

Ironically, in many cases of armed conflicts, the observed violence is itself a direct result of the erosion of the state's legitimacy and capacity to mediate various social struggles. Insofar as the formal rules of democracy lack legitimacy in the eyes of a significant segment of the population, they will not be respected.

In post-conflict situations, one is often confronted with a paradox: on the one hand, necessary democratic institutions can only be properly established once the social wounds created by the conflict have had a chance to heal, and yet, the healing cannot take place until certain minimum conditions have been created through the establishment of these very same institutions. The healing process we just alluded to is a complex one. Michael Ignatieff asked: "Can we speak of nations 'working through' a civil war or an atrocity the way we think of individuals working through a trauma in their own lives?"⁴. How does a society reconcile itself with its violent past, with the injustices created sometimes by both the conflict and the peace agreement? In many cases, war-torn societies have to choose between peace and democracy on the one hand, and justice on the other. Many have to learn to tolerate impunity for past abuses in the interest of promoting peace. Ignatieff concludes: " Truth is truth; justice is justice. Neither is social or institutional reform"⁵.

Governance Issues

The concept of political reintegration is sometimes used to describe the process through which the democratic political capacities of actors within both the state and civil society are developed and strengthened⁶. In post-conflict situations, the state normally lacks the capacity to undertake basic governance functions. Since the collapse of Somalia in the early 1990s, the notion of the "failed state" has gained prominence in an attempt to more clearly identify this dimension of the problem. In the words of former Canadian diplomat Geoffrey Pearson, a failed state is therefore also one which is "unable to provide security for its people because of a collapse of authority"⁷. The reinstatement of a credible structure of authority remains a prerequisite to good governance and lasting peace.

Support for national and judicial capacity building is an indispensable dimension of the reintegration process. This entails the provision of assistance and support to states in their efforts to develop the structures and operational systems to enhance their capacity to meet international legal obligations and to strengthen the rule of law and respect for human rights"⁸

⁴IGNATIEFF, Michael (1996). "Truth, justice and reconciliation", *National*, November/December 1996, pp. 30-37, at page 30.

⁵ *Idem*, p. 32.

⁶ BUSH, Kenneth (1997). "Peacebuilding and Post-Conflict Reconstruction - A Briefing Paper", (Unpublished, January 1997), distributed at the Peacebuilding Consultation 1997. Department of Foreign Affairs and International Trade, Ottawa, Feb. 7, 1997.

⁷ See: "States Without Law: the Role of Multilateral Intervention to Restore Local Justice Systems", *Final Report* - December 1995. Vancouver: The International Centre for Criminal Law Reform and Criminal Justice Policy and the Canadian Committee for the 50th Anniversary of the United Nations., p. 1

⁸BUSH, K. (1997), p. 8.