

HURIDOCS
**INTERNATIONAL CONFERENCE ON HUMAN RIGHTS INFORMATION,
IMPUNITY AND CHALLENGES OF THE POST-CONFLICT HEALING
PROCESS**
Gammarth (Tunisia), 22-25 March 1998

*Impunity and the Post-Conflict Healing Process:
Understanding the Healing Process and its Needs*

by Inger Agger

Senior Researcher, Centre for Development Research, Copenhagen, Denmark

Introduction

In this presentation I am going to address the problems of post-conflict healing from the perspective of the Bosnian Case. I recently returned from Sarajevo, and I am familiar with the vast Bosnian problems of healing after four years of work there, during and after the war. However, I will also draw some comparisons to Chile, where I did field work six to seven years ago.

During the post-conflict period in Bosnia - from September 1996 to September 1997 - I was working in the Democratisation branch of the OSCE the Organisation for Security and Cooperation in Europe - as a psycho-social advisor based in Sarajevo. Thus, my working period started about six months after the Peace Agreement was signed in Dayton, and during the year I was there, I could observe the various challenges of the post-conflict healing process - challenges which were, indeed, great and which could easily lead to pessimism and feelings of powerlessness.

General Concepts

I am going to start by presenting a few general concepts related to post-conflict healing. Generally, there is a belief in the healing value of "truth, justice and reconciliation", a description of the key-steps in a post conflict healing process, concepts which I became very familiar with during my field work in Chile in 1991-92. These concepts were considered very important issues for the human rights movement in the post dictatorial phase.

In Bosnia, the post conflict healing process was generally described by actors in the international community (but not as such by many of the local population) by the concepts:

"dialogue, confidence-building and reconciliation" - as you may notice with less emphasis on truth and justice. However, the International War Crimes Tribunal in the Hague repeatedly stressed the importance of truth and justice for social healing, but as

many of you probably know, very few of the key persons indicted for war crimes have actually been brought to trial.

Rituals of Social Reparation

From the Chilean situation; I learned about the healing value of what we might call "rituals of social reparation". Rituals of social reparation will be influenced and limited by the power balance between the old and the new government. Moreover, the strong emotional dynamics produced in the traumatised society after severe human rights violations may in fact lead to new human rights violations (for example, actions of revenge), thus impeding a development towards democracy.

The term "social reparation" refers to several interrelated processes:

1. A public ethical process of revealing and condemning human rights violations committed by the former government.
2. Judicial and political processes in court and parliament which relate to the human rights violations of the former government.
3. A process of healing on the part of the traumatised society and its individual members.
4. A process of preventing future human rights violations.

In Chile, it was emphasised by the report of the Commission of Truth and Reconciliation (1992) that a process of social reparation must contain the following elements:

1. The truth about what happened must become public knowledge.
2. The perpetrators must be brought to trial, that is, justice must be done.
3. The survivors must receive financial or other forms of compensation.
4. Reconciliation must take place between that part of the population which supported the dictatorship and the part which were persecuted. This reconciliation can only be achieved, however, after the first three requirements have been fulfilled.
5. Education about human rights must become part of general public education.

In Chile - and other Latin American countries - so-called "rituals of purification" were performed as part of the collective healing process. By way of a series of "acts of purification" held after the change of government, collective trust was attempted re-established in popular places of assembly. From a healing perspective these rituals were very interesting. They were performed, for example, in stadiums which had been used as repressive spaces just after the military coup. Prisoners were held there; they were tortured in the gangways; and some were also murdered there. The rituals of purification were performed, it was explained to me, to "wash the blood of", so that these places could again become what they originally were meant to be: sports stadiums (Agger & Jensen, 1996). I would consider such rituals to be important elements in social reparation and healing.

Definitional Problems

When we turn to the Bosnian case, issues such as reconciliation, human rights, testimony and "truth" become more complicated. Citing the anthropologist Fiona Wilson, processes such as reconciliation are, taken at face value, positive interventions indicating "participation of people, a sharing of values, a return to normality and the re-emergence of institutions which guarantee peace, law and order, democracy and a measure of prosperity. Defined in this way, they are value-laden and highly politicised..." (1997, p. 25). In Bosnia, the so-called "international community" definitely had highly political aims when these processes were facilitated as part of democratisation and a transition to a capitalist market economy.

Therefore concepts such as truth, justice and reconciliation became highly contested areas of dispute. What is the truth? How should the truth be expressed? How much "truth" is necessary, and how much "truth" can the public take? From Argentina it was reported in the years following the dictatorship that people became overfed with horror stories and pictures in the media depicting the atrocities of the dictatorship. Instead of giving impetus to a new consciousness of human rights, it led instead to a general desire to forget.

Likewise, the demand for justice is problematic to define. To whom does it apply? It is probably not a realistic option to attempt to punish all of the soldiers and civilians who were connected to the violations. Many of them would argue that they followed orders and would, themselves, have been persecuted if they had not carried out the commands of their superiors. This raises new ethical issues.

The concept of reconciliation raises the same type of problem. Is it possible ever to forgive those who supported the murderers and torturers?

As many of you are aware, and as I have been informed by my Chilean colleagues, the process of healing in Chile has not proceeded very fast due to various factors of which "impunity" is very important. The process of collective healing as outlined by the Commission of Truth and Reconciliation in Chile was never allowed to proceed towards reconciliation, partly because the justice aspect was not sufficiently addressed due to the sabotage by powerful political forces.

Ethical Issues in Inter-Ethnic Conflicts

In inter-ethnic conflicts the situation becomes even much more complicated, and terms such as "truth" even more contested than in the Chilean case. In Chile there had to be a clear ethical distinction between the "good" and the "bad" - the good fought for human rights and democracy, and they were the victims of human rights abuses, while the bad supported state terrorism and dictatorship and were perpetrators of the abuses. In Bosnia there was not to me such clear ethical distinction.

However, in Bosnia this point would definitely already be highly controversial. Some members of the warring factions would adamantly claim that there surely was a clear

ethical distinction - their ethnic group were fighting for their human rights and they were the victims, and the other ethnic group or groups were the perpetrators. I have attended professional meetings in Bosnia where there could not even be reached a consensus about whether there had been a "conflict" or a "war" - not to mention a "civil war" in the region. According to some local discourse, 'aggression' had taken place, and if the word "conflict" or "war" was used, then this implied that there was an equal responsibility for the tragic events including the human rights abuses.

When we look at human rights, the laws and discourse on international human rights could be seen "as one of the most globalised political values of our times" (R.A. Wilson, 1997, p. 1). In fact, it seems to be one of the only moral and utopian language left after the end of the Cold War (Ibid.), and at the same time, the discourse of human rights is now in a process of globalisation. However, this "does not mean that everyone relates to it in the same way. Its interpretation depends on local and individual value distinctions" (ibid., p. 12). So "the universality of human rights thus becomes a question of context", and "local interpretations of human rights doctrine draw on personal biographies, community histories, and on expressions of power relations between interest groups" (ibid., p. 12).

Local interpretations in Bosnia of human rights doctrine should be seen in the context of power struggles between interest groups who can use the "truth" for their own political purposes. So for the healing process to proceed, some kind of agreement needs to be reached about fundamental concepts such as "conflict", "war", and "truth" seen in the context of local power struggles.

One important step in reaching this agreement would be to start a dialogue with members of the "other" groups about the conflict, the truth, the justice as these issues are seen from the perspectives of the various conflicting groups.

Ethno-Discourse

That "dialogue" and "confidence building" gain so great importance in the Bosnian case has to do with the nature of the conflict there. In contrast to Chile, the conflict in Bosnia was fuelled by "ethno-discourse" by which is meant a "discourse which develops as part of strategies for the identification, government, administration as well as protection of" certain groups (Rønsbo, 1997, p 59).

According to the ethno-discourse in Bosnia, three ethnic groups were fighting for survival: the Bosniaks (also called the Bosnian Muslims), the Croats and the Serbs. All of these groups felt their survival threatened by the others. However, there were also many mixtures: the mixed marriages and the children of such marriages. It is estimated that about 12% of all marriages were mixed in the former Yugoslavia, but in towns such as Sarajevo, this percentage was much higher, some claim up to 40%. However, in some villages in the country side one could find a very low percentage of mixed marriage. In many places the different ethnic groups were living together in villages or towns. Ethno-discourse, therefore, also fuelled the so-called "ethnic cleansing" when the other ethnic

groups were driven out of a mixed area during the conflict. 'n this process, many mixed marriages were separated (Agger, 1996).

The fact that the warring factions used ethno-discourse as a way of identification, therefore, created deep divisions among neighbours, friends and ethnically mixed families. On the inner-psychological level, children of mixed marriage would often experience this division as a conflict of identity: who am I?

In an investigation we made at the end of the war asking two thousand women who participated in psycho-social programmes about their traumatic experiences, almost half of the women felt betrayed by neighbours and acquaintances, and 20% by family and friends. One of the important conclusions from this investigation was that the sense of betrayal and the general mistrust which was a product of this experience was the most serious war trauma, permeating not only individuals and families, but the whole social structure Agger & Mimica, 1996).

The Healing Process

Therefore, post conflict healing processes need to address the issue of mistrust and betrayal and this could very well be through critical analysis of the ethno-discourse. Notions of ethnicity and culture are not static, natural or biological facts, but social constructions which are being used for political power purposes.

Apart from this cognitive, consciousness-raising process, the healing process would need to focus around more emotional issues such as mistrust, fear and grief through testimony-work, organisation of dialogue groups, and individual and group work of mourning and remembrance.

a. testimony

Testimony addresses the problem of truth, because testimony is a way to express truth in a personal and concrete way. The abstract discussion about truth takes on another meaning if testimony is acknowledged as the narratives of individuals about their experiences as they have felt and interpreted them. "Testimonials are produced by witnesses who have been and continue to be the subjects of exploitation and oppression by groups in a dominant social, economic, and political position" (Binford, 1996, P. p>. They are "essential]y individual accounts..." but "they embody collective experiences" (ibid., p. 10). Thus, testimony has a double connotation of something private and individual, as well as something public and political.

On the individual level, testimony can become a cathartic process, allowing the individual to express his or her feelings, but it can also be seen as a constructive way to channel the aggression. On the public level, testimony bears witness to history and can become an important accusation against the perpetrators as well as a legal document of evidence.

b. dialogue

In dialogue groups, people assemble from the various ethnic groups, opening for a change of the demonic or satanic image of the enemy group towards a more realistic conception: not everyone belonging to the enemy group is bad, although some are.

Dialogue involves getting to know the feelings and thoughts of so-called "ordinary" people belonging to "the other side". Ordinary people on all sides are victims of the conflict, victims of human rights violations. They have their experiences and explanations of way and how this happened. So dialogue is a process which follows at least two paths: changing the image of "the others", getting acquainted with THEIR suffering, their feelings and thoughts, as well as remembering and finding out about the truth of what some of those others have also done.

c. grief

However, not only the feelings of fear, hatred and mistrust need to be expressed in the healing process. Grief is also an important and maybe on the individual level the most important need for healing. A healing process could be likened to a mourning process - grieving over what one has lost.

It can be very difficult for a victim to understand that the perpetrator also may feel deep grief about his or her acts. Did I really do that, the perpetrator may ask him or herself? So also for demobilised soldiers the grief perspective is necessary. When the war is no longer holy, the heroes become killers. An obvious example is the fate of the returning American Vietnam veterans. Instead of receiving a heroes welcome when they returned, they were condemned by general public opinion in the country which had sent them to war. The way some of these veterans have tried to heal themselves is illustrative of the needs of the healing process. Many have returned to Vietnam and asked forgiveness from the people, and some have engaged in a survivor's mission, helping other veterans to reconcile with the truth about their government's policy.

So both victim and perpetrator need to go through a process of grief this is what they have in common, and this is what eventually may lead to forgiveness and reconciliation - if it is also combined with a sense of justice.

d. forgiveness

But it also involves knowing about those human rights violations committed by one's own group, maybe even recognising such impulses in one self. This recognition could maybe lead to "forgiveness" on a deep level - a forgiveness that could liberate from hatred and mistrust.

As expressed by a Chilean priest who was a leading member of the human rights movement: "People often say that they hate and cannot forgive. I have talked to many who have told me that to forgive is a wonderful experience, and that if for them were the

real liberation: to be able to forgive, and not to hate. I think this is true. They do not get peace from revenge. To hate is still to be dependent on the persons who tortured them.

To forgive is not the same as to forget. For the healing process, forgetting the painful past is not a positive path. Because what happens if social memory is repressed, or cut off or dissociated? What happens if this unresolved past is preserved "in the icebox of history" ()? What happens if testimony is not given and the trauma is not integrated into the collective consciousness of the people? What happens if the survivors of violence and human rights violations are silenced and they must live with these experiences as a shameful secret?

Repeatedly in Bosnia, in talks with people from all sides of the conflict, I was told about abuses which had happened during the Second World War - fifty years ago. These experiences had never been forgotten - they had been repressed - stored into the icebox of history. Certain parts of the truth about what happened during this distant war had been silenced by the government during the years that followed. When the lid was taken off the icebox of history, these memories and the accompanying feelings of hatred and fear flared up and could be used in the power struggle for territory by new leaders.

Conclusion

From my meeting with the reality in the field as a mental health professional, I have seen how the healing process involves these challenging psychological issues. Healing strategies must include both the individual, the family and community levels to overcome fear and mistrust. The mental health professionals - both those working in the non-governmental and governmental systems have an important role in the development of dialogue, in the building of confidence, in the collection and elaboration of testimonies telling their truth about what happened, in the support of mourning processes which may lead to forgiveness. This is not an easy task. People must be ready to enter these processes, they need time - and a respect for their losses.

However, in a region such as post-conflict Bosnia mental health professionals cannot do the job alone. They must be helped by private initiatives of citizens such as grassroots-movements, human rights organisations, religious institutions, rebuilding of the economy and the business. development of free communication and media as well as education and research.

When we try to understand the healing process, it is tempting to focus on ~l the problems, and maybe that is also what I have done today - but I do want to end this talk on a positive note by stressing the importance of also looking at examples of the good and truly human acts which also took place during the conflict. In many war trauma stories we find examples of people from "the other side" who helped the persecuted. Maybe that is where a healing process should begin, by acknowledging the fundamental humanity of the other.