this can be done in peaceful and democratic ways, it might prevent escalations of crises and conflicts, and particularly their traumatic consequences. In this context revised and transformed concepts of permanent reconciliation, as well as other adequate alternative solutions that can successfully address and manage interethnic and other intercommunal relations and problems, would be particularly welcome. (See also: Redekop, 2002)

The consensus reached by the parties that participate in reconciliation regarding the process of reconciliation—its nature, principles and contents, formal, procedural and institutional framework, procedural and material rules, as well as its goals and outcomes—can serve as the basis for future coexistence and cooperation in internally diverse post-conflict societies. In the process of reconciliation perpetrators should: come forward and confess their wrongdoings (usually violence, crimes and/or atrocities); express and accept their guilt, responsibility and remorse; and ask their victims for forgiveness, which, ideally, the victims are expected to accept at least formally. Such reconciliation can be viewed as a process of purification and consensus building that

could contribute to the reduction of social tensions and historic traumas in post-conflict societies.

**Potentials, Expectations, Successes, and
Problems of Reconciliation:
Experiences from the Balkans and South Africa**

My research in reconciliation started in the second half of the 1980s when I entered the field of peace and conflict studies and focused my research on the theory and practice of crises and conflicts, the determination of their life-cycles, and the responses of particular environments to crises and conflicts, particularly into their prevention, management and/or resolution. In this context I examined reconciliation as a possible tool of conflict analysis, prevention, management and resolution, as well as diversity management in plural societies that can be used effectively especially in the phase(s) of de-escalation of high-intensity and particularly violent conflicts. (Žagar, 2007) Soon I discovered that regardless of certain communalities and similarities each crisis and conflict was a specific and unique case that should be analyzed, treated and managed as such. Although these specific cases can be studied comparatively in order to determine specific differences and communalities among them, one should be very careful in interpreting and generalizing the findings. Detected differences and specificities often prove more important and decisive than similarities and communalities. Additionally, in every environment that I studied I detected a substantial gap between the normative framework on the one hand and the actual situation and practice on the other hand which further complicates comparison and makes any generalization rather inadequate or even impossible. Considering all the problems and weaknesses as well as limitations of the

research findings, however, comparative research still proves to be the most applicable and useful approach.

These considerations and limitations apply also to my case studies and comparative studies of reconciliation in different environments in the Balkans (particularly in Albania, Bosnia-Herzegovina, Croatia, Kosovo, Montenegro and Serbia) and in South Africa, as well as to my presentations, interpretations and generalization of research results in this article. Consequently, this text should not be treated as a detailed analysis and presentation of reconciliation in respective states, but rather an attempt to present a common framework, adequate tools and yardsticks for analysis in these environments.

If there was the will, consensus and commitment to start, and successfully bring to completion, the process of reconciliation in South Africa immediately after the abolition of apartheid, they have not existed and still do not exist in the Balkans. Of course, there are still discussions about reconciliation in different circles and environments, as well as many initiatives—particularly external (including those of the international community)—to try to start it. This is the reason that

[r]econciliation often appears in political declarations and diverse documents from the region and related to the Western Balkans. Usually, these documents speak of reconciliation in the context of human rights, protection of minorities, refugee return, reconstruction, post-conflict development, democratization and consolidation of democracy, peace and stability, etc., and state that reconciliation could contribute to these goals. However, not only do they fail to define

reconciliation's principles and goals, but they also fail to define the process and procedure of reconciliation (Žagar, 2007/8, p. 402).

Consequently, my initial consideration is that there is no consensus regarding reconciliation in the region. Although it is often being discussed as the desired and even necessary precondition for “normalization” and long-term peace and stability, nobody has defined precisely what reconciliation in the Balkans and in every individual state in the region should be and in which way it should be implemented. Aside from general political statements of international and national leaders there are no substantive and/or institutional conditions in place that are necessary for a successful process of reconciliation. There is no consensus about the historic developments, events, issues, actors and periods that should be addressed by such a process. As indicated, we could question the very existence of the basic preconditions for reconciliation—the willingness, agreement and readiness of all relevant factors to engage in the process. For, “there is neither adequate legislation nor informal agreements on procedure, institutions and criteria for the evaluation and reconciliation. Additionally, general and specific goals and expected outcomes (consequences) of reconciliation are not adequately determined” (Žagar, 2007/8, p. 404).

High hopes that the international community and a part of civic society in the Balkan countries and outside the region will invest in initializing reconciliation at least in individual countries do not seem to be very realistic. It seems that they ignore past experiences from different environments and historic circumstances in all parts of the world that inform us that reconciliation failed to produce expected results if the internal

will and consensus regarding it and commitment to it did not exist or were weak. This is particularly true when reconciliation was initiated, imported or even imposed from outside.

Not surprisingly, such criticisms appeared in many interviews in which interviewees expressed their views that successful retributive post-conflict justice, particularly effective criminal justice—expressed in effective, strict and consistent prosecution and conviction of all perpetrators of war and other crimes, regardless of their background and position—would be the preferred and necessary precondition for (re)establishing peace and stability, tolerance, trust, coexistence and cooperation in individual countries as well as in the region. They also expressed fears that reconciliation might cement and legitimize (in their view illegitimate) gains and spoils of war(s), but particularly the existing situation of a balance of power based on ethnic divisions. Although it is believed that successful reconciliation contributes to community relations, peace and stability in an environment that was torn by a conflict, it might produce exactly opposite results. Paradoxically, reconciliation that is perceived as a tool for ensuring peace and stability (as its preconditions) requires an already stable situation and a mutual acceptance by all sides involved in the process of communication, tolerance and coexistence. Portrayed as a two way process, reconciliation inherently presupposes certain missionary elements deriving from Christian theologies and requires forgiveness (on behalf of victims). Consequently, sometimes reconciliation might be perceived as an institutional design that rewards the bad guys (perpetrators of wrongdoings) and does not ensure adequate justice for victims. These characteristics, along with the ideological nature of reconciliation, might be particularly problematic in multiethnic, multicultural

and multi-religious environments. Here diverse cultures, ideologies and religions might have different views of justice and forgiveness, but particularly of confession and absolution. Furthermore, failed reconciliation might become an important additional generator of conflicts.

The current concepts and practices of reconciliation can be problematic and even counterproductive if they are attempted in environments where it is unclear which sides were victorious and which were losers, where several diverse and even opposing interpretations of history and past traumatic experiences exist, and where all sides committed certain wrongdoings in the time of intense and violent conflicts, particularly if there is a dispute which of the sides involved were the victims and which perpetrators of certain wrongdoings. In such cases it is often almost impossible to reach a consensus or even compromise regarding the past and commonly acceptable interpretations of this past. The task is even more difficult if reconciliation is attempted simultaneously with the process of (democratic) transition in a post-conflict society, faced also with the dilemmas of transitional justice and a still unstable democratic set up of the society. Additionally, in such situations there might be several kinds and dimensions of justice and truth, often several truths—such as judicial, political and moral justice and truth. (See, Žagar, 2007/8, p. 402)

In the circumstances that existed in the Balkan countries it proved impossible to reach consensus regarding the procedural and institutional framework of reconciliation. Consequently, no adequate formal framework and no organizational structure were determined and established in these countries. Usually, in such situations “Truth Commissions”, which have the mission to establish the truth and responsibility of

perpetrators, are formed and function as key reconciliation institutions. Their compositions, modes of operation, roles, powers and competences can differ in different environments and should be adjusted to specific circumstances and needs in these environments. Regardless of the existence of a collective blame associated with a certain party or collective entity that is seen as the main perpetrator of wrong-doings and/or atrocities in a certain environment, reconciliation requires the establishment of individual (or at least individualized) personal responsibility and accountability. Consequently, reconciliation can be viewed as the undoing of past wrong-doings through the perpetrator's recognition of responsibility and accountability and remorse on the one side, and through victims' forgiveness on the other side. Among the main preconditions for a possible success of the process we could list (at least) a certain level of normalization and the beginning of reconstruction, the return of refugees and displaced persons and the introduction of adequate measures for the protection of minorities.

In comparison with other environments where reconciliation has been attempted and carried out with various levels of success, particularly South Africa that is often considered a model case, I would conclude that reconciliation failed and does not exist in the Balkans. Moreover, reconciliation has not even been started—regardless of the diverse initiatives and aspirations, including those of the international community. My research findings show no enthusiasm from relevant actors who are expected to participate as parties (with diverse roles) in the process of reconciliation. Often they doubt that reconciliation could bring any positive results in their respective environments and sometimes express their fears of possible negative outcomes and consequences for their distinct communities and/or themselves personally. Particularly they fear that

reconciliation, because of its likely failure, would not contribute to peace, stability and normalization in respective societies, but rather to instability and the escalation of conflicts. In any case, as also many interviewees pointed out, their fears and opposition to reconciliation seem to be stronger than possible incentives to start it and/or expectations of its potential benefits.

Although each of the countries in the Balkans is a very specific and unique case, certain common observations, characteristics and similarities can be summarized in the following main conclusions:

- Political will and the readiness to start the process of reconciliation in most countries of the region do not exist or are very limited. Consequently, rare statements of politicians calling for reconciliation should be considered lip-service to please the international community and potential donors (who continue to promote the idea), rather than the actual desire to start the reconciliation.
- Consequently, there are no serious attempts to determine and agree upon the content(s), procedures and institutions, as well as the normative and institutional framework, which would be necessary to start the process.
- Frequently there is a dispute regarding the actors that should be involved in the process of reconciliation and their roles (conditioned by diverse perceptions and evaluations of historic events and their consequences, as well as by the lack of recognition of responsibility of diverse actors for their actions and their outcomes).

Rethinking Reconciliation

- There is also disagreement regarding the necessity and role of post-conflict justice, particularly criminal justice and the necessity of possible abolition for those perpetrators who participate in reconciliation.
- There is no consensus regarding the desired outcomes and long-term goals of reconciliation, which would provide the basis for peace, stability, normalization, and the future cooperation of all actors. (See, Žagar, 2007/8, 404-405)

In comparison with the Balkans, and regardless of certain problems with the process of reconciliation, South Africa has been and (largely) still is considered to be a success. (See, for example, Adam and Moodley, 1993; Adam, Moodley, and Slabbert, 1999; Gibson, 2002; Gibson, 2004; Gibson and Gouws, 1999; Gibson and Gouws, 2003) In South Africa the volume of the work, the involvement of people and the results of the process presented and summarized in the reports of the Truth and Reconciliation Commission are impressive. (See, *THE TRC REPORT*, 1998/2009) Although reconciliation did not fulfill all expectations, it is (still) believed that the process of reconciliation and its results contributed substantially to: reducing (in some cases rather intense) tensions and divisions; coming to terms with a traumatic past; building peace and stability; and the integration of all segments into post-Apartheid South African society. This is also the official position.

However, my interviews and several conversations in South Africa, including those with people in streets, showed that by 2010 much of the initial enthusiasm and optimism regarding reconciliation and the successful democratic transformation have disappeared to a large extent. There are more and more cracks in a once optimistic picture. No doubt, the elimination of Apartheid, reconciliation and process of democratic

transition changed, transformed, integrated and improved South Africa in the 1990s. Yet they did not eliminate deep divisions, social and economic injustice and inequality, exclusion and marginalization (particularly of poor, predominantly black populations in diverse environments) or racism (that exists in the forms of traditional, internal and reverse racism). These problems continue, sometimes with greater intensity. On the one hand many victims believe that the perpetrators of wrongdoings were not punished adequately, while the victims were not compensated adequately (both in material and nonmaterial sense). On the other hand, perpetrators seem to be less disappointed with the process, although a few considered it an unnecessary and nonproductive humiliation that did not produce the desired results.

It should be mentioned that the reconciliation process only addressed wrongdoings and injustices that were brought to its attention in the determined time period and, consequently, did not discuss all wrongdoings, crimes and injustices during this time. Additionally, diverse problems, wrongdoings, crimes and injustices have continued and the competent institutions of South Africa do not always address them properly and adequately. Obviously, it was impossible to continue reconciliation indefinitely or transform it into a permanent process that would deal with all relevant problems and injustices as they appear. Consequently, adequate alternative formal concepts, approaches and institutions/mechanisms that could complement and assist democratic institutions of the country in dealing properly with these problems should have been developed—which South Africa failed to do. Among the main problems that might need to be addressed Terry Bell listed: adequate social and economic development that should take into account the environment (including climate problems) and social

justice; growing economic and social injustice and exclusion; gender and class issues; adequate integration; and a lack of social infrastructure and services, particularly the access of the poor to education, health and social security. He also mentioned corruption and crime that in many ways are the negative consequences of the inability to properly address all these problems. Luckily, he said the award of the 2010 World Cup and its positive economic effects to a certain extent helped in neutralizing a worse economic crisis.

Conclusion:

**Reconciliation Rethought and
Alternative Solutions**

The discussion of reconciliation so far confirms the hypothesis that it can be a useful approach to and tool for normalization, reconstruction and development in post-conflict societies. However, this requires the full acceptance, agreement, and commitment of all parties. It can successfully complement state institutions in the prosecution of perpetrators of diverse wrongdoings in a certain historic time, but cannot replace them. In this context the temporal dimensions (the determined period that is addressed) and limitations (the exactly determined duration of the process of reconciliation) of traditional reconciliation reduce its applicability and efficiency as a tool of crisis and conflict prevention, management and reconciliation, particularly as an adequate tool for permanent diversity management in plural societies. I would argue that for such a role reconciliation should transform into a permanent ongoing process that takes into account

Rethinking Reconciliation

a broader social and historic context. It could become a permanent process for screening and evaluating social relations that would detect and point to undesired and problematic developments and actions in a certain environment. In this context, the process should constantly re-examine and confirm the will of all parties to participate in the process, as well as basic principles and values that are agreed upon in these environments. Simultaneously, it has to determine directions and strategies of future development.

Traditional reconciliation seems to be an appropriate tool for dealing with traumatic experiences and problems that should not be forgotten, but it should also consider important lessons that could contribute to the prevention of such and/or similar events in the future. Traditional concepts should also recognize that all historic events, including traumatic ones, have their prehistory and broader social contexts that are relevant for reconciliation. Additionally, such historic events might have several consequences in diverse spheres of life and society that might last for several generations. All this should be taken into consideration in determining the time frame.

I can confirm also the hypothesis that reconciliation should be introduced only when it is expected to contribute to peace and stability in a certain post-conflict environment. However, traditional concepts of reconciliation should be transformed and/or complemented by alternative approaches that can (re)establish communication, (re)build (at least) basic economic and social infrastructure and trust, as well as develop and constantly reconfirm common interests as the basis for the future common existence, cooperation and development of all distinct communities in those environments. Consequently, reconciliation should always be considered and evaluated as a possible tool for normalization and peace- and stability-building in post-conflict societies.

Among alternative and/or complementary approaches and mechanisms that can contribute to long-term peace, stability and democratic development in particular post-conflict societies I have mentioned normalization and diversity management, with the prevention, management and resolution of crises and conflicts as key components. Normalization is a process of creating conditions of mutual recognition and acceptance, tolerance, coexistence and (hopefully equal) cooperation in a certain plural and diverse environment that should be the basis for determination and realization of common interests. It can include also different segments of diversity management and should stimulate the development of adequate procedures and mechanisms for the peaceful and democratic management and resolution of crises and conflicts based on the principles of equality and non-discrimination, and human rights—including minority rights. If normalization is a transitional approach and concept that can be utilized in crisis situations and post-conflict societies, diversity management represents a permanent process that addresses issues of recognition, regulation, management and adequate protection of all socially relevant diversities in a certain environment. It can be described “as a set of strategies, policies, concepts and approaches, programmes, measures and activities that should ensure equality, equal possibilities, participation and inclusion in all spheres of social, economic and political life (both public and private life) for all individuals and communities within a society, especially for immigrants, persons belonging to national and other minorities, marginalized individuals, minorities and other distinct communities.” (See, Žagar, 2006/7, 320)

My conclusion regarding reconciliation in the Balkans would be that it does not exist, since it is not even spelled out and accepted as a realistic goal. Considering the

rather negative attitude towards reconciliation by relevant social and political actors as well as people in the countries of the region it might be more productive to speak, instead, of normalization or a democratic political process that could provide a stable basis for power-sharing and cooperation, particularly in determining and realizing the common interests of all individuals and distinct communities in these environments. These elements are important components of diversity management that in the long term might prove to be the most adequate approach and mechanism for the region and its countries.

References

- Adam, H., Moodley, K. and Slabbert, Z. *Comrades in Business. Post-Liberation Politics in South Africa*, 3rd edition. Cape Town: Tafelberg, 1999.
- Adam, H., and Moodley, K. *The Opening of the Apartheid Mind: Options for the New South Africa*. Berkeley: University of California Press, 1993.
- Anderlini, S. N., and El-Bushra, J. "Post Conflict Reconstruction." In S. N. Anderlini, N. Johnston and others (eds.), *Inclusive Security, Sustainable Peace: A Toolkit for Advocacy and Action*. Hunt Alternatives Fund, November 2004, updated December 2007, 51-68.
- www.huntalternatives.org/download/39_post_conflict.pdf; also:
- www.huntalternatives.org/pages/87_inclusive_security_toolkit.cfm. Accessed February 9, 2010.

- Brinkerhoff, D. W. (ed.). *Governance in Post-Conflict Societies: Rebuilding Fragile States*. Contemporary Security Studies. London, New York: Routledge, 2007.
- de Brito, A. B., Gonzalez-Enriquez, C., and Aguilar, P. (eds.). *The Politics of Memory: Transitional Justice in Democratizing Societies*. Oxford: Oxford University Press, 2001.
- Elster, J. *Closing the Books: Transitional Justice in Historical Perspective*. Cambridge: Cambridge University Press, 2004.
- Fairbanks, M., and Brennan, M. "Economic Development in Post Conflict Society: A Cluster-Focused Development Plan." Businessgrowthinitiative.org, 2005, www.businessgrowthinitiative.org/KeyPracticeAreas/Documents/Post%20conflict%20society%20and%20clusters.pdf. Accessed February 8, 2010.
- Galtung, J. "After Violence, Reconstruction, Reconciliation, Resolution: Coping With Visible and Invisible Effects of War and Violence." In M. Abu-Nimer (ed.), *Reconciliation, Justice, and Coexistence: Theory and Practice*. Lanham: Lexington Books The Rowman & Littlefield, 2001.
- Gibson, J. L. "Truth, Justice and Reconciliation: Judging the Fairness of Amnesty in South Africa." *American Journal of Political Science*, 2002, 46 (3), 540–556.
- Gibson, J. L. *Overcoming Apartheid: Can Truth Reconcile a Divided Nation?* New York: Russell Sage Foundation, 2004.
- Gibson, J. L., and Gouws, A. "Truth and Reconciliation in South Africa: Attributions of Blame and the Struggle over Apartheid." *American Political Science Review*, 1999, 93 (3), 501–517.

- Gibson, J. L., and Gouws, A. *Overcoming Intolerance in South Africa: Experiments in Democratic Persuasion*. Cambridge Studies in Public Opinion and Political Psychology, Cambridge: Cambridge University Press, 2003.
- Ilievski, Z. “*Country Specific Report: Macedonia*. The Role of Human and Minority Rights in the Process of Reconstruction and Reconciliation for State and Nation-Building: Macedonia.” MIRICO: Human and Minority Rights in the Life Cycle of Ethnic Conflicts, Sixth Framework Programme, Europäische Akademie/Academia Europea/ European Academy, EURAC Research, Bolzano/Bozen, February 2008. www.eurac.edu/NR/rdonlyres/32C7FCCA-4585-47DE-9C46-C12FAB68ABD3/0/23_Macedonia.pdf. Accessed February 8, 2010.
- Lambach, D. “Oligopolies of Violence in Post-Conflict Societies.” GIGA (German Institute of Global and Area Studies / Leibniz Institut für Globale und Regionale Studien) Research Programme: Violence, Power and Security. Working Paper Series, November 2007, (62). www.giga-hamburg.de/dl/download.php?d=/content/publikationen/pdf/wp62_lambach.pdf. Accessed February 9, 2010.
- Lederach, J. P. *Building Peace: Sustainable Reconciliation in Divided Societies*. Washington, DC: United States Institute of Peace Press, 2004.
- Lie, T. G., Binningsbø, H. M., and Gates, S. *Post-Conflict Justice and Sustainable Peace*. (Centre for the Study of Civil War, PRIO and Norwegian University of Science & Technology (NTNU): Post-Conflict Transitions Working Paper, 5.) World Bank Policy Research Working Paper, 4191, April 2007.

Marko-Stöckl, E. “*Specific report on the role of history for reconciliation. My Truth, Your Truth—Our Truth? The Role of Truth Commissions and History Teaching for Reconciliation.*” MIRICO: Human and Minority Rights in the Life Cycle of Ethnic Conflicts, Sixth Framework Programme, Europäische Akademie/Academia Europea/ European Academy, EURAC Research, Bolzano/Bozen, January 2008. www.eurac.edu/NR/rdonlyres/0DFF7A44-9AA7-471A-8DD4-F7F6D011F63E/0/25_historyreconciliation.pdf. Accessed February 9, 2010.

McAdams, J. *Transitional Justice and the Rule of Law in New Democracies*. Notre Dame: Notre Dame Press, 1997.

Petričušić, A., Kmezić, M., and Žagar, M. “The Role of Human and Minority Rights in the Process of Reconstruction and Reconciliation for State and Nation-Building: Croatia.” MIRICO: Human and Minority Rights in the Life Cycle of Ethnic Conflicts, Sixth Framework Programme, Europäische Akademie/Academia Europea/European Academy, EURAC Research, Bolzano/Bozen, February 2008. www.eurac.edu/NR/rdonlyres/B0DDA9CE-740F-43DF-92B9-1AEB2C409FA8/0/19_Croatia.pdf. Accessed February 9, 2010.

Redekop, V. N. *From Violence to Blessing: How an Understanding of Deep-Rooted Conflict Can Open Paths to Reconciliation*. Toronto: Novalis, 2002.

THE TRC REPORT (Volumes 1-7) and “Summary of Contents”. The Truth and Reconciliation Commission presented in 1998. Developed and maintained by the DOJ&CD, 2009. www.justice.gov.za/trc/report/index.htm; For an overview see particularly: <http://www.justice.gov.za/trc/report/execsum.htm>. Accessed February 9, 2010.

- Weinstein, H. M., and Stover, E. "Introduction: conflict, justice and reclamation." In World Institute for Development Economic Research. "Making Peace Work: Conflict and Post Conflict Societies." *Global Governance and Conflict* (Project), United Nations University—World Institute for Development Economics Research, 2004. www.wider.unu.edu/research/projects-by-theme/global-governance/en_GB/making-peace-work/; as well as: www.wider.unu.edu/research/projects-by-theme/global-governance/en_GB/index/ Accessed February 9, 2010.
- Stover, E., and Weinstein, H. M., (eds.), *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocities*. Cambridge: Cambridge University Press, 2004.
- Žagar, M. "Diversity management—evolution of concepts." *Razprave in gradivo / Treatises and Documents, (International, constitutional, legal and political regulation and management of ethnic pluralism and relations, including prevention, management and/or resolution of crises and conflicts as components of diversity management: Thematic issue)*, 2007, 52, 6–37.
- Žagar, M. "Diversity Management and Integration: From Ideas to Concepts." *European Yearbook of Minority Issues*, Vol. 6, 2008, 307–327.
- Žagar, M. "Strategies for the prevention, management, and/or resolution of (ethnic) crisis and conflict: the case of the Balkans." In D. Sandole, S. Byrne, I. Sandole-Staroste, and J. Senehi, (eds.). *Handbook of conflict analysis and resolution*. London, New York: Routledge, 2009.

Rethinking Reconciliation

Žagar, M. “Human and Minority Rights, Reconstruction and Reconciliation in the Process of State- and Nation-Building in the Western Balkans.” *European Yearbook of Minority Issues*, Vol. 7, 2010, 353–406.