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Review article

## POST-CONFLICT PEACEBUILDING THROUGH THE PRISM OF DEALING WITH SOCIAL TRAUMA<sup>1</sup>

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*Abstract:* The contemporary conflict and its complexity is a serious challenge for the determination of the methods and procedures for peacebuilding process in the post-conflict phase. Peacebuilding is a complex strategy that can begin with the assistance of the International community, but a decisive role lies in the ability of a society to set up and strengthen the state system on stable peace bases. The peacebuilding focus in the post-conflict phase aims to strengthen and institutionalize peace structures that are assumed to be sufficient to initiate a process of overcoming the social trauma and thus to prevent the returning of violence. According to the UN Peace Agenda, the most important activity of the peacebuilding process in this phase is just facilitating and overcoming the conflict effects on civilians. Also, the focus of the peacebuilding process must be geared towards restoring and building mutual trust between the conflict parties. However, particularly, this paper analyzes the characteristics of reconciliation, truth commissions, community dialogue, amnesia and traditional justice.

*Keywords:* peacebuilding, reconciliation, mutual trust, social trauma

### 1. Introduction

The last 20-25 years have produced a rich collection of various security risks and threats. More precisely, previous major military threat has been replaced by new peace and security threats, such as: ethnic conflicts, radical nationalism and civil wars. Their destructiveness is equally reflected on the state, as well as on the civilian population which is confirmed by new types of violence, such as: genocide, persecution, murder, enslavement, unlawful imprisonment, torture, deportation, rape and other serious forms of sexual abuse, hostage taking, and destruction of religious, cultural and historical monuments. Related to the consequences and the social trauma caused by these types of

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violence among the civilians and society as a whole, there is a need for a wide range of activities and approaches in prevention, as well as in successful overcoming of their consequences. Hence, this paper analyzes the post-conflict peacebuilding process through the prism of dealing with social trauma. The identification of potential approaches and mechanisms for understanding the past/conflict truth and overcoming the social trauma is the main paper objective.

## 2. Peacebuilding process

In this paper, the peacebuilding process is analyzed as a tool for prevention of the renewal of hostilities and as an instrument for building and enhancing mutual trust between the conflict parties. According to Hartbottle, peacebuilding process represents socio-economic reconstruction, development and expansion in conflict areas (1984). Fetherstone has a similar view in terms of peacebuilding as an instrument for the prevention of the renewal of the hostilities, of the reconstruction of economic and social infrastructure and the facilitation in conflict resolution (1996). These activities are necessary in creating appropriate conditions in terms of the development of mutual trust among the conflict parties. In this regard, the UN definition of peacebuilding stresses that the purpose of the activities in this area, apart from the economic and social interconnection should also contribute in the development of mutual trust as a basis peace component (UN Peace Agenda 1992). Hence, it should be noted that peacebuilding differs from international assistance in the form of humanitarian and development aid, because it is supposed to be a long process aimed at eliminating the essential roots for the conflict.

The peacebuilding concept is often applied in the post-conflict phase and its role is specifically aimed at societies that have already exceeded the destructive and violent conflict phase. Hence, it could be only applied after creating the necessary conditions for the realization of peace activities. When applied within the state, peacebuilding aims to strengthen and institutionalize peace structures that are necessary for the prevention of violence renewal. As a specific strategy, peacebuilding could be playing a significant role in all conflict stages (Георгиева 2014:195).

- as a conflict prevention factor;
- in terms of supporting the peacemaking process;
- in terms of supporting the post-conflict reconstruction.

Generally, it can be concluded that the peacebuilding process includes the construction of a condition within a community, aimed for establishing or restoring the disturbed community peace. Thus, it can speak for a wide range of activities and measures such as: economic and social welfare and development, disarmament, security sector reforms, reintegration, and restoration of relations among the conflict parties. The achievement of these activities would be still largely determined by the mutual trust among the conflict parties. It is a complex

process based on several types of truths related to war/conflict crimes and consequences.

### 3. Truth-seeking approaches

A growing understanding of transitional justice in post-conflict societies has opened space for other types of discourse about political and social problems that need to be addressed, such as how the history and the reasons for a conflict and its background are perceived by different actors. Therefore, as dealing with social trauma has become increasingly malleable, it has simultaneously become more central to social relations.

There is no doubt that dealing with the past and the conflict implications initiates a need for facing the real truth according to them. Hence, the South African Truth and Reconciliation Commission identified four types of truth related to conflict implications and social trauma in current community: factual truth; personal truth; social truth and restorative truth (Ванковска 2006:21).

The factual truth is based on the objective nature of tangible and verifiable facts and information related to a specific conflict. These facts could be gathered by scientific methods such as collected data related to the dead, wounded and missing persons, as well as collected data on the material implications. The main positive side of these facts is that they are disabling or restricting the atmosphere of their denying as well as creating a false alibi about the crime activities of individual organizations or groups (Lund 1996:25). However, on the other hand, it should also be noted that in the context of determining factual truth, these are not so simple activities and procedures. As an example, it could be noted: excavation of mass graves, the determination of the identity of the victims through DNA analysis, creating database of victims etc. Generally, the factual truth is important because it enables the creation of a clear picture of who should be included in a conciliatory process, as well as who should be forgiven for committing crimes.

The personal truth has basically subjective characteristics, since it cannot be verified by quantitative methodological approach. However, it does not diminish its value compared to objective truth, because conflicts are not abstract society events, but rather they are direct human trauma whose neglect could greatly hamper the establishment of mutual trust and the peacebuilding process. Therefore, the official disabling of public articulation could produce various alternative forms of their manifestation that would contribute to strengthening and spreading the pain, hatred and trauma.

The social truth is based on social interactions and debates in terms of conflict events. Hence, it is known as a dialectical truth which is formed by human interactions within society. These interactions and debates are aimed at identifying the social reasons for the conflict and violent behavior. Hence, the social truth enables detection of the reasons for the realization of violent

behavior, which is an important factor related to post-conflict strategies for peacebuilding and for future violence prevention. The activities of the Center for Democracy and Reconciliation in Southeast Europe could be specified as an acceptable example related to this sphere. Actually, it is an organization that seeks to foster democratic, pluralist, and peaceful societies in southeast Europe by advocating the principles of social responsibility, sustainable development, reconciliation and mutual trust development among the peoples in the region. These goals are accomplished via seminars, conferences, research projects, exchange programs, opinion polls and publications. The Regional Commission for the establishing the facts about war crimes and other gross violations of human rights committed on the territory of the Former Yugoslavia, has a similar approach to the Center for Democracy. Actually, according to the Statute, the Commission has the following objectives:

- To establish the facts about war crimes and other gross violations of human rights committed on the territory of the former SFRY in the period from January 1, 1991 until December 31, 2001, the political and societal circumstances that led to the commission of these acts, and the consequences of the crimes and human rights violations;
- To acknowledge injustices inflicted upon victims in order to help create a culture of compassion and solidarity with victims;
- To contribute to the fulfilment of victims' rights;
- To help political elites and parties in the society to an agreement of accepting the facts about war crimes and other gross violations of human rights;
- To help clarify the fate of the missing persons; and,
- To help prevent the recurrence of war crimes and other gross violations of human rights.

The restorative truth is also important because it puts the facts of the factual truth in the context of human relationships. In that direction, it is applied in order to easily deal with the social trauma and to achieve reparation as soon as possible. Hence, as an act of prevention of future conflicts and crimes, it should identify guidelines for repairing damage from the past.

#### **4. Possible approaches in dealing with conflict past**

In societies recovering from violent conflict, questions on how to deal with the past are so sensitive, especially when they involve memories of widespread victimization, death and destruction. After episodes of violent conflict, political leaders and others often seem to prefer social amnesia, as they try to move ahead and promote stability and security.

In certain situations *amnesia* is the easiest answer to the dilemma on whether to face the past and whether it would be a guarantee for reconciliation and peacebuilding process. However, in terms of that dilemma, some authors stress that there are more serious arguments which advocate not-dealing and not-facing with the past and the truth. There are many reasons in favor of this thesis. First of all, the victims often want to forget the consequences of the past, because living with the memories of them is quite unbearable. On the other hand, it may be better for younger generations who did not witness the past events, to have a look on the future without the burden of the past. Opening the questions about the reason for the destructive events in the past, can sometimes disrupt the peace initiatives and to initiate a desire for retaliation as well. This should be noted, having in mind that there is no guarantee that an attempt for truth seeking and past dealing would not be manipulated in any way. Here, the main problem stems from the inability to prevent the existence of a parallel unofficial history, which over the years could be mythologized and used as a wave of ethno-political mobilization among the society groups (Банковска 2006:24). Basically, it could be concluded that this approach in dealing with conflict past could have a reasonable political logic, but we should also have in mind the main challenge related to the fact that the executors went unpunished and the victims are unrecognized.

Another possible approach in dealing with conflict past is an *amnesty*. It means that the conflict participants are released from all liability, even from the obligation for telling the truth and to bear at least moral responsibility. Thus, the possibility for social recognition of losses to victims is eliminated. Therefore, amnesty proves to be reasonable in situations where it is difficult to separate victims from executors. Its application is also reasonable in a situation where the balance of power is fragile, so insisting on justice and legal mechanisms could lead to renewal of the violence and the continuing of the conflict. It should be noted that despite the fact that amnesty is primarily a result of political decisions, reconciliation and forgiveness are basically personal acts.

Amnesty is one of the basic dealing components with the conflicted past in the Macedonian case. In that context, Macedonia adopted a Law on Amnesty (March 2002), that has been applied to all parties of the armed conflict in 2001. Actually, in the Macedonian case amnesty has mean: not initiation of proceedings or any investigative action against those who violated the law related to conflict activities in 2001 and stopping the proceedings if they have been initiated or exemption from sanctions if they have been adopted. These provisions did not apply to persons who committed crimes related to the 2001 conflict, which are the responsibility of International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law in the territory of the former Yugoslavia, since 1991.

This approach has initiated a perception and feeling of injustice on both sides, and has also strengthened the existing discontent. The lack of punishment of the perpetrators of war crimes during the 2001 had a huge negative public connotation and perception according to their (some of them) appointment as

political and government officials and official representatives at state and local level.

It should also be noted that the lack of responsibility about war crimes and consequences is an important element of the perception of injustice. Actually, amnesty for all participants in conflict activities without determining their guilt hinders the true reconstruction of current events. As a result of that, the victims will always be left with a sense of injustice that the culprits would not be punished and publicly condemned. Therefore, a different situation can be expected if, firstly, there is a proofing of guilt, and then a release from it by the amnesty process. In that case, the public condemnation of perpetrators of criminal acts could be of a certain satisfaction to war victims.

The truth commissions are another possible instrument for dealing with the conflict past. Their aim is to research the human rights violations under a current system, so hence their power scope depends of the strength of the new government, following their acceptance by society at large. The legal scope of these commissions often depends on the available mechanisms for the research of the evidence and the documentation about the human rights violations, and from their ability to connect a legal system that would enable the culprits' ultimate punishment. According to past practice (especially in South Africa and Chile), it could be concluded that the truth commissions' goals are very similar in most countries where they had been enacted (Љатифи 2006:58). In this context, it the following main objectives could be highlighted:

- restoring the victims' dignity and their civil and human rights;
- restoration of the moral order;
- truth researching, its recording and public promoting;
- creating a culture of human rights and respect for the rule of law;
- conflict and past event prevention.

Taking into account the common procedural difficulties that commissions have faced in the implementation of these objectives, the greatest contribution they could undoubtedly make is in terms of reducing the number of untruths that can circulate in public discourse. Contrary to the first two approaches, truth commissions allow confronting and dealing with perpetrators and therefore represent more comfortable instrument in terms of victim access in dealing with conflicting past. This instrument was not used in the Macedonian case in 2001, so it eliminated the possibility of identifying the war/conflict injustice and violence and thus the promotion of the approach that will allow them to be forgiven, but not forgotten. There is no doubt that in the context of identifying the perpetrators of violence and the idea of remembering injustice and crime, compared to the previous two instruments, these truth commissions are much closer to the justice and right concepts.

*Traditional justice* is also one of the possible instruments in dealing with conflict past. Basically, it consists of punishing the violent disregard of human

rights by the official judicial authorities. However, this instrument is not often applicable in post-conflict societies. Actually, traditional justice is often controlled by the executive power and the remaining elements of the former regime, so it opens the possibility for distrust among the population and the victims. In fact, the problem with such instruments exercised in the national context arises from the possibility of continuing sense of bias based on the fact that the courts primarily represent state bodies. It should also be stressed that in post-conflict societies institutions are often weakened, so any judicial system could not function in an adequate manner. Therefore, the perpetrators' punishment for the massive violations of human rights by an independent third entity (especially international tribunals) is the more comfortable approach in such situations. A well-known example in this direction is the establishment of the International Criminal Tribunal for the war crimes in former Yugoslavia. It is a United Nations entity established to prosecute violators of humanitarian law and war rules in conflicts on the territory of the former Yugoslavia. Therefore, the Court has jurisdiction over four groups of crimes committed in the former Yugoslavia since 1991: 1) serious violations of the Geneva Conventions of 1949; 2) rules of war and law violation; 3) genocide; and 4) crimes against humanity. Basically, ad-hoc tribunals such as the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) have by necessity taken place outside the societies where the human rights violations took place. However, it should also be stressed that the action of these entities could be perceived as selective one, because it is impossible to face all crime perpetrators in mass violence situation. Thus, there is condemnation and prosecution aspirations for the main inspirer of wars, often releasing those who really committed crimes (Ванковска 2006:25). This process has also the politicization and guilt collectivization component, which could represent a proper reason for discord and violence regardless of court decisions. However, in post-conflict societies receiving substantial foreign attention, post-conflict reconstruction increasingly tends to be transnational, although "insiders," or locals are the ones who will have to live with, and take responsibility for, the long-term results of the reconstruction, the reform work and the dealing with social trauma. Hence, powerful outside peacebuilding actors view mutual trust as a domestic issue that insiders are best qualified to tackle.

## 5. Conclusions

Peacebuilding process is usually applied in the post-conflict phase of the conflict and its role is specifically aimed at societies that have already suffered a violent or destructive phase of the conflict. In this context, peacebuilding faces serious challenges in establishing peace and stability. Therefore, the approaches for overcoming individual and social trauma have a significant role in peacebuilding achievements. Actually, if they are based on mutual trust and respect among the previous conflict parties, then the peacebuilding achievements will be more realistic and acceptable. Depending on the consequences of each specific conflict, the overcoming approach related to the social trauma should

include amnesty, truth commissions or traditional justice instruments. Having the full confidence in the necessity and application of these instruments from the conflict parties is an important component of overcoming the social trauma.

If the representation of a group's past is now recognized as an integral part of the identity, which includes not only how one views one's own group but also the groups designated as others or enemies, then the understanding of dealing with the social trauma and conflict past, are crucial to a society's ability to reckon with difficult past for the sake of a more just future.



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## **ПОСТКОФЛИКТНОТО ГРАДЕЊЕ НА МИРОТ НИЗ ПРИЗМАТА НА СПРАВУВАЊЕТО СО ОПШТЕСТВЕНА ТРАУМА**

**Александар ПАВЛЕСКИ**

Апстракт: Современиот конфликт и неговата комплексност претставува сериозен предизвик во одредувањето на методите и процедурите за процесите на градење на мир во постконфликтната фаза. Градењето на мирот претставува комплексна стратегија што може да почне со асистенција од страна на меѓународната заедница, но одлучувачка улога ќе игра способноста на општеството да го воспостави и зајакне системот на стабилни мировни основи. Фокусот на градењето на мирот во постконфликтната фаза има за цел да ги зајакне и институционализира мировните структури кои би требало да бидат доволни за иницирање на процесот на надминување на општествената траума и со тоа да се превенира повторувањето на насилството. Според Мировната агенда на ООН, најзначајната активност во процесот на градење на мирот во оваа фаза е олеснувањето и отстранувањето на ефектите на конфликтот врз цивилите. Исто така, фокусот на процесот на градење мир мора да биде насочен кон зачувување и градење на взаемна доверба помеѓу конфликтните страни. Постојат неколку модели за реализација на оваа цел. Сепак, посебно, овој труд ги анализира карактеристиките на помирувањето, комисиите за утврдување на вистината, дијалогот помеѓу заедниците, амнезијата и традиционалната правда

*Клучни зборови:* градење мир, помирување, взаемна доверба, општествена траума.