Relationships between memory, justice and forgiveness with a focus on Bosnia and Herzegovina

Zusammenfassung

Der Artikel fasst die Beziehung zwischen kollektivem Gedächtnis, individuellem Gerechtigkeitsempfinden und der Fähigkeit zur Vergebung in der Gesellschaft Bosnien-Herzegowinas (bh) zusammen und zeigt auf, dass Gerechtigkeit unter den aktuellen sozialen Gegebenheiten unmöglich ist. In der Gesellschaft von bh wird Gerechtigkeit praktisch durch die staatliche Verfassung behindert, mit der eine Kultur der Erinnerung erschwert wird, welche ein wichtiger Schritt auf dem Weg zur Gerechtigkeit wäre. Zudem wird erläutert, warum die Überzeugung der Täter als ungerecht und falsch interpretiert werden kann. Im ersten Teil des Artikels wird dargestellt, wie die Instrumentalisierung der Vergangenheit den Bürgerkrieg (1992–1995) beeinflusst hat. Darauf aufbauend kann aufgezeigt werden, dass die gleiche Manipulation der Geschichte im heutigen Schulsystem und damit in einer der wichtigsten Institutionen für Weitergabe eines historischen Gedächtnisses präsent ist. Im Anschluss daran wird herausgearbeitet, dass die Soziallehre der Kirche ein wertvoller Mechanismus für die Etablierung einer gerechten Gesellschaft sein könnte, dass es ihr aber in diesem Kontext an Kraft fehlt, dieses Potential freizusetzen. Zum Abschluss werden Möglichkeit der Vergebung diskutiert. Nach einer generellen Einführung in das Thema zeigt der Artikel sowohl die Schwierigkeiten auf, die bereits beim terminologischen Konzept von Vergebung, als auch bei der praktischen Anwendung in der Gesellschaft auftreten.

Abstract

This article is highlighting the correlation of collective memory, individual sense of justice and ability of forgiveness in the Bosnian-Herzegovinian (bh) society. With this paper I want to show that justice in bh society has been disabled by the constitutional arrangement of the state itself, because it prevents a culture of memory, which is a necessary mechanism of transitional justice. I will also explain why the conviction of the perpetrators may be interpreted as unjust and wrong. To develop my argument, in the first two parts of this article, I will start with how the instrumentalization of the past influenced the recent war in bh society (1992–1995). Then I will prove that the same manipulation of the past is present in today's school system as well, especially having in mind that schools are one of the most important institutions for the transmission of historical memory. The next two parts of the article will show why the Church's social teaching, a valuable mechanism for establishing a just society, is lacking force in this context. The last two parts of this paper discuss the possibility of forgiveness. After a general insight into this topic, the article shows the difficulties that are encountered already in the very concept of forgiveness, as well as in its practical application in bh society.

Introductory remarks

The history of the Balkans is also a history of ethnic conflicts. Ethnic conflicts represent a major challenge for academic circles, not only because of the cruelty of their development, but also because of their potential repetition due to their presentation as a correction of the past. One of the major causes of today's ethnic conflicts is the selective and one-sided memory of injustices committed in the past, and one of the goals of these conflicts is the correction of history. Due to certain psychosocial factors, violence is presented as a kind of a legitimate defense (a moral issue), as well as the justified protection of historical and permanently threatening enemies (a rights issue). Thus, when one idea is blessed by moral justification and justified by civic duty, even if there is clear experimentally verifiable data that speaks against the validity of this idea, individuals will more easily suspect what they see rather than critically question the ideology they believe in.¹ Even twenty-two years after the war, the context of the bh society is still dominated by this conflict ideology. The war has created deep ethnic divisions, strengthened old prejudices and created new ones, causing deep divisions and distrust among citizens. The long history of internal and external political manipulation has led the State to the edge of primary material poverty, as well as profound spiritual-moral poverty. As Tarik Haverić observes: "Twenty years after the war, Bosnia and Herzegovina still remains an undefined political space with many variables and only one constant the material and cultural decline of the overall population" (2016, 11). This is to say, the state is still struggling to achieve the minimum of political and economic stability, and, according to some authors, the potential for social unrest and ethnic violence is more but real. Kivimäki et al (2012, 12–13) list three potential motives for possible new conflicts:

1 See for more information Maros 2014 and 2015. Since the subject of the article (because of all historical and social circumstances) is demanding, complex and ideologically burdened, I emphasize here that some parts were presented with a reductionist approach. The scope and the structure of this article do not allow me to go into more detail, especially regarding the historical events. This complexity is also a reason for my choice of literature. I also point out that the parts in which I outlined personal attitudes (especially in the last part as well as in the conclusion) are, although being personal reflections, written from the position of Christian social ethics, as I have underlined at the end of the article. first, the shadows of the past, or complaints about historical injustices or victimization by each of the three constituent peoples (Bosniaks, Serbs and Croats)²; second, dissatisfaction caused by unemployment, corruption and crime; and finally, a criminal economy motivated by profit and non-enforcement of the law.

Starting from this situation, this paper stresses how this current sociopolitical mentality is conditioned by a certain violent "socio-psychological infrastructure" (Bar-Tal 2007, 1431) from which I will highlight the abuse of memory as one of the more influential factors. As we will see, this abuse of memory was not just one of the major reasons for the destruction during the war of the nineteen nineties, but it is also a dominant feature of today's bh society.

1 Memory and its abuses

According to Daniel Bar-Tal, there are a number of social beliefs that trigger the creation of certain mindsets that facilitate participation in violence. According to the author, in situations of intractable conflict, people activate and develop certain psychological capacities or mechanisms to help them cope with the new situation. Some of these psychological beliefs are: a belief in the correctness of one's own convictions, a belief in the threats to one's own safety and survival resulting from victimization, and a strong sense of belonging to a particular group, which corresponds to a strong sense of patriotism, or more exactly, extreme nationalism (see 2007, 1432–1436). While this socio-psychological infrastructure helps people cope with the new situation during the conflict,

- 2 The term *constituent people* is an expression that by the Dayton Peace Agreement refers to majority population in bh. The war in the nineties was formally ended by this agreement, which was "a political compromise with the aim of stopping the war" (Bakšić-Muftić 2005, 67). By this *political compromise*, bh is defined as a democratic state with three constituent peoples: Bosniaks, Serbs and Croats, *alongside with others* (see Bakšić-Muftić 2005, 71).
- 3 According to Bar-Tal a socio-psychological infrastructure is a necessary psychological condition that evolves during an intractable conflict and "plays a determinative role in its development, continuation, and later in its resolution and reconciliation" (2007, 1431). This infrastructure "consists of three elements: collective memories, ethos of conflict, and collective emotional orientation, which are in mutual interrelations" (Bar-Tal 2007, 1435).

after the conflict it becomes a prism through which the society creates its own environment, interprets the experience, makes decisions and takes certain kinds of action (see 2007, 1446). In order to facilitate the mobilization of people, demagogues use these categories to manipulate people, and to urge them to violence. Furthermore, this structure will be introduced in educational material and thus becomes the primary means of future socialization. It becomes a part of public opinion, actively sustained and promoted by a number of social institutions (see 2007, 1435–1438). Therefore, these beliefs are determining the future of the society and thus, when this mindset is adopted, the socio-psychological infrastructure "endures even in the face of contradictory information" (2007, 1445).

According to Bar-Tal therefore, social beliefs are, more or less, caused by collective memory. Collective memory is not a presentation of documented history that is "structured on the basis of critical research methods" (Dogliotti/Rosiello 1997, 1054) but it is the memory of filtered historical events that makes a version of history functional for the requirements of the present (see Fabietti 1998, 68–72). Although it is a *fabricated truth*, or narrative version of the past, this version of the history does not lose its social value. Defined as a collection of memories from a shared past, this memory offers the groups the cognitive map that helps them reassure themselves about who they are. This memory becomes a point of reference which serves not only as the basis for the creation of identity, but also for its legitimacy (see Eyerman 2007, 63–64).

Therefore, collective memory plays a significant role in the creation of individual and collective consciousness, and being burdened with emotion, values and symbols, it is subjected to various misuses. One of these is victimization, or the reference to events in one's past as a cover and justification for aggression toward others. In order to achieve an aggressive strategy against neighboring nations, it is necessary to evoke a common identity, confirmed by an unquestionable past, as well as induce whatever it takes to preserve the future of one's own group (see Fabietti/Matera 2006, 115, 180).

The return of historical memory confirms inalienable rights and sacred values and mobilizes people by representing the nation as a victim of the past. Due to its selective approach, collective memory is often a vindictive and suffering memory, which creates strong inter-ethnic, inter-religious and international tensions. The past becomes a policy of memory focused on achieving clearly defined goals, such as strengthening ethnic identity

or drawing clear lines of demarcation between *us* and *them* (*in* and *out* group) (see Buttino/Rutto 1997, 11–12). A group tending to observe its history in terms of victimization and injustice is likely to engage in violent actions in the future. Storytelling to the young generations keeps this memory alive. It becomes the reference point for the present, as well as the reference point for future victimization (see Volkan 2001, 87–88).

Further, the consequences of personal and individual traumas can be transferred to future generations and include millions of people, thus making them an inseparable part of the community's identity. This is a phenomenon that Vamik D. Volkan calls "chosen trauma" (Volkan 2001, 87–88). Future generations subconsciously individualize common images of historical tragedy, which can develop into some kind of duty to preserve the memory of ancestors, mourn their losses or correct their humiliation by avenging them. According to Volkan, preserving a mental representation of trauma of one's nation, becomes the central task for future generations and, depending on external circumstances, may be differently expressed depending on the generation concerned. One generation may simply mourn the tragedy of their people, while another generation may see it as their duty to correct the past, and to avenge their ancestors (see Volkan 2000, 15). Since victimization is a part of group identity, it serves as a prism through which the members of the group interpret the conflict. In addition, victimization increases the feeling of solidarity, a social glue that binds members and motivates the creation of a strong nationalism. Prejudices and stereotypes, both significantly influenced by victimization, contribute to the creation of this strong sense of nationalism. The individuals act on the basis of preconceived notions, and on the information and feelings they have about the conflict. This psychologically enabled conflict determines the level of hostility, hatred and distrust between groups (see Bar-Tal u. a. 2009, 242-247).

2 Concretization of misuse of memory in the case of Bosnia and Herzegovina

The current misuse of historical narratives and the reshaping of collective memory has its beginnings in the late ninteen eighties. What the people will remember and what they will incorporate into their narrative to a large degree depends on the social processes. Such public and official celebrations of certain historical events, commemorations or other types

of cultural expressions (books, movies, music), especially depend on the educational system (see Rydgren 2007, 232). Regarding the breakup of Yugoslavia, many different authors agree about the impact of the collective memory on the outbreak of war. In fact, during communism, factual analysis and confrontation with history was sacrificed at the altar of the concept of brotherhood and unity of all people. The memories of different ethnic groups were systematically suppressed and selectively banned. Thus, in the name of the ideology of peaceful multiethnic coexistence, Tito's regime removed the memory of the internal ethnic violence during the Second World War (WWII) from official national history. However, disparities of collective memory between different groups continued to exist (see Diegoli 2007, 17). This erasure of history, this avoidance of addressing the facts, and this failure to recognize these crimes – this "silence of Yugoslavia" (Weine 1999, 28) – has created gaps in the official history. In the nineties those gaps were filled with ethnic nationalism, according to the ideological needs of a given situation (see Jukić 1997, 291). The denial of historical events created an environment that allowed the emergence of nationalistic objections to the account of history, which were then used as justification for the war in the nineties (see Diegoli 2007, 17). Invoking the horrors of World War II, those massacres were *posthumously justified*. After the collapse of communism, memory, having been suppressed for a long time, had returned with all its strength and was re-oriented to political goals (see Diegoli 2007, 46-47; see Jukić 1997, 292)⁴.

This suppressed memory refers to the complex history of the peoples who have lived on the former Yugoslavia territory. Though it may be scientifically reductive, for the purposes of this article, I highlight the events which, according to the authors, were most decisive for the

⁴ The *silence of Yugoslavia* concerns also to the exact number of the victims on the territory of the prewar Yugoslavia for the period between 1941 and 1945. According to Zerjevic, the initial account of 1.7 million casualties of war was established and was officially given by the government to support the Yugoslavian request for reparation at the Paris Conference. According to the author, the responsibility of the official governmental organizations for the consequences of hiding the exact number of the victims, has now been uncovered: "In fact, covering the truth about the victims of war caused enormous tensions between the various nationalities, and, unfortunately, was utilized by Serbia to commence the war against Croatia under the pretext of its 'moral' foundation to do so" (Zerjavic 1998, 2).

awakening of fear and nationalism in the nineties. As an example of correcting the past, the authors cite the ancient Kosovo battle of 1389. According to their interpretation, Slobodan Milošević, then president of Serbia, mobilized the Serb people for warfare by gloryfing the Kosovo battle memory, by which outcome the rule of the Ottoman Empire⁵ over the Serbian people had begun. Since the Bosnian Muslims were seen as a continuation of the Ottoman Turks, violence against them in the nineties was understood as a form of just correction of the historical tragedy (see more in: Volkan 2001, 89–93).

Additionally, for the *mobilization by glory* based on the myth of the Kosovo battle, the official narrative was used to unify the masses also by fear. The experience of Jasenovac⁶, as well as the systematic persecution of Serbs during the Second World War, was seen as a confirmation of the continued Croatian conspiracy against the Serb people. On the Bosniaks' side, the memory of pogroms and atrocities that the Muslim population experienced after WW I and during WW II justified the conviction that the Bosniaks were only defending themselves against the

- 5 With the Kosovo battle, the period of the Turkish (Ottoman) rule that put Balkan peoples into Turkish slavery began. This battle was seen as the beginning of all troubles and for the Serbs it was "a decisive conflict between Christianity and Islam, in which the Serb people sacrificed itself for the good of all Europe as a Christ for the good of a mankind" (Pirjevec 2002, 5). The Ottoman Empire was a powerful and intimidating military machine that inflicted a great deal of violence on all subordinate peoples on the greater part of the Balkan Peninsula. From that violence of perpetual threats and forcible Islamization Croatia liberated itself in 1683, bh in 1878 by being annexed to the Austro-Hungarian Empire, and after many attempts and uprisings, the Serbs freed themselves from the Turkish authorities during the Balkan wars in 1912–1913 (see Pirjevec 2002, 5–6). According to Volkan, "the mental representation of the Battle of Kosovo played a major role in the atrocities in Bosnia-Herzegovina", it was their chosen trauma (Volkan 2001, 89).
- 6 Although it is not politically correct to put Jasenovac and Bleiburg in the same category, I do it here for practical reasons. Jasenovac (concentration camp for Serbs) and Bleiburg (suffering of the Croatian Army and civilians) are the symbols of suffering of the Serbian and Croat peoples during World War II, which both peoples took as evidence for the genocide of an entire nation. The number of victims presented by some of the authors range from five hundred thousand to one million Serbs killed in Jasenovac (see Zerjavic 1998, 9), and approximately three hundred thousand Croats killed at Bleiburg, "including the victims of the so-called Way of the Cross / Death Marches" (Zerjavic 1998, 3). For this argument see more in the quoted article which is a short version of the author's book on this topic: Zerjavic 1998.

Serb domination during the Yugoslav period. Moreover, since in Communist Yugoslavia the Bosniaks (at that time acknowledged as Muslims⁷) were long perceived as Islamized Serbs and Croats, Bosniaks believed that they were a constant target of Croatian and Serb ethnic nationalists. Simultaneously, the Croatian nationalists' narrative used the oppression by Tito's regime and the crime committed in Bleiburg as a confirmation of Serb cruelty and a testimony to their centuries-long aspiration for the creation of Great Serbia; all of which led them to regard their crimes in the nineties as a defense against Serbian nationalism and as a defense of Croatia's homeland against Serbian aggression (see Kivimäki et al 2012, 34–43).

During Yugoslavia's dissolution, the former Yugoslav republics broke up into states, according to national characteristics. It was clear then that bh, with its multinational make-up, would be the greatest victim of the collapse of Yugoslavia. For the survival of sovereign bh as a multinational society, strong leadership and common interests were needed. However, the national parties that won the first elections, started from the very beginning with nationalist ideologies that to a certain extent legitimized nationalism on all three sides (Bosniaks, Serbian and Croatian). Bosniak extremists expected that bh would be delegated only to Bosniaks, while the other two nationalisms (Serbian and Croatian) were conducting preparations for the creation of autonomous areas that would afterwards merge with either Croatia or Serbia, while the rest of the country could then be given to Muslims of bh (see Cvitković 2006, 16). Therefore, each of the three constituent peoples considered itself to be endangered, because each of them entered the nineties with both fictional and also real historical injustices, and the situation at the time provided grounds for fear of the possible repetition of these injustices. Each of these peoples was also afraid that bh would be delegated to one of these peoples, and that the other nation would be oppressed and

7 At the time of Yugoslavia, there was a kind of alliance union of Croatian and Serbian nationalists directed against Muslims and their 'fundamentalist ideology'. Behind this alliance was an actual quarrel on the issue of whether the Bosnian State is Croatian or Serbian. A consequence of this Croatian and Serbian nationalism in the post-Yugoslavian era was a distinction between 'historical' and 'non-historical' peoples, denying the right to Muslim national identity (see Cvitković 2006, 11) established by the Dayton Agreement, which had confirmed the constitution of a nation under the name of Bosniaks. deprived of their rights. The fear of extermination, which motivated the war crimes, was at the same time a fear of assimilation by the majority group, so each of these three nationalisms aspired for an *ethnically pure territory* which they have succeeded to gain, partly through the war in the nineties and partly by the Dayton Peace Agreement (see Cvitković 2006, 16–18).

In bh, we today witness the same mechanism of selecting historical events and creating a mythological past through different, unreconciled narratives – I dare to claim, in even more devastating dimensions. The same *silence of Yugoslavia* that destroyed the country in the 1990s is again present, albeit in a different context and with different methods and means, but by the same mentality and to an even worse effect. This memory, employed by nationalists to maintain their power, is made possible specifically through the educational system, which is "used for 'self-reproduction,' as well as for the production of desirable social opinions and behaviors, or to keep existing social and political relations" (Kapo 2012, 24).

The education system in bh is not governed at state level⁸. Since the implementation of certain laws is in the hands of local authorities (in other words to 13 ministries of education!), today's legal system allows three parallel and ethnically distinct and independent educational systems: the Bosniak, Serbian and Croatian. Students are taught in a certain manner depending on their ethnic origin, that is, depending on the region in which they happen to reside. This means that in each area, the ethnic majority determines the content and the method of teaching. This fosters the creation of three separate and parallel official national histories, which makes development of a common national identity impossible (see Tribić 2007, 146, 182). In so-called mixed cantons, where war failed to create a distinct ethnic majority, the phenomenon of *two schools under* one roof has emerged. In these schools, students of different ethnicities are divided into separate classrooms or use the school interchangeably. Depending on the kind of building, the entrance and the facilities are sometimes also physically marked and separated.⁹ This system has

⁸ This power has been given to two autonomous entities (to the Serb Republic and Federation of bh – to its ten cantons) and to the independent region of the Brčko District.

⁹ As, for example, a Catholic school center in Travnik where two entrances are split by a fence (see more in a short documentary: Šarenac 2017).

created a homogeneous school environment where students do not meet those of other ethnicities (or religions), which raises the level of ignorance and consequently intolerance toward anyone labeled as *other*. This school system only deepens the differences and divisions, promoting ethnic segregation and separation because it indoctrinates students and exposes them to the political and ideological goals of the teachers and local authorities. In this situation, the teaching of history is particularly questionable, because various books used across the country present the events in a contradictory way, or at least in an unbalanced one, and the presentation of historical events or their analysis from multiple perspectives is completely absent (see Diegoli 2007, 52–55. 85).¹⁰

If I add the fact that academic, politically unaffiliated or emotionally unencumbered research related to the past basically does not exist, this implicitly leads to the conclusion that throughout history, war has left nationalist politicians in power. The people who are writing the histories are the same people who now govern and who were involved in the structure of violence (at least, many of them). "What was not successfully carried out during the war continues to be carried out in a cold peace, through the ethno-nationalistic educational system. Certainly, the insurance of each ethnic group's 'own' education system is intended to promote specific ideological and political goals" (Kapo 2012, 144). All three curriculums promote ready-made stereotypes, which usually present each history in a positive light or the ethnic group as a victim, and, in the absence of differing perspectives, the opportunity for critical reflection is completely absent. In the same way, other ethnic groups, even when not explicitly presented as perpetrators, are usually characterized by the negative connotation of *others*, reinforcing the view that we are different and better than them (see Tribić 2007, 179).

The study I am referring to analyzed the content of religious education textbooks and the national group of subjects (mother tongue, geography, history). The analysis included 145 textbooks formally used throughout bh for the school year 2005/2006. These textbooks were approved by the relevant ministries of education. The analysis has produced devastating data. Despite all the positive content that corresponds

10 This half-truth, which is prevalent in Bosnian society, is worst and even more dangerous than a pure lie. For those who refuse to choose one partial truth, the half-truth creates a kind of schizophrenic effect, a situation which makes it diffcult or impossible to act morally or to operate productively or creatively. to the criteria of education for an open, tolerant and equal society, the study showed that "the number of negative examples is up to 10 times higher than the number of positive examples" (Tribić 2007, 179). Most negative content refers to the stereotypical representation of one's own (or another) faith, people, state, affiliation. In the reviewed textbooks, one part of the state, one religion, one culture and tradition are singled out. Specifically, history textbooks from the Croatian and Serbian curriculum emphasize belonging to the state of Croatia and Serbia instead of bh, while the textbooks for the Bosnian curriculum stereotypically emphasize the value of belonging to the Bosniak people (Tribić 2007, 179; 182).

Thus, we have a society in which individual and collective identities are built on victimization and in which new generations are systematically brought up by *being fed on the violent past*; a society in which politics are sacralized and faith is politicized to the extent at which it becomes *religious nationalism*. This is a form of practical atheism because it is not only a *question of omission in faith, but also a question of its negation* (see more in: Šarčević, 2014, 7–10). We have a democratic society in which the nationalist political option and religious affiliation are *the only civic options*; a society in which personal identity, responsibility, and creativity, are replaced by affiliation, eligibility and obedience. What are rational and real possibilities for peaceful co-existence and rebuilding this society?

3 The lack of civil society and the possibility of justice

A brief summary of the most important aspects of the Church's social doctrine, from its early days until the present teachings of Pope Francis, would most probably emphasize how justice should be a method (and not the goal) for the true transformation of the world: "In the Christian ethical tradition there is an imperative to engage with the concrete political realities of the day, to challenge cultures of silence and to work toward a just and sustainable peace" (Hogan 2017, 244; see also Valković 1991, 392). Considering that justice is an indispensable part of the proclamation of the Gospel, the struggle for building a more rightful world is also, in the narrow sense, a form of public theology. In the wider sense, it is a form of public philosophy, the one that could enable communication between diverse national, ideological, cultural or religious groups. Therefore, Zdenko Spajić considers the Church's

social teaching a valuable mechanism for establishing a just society in a multiethnic and multi-religious community such as bh. The author highlights that the interdisciplinary character of social teaching and its methodological framework (the possibility of knowing reality by the power of human reason) can be a useful mechanism for involving the Church in a public space, so that it can contribute to greater justice for both individuals and for the common good (see Spajić 2017, 215–216; see also Heyer 2017, 106). However, the author is aware that this doctrine has many difficulties in its practical application.

According to Spajić, there are two obstacles, both mental and physical, to building justice in bh society. The first is mental, and global as well, in today's existing world-wide disproportion between beliefs and behavior. Namely, according Spajić the overwhelming majority – almost all Bosnia-Herzegovians call themselves believers – devout, and the majority of the leading politicians declared themselves practicing believers with active (more accurately, demonstrative) participation in the religious rituals of their communities. The research the author refers to shows that 76.5% of the political elite not only declare being believers but claim that faith has a major and important role in their life (Spajić 2017, 236). These solemn statements, as well as public participation in religious ceremonies and *religious greeting* in state institutions and public spaces, not just by the elite but also by ordinary citizens, are simply inconsistent with the current situation in society¹¹ and its social, cultural, mental and moral environments.

The second difficulty is of a physical nature, it is the deep fragmentation of society. As the author claims, the existence of civil society is necessary for building social relations. Civil society is a polygon of any form and possibility of a just society. At the global level, due to globalization and ever-greater interconnectedness and interdependence of people, new forms of association are constantly being sought in order to achieve common goals. For the last 25 years, in our country the process has been going in the reverse direction. It is a lasting and continuous

¹¹ Here I make a connection which may not be academic but it comes from a religious perspective: A society in "which religion has a significant role" should be "healthier". With "the situation" I mean what I already have said in the introduction and the fact is that the country is still struggling to achieve a minimum of political and economic stability, because of corruption, crime and a criminal economy.

disintegration, as we have already seen from the example of the school system. This fragmentation was greatly facilitated and strengthened by the last war. It is not only the division of society based on religious affiliation, ideological expression, or ethnicity, but also territorial division and, consequently, the division of powers. We should not forget that the territorial division of the State is a result of war activities, including war crimes and crimes against humanity. These crimes, as well as rapes, mass expulsion of civilians, ethnic cleansing, and genocide, have created internal borders within the state, thus creating the present structure and division of power, which is in fact a moral obstacle to the attainment of justice (see Spajić 2017, 234–235).

This problem of a moral nature mostly relates to the fact that the internal borders of this state, which were confirmed by the Dayton Peace Agreement, had been created on the basis of crimes. The peace agreement subsequently became the constitution of this state, determined the structure of its political authority and enabled a deeply unjust division of the country along ethnic and religious lines. Although some perpetrators have been prosecuted at the ICTY (International Criminal Tribunal for the former Yugoslavia), the ideologies that led to them, as well as the policies that made these crimes possible, were not dismissed. This situation is directly opposed to what Marianne Heimbach-Steins sees as one of the ethical principles for dealing with the past, namely the need "that the powerful actors of the past (who were very likely actively involved in structures of injustice, persecution and violence) must be replaced by trusted new authorities" (2017, 73). Heimbach-Steins admits the importance of the latter principle, especially in societies marked by deep ethnic and religious identification. Our society is exactly the one to which she refers. Even though the ICTY convicted individuals for crimes against humanity and war crimes, still the main instrument for the commission of those crimes, which was the policy itself, has never been officially discredited.

4 The importance of the historical truth

I consider it essential to say that, despite the fact that the ICTY judgments had a great and positive echo, it seems to me that these convictions only brought a form of *moral satisfaction* for certain victims (an outcome that should not be neglected!) but they could not bring reconciliation on the level of society, because they were not able to convey the feeling that justice was done. The reason for this *unjust judgment of the perpetrators* is the lack of a culture of memory, which Heimbach-Steins defines as one of the ethical principles of dealing with the past necessary to building a just society: "Without a culture of memory it is unlikely that conflict, which may be hidden but ongoing, will be overcome" (Heimbach-Steins 2017, 73).

This lack of shared memory, as well as the entire atmosphere of documented and almost institutionalized lies, are the cause for the problem that not a single judgment of the Court in The Hague has been perceived as correct or just by the whole society (that is, *all* citizens of bh). I dare to say that every convicted perpetrator caused additional division in society, because there was always at least one side, one or two ethnic groups, that perceived the judgment as a political means of historical manipulation and therefore an additional injustice and not as a legal act and the fair condemnation of factual crimes¹². As long as historical truth does not take priority, this state will live in the spasm of unresolved memories, and its citizens will be divided into victims and perpetrators. I do not absolutize this truth about history, but I point to it as a postulate, as a necessary mechanism of transitional justice that would be, together with other mechanisms, a necessary means for the establishment and restoration of this society. As long as the memory of

12 As an example of the recent divided public opinion was the verdict against six former political and military leaders of Croats from bh accused of the *joint* criminal enterprise. One of them was Slobodan Praljak who drank poison in a Hague courtroom and killed himself on live television. Plenty of messages posted on social media showed a deep public division in the Balkans. "For some, this was the final desperate act of a selfish villain; for others, that of a wrongly accused hero" (Milovanović 2017). The Croats are convinced that the verdict is only a political and not a legal one, and they claim and they claim that the arguments which documented that united criminal enterprise are unproved, which Praljak has "proved and so defended the truth" (Pinter 2017), on the other side, the Bosniak Internet portal was flooded by the messages of the approval of this verdict as a just and deserved one. Some of them compared general Praljak with the Nazis, saying that he is not the only villain who wanted to escape a justice by suicide. According to this portal, Praljak did the same as Himmler and Goebbels (see Depo 2017). One Croat journalist called the Bosniak reaction an "incredible amount of hatred and exultation", "which only proves what Bosniaks really think about Croats" and means that for Bosniaks "coexistence with Croats is impossible" (Gudelj 2017).

one side means the annihilation of the memory of the other's side, any *just judgment of the perpetrators* will be just – but it will at the same time constitute a *terrible injustice*, an *additional crime*, depending on which ethnic group the convicted belong.

Due to the war ideology that continues to be the foundation of bh socio-political life and because of the domination of ethno-nationalist ideologies, citizens are left without political and ideological protection. For that reason, I would say we are participating in some kind of mental regression, returning to a lower degree of consciousness. Due to longstanding manipulation and the inability to change, citizens are drawn into social processes by seeking security in tradition and the past, in patterns which we have culturally exceeded (see Šijaković 2018, 2). Therefore, if one understands democracy in the Havelian sense, not as a set of formal rules but as "the piece of work of a man who understands his inalienable rights, who respects human rights and believes in the responsibility for his neighbor" (Ćosić 2000, 18), it is clear that it will take a lot of time to establish a just society; because the clearer the division between *victims and perpetrators*, the more rigid and greater the distance from taking responsibility and the *neighbor* concept.

It seems to me that the situation in bh changes the historical paradigm of history that it is written by the winners. Due to the ubiquitous victimization, all three constituent peoples write their own history precisely from the perspective of the victims rather than from the perspective of the winners. However, since each constitutive people recognizes and values only its own victims, they have, in effect, through this glorification virtually systematically perverted them, exposing them to a new sort of crime, hence to oblivion, to being forgotten by others. Because of such a deeply divided society, the recognition of the victims of one side necessarily leads to the negation of the victims of others. Because *their victims* are usually *our crimes*, so to recognize *their victims* is perceived as the betrayal of one's own ethnic group. In the absence of social security, the price of this recognition would be social isolation, hence additional exposure and lack of protection.

Although some authors argue that the truth in itself does not guarantee the healing of individual memories, that it may cause additional trauma and extreme suffering (see Snyder 2018, 28) leaving out a wider and complex relationship between the truth, memory and justice, I strongly believe the truth would be a liberating factor. Even if the truth will not be able to correct historical injustices, and even if the truth could never be achieved, the effort towards the truth itself would be invaluable. This effort to reach the truth would be confirmation for the victims as well as for the wider society that the state in which they live and to which they contribute recognizes the victims and their suffering, and condemns the crimes instead of making an institutional celebration of them¹³. In the end, a state that does not condemn crimes or prosecute perpetrators of such crimes, and turns criminals into national heroes, sends the terrifying message to its citizens that their suffering can be repeated. While retributive justice is not sufficient for the healing of society, "punitive justice can have both therapeutic and reconciliatory power": "Trauma victims have lost their sense of safety in the world, and atrocities break down the trust between the perpetrators and their targets. Retributive justice can give the traumatized some sense of safety, and it can build trust among conflicting parties by affirming the fair rule of law" (Snyder 2008, 29).

5 Forgiving crimes against humanity?!

All ethnic conflicts include, more or less, the correction of the past. This "past that does not want to go" (Ricoeur 2004, 83), the extension to civilian involvement in the cruelty of war, and the fact that the prepetrators and victims are often forced to live together after the conflict all indicate the inability of the judicial apparatus or weakness of justice. As Vladimir Jankélévitch said with reference to Auschwitz, there is no justice that could remedy the crimes committed: "If any form of justice were to exist for the crimes against humanity, such justice would be a perversion of the moral sense" (Jankélévitch 2006, 35). It is precisely because of this metaphysical impotence or the failure of justice that the humanities and social sciences began systematically to explore the possibility of forgiveness.

The research on forgiveness illustrates that this topic is very complex and controversial. On the one hand, there are theorists who see forgiveness as the only possibility for reconstruction of war-torn societies, and the only possibility for peaceful coexistence between victims and

¹³ For example, on October 24th 2016, the National Assembly of Republika Srpska awarded Radovan Karadžić, Biljana Plavšić and Momčilo Krajišnik for their contribution to the creation of that entity. All three had been convicted for war crimes at ICTY (see Spajić 2017, 235).

perpetrators. On the other hand, there are those who consider forgiveness to be an extension of the crimes, or betrayal of the victims, or a new, symbolic violence against them: "by forgiving we support evil" (Lauritzen 1987, 147). Sharp criticism of forgiveness also comes from Lévinas, for whom forgiveness is so outrageous that it makes the world inhumane. He explains that "the world in which forgiveness is all-powerful becomes inhuman" (1986, 77). While Lévinas's criticism is based on the inability of the Creator to forgive on behalf of the victims, Jankélévitch's *forgiveness as a perversion of the moral sense* as well as the *death of forgiveness in death camps* are based on the evaluation of the gravity of the crime.

Two of Jankélévitch's strongest arguments against the possibility of forgiveness refer to the principle of a double absence. The first absence is related to the legal system and refers to inability of proportional punishment of such crimes. Since Auschwitz was a crime against humanity itself, a crime which attacked the very ontological essence of human beings, compensation is unthinkable; therefore, no kind of punishment is possible. According to Jankélévitch, to be forgivable, a crime must be punishable. Hence, a crime against humanity is unforgivable because it is not punishable (see 2006, 46-48). The second absence is related to the moral order: the perpetrators did not ask for forgiveness; they did neither regret nor repent, nor did they show any remorse for what they did. Therefore, there cannot be any empathy for them: "Our terror of what intellect can't conceive would suffocate our compassion at the very moment of its birth" (2006, 46). Unlike the first absence which manifests itself as a pure moral logic, the other shows itself more as pure logic of morality.

These difficult and *entirely justified* criticisms of forgiveness, have led to various discussions that have helped to crystallize the meaning of forgiveness, clearing it of various political-ideological elements and conceptual ambiguities. For example, a more positive approach to forgiveness is presented by Hannah Arendt. For her, forgiveness is a possible redemption from the irreversible because, without the possibility of forgiveness, "our ability to act would be reduced just to the single deed in question" (2004, 175). Paul Ricœur, too, is inclined to observe forgiveness as redemption from the irreversible. According to Ricœur, the primary goal of forgiveness is healing memory, which concerns not only the victims, but also applies to future generations (see 2003, 649; 2004, 117–118). Since the *healing of memory* is understood as the possibility of restoration, or rebuilding of society, many

authors argue that forgiveness could be a new model of international relations and the case of diplomacy (see more in: Lübbe 1991; Rouner 1999). In fact, the crucial question is how the victims and the perpetrators can live together without forgetting the past, but also without being compelled to correct the past by revenge or vengeance.¹⁴

Questioning forgiveness in Bosnian society: "If I forgive, they will repeat"¹⁵

For Jürgen Moltmann, reconciliation will be possible once legitimacy of political power is attained through universal human rights. He claims that open recognition of the guilt, inner rejection of the ideology of violence, and forgiveness of the crime, should become a new state policy (see 1999, 28–29). These elements are partially present also in Miroslav Volf's suggestion of so-called exemplary use of memory. According to Volf, such use of memory is based on three principles: truth, therapy, and exemplarity. First, the question of truth in memory is the question of moral duty because "not to remember truthfully means to act unjustly" (2004, 229). Truth-deprived memory is emotionally burdened memory, an accepted myth accepted just because it is aesthetically attractive or socially imposed (see 2004, 227). Second, it is necessary that this memory becomes a therapeutic memory. It is essential that this past successfully integrates into individual personality. Integration means "to make sense of what happened," or at least, to accept it as an "irrational part of one's own life" (2004, 233). The third principle leads to exemplary use of memory, which includes the motivation to protect future generations from the violence the present generation has suffered. This would be active participation in the construction of a more just world. Thus, an exemplary use of memory is about using the past for the purposes of the future: "Instead of being preoccupied with 'curing one's own wounds' by keeping a hatred against perpetrators, a person involved in an exemplary

¹⁴ This part has been taken - with some minor changes - from Maros 2015.

¹⁵ This was the answer of a victim of sexual violence when I asked her whether she has forgiven her assaulter. She was a guest in the 'public discussions' (in December 2016) that I have been hosting at the Catholic Theological Faculty in Sarajevo for almost three years. This was the very first time that she publicly testified about what she had lived through.

use of memory will use the lessons from suffered injustice, to stopped injustice in the present" (Volf 2004, 235).

Although at the individual level, and at the level of neighborly relations, we do have some positive and truly admirable experiences,¹⁶ given the current state of bh society, it is abundantly clear that at the political level, all the conditions for reconciliation mentioned above are missing. One empirical study on reconciliation and forgiveness (one of the few in bh), lists eight conditions for reconciliation and stable peace: mutual security, mutual respect, humanization of the other, economic stability, education and the media, just resolution of conflict, the curbing of extremists on both sides, the gradual development of mutual trust, and cooperation. According to this study, the failure to attain these conditions is year after year, exacerbated by political manipulation (see Petrović 2010, 19–22). Adding the psychological and cognitive difficulties of individuals and communities which matured under a *culture of violence*, it is rationally and realistically difficult to expect an improvement of quality of life in the country. The aforementioned empirical study shows that the absence of all required conditions for reconciliation constantly threatens peace in society. This contributes to the production of fear of the other, ethnic distance and distrust of those from other ethnic groups while strengthening stereotypes. As this study claims the mass media, nationalism and dogmatism as dominant social ideologies are playing a significant role in creating such a social environment (see Perišić 2010, 146–147).

Thus, for the political leadership of the country, the reconciliation of the people is not a priority (see more in: Petrović 2010, 68) because only a deep division of society saves them from taking responsibility for having disabled the functioning of the state, and from taking responsibility for the spiritual and material exploitation of its citizens. Besides this lack of political will, which is far more important than some idealists would like to think, in bh society many misunderstandings regarding forgiveness or reconciliation are present. Usually, people consider forgiveness to be a religious slogan deprived of its meaning,

¹⁶ For example, Zijo Ribić was eight years old when he survived the shooting by the Serbian paramilitary organization. His entire family was killed: parents, six sisters and one brother. Before the shooting they were tortured, and the sisters were raped. In his public talk, Ribić says that he has forgiven; that he hates no one and that people should reconcile and move on. (See Klix 2015)

a new ideological tool for a new insidious policy, or a demand for amnesty for crimes (see Tokača 2017). Moreover, when hearing the word 'forgiveness,' the first reaction is usually emotional. It is claimed that forgiveness is inapplicable in multi-ethnic communities such as bh, and that reconciliation after the genocide is absolutely impossible. Reconciliation, among other things, would mean a return to the time of bh's prior state organization. In a country where the internal boundaries have been defined by ethnic cleansing, reconciliation is unattainable. Finally, the word *forgiveness* is a huge burden for the victims, who often find themselves forced to make the first step; and they are also confused, because forgiveness challenges their essential / fundamental dignity, as well as their basic, instinctive, and completely justified sense of justice (see Tokača 2017).

In addition, the term reconciliation is considered to come from the Christian tradition, implying a forgiveness and dialogue thought to be a hypocritical call to forgive and forget: another dehumanization of the victims and denial of their dignity. Even if individuals forgive the murder of their entire family, the state must not do the same. From the state, we must require justice, meaning that the criminals must be punished, in order to give victims at least minimal moral satisfaction. Genocide seeks for justice, not for forgiveness! It is a crime which we cannot, and should not, forgive or reconcile (see Tokača 2017).

Those who *dare* to speak about forgiveness, those lone individuals who are calling for forgiveness of historical accidents for which there is no more healing, are more or less readily and sharply condemned by the public: Firstly, because of the use of such euphemisms as 'historical accidents' - crimes against humanity are not *accidents* - and secondly, on behalf of a civilization in which the legal system is supposed to ensure justice for the victims of heinous crimes. The court must punish criminals and restore what can be restored, thereby returning dignity to the victims, so that they "at least get moral satisfaction from knowing that the society in which they live is condemning this crime against humanity" (Popović 2002). It is said that with this call to forgive, politicians want a leisurely escape from their responsibility, since the country is already destroyed and the people already expelled. On the other hand, a religious leader's calls for peace, dialogue, and reconciliation, are no more than a hypocritical way of trying to cover the fact that they gave their blessing to these crimes of war and that they are still in an opportunistic relationship with the current political structure of the country

(see more in: Perišić 2010, 146–148).¹⁷ Therefore, in this country, under such conditions, forgiveness is capitulation before a history of wars and crimes, and of civilization before religious and political dictatorship (see Popović 2002). Even when the dignity of criminals is recognized, such recognition is limited by the necessity to mete out just punishment. This punishment is required to give criminals the possibility of rehabilitation, but it must also ensure the possibility of the victims' rehabilitation as well. "The compassion goes first to the victims, and if there is any left, to the criminals" (Popović 2017).

7 Instead of a conclusion

After having presented some aspects of the political abuse of memory and the public view of forgiveness, the rebuilding of society and the possibility for forgiveness may appear to be more like illusive ideas borrowed from onlookers than a desire born from necessity in bh society. Despite the fact that selective memory was one of the major causes of the crimes against humanity, the present bh leadership continues to select, filter, and deny what happened during the nineties. In this regard, they continue the Yugoslavian politics of denying historical facts in order to push a specific national narrative, concerning in particular the memories of the wars in

17 This attitude towards religious representatives and communities stems from the general perception of society for their involvement in social processes. Despite the fact that some religious representatives appealed to stop the war, and despite the official statements of the Bishops' Conference of bh which convicted crimes (see the statements of the Church representatives in Zovkić 1998), the religious community, thus the Catholic Church, failed to avoid "ethnicity and nationalism" (Cvitković 2006, 89). Since the memory was systematically suppressed and prohibited in Yugoslavia, on such occasions the religious community was the only "guardian of the memory culture" (Jukić 1997, 297). Considering religion was a key element in the distinction of peoples in bh, religious communities (Islam, Orthodoxy and Catholicism) played a large and important role in national identification. Although it is undoubted that the war in bh was not a religious one, "it remains indisputable that, before, during and after the conflict, religious communities were indrawn in the process of restoring old memories" (Jukić 1997, 290; see also 296–297). With the collapse of Yugoslavia, a territorial identity (refering to Yugoslavia) disappeared as well, and many tried to find their own national identity during which religious communities have considerably contributed as "guardians of memories" (Cvitković 2006, 9).

the nineteen nineties. Therefore, if we follow Bar-Tal's theory, and we do not change this adopted mindset, we may expect future generations to receive the legacy of the moral duty to *correct the past*. Since we already have a generation that has grown up under the influence of collective trauma, nationalist and religious indoctrination, as well as widespread poverty and spiritual violence, what would *correcting the past* eventually look like? I fear that this time the *correction of the past* would be even more evil than in the nineties. If this generation is going to *correct the past*, would they be perpetrators or victims? Will the death of their future victims be more on account of the system and of those who supported it, or will the society that made them punish them? In the end, even if they do not become perpetrators, are not they today's victims a product of our moral guilt and our shame? In a globalized world, has not the time come to also globalize the guilt, which Jaspers refers to as a *political responsibility* (see Jaspers 2009, 26)?

It is obvious that the problems of memory, justice and forgiveness that bh society urgently needs to face are extremely challenging. Although the thoughts about memory, justice, forgiveness, and reconciliation cover many different realities, it seems that I wouldn't go astray if I were to recapitulate them as two fundamental misunderstandings: the question of the relationship between forgiveness and justice and the relationship between forgiveness and memory. Both of them, apparently, seem to be deposits of humanity for some better and happier future. I say *apparently* because, despite their rationality, I am afraid that, under our current social condition, they are more of a militant call for correcting the past rather than thoughtful *deposit for a happier future*. This rationality appears only at one superficial level of reflection: it appears on cursory thought, which is no more than an immediate reaction of consciousness to what was read. In itself it may not be incorrect, but it definitely is not *mature* enough to be qualified as true.

Thus, the bh socio-political scene has been dominated for more than twenty years by two axioms, which, despite their aggressive tones, run through society like one tired mantra, worn *by repetition without real impact*, and repeated *by effect without real renewal*. These two axioms are: First justice, then forgiveness! and, Forgive but do not forget! In facing the first, some deeper thought is being painted with a nostalgic melancholy; in facing the second, the thought is stopped by fear reflecting everything but nostalgic melancholy. The first one stands in its firm and unshakable conviction that the minimum requirement for

forgiveness is the necessity to admit to crimes and to prosecute perpetrators (see Petrović 2010, 26-27, 30). The second one covers two disparities. The first is to forget one's violent past, and the second is to encourage remembrance in order to forgive. It is generally said that, on the one hand, those who know their own history are likely to repeat it (because of victimization), which is why forgetting would be necessary in order to avoid this repeating of history. On the other hand, to forget tragic history would mean to forget the victims, therefore, repeating their suffering and death (see Volf 2004, 225-226; 236). Thus, the alternative is placed between the "little memory that makes the future empty" (Elshtain 1999, 35) or "the victim's demented memory" (Vuleta 2004, 373) that, on the contrary, fills the future with the silent vow to correct the past. While the first axiom artificially introduces the metaphysical distance between forgiveness and justice, the second one artificially smoothes out the difference between forgetting and forgiveness. Forgiveness is not an alternative to justice; it is a way of doing justice. It is also the absolute opposite of forgetting, because in the end, there is no need to forgive what was forgotten (see more in: Volf 2002, 26–27; see Ricoeur 2004, 110–113).

Taking into consideration all the specificities of the Bosnian sociopolitical context, I cannot avoid asking myself: despite all excellent theoretical elaboration on forgiveness, is this not just theory? Can this noble and highly moral theory pass the test of harsh reality, or the test of human possibilities and limitations? Is not the request for forgiveness in a society where violent structures are still present, itself violent? Would not a talk about forgiveness mean "to help persecutors to convince persecuted to accept their persecution"? (Volf 2002, 24)

Despite intellectual or moral reserves that I might show in this reflection, I strongly believe that an intellectually and morally responsible *Christian ethos of forgiveness* could make many social contributions, even in a multiethnic and multi-religious society. Both normative ethics (memory) and virtue ethics (forgiveness and violence) could have an important social impact on all of society. Taking into account the importance and the influence of memory and forgiveness on human life (from the creation of personal identity – memory – to the possibility of its re-creation – forgiveness) I modestly believe that Christian ethics generally shows a lack of sufficient exploration of these arguments, which is almost completely absent in our society. Is not this intellectual disinterest already a troublesome/worrying ethical and moral question?

I also would say that any serious Christian ethos of forgiveness should start by exploring the problem of violence. Therefore, it seems to me that a serious ethical approach to violence is urgently needed as well. Today, this may be more urgent than the talk about forgiveness. Perhaps exploring violence from the perspective of ethics could be one of the ways to the correct use of memory, or the ethics of memory. Maybe, this way we could write history from what we failed to do, and of what we could have done differently. Instead of making a list of scientifically cold facts and collecting our historical suffering as a *degrading* proof that our society does not have war winners. Or as a proof that we are creating a *culture of feeding* on old wounds? Would not this, from a psychological point of view, pedagogically and morally be more responsible and useful for our society? In other words, would not talking about the 'rehabilitation of victims' through the confrontation with the past, the prosecution of criminals, and the fight against injustice, bring us to a rehabilitation of faith and a restoration of morality? Neither of these aspirations of faith and morality has successfully survived the transition in bh.

I would like to conclude this paper by giving a possible Christian answer to the aforementioned misunderstanding regarding the relationship between forgiveness and justice and forgiveness and forgetting. Although I do not claim that forgiveness is a Christian prerogative, however, I think that the forgiveness of such type of crimes requires a degree of spirituality, a reference point outside of *ourselves*. Because I believe that resisting this kind of violence requires the recognition of a *dimension under the* possibilities of our basic humanity. I also believe that the corresponding forgiveness, as the other side of the same extreme, requires the recognition of *a dimension beyond the capability of our basic humanity*. From the Christian point of view, justice is necessary but has its own limitations. In a society in which every group is a victim and in which our criminals are their heroes and their heroes are our criminals, achieving full justice is impossible (see Volf 2002, 26). In addition, psychologically and mentally traumatizing experiences always remain something that only forgiveness can heal, which means that forgiveness does not lose its meaning even if damage is repaired or justice done. "No one can make what was done undone. It will always remain that evil was committed" (Vučković 1995, 25).

As to the relationship of forgiveness and memory, Ricœur speaks of forgiveness as "active forgetting". As an act of regret, an act of memory, forgiveness is not about forgetting the events themselves, but rather forgetting the guilt which paralyzes the creative memory needed for a common future (see Ricœur 2004, 110–113). Maybe one of the best examples of this creative memory is biblical: holy memory, or remembering the Exodus and the Cross (or Resurrection). In celebrating these feasts, every Christian is called to meditate on their meanings: not slavery and oppression in Egypt, nor the violence of the Cross – but God's grace of liberation from them (see Popović 2004, 33). Christian memory does not advocate forgetting, especially not one which would lead to the repetition of evil. What needs not to be forgotten is the liberation from evil. This holy memory therefore also preserves a love which warns us that the innocent should never suffer again in our presence (Šarčević 2004, 348).

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About the Author

Zorica Maros, Prof. Dr. sc., Professor of Moral Theology at the Catholic Theological Faculty of University of Sarajevo. E-Mail: maroszorica@gmail.com.