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Bring Back the State:
New Challenges of Stabilization in the Former Yugoslav Territories

Abstract

This article examines the political context of new challenges in stabilization in the Former Yugoslav Territories same as breaking the veil of secrecy in the Former Yugoslav Territories. While debates over the dissolution of Yugoslavia have extended into the spheres of history, education and public space, this article focuses on the principles of apology, reconciliation, international law and on importance of cover-ups in archives, in our region.

Key words: stabilization, Yugoslavia, justice, reconciliation, cover-ups.

Introduction

After the end of the Cold War, and especially during the last fifteen years, the human need to right the immoral wrongs has been expressed in political discourse as a propensity to apologize for acts of past injustice. Nicholas Tavuchis was among the first scholars to take up the subject of these political apologies, and his text: „Mea Culpa: A Sociology of Apology and Reconciliation" still serves as a historical starting point for the field. Tavuchis regarded apology as one of the „deep truths" of social life and as a „moral expedition" which could repair damaged social relations and allow the parties of past injustices to go on with their lives (Barkan and Karn 2006: 5). From Argentina, to South Africa, to ex-Yugoslav countries, to the United States - societies and international institutions are deciding how they should reckon with past and atrocities (including war crimes, crimes against humanity, genocide, rape and torture) that may have been committed by a government against its own citizens, by its opponents, or by combatants in an international armed conflict.

One of the possible ways to deal with the past injustices, is to research the past without bias and prejudices which is impossible, even as a first step, if we are faced with controlled and closed archives with valuable documents that can shed light into our past. Following the decline of the Soviet bloc, communist parties lost legitimacy everywhere except in Asia, creating a power vacuum into which nationalist parties were sucked as a viable alternative. Most of the communists became nationalists. According to that, while we are focusing on nationalism, when we are trying to examine the dissolution of Yugoslavia, we are ignoring communism, as if Yugoslav history began in 1989. But if „incumbents" were as important to the onset of these wars as „insurgents", then the action and inaction of the communist elites were as critical to the onset of war as those of nationalists. Indeed, we can view the mentality of those who waged the wars as essentialy communist, because most actors were trained by the Party and most nationalists came from the ranks of the SKJ (League of Communists), whose inaffective repression and belated liberalization provoked the „dogs of war" (Eckstein 1965: 141-142, 145-147, 153-155).

The Collapse of the Communist System

So, the nationalism and national tension were not only the fruits of an emigre conspiracy nor the creation of a few ideologues, but they are also an offspring of a regime which controlled its nationalities by favouring some and suppresing others. The collapse of SKJ set the stage for conflict and war because it left Yugoslavia with nonlegitimate authority. But the subsequent wars were not merely epiphenomena occasioned by a search for legitimacy; they were also the result of conflicting assertions of legitimacy by the warring sides, who set the concept of „self-determination", broadly interpreted, against the legal status quo (Ibidem: 150). Some of Croatian's Serbs rejected both Tuđman's nationalistic party and Croatian state, just as some Serbs and Croats in Bosnia-Herzegovina rejected the SDA and the Bosnian state, and all non-Serbs rejected Milošević's vision of a Yugoslavia dominated by Belgrade. Unfortunately, democratization and pluralism in Yugoslavia have not led to the easing of political tensions. Instead, they have given rise to ethnic-based political parties that are helping tear the federation apart and give voice to virulent nationalist hatreds. Serbs, Croats, Slovenes, Muslims, Albanians, Macedonians, and a host of other peoples are fixated on the past, with its mass killings, betrayals, forced migrations and „lost" territories (CIA 1991: 135). Without a consensus regarding legitimate authority, there was no way to first prevent, then halt, the chronic, if often dormant, conflict among Yugoslavia's peoples and republics from turning violent.

The collapse of the communist system in Eastern Europe the late 1980s created a political vacuum that was filled by resurgent nationalist movements, which proved fatal for a multiethnic country such as Yugoslavia. Also the commuist fall from power „breached the dams of memory and counter - memory, which fundamentally changed the collective identity present in region" (Pavlaković 2008: 115).

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Also, it is important to mention the influence of the economic and social crises in dissolution of Yugoslavia and the outbreak of war between 1991-1995, which played as important of a role as unresolved national question. Yugoslavia's economic crises led the CIA to predict the country's collapse if it did not resolve its economic problems (CIA, 1990). Its unresolved national question also a played role. But, the question remains why the conflict became acute. Yugoslavia was a divided society which had been in crises for most of its history, but only in 1941 and 1991 did it experience bloody internal wars (Bilandžić 2001: 307).

Inside of that question, we can observe cultural differences. They also played a role. Adherents of the Catholic, Ortodox, and Islamic faiths, who were closely identified with national groups, hold different ideas about concrete realities, not just about ritual and the afterlife. Different regions had also developed their own dinstinct customs, mores, and cultures, including attitudes toward the organisation of society and the economy. Efforts by the SKJ to supress, neutralize, balance, and even out these differences after 1945 were no more successful than those by King Alexandar after 1929 and all of them done it with covering up the documents of the past. It is not necessary to agree completely with Samuel Huntington to recognize that human populations are not uniform, and that culture is bound up with individual identity, marking and reinforcing national divisions. Even if the communists tried to create Yugoslavia as a multi-cultural paradise, they failed (Botev 1994; Hodson, Sekulić and Massey 1994).

But Yugoslavia still might have survived, had only the „insurgents" acted to destroy it. But in reality, the country's „incumbents" had either lost interest in maintaining the system or had joined the insurgents by 1991. The events of the 1980s including the transformation of the USSR prior to 1989 and the events in Eastern Europe after the Berlin Wall came down and the Soviet bloc disintegrated, were critical to changes in Yugoslavia because they offered a new psychological orientation which allowed all Yugoslavs to envision a future radically different from the past, and encouraged some to seize control of the system and shape it to their own ends.

Also it is important to mentioned that identification of territory with ethnic belonging was and is the one of the most problematic legacies in the tradition of the former Yugoslav nations and in fact it is the legacy of the classic Central European ideology of the nation state (see: Mann 2005; Kramer, Dzihic 2005). This kind of identification prevents the application of the citizenship concept to create ethnically neutral territories with multiple identities. The tendency is sometimes reinforced by the international community when it caves in to threats of territorial separation by ethno-national leaders, thereby rewarding them by permitting consolidation of their grip on ethically conceived constituencies. Contrary to their efforts, situation on the filed is usually devastatingly.

For example, The Dayton Peace Agreement in Bosnia and Herzegovina set the pace for conflict settlement in the Balkan wars. A closer look into the institutional arrangements foreseen in the Annexes reveals that the drafters of the Dayton

constitution followed the model of consociational democracy for post-conflict reconstruction. Dayton was therefore based, firstly, on territorial separation into entities end cantons mostly following ethnic lines, thereby also cementing the ethnic separation of the population. Secondly, on the state level, all institutions were formed on the basis of the rules of proportional ethnic representation and mutual veto power in order to create the necessary trust for elite consensus through power sharing. The situation alowed the ethno-nationalist parties such as SDA, HDZ and SDS to convince their electorates that they were the only reliable defenders of their respective „national interests" and to reinforce their grip on power and prevent any inter-ethnic co-operation on both mass and elite levels. A similar conclusion results from an analysis of the reconstruction efforts of the United Nations Mission in Kosovo (UNMIK) following Security Council Resolution 1244 (see: Kramer, Dzihic 2005). Based on ambiguous political compromise of „territorial integrity for the Former republic of Yugoslavia and substantial autonomy for Kosovo", the UNMIK administration created a de-facto independent state under international protection with serious deficiencies as far as security, political stability, effective state administration and democratic governance are concerned. The March 2004 riots, including killing, looting, and ethnic cleansing of the Serbs and other minorities revealed that not even basic physical security could effectively be secured by KFOR and UNMIK. The economy is constantly on the brink of collapse, with a theoretical need to employ 30 000 newcomers on the formal labor market each year only to preserve a 70 percent unemployment rate.

The Challenges of the State Re-construction and cover-ups of the historic truth

So, the challenges of the state re-construction in the Western Balkan countries make clear that there has not been too much „state" as such, but rather an absense of the effective exercise of state power where it is absolutely required. The problem, therefore, is not deregulation and liberalization, but how to „bring back the state" in order to provide good governance as a prerequisite for the reconstruction and reconciliation of weak peace in weak states and devided societies. If the long-term goal is in fact economic growth and EU-integration, development requires and effective state for rule-making as well as rule-implementation and rule-adjudication. These are vital functions that cannot be left exclusively to private agents or international agencies.

These new challenges of creating a stable political and constitutional framework for sustainable economic growth and the management of cultural diversity cannot be met with old concepts or by simply transferring Western European development trends to South East Europe. The idea of a „belated" modernization process, and thus the need simply to catch-up, will not-in the best case-help at all, but probably make things even worse. The legacies of the Western and Cetral European ideologies of the nation state, which refuse to recognize ethnic identities on an equal footing

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and therefore end up promoting either assimilation, segregation, ethnic cleansing, or genocide are precisely the problem, and in no way the cure. The same holds true for the „conundrums of liberalism": in ethnically divided societies, a strict focus on individual rights, non-discrimination, and the majority principle has never been and will never be accepted as a framework for legitimate governance.

Finally, only through a complex process of expanded cultural autonomy and social, economic, and political integration through effective representation and participation on the various municipal, regional, national, and supra-national levels, can the functions of every political system (stability, efficiency, and democracy) be achieved. In addition, the traps of ideological dichotomies and their either - or logic have to be avoided by balancing different concepts and competing interests. In place of territorial and institutional separation based on a belief in ethnic homogenity and the identification of ethnicity and territory, only pluri-ethnic autonomy and integration based on multiple identities and loyalties and the de-coupling of territory and ethnicity can serve as guidelines for state and nation-building in post-conflict societies. This is certanly the case in contemporary Europe, and probably elsewhere as well (Marko 2007: 73, 77).

Even beside all these reasons for dissolution of Yugoslavia, bring back the state and reconciliation process - covering up the historic truth for reasons of higher interests of one's party, nation or political option is one of the more significant causes of wars between the peoples of Yugoslavia. At the time of the socialist Yugoslavia, this kind of policy was - to certain extent - pursued by the leadership of the Communist party, allthough they nominally condemned the use of conflicts for resolution of disputes in the Yugoslav society. The SKJ pursued this position also through cultural and scientific institutions, which left a trace in the professional and scientific achievements of these institutions (State archive, Belgrade 1980: 67-69; 93-94).

At the time of the dissolution of the Second Yugoslavia, which happened during the war 1991-1999, in which period numerous war crimes were committed, the nationalist civil and military structures invested a lot of effort avoiding to leave any trace of their actions. They are the ones who, even after war, did not do anything to establish any national systems for the protection of cultural events (as sources of information), in line with international regulations. These new forms of covering up the historic truth have grown into closed national systems, which were directly and absolutely opposed to the need to reach scientific insights into what happened during the war on the other side (Kožar 1997: 19-35, Kožar 2005: 177). Not even the international community can be said to have yet identified the full weight of such conduct for both current, but also future international relations.

Due to all this, both the intentional and non-intentional cover-ups of the historic truth about the causes of conflicts among South Slavs only prolong the existing conflicts and bring about new conflicts with even more perilous consequences (Kožar 2005: 182).

According to that, on the other side, if we are faced with these cover-ups, and nationalism that ruined our lives in last two decades and if we still want to make steps forward to do away with nationalism and try to create civil society, and face the past through documents as historians are doing, it is imperative for all of us from ex-Yugoslav territories to work on apologies and reconciliation. That process is going in three phases.

The Challenges of the State Re-construction and Group Apology

Group apology is first step, and it represents a new and compeling iteration of our commitment to moral practice. Despite new tensions and escalating hostilities associated with what some view as the new world disorder, apology remains a powerful trend in global politics. Even as cycles of violence emerge in some spots, in others, we see rival groups willing to put their troubled histories in the service of justice and peace. A wave of apology continues to work its way through global politics. In September 2003, the presidents of Croatia and Serbia -Montenegro expectedly exchanged apologies for „all of the evils" perpetrated by their countries.[1]

In the best cases, the negotiation of apology works to promote dialogue, tolerance, and cooperation between groups knitted together uncomfortably (or ripper asunder) by some past injustice. A sincere expression of remorse, offered at the right pitch and tenor, can pave the way for atonement and reconciliation by promoting mutual understanding and by highlighting the posibilities for peaceful coexistence. Praticed within its limits, apology can create a new framework in which groups may rehearse their past(s) and reconsider the present. By approaching their grievances through a discourse of repentance and forgiveness, rivals can explore the roots and legacies of historical conflict as a first step toward dampening the discord and frictions that they produced. It is possible, of course, to overstate the effectiveness of apology, but the psychological attraction it has for perpetrators, victims, and those who live in the shadow of historical injustice seems empirically undeniable. Especially at the group level, apology has emerged as a powerful negotiating tool for nations and states eager to defuse tensions stemming from past injustices (Barkan and Karn 2006: 7). It is important to mention, that dialogue, in general, is only the first step in the longer process of post-conflict reconciliation. Reconciliation requires the sides of the conflict to accept their own past first, and only then to reach an understanding of the shared past.

One of the non-governmental organisations is working on reconciliation in the region on that base. The name of that organisation is Center for History,

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1 Los Angeles Times,September 11, 2003. Dusan Janjic of the Forum for Ethnic Relations welcomed the apologies as „symbol of a new culture".

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Democracy and Reconciliation (CHDR) and it is based in Novi Sad, Serbia. CHDR is working on reconciliation process through different scholar projects, teaching and documentary movies.

The aim of these projects is to enhance local post-conflict reconciliation efforts and trust-building among ethnic groups. In the last one project, CHDR is using Croatia, a Yugoslav successor state, as a lens through which this can be studied, the project focuses primarily on Serbo-Croatian relations. As the Serbs and the Croats are the two largest nationalities in the region, the conflict between the two groups in the early 1980's and 1990's is credited with planting the seeds for the breakup of the former Yugoslavia. Although most similar activities worldwide (and in the former Yugoslav region) have been carried out at the state, national, multinational and macro-regional levels, the project organizers believe that post-conflict recovery, reconstruction, and prevention of future conflicts will be most successful if achieved on the local level amongst civil society. Thus far, CHDR model has proved successful and is now in its third year.

The problem that CHDR address is the general failure of reversing ethnic cleansing. This has always been an issue evident locally, but is becoming increasingly apparent internationally, both at the macro level-growing sectarianism and distrust based on cultural differences, declining number of ethnically mixed communities - and at the micro local level - the lack of returnees and incidents of sporadic attacks on Serbs who visit Croatia. The project aims to highlight a counter example of sustained reconciliation that is nurtured foremost by local leaders and is supported by civil society and political parties from the three larger republics of the former Yugoslavia. It includes the development of a strong support network, economically and culturally, and the strong involvement of academics.

In contrast to frequent efforts to deny or repress the past as a form of conflict resolution, this project aims to use the past as a means of coexistence as well as of conflict, and seeks to legitimate and acknowledge the various constituencies of the region. By building reconciliation into the core fabric of society and enhancing the economics of reconciliation, the project provides a linchpin for transforming society from dependency to an economically viable community that fosters ethnic heterogeneity.

During and after the war in Croatia and Bosnia-Herzegovina (1991-1995) many countries generously provided humanitarian aid to all parts of the region affected by war. Here CHDR will highlight two specific examples of post-conflict recovery undertaken by the United States. The US insisted on "reversal of the outcomes of ethnic cleansing" i.e. jointly with region's governments, implementing a policy of assisting repatriation of refugees to "ethnically cleansed" areas and rebuilding facilities needed for normalization of daily life.

For example, in Croatia, local US peacekeeping forces donated $450,000 for rebuilding of a student housing center in the city of Vukovar. In February 2010, James Foley, the US Ambassador to Croatia, opened the modern center for 150 students.

It was a generous and hopeful example. Yet, the one-time serene multiethnic city on the Danube remains separated into two hostile communities; newspapers continue reporting on sporadic fights between Serb and Croat high school students.

Another similar example occurred in Kistanje. As early as 1997, the US government donated $400,000 for the construction of 120 new homes to accommodate refugees in this Croatian village, now empty of its prominent pre-war Serb community. Even monks from the nearby Krka monastery, the major Serb Orthodox Church's shrine in Croatia, escaped with the exodus of the summer of 1995. For three years the monastery was empty, though historically it had never been abandoned, not even by monks under five centuries of Ottoman Turkish rule.

Other such examples are numerous, and the peacebuilding role played by the United States in this part of the world is well known. Despite these efforts, unfortunately, "ethnic cleansing" in many areas has succeeded - most notably in Bosnia-Herzegovina. In Croatia, the pre-war 78% ethnic (64% Roman Catholic) Croat majority after the war have become 96% Croat-Catholic, most probably caused by the flight of the predominantly Eastern Orthodox ethnic Serbs from the region.

It is well known that benevolent intentions do not always produce the outcomes desired by donors and peacebuilders. Analogous to the international community's conflict resolution effort during the war, many factors aggravate conflict resolution and post-conflict renewal. For example, in the case of the village of Kistanje US Ambassador William Montgomery made it clear during his visit in 1997 that the new homes were for Serbs displaced after Croatian Army's military defeat of the rebel Serb enclave in the summer of 1995.

Yet, while visiting the nearby one-time majority Serb town of Knin, he could already sense unfolding problems. The Croat mayor of Knin, a city where few Serbs returned, informed him of a large number of Croat refugees from Bosnia-Herzegovina now inhabiting vacant homes owned by runaway Serbs. The Ambassador promised assistance for Croat refugees too, provided they left Serb homes to facilitate Serb refugee return. In 1999, the US ambassador opened newly built homes in Kistanje expecting return of Serb refugees. However, in anticipation of the growth of the village into a large Croat urban center, the Croat government gave new homes to 1,200 Croat settlers, 600 of them under age of 18 and 200 pre-school children. These settlers had actually come from a Catholic community from the province of Kosovo, lured by regime's promises of a prosperous life in Croatia instead of living in the most unstable and poorest Balkan province.

This example is the direct outcome of ideology that had spurred war in former Yugoslavia. During the 1980s, ethnic nationalistic propaganda from new nationalist movements in the three major groups, namely, the Serbs, Croats and Bosnian Muslims, called for resolution of crisis in the multiethnic nation by what they called "humanitarian resettlement" and "benevolent population exchanges" aimed at creating ethnically and religiously homogenous nation-states amidst one of the most remarkably culturally diverse parts of the world. The consequences were tragic.

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The newcomers in "New Kistanje", many of whom war veterans of the Croat Army, later become gravely disappointed by their community stagnation and began criticizing the Croatian government. No prosperity or even fundamental living conditions been created there or in vicinity. On September 18th 2010, the new US Ambassador to Croatia, James Foley visited the Knin area including the village of "Novo Kistanje" ("New Kistanje"). The Americans were interested primarily in the process of repatriation of the expelled Serbs. There, they found no Serbs but instead encountered a "Croat-only" village and three Croat war veterans on a hunger strike. The Ambassador learned from these men that the government and the international community had let them down; that all villagers live on social welfare, had no asphalt on their streets, no road connection with any major town, no kindergarten, no employment opportunities and that the government even shut down the water supply due to four years of non-payment for water bills. The ambassador promised help, continued his visit and gathered similar stories during the rest of his trip across formerly Serb populated parts of Croatia. In short, it was obvious that "ethnic cleansing" had largely succeeded. In Croatia, only about 50,000 ethnic Serbs out of the nearly 200,000 that left in 1995 have returned to places of their origin while some 80,000 Bosnian Croats inhabited the formerly Serb-populated "soft-belly" of Croatia known during the war as the rebellious "Serb Republic of Krajina". In the neighboring Bosnia-Herzegovina the damage done by the wartime "ethnic engineering" to the old social fabric was even worse.

Nevertheless, if the Ambassador wished to see a successful example of what is described as USIP's mandate of promoting post-conflict stability and development, he could have visited village of Golubić. At that time, he probably was not informed about it. It was also in the one-time predominantly Serb-populated parts of Croatia, near the town of Obrovac in the hinterland of the ancient coastal city and tourist landmark of Zadar. Heavy fighting took place there during the war and the local Serbs also joined the exodus of the summer of 1995 leaving homes and farms to be looted and burnt to the ground. But ten years later many returned to stay. And this has been achieved not by the government of any country but mostly by the people themselves, the villagers and their friends and relatives with aid of non-governmental groups and human rights advocates from Croatia and Serbia. As the result, the returnees at Golubić have revitalized the area and restored normal life. This is a story about how things can be changed for the better by citizens' activism "from below." Although only one fifth of the pre-war population had, those who did were glad to have done so. Some farmers turned to ecological tourism hosting annual scholarly conferences started by CHDR in 2008. The nearby historic Orthodox monastery "Krupa" revived annual pilgrimages. In 2010, this obscure village, during the scholarly conference and dialogue of ethnic minority parties taking place there, appeared on prime-time programs of several national TV stations in the region.

In 2008, in Golubić, CHDR organized scholars from Serbia and Croatia to call a public attention to the refugee repatriation issue and discuss controversies over the war and problems of transition. As landmines were cleared from the village,

roads, and farmland and burnt homes still stood amidst the renewed ones, TV cameras that arrived to cover the meeting captured a reborn community. The administration of the nearby town of Obrovac (once a Serb town but now with a Croat majority) led by moderate Croat politicians, took care of cultivation of interethnic relations. Thus a town that had been "de-serbianized" and "croatized" by war and a nearby village re-populated by returning Serb refugees, not only lives in peaceful coexistence, but cooperates and work together. Therefore the Golubić case can serve as a role-model for the whole region and a center from which "missionaries of peace" will be dispatched in similar areas to bring to rural communities similar events.

The reversal of "ethnic cleansing" seems as a quixotic adventure but it has to be done or at least attempted because a liberal democratic modern society must not tolerate so evident triumph of evil. Croatia, for example (like nearby Bosnia or Vojvodina) has always in its long history been a pluralistic, multiethnic and multiconfessional society. Yet, according to the census of 2001, Croatia today is an ethnically homogenous country with 89,6% ethnic Croats and 90% Catholics by religion (the official nationalism takes for granted that very patriotic Croat must be a Catholic as opposed to Eastern Orthodox Serbs or the common language-speaking Bosniaks who have no other option but to be Muslims). Before the war, according to the census of 1991, ethnic Croats made up 78,1% of the population (64% declared as Roman Catholics), with many other groups prominently represented in Croatia as their homeland for many centuries. There used to be in Croatia 12.2% Serbs traditionally of Eastern Orthodox faith. Some 2.2% of the population of Croatia considered themselves, "Yugoslavs by nationality" (mostly from Serbo-Croat mixed marriages). Also, nearly 1% of Croatia's citizens were Bosnian Muslims and lesser but noteworthy percentages of Italians, Jews, Hungarians, Germans, Austrians, Poles, Slovaks, Ukrainians, Slovenians, Romanians, Roma (Gypsy) and so on. According to the census of 2001, the number of Serbs in Croatia dropped to some 4,5%. As a matter of fact, since 1941, Croatia has almost completely lost its three historic ethnic minority groups whose members made significant contribution to the nation's culture and development, namely Jews, Italians and Serbs. Unfortunately, the post -1991 ethnic nationalistic ideology has taught patriotic Croats that the loss of non-Croats should be considered some kind of national "victory" and "liberation". The first postcommunist President Tuđman called non-Croats, particularly Serbs, a "disturbing factor".

To conclude, it is evident that this reconciliation content is promoting post-conflict stability and development but also increasing peacebuilding capacity, tools and intellectual capital worldwide. In addition, CHDR and AHCR focus on the local, our "battle for villages, small towns and provinces" is unique in the region.

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The Challenges of the State Re-construction, Trials, Truth Commissions and Forgivness

If the apology is the first way of how to resolve the clashes and national tensions, the second consists of trials and truth commissions that can work cooperatively, each responsible for emphasizing one of the two ideals - punishment and reconciliation - but not completely ignoring the other. It is better if neither tool is overloaded with functions that the other can perform better. For example, the International Criminal Tribunal for the Former Yugoslavia has indicted, has put on trial, and is punishing some middle-level implementers, some high military commanders, former presidents, and other allegend planners of atrocities in Bosnia. In contrast, a proposed truth and reconciliation commission, comprised of representatives of the Serb, Croat, and Muslim communities, could investigate and deliberate together concerning the truth about past. This kind of investigation and a resultant authorized report would partially settle accounts with the great number of rank-and-file rights violators. Such a report would also go beyond the scope of judicial processes - recognize and applaud those from all sides who found ways to aid their ethnically diverse and endangered neighbours (Kritz, Steubner 1998).

The relations of trials and truth commissions can be complementary in a stronger sense, because each body may enhance as well as supplement the other. Fair trials and punishment may contribute to the reconcilition and truth sought by truth commissions. On the one hand, if victims believe that their testimony might be used by national or international tribunals to bring perpetrators to justice, this knowledge can also satisfy the thirst for justice and lead to healing. On the other hand, the evidence that truth commissions unearth may have a positive role to play in judical proceedings. Moreover, truth commissions, after evaluating the fairness and independence of a country's judicial system, might recommend judicial reform or argue that an international tribunal should have jurisdiction (Crocker 2006: 73-74).

At the end comes forgiveness. It is a Christian morality, or rather its secular embodiment, which have raised forgiveness to the status of supreme, even constitutive value. Not only has Christianity emphasized internal transformative capacities, but it has also put suffering and its redemption at the core. The best that can be done in these circumstances is to implement legal justice, even thought both are very much aware that justice cannot be done anymore. Jankelevitch wrote his essay in the midst of the French debate regarding the imprescriptability of Nazi Crimes. For him, pardon is equal to forgetting Crimes against Jews and true Crimes against Humanity, against the human essence. They cannot be pardoned. He also does not belive in German repentance: „German Repentance, its name is Stalingrad… it's name is defeat" (Jankelevitch 1996: 3). For all these reasons, it may have nothing to do with the term reconciliation as we use it today, which is understood entirely in a social and political perspective that is completely indenpendent of personal feelings. No one expects the victims to forgive anyone, but the social process of receiving restitution and procesess

of political forgiveness can still legitimately be considered a part of the reconciliation process. At the end, it is important to conclude that despite its Christian origins and western dominance, it would be erroneous to conceive of these developments as a new form of „moral imperialism".

The collapse of the communist system in Eastern Europe in the late 1980s created a political vacuum that was filled by resurgent nationalist movements, which proved fatal for a multiethnic country such as Yugoslavia. Also, it is important to mention the influence of the economic and social crises in dissolution of Yugoslavia and the outbreak of war between 1991-1995, which played as important of a role as unresolved national question. Inside of that question, we must observe cultural differences and the influence of religion. They also played a role in breaking the state and building the new once national states in the Ex Yugoslavia. One of the possible ways to deal with the past injustices, is to research the past without bias and prejudices which is impossible, even as a first step, if we are faced with controlled and closed archives with valuable documents that can shed light into our past. At the time of the dissolution of the Second Yugoslavia, which happened during the war 1991-1999, in which period numerous war crimes were committed, the nationalist civil and military structures invested a lot of effort avoiding to leave any trace of their actions. They are the ones who, even after war, did not do anything to establish any national systems for the protection of cultural events (as sources of information), in line with international regulations. According to that, on the other side, if we are faced with these cover-ups, and nationalism that ruined our lives in last two decades and if we still want to make steps forward to do away with nationalism and try to create civil society, and face the past through documents as historians are doing, it is imperative for all of us from ex-Yugoslav territories to work on apologies and reconciliation. That process is going in three phases: group apology, trials and truth commissions and at the end comes forgiveness.

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