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Časopis za istraživanje bosanske misli i kulture

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Abstract

Remaining true to the spirit and logic of the war-torn territories, the Dayton Peace Agreement highlights the interdependence of Bosnia and Herzegovina's (B&H) 'local' problems with the wider region's problems, and indeed, global problems. 25 years after the signing of the Dayton Peace Agreement, we have gained a democracy without a people, a democracy with MP's defined by their ethnicity, who, at their discretion, interpret the will of the people and dispose of the mandate entrusted to them by their convictions. This paper aims to open up the question of whether the Dayton Constitution alienated B&H's citizens from their political community. Pointing to the process of alienation from citizenship, which is, among other things, caused by a constitutional architecture that does not conceive of the citizen as an abstract category, the author focuses more on the conditions in which voters are denied real political participation. In theoretical terms, this participation would mean not only resistance to ethnonationalism, but also the creation of opportunities for citizens to unite and make political-strategic, and long-term decisions important for the future of B&H.

Keywords: Dayton Peace Agreement, the Dayton Constitution, democracy, alienation, citizenship.

Citizenship as belonging to a community

Citizenship as a concept fundamental to both law and politics, has numerous definitions, and one of them defines it as; through individual rights and belonging to a specific community (Kymlicka and Norman, 1995:283). It is through the concept of citizenship that political theory teaches us about the interactions between the individual and society, about; "the ways in which we live with others in a political community" (Lazar, 2013:1). Therefore, we can understand *citizenship* within the context of nationality, but also in terms of the *Other* and *Otherness*, because this symbiosis makes politics possible. This process of constituting the nature of citizenship, requires that members of the political community develop certain qualities, rights, and virtues in order to distinguish themselves from foreigners, outsiders and, others.

The Anglo-Saxon tradition defines the concept of *citizenship* through the topics of civic participation, activism, and identity within which are analyzed voting habits, political association and action, protest policies, themes in the field of civil disobedience and issues related to the reconciliation of different cultural, ethnic, religious, and other identities, with the identity of the *citizen* of the given political community. On the other hand, as Jelena Vasiljević notes, citizenships formulates the conditions of belonging to the political community (who are the citizens, what are their rights, how are immigration and naturalization policies

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implemented, issues of dual citizenship, etc.) “*Citizenship* also refers to the idea of citizen corps, and on the issues of formal conditions of the system in which citizens live, as citizens of a specific political community and a legally defined community” (Vasiljević, 2016:15) In this context, *citizenship* is a far more complex, dynamic philosophical-political concept and it is inseparable from the idea of a political community, civil rights, and participation in it. Unlike nationality, which is more or less given to us, citizenship is an identity that is acquired and built, whilst also based on certain processes of socialization.

Panethnic and civic as universal

The idea of B&H as a *pan-ethnic* and *civic* community has inspired numerous international diplomats, authors, and researchers because of its universality, but also for its modern understanding of the identity of the political community. In the book *Aporia of Democracy or Aporia of Freedom*, in a chapter entitled *Democracy in polyethnic societies: Is Bosnia important*, Džemal Sokolović points out that what B&H lacks is not a democracy, i.e. the power of the people, but *a people* as “mere substance and *condition sine qua non* democracy” (Sokolović, 2018:89). “Bosnia, therefore, needs people in the sense of *demos*, i.e. citizens who, regardless of their ethnic, religious, or racial identity, will feel the state as their community. Belonging to *ethnos* as a community is not excluded, but it is not enough for the existence of Bosnia as *politeia*” (Sokolović, 2018:89).

According to Sokolović, the reason why B&H has been declared a priority task by the United States is deeper than the fact that B&H, Europe, the United States, and the whole world are multiethnic. In B&H, the Americans had the opportunity to prove that political universal *principles* are also in the American interest. B&H has no oil, American economic interests in Bosnia were minimal, whereas 43.7% of the Bosnian population, precisely the part that needed help, were Muslims. It is true that these facts were known to the United States in 1992 when Bosnia and Herzegovina was attacked, and that it was possible to intervene earlier, but the intervention did take place eventually. What determined the difference in terms of the intervention was the difference in understanding of multiethnicism between the United States and Europe (emphasis added). Sokolović explains Europe’s ambivalent attitude towards the Bosnian war by the fact that Europe acted following its own experience, which was more controversial than successful. The American intervention “probably saved Europe as well, but its honor was disgraced” (Sokolović, 2018:93).

In looking at Europe’s experience in relation to multiethnicity and democracy, we are reminded of the disappearance of many ethnic identities, followed by numerous episodes with totalitarianism. Europe was ambivalent towards B&H and acted in accordance with its historical experience. Its attitude towards multiethnicity

is based on the old principle of the nation-state, which was established by erasing minority ethnic identities or by dissolving multiethnic states. In considering these historical facts, it is necessary to conclude; “Bosnia has shown the extent to which Europe can be ‘irresponsible’ towards its multiethnicity” (Sokolović, 2018:96).

The basic conclusions of Sokolović’s analyzes can be reduced to the following; “Different perceptions of democracy in multiethnic societies underlie the proclamation of Bosnia and Herzegovina as an American strategic interest” (Sokolović, 2018:93). B&H is a paradigm of the optimal types of multiethnicity and as such, the most suitable for the development of democracy; “If the Bosnian type of multiethnic society is preserved, then it is the pattern by which polyethnic societies should be developed; if democracy can function in Bosnia, then polyethnic societies are a suitable ground for its functioning” (Sokolović, 2018:92). In other words, the BiH model of multiethnicity, in which no group has an absolute majority, is significant because, as such, it limits the possibility of majoritarianism. Therefore, the pan-ethnic identity in B&H contains social and cultural significance and political weight. Perhaps it is of even greater social and cultural significance and political weight than the pan-ethnic identities studied in the United States.

The solution for Bosnia and Herzegovina is (not) in Bosnia and Herzegovina?

On the eve of the 25th anniversary of the signing of the Dayton Agreement, which stopped the war in B&H, but also disabled a previously functioning state, political, legal, and other opinions were exchanged on what the Dayton Peace Agreement means and whom it represents. The United States announced a Resolution on the Dayton Peace Agreement, Croatia requested its revision, Serbia insisted that the agreement be respected as it is, and Milorad Dodik, the Serb member of the Presidency of Bosnia and Herzegovina, demanded that Clinton’s 1995 plan to separate Republika Srpska from Bosnia and Herzegovina be rehabilitated. These new/old domestic and foreign political opinions about B&H were reminiscent of the historical narratives in which B&H was always a place where the interests of neighboring countries and the major world powers are often convergent, and have often clashed. In that sense, one can observe the Dayton Peace Agreement which was adopted, among other things, to achieve one common goal - to establish peace in B&H while respecting the converging interests of the great world powers of the countries/members of the Contact Group. Whatever you call peace in B&H, whether it be *unjustified peace*, or *negative peace*, or a *belated peace* - the arguments coming from different perspectives point to the fact that the price of achieving the international goal of peace in B&H was still too high. The strongest

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argument against Dayton is the critique of its constitutional democracy, which is not in line with modern democratic standards, and which has produced a political system that is inefficient because it allows for constant blockades and obstruction of the state.

Due to the circumstances following the end of the aggression in B&H, the citizens were not actively involved in the political decision-making process. Mostly, decisions were made on their behalf by representatives of political parties and representatives of the international community. Moreover, they were not even asked to verify the Dayton Constitution, and therefore current *issues of constitutional legitimacy* contribute still further to the earlier processes of identifying individual peoples with other/neighboring states, rather than with the state of B&H. We would not be mistaken if we said that during the post-Dayton process, the institutional structures that deny the statehood of Bosnia and Herzegovina have been strengthened. Recent diplomatic incidents between officials in Sarajevo and Zagreb and Belgrade, may support the claim that Bosnia and Herzegovina today is closer to the agreement in Karadžorđevo than to the Brussels phase. Political meetings of *representatives of the constituent peoples in Bosnia and Herzegovina with the presidents of the neighboring countries* of Croatia and Serbia (Dodik/Čović with Milanović and Plenković, and Dodik/Čović with Vučić, and later Izetbegović with Plenković) confirm this disrespect and disregard for the state of B&H and that the level, i.e. the level of negotiation, as a basic condition for conducting modern politics, is not respected.

Policy review

The idea of a civil and pan-ethnic Bosnia and Herzegovina was called into question in 2009, when the European Court of Human Rights ruled in the case *Sejdić and Finci v. Bosnia and Herzegovina*, stating that the Dayton constitution; “denies the rights of Bosnian and Herzegovinian citizens to run for the presidency or to The House of Peoples is discriminatory¹ and based on ethnic (non) affiliation.” Sejdić and Finci complained that they were prevented from running in the elections for the House of Peoples and the Presidency of BiH, due to their Roma and Jewish origin, respectively. BiH’s Constitution provided institutional access only to the constituent peoples of B&H - Bosniaks, Serbs, and Croats.

This verdict, as well as other documents such as the *Declaration on Bosnia and Herzegovina* adopted by the Committee of Ministers of the Council of Europe at its 120th session, and then the *Resolution of the Parliamentary Assembly 1725 On the Urgent Need For Constitutional Reform In Bosnia and Herzegovina*, were

¹ <http://www.demos.ba/clanci/presude-suda-za-ljudska-prava-u-strazburu-sejdic-finci-kompletna-presuda/253/>

a great opportunity for B&H to abandon ethnic voting and harmonize its Constitution and state laws with the European Convention on Human Rights.

Given that there were no radical changes in the integrative function of the Constitution, the Dayton Peace Agreement led to a dysfunctional political-constitutional state structure in B&H. In fact, it led to both the entity and state institutions of Bosnia and Herzegovina being constituted according to the dominance of ethnic representation of the three peoples of B&H: Bosniaks, Serbs, and Croats. In this way, all social interests: social, economic, cultural, and political are manifested and articulated on an ethnic basis.

The constitutional and political structure, grounded in the Dayton Constitution, granted full competency in terms of governance to its two entities, and insufficient competencies to B&H's state institutions, which strengthened the powers of the ethnic parties created during the war and ethnic pluralism based on it. Pluralism based on ethnicity, suppressed the citizen as a political subject of society and introduced the manifestation of the collective interests of ethnic groups.

B&H citizens have thus far, been unable to take control of the democracy formally advocated by the Dayton Constitution. The fact that our democracy functions in an ethnopolitical regime that allow citizens to be satisfied only with freedom, has been often criticized. On one hand, it is criticized by various international and domestic experts, and on the other, by citizens. We wonder here whether exclusive criticism of Dayton is enough for us, or is it time for citizens to participate in various reforms, such as constitutional reform, and thus win space for participation in post-Dayton B&H?

In all of B&H's twenty-five post-Dayton years, the three ethnic parties have had the greatest electoral and real power in B&H: HDZ BiH, SDS, and the SDA, with Milorad Dodik's Alliance of Independent Social Democrats (SNSD) supplanting the Serbian Democratic Party in 2006. These three parties base their program goals on ethnonational policies. The main characteristic of said ethnonational policies is that they strive for the ethnic territorialization of the area where they have a majority. Another important characteristic of these ethnonational policies is their historical roots mean they do not exist to build consensus on the development of B&H as a state. Thus, for example, after all the victories in the general parliamentary elections, the three ethnic parties avoid forming a coalition agreement by defining the main issues of social and political development of the Bosnian society in a way that means agreement cannot be made. Partnerships are only established regarding the division of responsibilities in the state government. This kind of avoidance of responsibility for the political basis on which the government of the parliamentary majority should work, has led to a permanent crisis in the development of B&H's state and society. Not only that, it has led to Milorad Dodik's constant advocacy for the secession of Republika Srpska.

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In addition to the post-Dayton ‘partisanship’ regarding constitutional reforms in B&H, let us add the opinion of the Venice Commission on the Bosnian and Herzegovinian constitutional system, which diagnosed points of critical urgency: a weak state structure, lack of clear definitions and limitations of ‘vital interests’ - institutions of veto, confusing overlap of territorial structures and ethnicities, as well as the composition of the state presidency and the House of Peoples. The opinions of the European Commission for Democracy through Law and the International Commission for the Balkans, were also a sufficient sign that Bosnia and Herzegovina was being asked to renew its collective and political identity. This process was imposed internationally and was conducted through activities related to constitutional reform. However, it has not been completed to this day, although the Dayton constitution allows for its revision.

*The dominance of the ethnic appropriation of the state is confirmed and strengthened by mechanisms (ethnic representation of the three dominant ethnic groups), then through ethnic clubs in the parliament and entities of the Federation of Bosnia and Herzegovina and Republika Srpska, in which certain constituent peoples have a majority. Despite the interventions and maneuvers international community’s representatives , which primarily consisted of insisting on and respecting human rights, citizenship in B&H has remained on the margins of social and political life. Today’s B&H is not a state from the 1992 referendum issue, nor is it a state as advocated by the 1993 *Presidency Platform*. Citizens are hostages to the constitutional solutions to which they react, without anyone holding their opinion relevant.*

A call for citizenship

Knowing that there is no *citizenship* without an efficient state, through this paper we try to answer the question of whether it is possible to *liberate* ethnic citizenship from the ideology of division and ethnic distance in such conditions?

Although living under the terms of the Dayton Peace Agreement for so many years, most of B&H’s citizens have not often been consulted as to how they perceive, understand, and interpret the Dayton Constitution. Although they are currently *exempt from actual political participation*, there are some indications that citizens would be willing to engage in an overall revision or replacement of the Dayton Constitution in favor of the constitution of Bosnia and Herzegovina. One part of the results of the research² that we will present below, illustrates some of

2 Research conducted as part of a Fulbright Fellowship awarded by the U.S. Department of State (Scholar-in-Residence), which the author realized in the academic year 2019/2020 by lecturing at Wittenberg University and Antioch College (Ohio, USA). The title of the research topic was: “The Understanding of Constitutional Narratives: A Comparison Between the American and Bosnian-Herzegovinian System of Political Representation”.

the range of views on the role and importance of citizenship in B&H. Aware of all the methodological controversies regarding the placement of constitutional issues at the center public discourse, and their tendency toward large generalizations whilst using the focused survey method, we tried to detect some of the B&H's public's dominant attitudes and preferences .

The Constitution is treated as a set of rules that define the coercive order of society (Dimitrijević 2010:185), and *legitimacy* as a special type of relationship between the individual as the holder of rights and authoritative state bodies, as holders of powers of coercion.

Over 150 citizens living in B&H and the USA (originally from B&H), answered a set of different questions on constitutive democracy³, to find out what status the Constitution of Bosnia and Herzegovina has among its citizens.

Out of the 86 respondents from Bosnia and Herzegovina, 52.4% are not at all satisfied with the functioning of constitutional democracy, while 43.9% are not very satisfied with the constitutional order of the state. Only a few are quite and very satisfied with the relationship between the Constitution and democratic issues in the country. The Bosnian diaspora in the United States (64 respondents) responded that they were not at all (59.7%) satisfied, 40.3% responded with not quite satisfied (). There were no citizens who were quite or very satisfied with the way the institutions of democracy in Bosnia and Herzegovina work. The intention behind questioning part of the Bosnian public about the possibility of democratic consolidation, was to analyze the nature of the political body (the Constitution) and the possibility of its transformation.

We questioned the following claims:

- The Constitution preserves the territorial integrity of B&H
- The Bosnian and Herzegovinian Constitution undermines the internal sovereignty of the state
- The Bosnian and Herzegovinian Constitution discriminates against minority communities
- The Bosnian and Herzegovinian Constitution protects citizens from state repression
- The Bosnian and Herzegovinian Constitution limited the abuse of power

We approached these claims from the position of citizens' sovereignty, which in a decentralized society, would create a political public sphere that discusses various social problems and interests.

When asked *whether the Constitution preserves the territorial integrity of BiH*, the respondents answered in the following way. *I completely agree* was the opin-

³ Respondents were selected to favor their civic identity, although their identity did not exclude belonging to ethnic groups.

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ion of 28% of respondents; *I agree*, 51%; *I do not agree*, 19%; *I completely disagree*, 3%; while there was *no answer* from 2% of respondents. The vast majority believe that the greatest value of the Dayton Constitution is that it has preserved the territorial integrity of B&H.

In response to the question as to whether, *The Bosnian and Herzegovinian Constitution undermines the internal sovereignty of Bosnia and Herzegovina*, the respondents clearly agreed, because they answered as follows: 22% *completely agree*; 50% *agree*; 23% *disagree*; 4% *completely disagree* and 3% of respondents chose *no answer*. The internal structure of the state - the division into entities and the Brčko District - has been recognized as a key element in undermining the country's internal sovereignty.

The BiH Constitution discriminates against minority communities. This statement was also confirmed, because the respondents answered: *I completely agree* 50%; *I agree*, 44%; *I disagree*, 21%; *I completely disagree*, 2% and there was *no answer* from 7% of respondents. These results speak for themselves.

The Bosnian and Herzegovinian Constitution protects citizens from state repression. Respondents refuted this claim by answering as follows: 4% *completely agree*; 20% *agree*; 44% *disagree*; 15% *completely disagree*, whilst *no answer* was recorded from 7% of respondents. The results of the response sends a strong message about the character of democracy in B&H.

The Bosnian and Herzegovinian Constitution has limited the abuse of power. This claim is also disputed. 6% of respondents answered, *I completely agree*; , 18% responded, *agree*; 44%, *disagree*; 24%, *completely disagree*, while 6% of respondents answered *no answer*.

We also asked B&H's citizens to respond to the following statements, in a bid to ascertain what they thought of the Bosnian and Herzegovinian Constitution:

- The Bosnian and Herzegovinian Constitution is complicated
- The Bosnian and Herzegovinian Constitution has not been verified in the Bosnian and Herzegovinian Parliament
- The Bosnian and Herzegovinian Constitution has unfairly divided Bosnia and Herzegovina
- The Bosnian and Herzegovinian Constitution has fairly divided Bosnia and Herzegovina
- The Bosnian and Herzegovinian Constitution protects politicians more than Bosnian and Herzegovinian citizens
- The Bosnian and Herzegovinian Constitution protects collective rather than individual rights

In response to the statement *The Bosnian and Herzegovinian Constitution is complicated*, our respondents replied thus: 46% of respondents answered, *I com-*

pletely agree; 54% responded agree; 18% responded disagree; 1% responded with completely disagree and 5% of respondents chose the not answer option. The respondents responded to the statement that *the Bosnian and Herzegovinian Constitution has not been verified in the Bosnian and Herzegovinian Parliament* thus; 22%, completely agree; 40%, agree; 10%, disagree; 0%, completely disagree; whilst 15% of respondents selected the no answer option. These responses require further explanation, especially if we add that 56 respondents opted to select: *neither agree nor disagree*. The Dayton Peace Agreement and the BiH Constitution are not available to its citizens because they were never published in the official gazette. Moreover, Article 11 of the Agreement states that it entered into force upon ratification, and not by being published it in the Official Gazette of Bosnia and Herzegovina, which is the usual way a law comes into force.

When, we asked the respondents *whether the Constitution divided Bosnia and Herzegovina fairly or unjustly*, it is notable that, contrary to the opinions of political actors, respondents generally agree with the first claim that the Dayton Constitution of Bosnia and Herzegovina unfairly divides B&H.

The responses to the statement *the Bosnian and Herzegovinian Constitution has unfairly divided Bosnia and Herzegovina* were positively confirmed, with 49% of respondents selecting: *I completely agree*; 40% selecting , *I agree*; 8% selecting, *I do not agree*; 3% selecting *I completely disagree*, whilst the *no answer* option was circled by 8% of respondents. In reviewing the answers to the statement, *the Bosnian and Herzegovinian constitution fairly divided Bosnia and Herzegovina* (I completely agree 3%, diaspora 9%; I agree 1%, diaspora 9%, I disagree 41%, I completely disagree 37%, no answer 9%), we can state that a larger number of respondents are aware of the constitutional and legal stratification of the Bosnian society into ethnic communities and that this constitution has significantly weakened the B&H state's credibility. The claim of a fair division of B&H is disputed.

By careful analysis of the data presented here, it can be seen that the state is seen as a place that should be effectively regulated. Several determinants have been identified that provide a qualitative addition to the quantitative data that say that Bosnian and Herzegovinian citizens would vote tomorrow to change the Constitution. They believe that B&H has a “complex state system” (blockades of entity, cantonal and municipal levels); that there exists an “inconsistent consensus on vital issues within Bosnia and Herzegovina”; that there are “too many ministries”; that “constitutional provisions are discriminatory”; that we have a “problematic Election Law by which Croats are proclaimed as “constituent peoples””; that there is a “small electoral threshold of 3%”; that there are “too many political parties” and finally, that; “The Dayton Agreement, which is not democratic and does not recognize the rights of other ethnic groups, was signed illegally and by war criminals.”

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The opinions of our respondents answer one of the key questions of constitutional democracy, do the “new examples of the adoption of the constitution” by the international community (in the case of B&H and Kosovo) contain integrative potentials or not?

This rich source of quotations from the material, for the most part, points in one direction; “The Bosnian and Herzegovinian Constitution has “expired“, its deadline has passed. At one time, it was an instrument for stopping the war and starting the process of reconciliation and development of democracy and mutual relations with respect for all. Today it does not function to the extent it should be, the constitution is the basis for all other social and political processes in a democratic system”. It is concluded that; “A constitutional structure unknown to any social order in the world is contrary to constitutional law”. Following this; “The reputation of the state of Bosnia and Herzegovina is being destroyed” from within “and this is not taken into account at all at the state/parliamentary level - quite the opposite.”

There are, of course, mechanisms for change in the Dayton Peace Agreement itself, especially in its dynamic component, which notes that the state of “Bosnia and Herzegovina is emerging”. Within this dynamic component, other, numerous reforms have been implemented, such as the reform of B&H’s Armed Forces. The upgrade of the state cannot be imagined without the assistance of representatives from the international community, who occasionally show interest in constitutional reforms. The latest reform, known as the April package, failed to reach a political agreement between representatives of the three ethnic groups, despite some interesting proposals that may have paved the way for B&H’s European integration. Ethnic political structures are resilient and resistant to everything that is civic, so that their autism about these and other judgments of the civic type, reveals their motives and attitude towards the state of B&H and its citizens.

Conclusion

Institutional structures based on the separation of ethnic groups and citizens, give themselves the right to personalize the state of B&H for themselves, in a way that suits each of them individually. Thanks to the constitutional and political structure of the state, based on the ethnic principle and full constitutional and legal competencies of the entities, national or leading ethnic parties become the owners of Bosnian society as a whole, which devalues and limits any other form of citizenship and pan-ethnicity in B&H.

Constitutional reform has been reduced to the issue of political agreements between representatives of the three ethnically dominant groups, *who do not show interest* in the integrative function of the Constitution of Bosnia and Herzegovina.

The implementation of the *Sejdić Finci v. Bosnia and Herzegovina* verdict as well as other judgments that followed, could bring B&H closer to European standards and European citizenship, which is a symbiosis of citizenship and panethnicity.

If the verdicts handed down by the International Court of Justice in Strasbourg, and if the entire process of constitutional reform were returned to Parliament, the Dayton Constitution could be revised or even rejected, which is less likely. So, in addition to the lack of will by ethnic politicians for an integrative constitutional function, we see the necessity and need to change the method and methodology in solving the accumulating problems. The international community could help form a joint expert group, whose recommendations could benefit the parliamentary structure. Such a synergy of profession and politics would restore morality to the constitution and dignity in terms of citizenship and panethnicity. This would mean that Bosnian citizenship means having a connection to the political community; that it carries within itself a strong normative charge, a normative ideal that is always connected with the ideas and views of citizens on how a political community should be well organized (Podunavac 1998:13).

If we agree with Thomas Mayer that *alienation* is a process in which politics and life move away from each other, then in B&H, the power to shape what concerns all of us has not died. Of the several possible ideas and solutions for amending the Dayton Constitution, one solution seems to be becoming the most reliable, especially in the historical context of B&H's EU integration. This solution implies that constitutional reform, intending to amend the Dayton Constitution into more provisions within which the principles from the European Convention on Human Rights and Freedoms, as well as the principles from the European *acquis*, will be incorporated.

This diverse material from the research presented in this paper, confirmed the hypothesis that the *status of citizenship* has a significance and vitality only in those contexts in which the *impersonal idea of the state* is the basic ideal of living together.

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Abstract

Since Bosnia and Herzegovina's declaration of independence in 1995, its path has been a rocky one. Unwillingness by the international community to stand by the central government and stand in the way of the neighboring states of Serbia and Croatia's territorial pretensions, produced a succession of ceasefire agreements, culminating in the final, Dayton Peace Agreement. Each of these agreements espoused the ethnic principle as the guiding philosophy for the organization of the state. The post-war period demonstrates that despite the passage of time, the principle of organization of multi-ethnic state along ethnic lines presents a stumbling block to the functioning of the political, economic and social life in the country. The political history of post-independence Bosnia and Herzegovina (B&H) therefore reads as a history of protracted political paralysis, with no hope of rectifying the problems without another forceful intervention of the international community.

Introduction: Setting the Political Framework¹

In terms of territory, the inaccessibility and impenetrability of mountain ranges that cover most of its territory, have from an early age, defined Bosnia as a separate geopolitical entity. Partially due its extremely rugged terrain, Bosnia has for centuries, provided sanctuary to peoples and refugees fleeing persecution in surrounding areas. However, despite the resulting tribal, ethnic and religious diversity, Bosnia has remained throughout history, a largely peaceful entity with next to no recorded internal strife. Despite occurrences of religiously and ethnically motivated disturbances in the late Ottoman Era and during the Second World War, the ethnic divisions that define modern Bosnia, could rightfully be considered a recent development. In the post-WWII period, right until his death, Yugoslav leader Tito often hailed Bosnia as the most successful example of coexistence, a kind of 'melting pot' of different nationalities.

The internal social and political consensus in B&H started to deteriorate as the Communist Party's hold on power in Yugoslavia weakened in the period following Tito's death in 1980. With no unifying and inspirational force, which Tito had represented, nationalist passions were again awakened, having been suppressed since the end of the Second World War. Serbian nationalists felt that the time had come to reestablish their traditional dominance in Yugoslav affairs, which had been somewhat dimmed by Tito's policy of even-handed treatment of the country's various ethnic groups. The Serbian Orthodox Church assumed prominent unifying role in creating something akin to a national renaissance amongst all those Serbs still living in different Yugoslav republics. The unification agenda

¹ Parts of this article have been adopted from the book chapter "Bosnia and Herzegovina" by the same author, published in: Balkans: Foreign Affairs, Politics and Socio-Cultures, Epoka, 2011

often took the form of reacting to supposed attempts at weakening of Serbian 'nation' outside Serbia, often alleging forced cultural and linguistic assimilation by others. This was particularly the case in Kosovo, where a strong Albanian majority had long contested Serb political control, but which Serbian nationalists perceived as the cradle of their statehood and civilization. As the Serbian nationalist movement grew stronger, its leading exponents set their eyes westward towards B&H and Croatia, in which sizeable Serb minorities lived.² Since Muslims formed a relative majority in Bosnia, it was fairly easy for the Serb media to fuel irrational fears of Islamic 'conspiracy' bent on subverting, or even 'Islamizing' local Serb population.³ Among the early victims of this anti-Muslim hysteria were thirteen 'fundamentalists', who were sentenced to long prison terms in a show trial in Sarajevo in 1983, being accused of motley mixture of crimes, including "advocating western-style democracy" and "plotting to establish an Islamic state in Bosnia" (Friedman, 1996: 192-198; Silber and Little, 1996: 233) The main defendant in the trial was Alija Izetbegović, who was later to become the first President of independent B&H.

Serbian nationalism became official policy, with its modern program laid out in the now-infamous 'Memorandum,' drafted by the Serbian Academy of Arts and Sciences in 1986 (Pinson, 1996: 146). The Memorandum's basic argument was that non-Serb nations in Yugoslavia (notably Croats, Bosnian Muslims, Montenegrins, Albanians and Macedonians) were either of recent origin or artificially created by Communists in order to act as a counterweight to Serbs. Serbs, on the other side, 'historically' possessed the rights to statehood in across most of the area now covered by the state called Yugoslavia. It became policy that Serb national rights preceded the rights of any other nation in Yugoslavia. In a chilling proclamation, the Memorandum stated that "the question of the integrity of the Serb people and its culture in the whole of Yugoslavia poses itself as a crucial question for that people's survival and development (Malcolm, 1996: 207)."

Sliding from crisis to crisis, economically, politically and socially, by the end of the 1980s it became painfully obvious that Yugoslavia, although relatively free and moderate when compared to the other regimes in Eastern Europe, had to

2 According to the 1991 Yugoslav census data, Serbs formed 31% of population in Bosnia and 12% in Croatia. Source: Bosnian Congress web site at <http://www.hdmagazine.com/bosnia/census/cens-sum.html>

3 It has to be noted however, that 'Bosnian Muslim' is an unfortunate ethnic, and not religious, determinant, given to them by Yugoslav communists in 1971, instead of historical term 'Bosniak.' Most Bosnian Muslims were thoroughly secularized after nearly half a century of communist rule and possessed only a remote intellectual and cultural connection with the rest of the Islamic world, as witnessed by some sociological surveys that put the number of practicing Muslims in Bosnia in 1985 at mere 17% of their total number (Burg and Shoup, 1999: 42). To speak of the rising Islamization and radicalization of Bosnian Muslims at that time therefore represents a gross exaggeration, if not outright falsification of the true situation.

reform its ossified and ultimately inflexible political system. The need for reform was made more urgent by the fact that, to larger extent than most other Eastern European countries, Yugoslavia was an inherently unstable amalgamate of several ethnic groups, most of which retained strong historic memory of independence and statehood. Also, contrary to the claims of Serbian radical nationalist advocates, Serbs did dominate most aspects of life in Yugoslav society, much to the chagrin of the other, recently awakened, ethnic groups.

However, repeated attempts at redefining the relationship between federal republics, and between the republics and the capital, Belgrade, failed. This was primarily due to the uncompromising stance of Serbian hard line nationalists, empowered by the rise of Slobodan Milošević, who became leader of the Serbian Communist Party in 1987. This was followed by his election to the post of the President of Serbia in 1989. Fearing the loss of privileges stemming from their preeminent position in Yugoslavia, Serbs continually rejected efforts to decentralize power in the favor of individual republics, which eventually led to the strengthening of pro-independence forces throughout the country. Towards the end of the 1980s, a wave of anti-communist revolutions swept throughout Eastern Europe, very much challenging the socialist political order in Yugoslavia as well. The Communist party's (or rather 'parties', since parties were organized on the republic level) sway over society was also weakened by severe and protracted economic crisis that beset Yugoslavia for most of the preceding decade.

Against such a tense backdrop, the two westernmost Yugoslav republics, Slovenia and Croatia, held their first-ever multiparty elections in 1990, in which the triumph of the pro-independence parties was virtually guaranteed. Later in the same year, Bosnia and Herzegovina conducted its own elections, in which three national(ist) parties together won more than 75 percent of the parliamentary seats (Arnautović, 1996: 108). Since elections in these three republics reduced their Communist Parties to insignificance, Milošević was forced to abandon his initial plan to ensure continuing domination of the country by controlling the Alliance of Yugoslav Communists (the umbrella organization of republic communist parties). Instead he embraced the old idea of creating the state of Greater Serbia by carving out the Serb-populated areas in neighboring republics and adjoining them to Serbia proper.

To accomplish this ambitious goal, Milošević needed to politically mobilize the Serb population in all the areas where they lived in significant numbers. To this end, he employed Serbian media, which was purged of his opponents in the early stages of his 'anti-bureaucratic' campaign, in order to gain control of important institutions of power in Serbia (including the autonomous provinces of Kosovo and Vojvodina, whose autonomy was severely curtailed, starting in 1989), and Montenegro (Donia and Antwerp Fine, 1994: 204-206). State television and newspapers controlled by Milošević's regime began relentlessly bom-

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barding their target audience with carefully orchestrated propaganda, designed to make them believe that in the event of the collapse of a common state, Serbs living outside Serbia proper will be subjected to genocide and virtual annihilation (Thompson, 1994). Precedent for this scenario was found in the WWII pogroms of Serb population living in territories controlled by the quisling Nazi regime of the so-called Independent State of Croatia (Nezavisna država Hrvatska – NDH). Slovenia was left out of Milošević’s campaigns however, due to the fact that barely any Serbs lived there, but in Croatia, Milošević actively sponsored nationalist forces that eventually started armed rebellion in the Serb-dominated Krajina region. The same recipe of instigating rebellions by local Serbian population, allegedly fearing reprisals if separated from mainland Serbia, was repeated in Bosnia a few months later (Donia and Antwerp Fine, 1994: 215-217).

The situation in Bosnia was much more complex than in any other republic in former Yugoslavia. Except in a handful of villages, no ethnic group in B&H dominated any large area exclusively. Indeed, this central republic had the most ethnically mixed population in former Yugoslavia. (Donia and Antwerp Fine, 1994: 186; Burg and Shoup, 1999: 44). The Bosnian government was conscious of the delicate position that their republic had in relation to other Yugoslav federal republics and tried hard to contribute to negotiating some sort of confederate solution for Yugoslavia, which would allow it to avoid contemplating an independence that was guaranteed to arouse Serb passions. However, after the European Community recognized Slovenia and Croatia as independent states in January 1992, the Bosnian position in a rump Yugoslavia, with its resulting huge Serb majority, became untenable. The decision was thus made by the parliament to hold the referendum for independence in March 1992. Altogether, 64 percent of the registered voters participated, of whom 98 percent voted in favor of the independence. The percentage of participating voters in effect meant that Serbs who favoured independence (comprising 31% of the total population), had no chance of winning, and subsequently boycotted the referendum (Begić, 1997: 71-79; Donia and Antwerp Fine, 1994: 230-238).

Following the declaration of independence and formal recognition by the European Union and the United States on 6 April 1992, the Serbs started an armed insurrection against the B&H central government, applying the same methods they used in Croatia. The rebellious Serb population took over local government institutions in coordination with the Yugoslav Army, which was by this time almost completely taken over by the Serb officers following defections and purges of non-Serb cadres. The government in Sarajevo lacked means to effectively counter such thoroughly prepared and organized rebellion. It did not have an army and when the sporadic clashes soon turned into full-scale war, the government could count on the support of little more than a variety of neighborhood-based volunteer defense groups, as well as Muslim elements in the police. However,

the various police forces themselves were in state of complete disarray, following Serb defections and takeover of police weapons stockpiles by the Yugoslav Army. The combined countrywide strength of these various defense elements was probably in the range of 5,000 – 8,000, equipped only with small arms individually purchased on the black market, but also lacking effective organization, leadership and completely devoid of strategic and tactical planning, control and oversight.

Such ad-hoc volunteer defenders faced professional federal army troops already garrisoned in almost every town across the country, reinforced by reservist units and paramilitaries sent in from Serbia, totaling approximately 80,000 men in 1992 (United Nations Commission of Experts, 1994). As B&H became an internationally recognized independent state, the presidents of Serbia and recently proclaimed Bosnian Serb Republic, Slobodan Milošević and Radovan Karadžić, officially announced the departure of federal army troops from B&H, with the provision that any personnel wishing to remain there and continue fighting would become part of newly formed Army of Serbian Republic. This official separation of two armies was of course a mere public relations exercise, designed to absolve Milošević of responsibility for the aggression against a neighboring state, and to support claims that the conflict in Bosnia was merely civil war between different ethnic groups, rather than an attack on one sovereign state by another. The sad part of the story is that the international community, unwilling to get involved in the developing conflict, willingly bought into this lie. Illustration of this can be found in the official report issued by UN Secretary General Boutros Ghali in June 1992, which stated unequivocally that Serb forces in Bosnia were “independent and had nothing to do with Belgrade” (Malcolm, 1996: 242).

The rationale for the perpetuation of such a shameful stance, seeking to uphold the fantasy of a civil war for which all sides are equally to be blamed, is clear from the words of EC chief negotiator Lord Carrington in early 1992: “everybody is to blame for what is happening in Bosnia and Herzegovina, and as soon as we get the ceasefire there will be no need to blame anybody” (Malcolm, 1996: 242). The most poignant policy, however, of the international community in relation to the war in Bosnia remained its constant refusal to lift the arms embargo on Bosnian government to allow it to equip its forces and defend the country against aggression. Various arguments had been put forward to justify denying Bosnians their natural right to defend their lives and property, most common of which was that allowing government to arm its forces would only serve to ‘prolong the fighting.’ As Francine Friedman brilliantly observed later on; “the international community thus obviously preferred the peacefulness of the graveyard to ‘messy’ job of helping the cause of justice” (Friedman, 1996: 223).

To appease their critics and pacify public opinion, disturbed by the nightly TV spectacle of an entire nation being ‘ethnically cleansed,’ (newspeak for industrial-scale massacre of unarmed civilians) international community moved to extend

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the mandate of the UN Protection Force (UNPROFOR) from Serb-held areas in Croatia, to all of B&H in September 1992. UNPROFOR, however, was tasked solely with facilitating the provision of humanitarian aid in the region by protecting aid convoys run by the UN High Commission for Refugees (UNHCR). Instead of genuinely intervening to help the nation in distress, UNPROFOR served to create media-friendly show of international community hard at work to provide assistance to those in need.

One, however, has to be fair in judging the response of the international community to the war in Bosnia by taking into account the fact that these developments were happening against the backdrop of the seismic shift in the hitherto prevailing world order – the collapse of communism; the breaking apart of the Soviet Union; and sudden disappearance of the Iron Curtain and the opening of the Eastern European countries. Against the prospect of European unification that until very recently seemed unthinkable, the complex conflict in tiny country on the European fringe paled in significance. Europe and the United States therefore moved from trying to fundamentally understand and resolve the conflict, to attempting to contain it and seek any kind of resolution that would revert the country to peace.

In such fashion, seeking an early end to the war, but without trying to address the complicated issues that led to the conflict in the first place, the UN and the European Community chief negotiators Cyrus Vance and Lord Owen, produced the first comprehensive attempt for a political and military solution to the war in B&H, the ‘Vance-Owen peace plan’, which was made public at peace talks in Geneva in January 1993. The plan envisioned the division of Bosnia into a set of nine ethnically defined provinces plus a capital district for Sarajevo (Campbell, 1999). This ethnic labeling of territories caused the outbreak, for the first time, of an actual civil war in Bosnia and Herzegovina, with all three sides competing for control of territory, prior to envisioned partitioning. In Noel Malcolm’s words, it was also “after the arms embargo, ... the second most important contribution of the West to the destruction of Bosnia” (Malcolm, 1996: 248).

Due to the obvious impossibility of its realization, the international community eventually quietly dropped the Vance-Owen proposals and moved on to draw a new plan for division of Bosnia into three ethnic republics, put forward in September 1993. Western acceptance of the new plan cemented the shift from assisting the nation, a victim of an aggression, to downgrading the problem to something akin to modern-day tribal conflict was completed. Ever since David Owen publicly ridiculed as “unrealistic” the Bosnian government’s official stance that “any federal arrangement should be based on equality for all citizens and equal rights for the constituent nations, and that the federal units could not be divided exclusively along ethnic lines,” nothing better than another ethnic division of Bosnian territory by the international community could be expected (Campbell, 1999).

The starting position of the new plan, known as the ‘Owen-Stoltenberg Plan’ (after the former Norwegian Foreign Minister Thorvald Stoltenberg replaced Cyrus Vance) foresaw the division of B&H into a Serb republic (Republika Srpska), who were to be allocated 53% of the territory, a Muslim entity (Muslim Republic) with at least 30% and a Croat unit (Herceg Bosna) with 17% (Vranić, 2013: 52). The proposal ultimately failed, but what the EU negotiators did achieve was agreement on the percentage of Bosnian territory that would be allocated to each side under the terms of eventual peace agreement. Bosnian Muslims were ‘awarded’ 33.3 percent of the territory, Croats got 17.5 percent (together controlling approximately 51 percent of Bosnia), while Serbs got 49 percent (Holbrooke, 1999: 296).

Faced with irrefutable evidence of Serbian atrocities, growing tired of media pressure at home, and fed up with Europeans’ demonstrable inability to put an end to the conflict in BiH, the American administration eventually moved in forcefully to resolve the conflict. The first result of increasing American involvement was reconciliation between Bosniaks and Croats, who were allied in the beginning of the conflict but went to war over the control of territory in the Spring of 1993, after the Vance-Owen peace plan was put forward. The reconciliation effort was crowned by the signing of the Washington Agreement in March 1994. Besides the pressure from the United States, signing of the Agreement was made possible due to Bosniak’s eagerness to end the war on two fronts and the Croats’ failure to achieve their main military objective – linking the Croat-held territories in Western Herzegovina and the Central Bosnia regions (United States Institute of Peace, 1994). Eventually, riding on the wave of international outrage over Serb atrocities, the American-led NATO forces intervened by commencing air strikes against Bosnian Serb positions on 30 September 1995. Faced with the prospect of military ruin at the hands of Bosniak-Croat alliance supported by NATO, Serbs were forced to accept American-led negotiations to bring the conflict in Bosnia and Herzegovina to an end.

The international community, i.e. the West, clearly played a pivotal role from the onset of the crisis in B&H. This was partly due to the weakness of the country’s central government, which had had no time to establish necessary institutions and assert its authority in the short period between the declaration of independence and the beginning of Serbian aggression. The history of the war in B&H also serves as a depressing reading into the international community’s truly mind-boggling incompetence and indiscriminate application of double standards in dealing with aggressors and victims of the conflict. It comes as no surprise then that the peace agreement that ultimately succeeded in ending the war in Bosnia and Herzegovina did not turn out to be an ambitious project to restore the law and order in an internationally recognized country. Instead, it amounted to less than

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inspiring attempt to use minimum effort required to reconcile all warring parties by promising them any concession necessary to guarantee their goodwill.

With American-led air strikes providing a compelling argument for the Serbs to sit at the negotiating table, a peace conference was convened on 1 November 1995 in Dayton, Ohio. It brought together all three sides in the Bosnian conflict, presidents of Serbia and Croatia, as well as representatives of the European Union and Russia. However, it was obvious from the very beginning that the American delegation would play a key role in negotiations, with the European and Russian representatives relegated to the sidelines. The 21-day conference entered diplomatic history as a synonym for the “Big Bang approach to negotiations” (Holbrooke, 1999: 232).

The Dayton Agreement consists of a series of provisions designed to achieve lasting peace in BiH. It also outlines, in the annexes, the political framework for the redesigned post-war country. The most important annex of the Dayton Agreement is Annex 4, which contains the Constitution of Bosnia and Herzegovina. This Annex spells out the essence of the political reforms of the Agreement. Under the terms of the new constitution, the Republic of Bosnia and Herzegovina, continued its legal existence under the name ‘Bosnia and Herzegovina.’ Article I-3 radically reforms the political framework of the country, creating the two ‘Entities,’ the Federation of Bosnia and Herzegovina and Republika Srpska. The *de facto* partitioning of the state into the Croat-Bosniak Federation and the Serb Republic represents a radical departure from the principle of respecting sovereignty and territorial integrity of Bosnia and Herzegovina that the international community had maintained since 1992.

Although *de jure* maintaining the semblance of the state, the Dayton Constitution makes the Entities responsible for the exercise of most aspects of political power. Article III-1 limits the responsibilities of B&H’s state institutions to foreign policy, foreign trade, customs, monetary policy and a few other, less important matters, such as air traffic control. Paragraphs 2, 3, 4 and 5 of the same Article, however, grant sweeping political powers to the Entities. The Entities are thus made responsible for law enforcement and defense affairs (the latter, however, eventually became the responsibility of central authorities under intense pressure from international community, motivated by security concerns).

The Federation of Bosnia and Herzegovina is subdivided into ten Cantons, which provide for the further decentralization of power along ethnic (Croat-Bosniak) lines. Indeed, many authors argued that the division of the Federation into Cantons was only a camouflage for the establishment of *de facto* independent Bosniak and Croat entities. The proponents of this theory point out that the Cantons themselves have elected parliaments and cabinets headed by prime ministers,

which exercise substantial political powers in key areas of government, such as health, education, law enforcement on the local level, and so on.

As if this extreme form of decentralization was not enough to satisfy the centrifugal forces in B&H politics, members of each constituent nation in Bosnia and Herzegovina were given ample possibilities to effectively paralyze the functioning of the state parliament and other institutions of the central government. The ethnic balancing of the proceedings and decision making in the Parliamentary Assembly was instituted with the aim of having the three communities cooperate with each other, so that no ethnic group could be excluded from the political process. The experience of post-Dayton B&H however, shows that it was the nationalist parties who mainly took advantage of these rules, in order to veto any decision perceived as being against their interests. The tit-for-tat use of the ethnic veto resulted in the effective paralysis of the decision-making process in the government, lasting until the present day.

Most of the critics of the Dayton Agreement point to the destructive consequences of the insistence on “ethnic qualifications for membership in key institutions and ethnicized processes of decision making within them” (Burg and Shoup, 1999: 371). By stressing ethnic parity, the creators of the Dayton Agreement sought to prevent the one ethnic group from being dominated and overruled by others. The rules of ethnic balancing, they reckoned, will represent a powerful incentive for all three parties to engage in cooperative and compromise-seeking politics. Instead, it is now clear that the ability of each of the parties within B&H to exercise the veto over the decision making process, coupled with the intense mistrust of the other parties’ intentions, led to the total paralysis of the political process in the country. The only way to break the impasse is to have the High Representative (an institution introduced in the Dayton and subsequently strengthened) issue executive decrees. This has led B&H to the state of being the *de facto* protectorate of the international community, where all historically important decisions breaking through the political paralysis had to be made by the High Representative.

In the postwar period, the European powers gradually became acutely aware of the problems that such constitutional arrangements had brought upon the country. However, the professed desire of the international community to end the domination of ethnic political parties in B&H is countered by the rigid constitutional provisions behind the ethnic partition of the territory and the decision-making process within the country. The stalemate on the ground led even the chief architect of the Dayton Agreement, US diplomat Richard Holbrooke, to admit that the Agreement contained several fundamental flaws. According to Holbrooke, the most serious deficiency of the Dayton Agreement was to allow the existence of two—therefore opposing—armies in one country, one for the Serbs and one for the Bosniak-Croat Federation (Holbrooke, 1999: 361). The second fundamental problem, Holbrooke said, was “our agreement to allow Serb portion of Bosnia to

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retain the name Republika Srpska... , to permit the Karadzic to keep the name he invented was more a concession than we realized” (Holbrooke, 1999: 361).

The guiding principles behind the imposition of the Dayton Agreement and the subsequent role of the international community in Bosnia and Herzegovina have been criticized from often opposing points of view. David Chandler identifies the critics of what he terms the “external dynamic of democratization,” as belonging to the two main camps—the Liberal and the Conservative (Chandler, 1999: 164-192). The essence of the Liberal critique is that the international community has not gone far enough in its post-war political reconstruction of B&H. The Liberals’ view is that the international community was not ready to confront the nationalist forces that were responsible for the war, preferring instead to strike a compromise deal with them by empowering them through the threefold division of the country. In their view, “there is plenty of evidence to suggest that the problems of the Balkans are seen as culturally determined and historically recurring and therefore beyond capable solution” (Chandler, 1999: 164).

Completely opposite approach is employed by the critics of the Dayton Agreement belonging to the Conservative camp. The core substance of the critique advanced in the writings of conservative thinkers such as Henry Kissinger, Charles Krauthammer and some political analysts at the Cato institute, is that the international community has overlooked the fundamental truth on the ground, which is that there are, there have always been, and there will most likely remain three separate ethnic-based components in Bosnia and Herzegovina. Conservative political theorists even view the war in Bosnia itself as a direct result of an ill-conceived and rushed recognition of Bosnian independence in 1992. The Dayton Agreement and subsequent developments served only to artificially extend the life of an impossible state creation. Kissinger argued that the “same flaw that attended the birth of the Bosnian state lies at the heart of the dilemmas of the Dayton accords... Its military provisions separating the parties substantially along the lines of the ethnic enclaves that emerged as hostilities ceased. But the political provisions do the opposite: They seek to unite these enclaves under the banner of a multiethnic state that caused the explosion in the first place” (quoted in Chandler, 1999: 171).

Political developments in the post-war period

With cessation of the war being the paramount concern to the creators of the Dayton Agreement, the resulting Constitution focused excessively on creating the checks and balances system to build interethnic trust in BiH. In effect the system this created, bears all the characters of ethnic democracy, with commanding rights and privileges are reserved for ethnic groups. Political process thus revolves around consensus building which is most often impossible to achieve.

Similarly, voting happens mostly along the ethnic lines, with political parties viewed primarily as protectors of interests of ethnic groups, all other concerns considered secondary.

As a result of such a peculiar system, the political process in Bosnia after the war has been characterized by continuing paralysis (as a result of indiscriminate use of national veto instruments on multiple levels of power), and recurring outbursts of ethnic mobilization, nationalist rhetoric and populism linked to elections taking place every two years. Constructing fear of the ‘other’ as the primary concern in every election perpetuates the power of ethno-national elites by allowing them to focus on issues of symbolic instead of practical nature. In other words, the presumed interests of ‘our’ ethnic group and protection against the ‘other’, trumps concern about these elites’ dismal performance in almost all truly important aspects of life in society – economy, jobs, education, healthcare, future prospects, etc.

A concordium of nationalist parties have been in power ever since the first post-war elections in 1996, save for the brief two-year period in 2000-2002, when as a result of the forceful intervention of the Americans and the EU, power in the Federation passed into the hands of the Alliance for Change, grouping of ten reform-minded parties. This brief experiment demonstrated one of the principal flaws of the Dayton Constitution – no matter what party is in power, votes of their MPs and ministers in country’s many governments continue to be counted as votes of one of the three ethnic groups. In other words, you can pursue non-nationalistic, socialist, or liberal political agenda, but once you are represented in the parliament or the government, your vote simply adds up to the tally of votes by the ethnic group you belong to. This way, ethnic, or nationalistic considerations always trump other considerations and prevent meaningful political processes from taking place. During this brief international intervention in 2000, for instance, hundreds of laws and bylaws had been pushed through the country’s parliaments, and state and entity constitutions had been amended to ensure equal legal standing of all ethnic groups regardless of their place of residence. Despite the breakthrough, when the Americans lost interest in Bosnia in post-2001 environment, the subsequent elections in 2002 returned the mainstream nationalist parties to power where they remained entrenched to the present day (ICG, 2002)

Civic activism

The constitutionally mandated domination of the country’s politics by the nationalist parties, produced the long-term effect of alienating the more progressive – typically urban – social groups from the political process. The feeling that nothing can be changed since the same nationalist parties will always remain in power, has produced low turnouts in elections and further weakening of opposition parties. In Republika Srpska, non-nationalist parties simply do not exist, as all major

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parties, despite having a nominal ‘socialist’ or ‘prosperity’ orientation, espouse hardline nationalist rhetoric and compete on the agenda of whose candidate is more of a Serb and who detests Bosnia more. The situation is similar in the Croat parts of the Federation, with most voters coalescing around the main HDZ party. Bosniak parts of the Federation do maintain some measure of political plurality, with parties espousing social democratic, liberal, or youth-related agendas, but the political life revolves around the main ethnic party, the SDA, which, despite decreasing number of votes, remains relatively the strongest party, and has been able to maintain its chief position through alliances with some smaller parties.⁴

With typical voter turnout in successive elections hovering just above 50%, it is clear that in effect political life of the country is dictated by the rightwing minority, who remain loyal voters of nationalist parties. Meanwhile, low spirits, fatigue and absenteeism, undermine the desire for political engagement among non-nationalist voters. For a long time, both the international community (mostly the EU in post-2001 period), together with prominent intellectuals and academics, voiced hopes that inability to change the system working from within could be supplanted, or even replaced, by civic activism. Strong support for the local civic sector development translated into donor assisted growth of the nongovernmental organizations, usually mobilizing more educated and upward socially mobile urban youth. However, this also produced the unintended effect of alienating NGOs from the popular majority, who viewed these organizations as little more than toys of privileged few, whose agenda was dictated by the donors (Rašidagić, 2006 3-12). As a result, while the NGO reports and activities feature prominently in academic papers and policy reports on Bosnia and Herzegovina, activities of the civic sector had negligible effects on the political or social life of the country.

Ironically, it was the drying up of the donor financing and disappearance of donor-dependent NGOs that finally led to several important developments that in retrospect, could be considered as gradual awakening of the civil sector in the country. The first such development started on 5 June 2013, when a group of citizens occupied the square in front of the state government and parliament buildings. More people joined them overnight and the gathering evolved into virtual blockade of the main government complex, with members of the country’s parliament, government ministers and bureaucrats being prevented from leaving the buildings until the protesters’ demands were met. The reasons behind the protests was the law on civil registries had lapses, and could not be replaced by the new one due, to a dispute over presumed ethnic interests in the state parliament, where, for any law to pass, majority of all three ethnic groups have to agree on the proposal. In the absence of the law, newborn babies could not be issued with identity numbers and hence could not be given passports. When one such baby,

⁴ See the website of the Central Electoral Commission of BiH for the election-related statistics: www.izbori.ba

three-month old Berina Hamidović, died as a direct consequence of inability to travel abroad where she was to receive urgent medical treatment, public dissatisfaction exploded. At the height of protests, an estimated 10,000 people gathered around the parliament, forcing the politicians from all three sides to work out compromise solution and pass an interim measure to resolve the problem.

This protest was followed by country's largest ever demonstrations early on in the next year, when public dissatisfaction with general living conditions led to dramatic instances of public disobedience, culminating in the torching and looting of several government buildings in the Federation entity. These protests started on 4 February 2014 in Tuzla, begun by workers in the once huge state-owned factories, whose status has for years, remained unresolved. The workers in these socialist era 'combinates' had for years, or even decades, remained officially on the payroll, but not actually working since these factories have long been bankrupt and lay dormant. Thus the state, on paper, owed the workers years' worth of salaries and insurance payments but couldn't pay them as factories didn't actually work and make any money. Since no government could muster enough courage to formally lay off thousands of workers (and voters!) who haven't worked in decades, the debt accumulated, and huge sums that were owed, on paper, to the workers provided rather perverse incentive to demand their rights from the government (Milan, 2015).

The protests in Tuzla led to large scale protests elsewhere across the Federation, with protesters venting their frustration with overall living conditions, unemployment, government ineptitude and corruption. Most large cities were affected, including Zenica, Mostar, Bihać and Sarajevo, where at the height of the crisis, a crowd burst into the part of the state Presidency building and torched several offices. However, the scale of destruction of property and looting by the criminal gangs that infiltrated the demonstrations, scared the majority of population who opted to stay away in the days following the initial protests. Leaders of the demonstrations hence channeled their protests into the so-called 'People Plenums' that were formed in several cities, including Sarajevo. Protesters henceforth voiced their frustrations and demands in what the organizers hoped would evolve into some sort of proto-parliaments, but after some weeks the initial enthusiasm cooled off and plenums disappeared without producing any meaningful impact in the political arena (Milan, 2015) (BiH Protest Files, 2014).

It is important to note here that, while indeed being the largest demonstrations that country has ever witnessed, they remain largely limited to Bosniaks in the Federation entity. Republika Srpska elites were able to utilize state media under their control to portray the demonstrations as Bosniak-led movement, whose anti-elite actions supposedly translated into anti-Republika Srpska and hence anti-Serb objectives. The propaganda worked and despite broadly similar, or even worse economic privations experienced by population in the Republika Srpska,

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only a brief, few hundred strong, protest was held in Banja Luka on the occasion. Eventually, the 2014 upheavals served only to reinforce widespread civic apathy across the Bosnian population since it was once again demonstrated that no matter what issues are at stake, ruling parties are able to sway the popular mood and mobilize them along the ethnic lines in order to remain in power (Milan, 2015).

The most recent civic actions that started as expressions of popular frustration, but consequently had clear political implications, were the cases of Dženan Memić in Sarajevo and David Dragićević in Banja Luka. In both cases, the first dating from 2016 and second from 2018, young men were murdered in murky circumstance which, according to their parents and widespread public opinion, implicated members of political elites and led to clumsy cover-up attempts by the corrupt police and judiciary. In both cases, bungled investigations and allegations of conspiracies to protect members of the ruling elite, led to widespread protests, bringing together thousands of people demanding justice. Allegations that the killers are actually the son of a local tycoon linked to the SDA (in Dženan's case), and top police officials involved in drug smuggling (in case of David), fell on receptive public ears and transformed these protests into expressions of general dissatisfaction with the corrupt elites. The processes are still ongoing, but what is important here is that a sad story with human face led, for the first time ever, to public expressions of solidarity that transcended entity and ethnic divides. Family members of both men travelled on several occasions to attend public demonstrations in Sarajevo and Banja Luka, where they were warmly welcomed by the members of public. Whether such rare expressions of inter-ethnic solidarity will one day lead to bigger and more comprehensive joint civic activism, remains to be seen.

Conclusion: The Challenges Facing Bosnia and Herzegovina

Bosnia and Herzegovina today, quarter of a century after the Dayton Agreement was signed, suffers from the same degree of paralysis which had necessitated introduction of the Office of the High Representative (OHR) as supreme political arbiter in the country. However, given the reluctance of the international community to continue being involved in resolving the country's continuing crises, the High Representatives no longer use their powers to break the political impasse. The strengthening of the Serb nationalists in their para-state of Republika Srpska, means that the country has once again reached political deadlock. The period starting with the 2006 elections is generally considered among the impartial observers of Bosnian politics, as a period of lost opportunities and general stagnation, political and otherwise. The European Union, which has emerged as the most relevant arbiter of Bosnian politics, illustrates such prevailing opinions by issuing a series of warnings to Bosnian politicians, as well as unflattering

reports on the state of reforms in the country. The 2009 Progress Report, for example, reads as a damning indictment of incompetent and corrupt political elites, consumed by mutual bickering and oblivious to the real problems of the people (Communication from the Commission to the Council and the European Parliament, 2009):

Bosnia and Herzegovina has made very limited progress in addressing political criteria. The domestic political climate has deteriorated, and challenges to the proper functioning of the institutions and inflammatory rhetoric have continued. Reform implementation has been slow, due to a lack of consensus and political will, and to the complex institutional framework. A shared vision by the political leaders on the direction of the country and on key EU-related reforms remains essential for further progress towards the European Union. (...) The European Union would not be able to consider an application for EU membership until the OHR has been closed. The reform of Bosnia and Herzegovina's constitutional framework (...) is necessary before the Commission can recommend the granting of candidate status (...) Regarding democracy and the rule of law, there has been little progress towards creating more functional and efficient state structures (...) The functioning of the state-level executive and legislative bodies has been deficient. (...) The government institutions, at all levels, continued to be affected by internal political tensions and fragmented and uncoordinated policy-making. The authorities have often proven unable to quickly appoint high-level officials. (...) Some progress has been made in the area of public administration, but continued efforts are needed. (...) the fragmentation of the judicial system and the absence of a single budget continue to be major obstacles to reform in this area. Political interference remains frequent. (...) The authorities of Republika Srpska have increasingly questioned the legality, jurisdiction and competences of the state-level police and judicial agencies to operate in their territory. (...) Bosnia and Herzegovina has achieved little progress in the fight against corruption (...) There has been limited progress regarding human rights and protection of minorities.

Virtually every Progress Report issued by the EU Commission since the 2009 Report, quoted in the previous section, basically repeating the same findings. Almost a decade later, the 2018 Report, using almost identical language as the 2009 Report argues that (Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2018):

The adoption of legislation stemming from the Reform Agenda, including adoption of the excise tax legislation, was negatively affected by tensions between ruling coalition parties and obstruction by opposition parties in

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Parliaments at state and entity levels, leading to a slowdown of the reform pace (...) Bosnia and Herzegovina's constitution remains in breach of the European Convention on Human Rights, as per the Sejdić-Finci and related cases (...) the functioning of the Presidency of Bosnia and Herzegovina was affected by the expression of divergent positions by its individual members on a number of issues under its competence over foreign policy (...) with the exception of a few reforms and the notable adoption of the excise legislation, delivery on a number of reforms was delayed by lack of agreement within the ruling coalition members (...) Bosnia and Herzegovina is at an early stage with the reform of its public administration and no progress has been achieved in the past year (...) corruption is widespread and remains an issue of concern.

This brief analysis of the of the modern political history of BiH demonstrates that the current political and social crisis has its roots in the war and post-war history and developments, and is not result of some 'age-old hatreds', as some have argued, mostly with the ulterior motive or proving that Bosnia amounts to little more than failed and ultimately unviable state. It could also be concluded that the current political system, which is the product of the Dayton Agreement, is plagued by a large number of systemic deficiencies and problems that could be classified into the following four broad categories: 1) constitutional or structural problems related to a flawed constitutional framework; 2) problems in the functioning of the government related to the said unresolved constitutional and structural issues (unlimited ethnic-based veto power, multiple and overlapping levels of government, huge administration presenting unbearable burden for the weak economy, etc.); 3) the divided loyalties of constituent peoples and resulting lack of unified vision for the country's future; 4) lack of resources for the normal functioning of a state. Although significant advances have been made since the Dayton Agreement came into effect, the reform process has been stalled since the 2006 general elections that brought Milorad Dodik to power in Republika Srpska for the second time. As a result, the country is now mired in its gravest political, economic and social crisis since the war.

Regardless of the gravity of situation in the country, the international community (now for all practical purposes embodied by the European Union) adopts a indecisive sit-and-wait attitude to the resolution of the country's problems. This is to a certain extent caused by the general intervention fatigue in the international community, but also by the feeling that more twenty-five years after Dayton, the country has matured enough to take care of its own business. Such an attitude further compounds the belief that the sole cause of the country's problems is corruption among the nationalist elites, who willingly protract the crisis in order to continue their sway over the politics. Such a view is true to a certain extent, chiefly on the micro-scale of day-to-day politics. However, such a simplistic view

fails to consider the fundamental flaw of the Dayton Constitution: the ability of each of the three sides to block any move they find detrimental to their interests.

In addition, any moves towards making the central government more efficient and able to run the country are detrimental to the interests of nationalists ruling Republika Srpska, but in the past few years, Croat nationalist elites have begun to create problems as well. Continuing to stoke Serbs' fears of being dominated by other ethnic groups in the best tradition of Milošević's propaganda from the 1990s, a small elite has successfully maintained its iron grip over Republika Srpska. This recipe for an effective stay in power has been copied by the Croat nationalists led by Dragan Čović and his political party HDZ. Republika Srpska has been ruled as virtual feudal fiefdom, where dissent is considered treason and a betrayal of 'national interests' ever since 2006. Again, Čović and the HDZ copied this tactic by establishing the so-called Croatian National Assembly (HNS – Hrvatski narodni sabor), a quasi-nongovernmental body, which effectively monopolized political life of Bosnian Croats.

By controlling the political process on the central level, through frequent use of unlimited veto power given to them by the Dayton, Serb and Croat nationalist politicians are able to portray Bosnia as an impossible state and artificial creation where nothing will ever work and no agreement is possible. This, of course, is juxtaposed against Republika Srpska, where government rules by fiat and which government-controlled media is then able to portray as supposedly 'the better part of BiH'. Since the establishment of the HNS, Čović has also used the same arguments to strengthen his hold on power and self-style himself and the HDZ as the sole bastion that stands between the Bosnian Croats and their utter ruin at the hands of majority Bosniaks.

It is clear from the preceding brief expose of the issues affecting the country's politics that Bosnia and Herzegovina is not equipped with the necessary legal and political instruments to break the impasse in a situation where one of the constitutional ethnic groups is blocking the political process. No matter how reluctant the international community might be, breaking this deadlock will eventually necessitate another decisive involvement by the EU and the United States, working in concert to amend the country's faulty constitution. The only alternative to this is for the three sides to amicably reach an accord whereby the country's central institutions will be empowered at the expense of the entities (an option which both Serb and Croat political elites are unlikely ever to agree to). The final alternative, one nobody wants to contemplate, is for the three sides to go their separate ways and complete the dissolution of the country, which is an option that would likely lead to yet another war for control of ethnically-defined territories.

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MARKO A. HOARE

The Bosnian Genocide and the
Srebrenica massacre

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Abstract

This paper aims to place the Srebrenica massacre in its broader context, both in terms of its place in the Bosnian war, and theoretically. The Srebrenica massacre is the only war crime of the Bosnian war that has, in legal terms, been solidly confirmed to have constituted genocide. In the ICTY, 2001 convicted Radislav Krstic of complicity in genocide for his role in the Srebrenica massacre, thereby establishing the fact of the Srebrenica genocide. The ICJ, in its ruling of 2007 in Bosnia vs Serbia, explicitly stated that the Srebrenica massacre was an act of genocide. However, the ICJ in the same ruling stated that other massacres of the Bosnian war, in particular those of 1992 when Bosnian Serb military forces were formally under Belgrade's command, were not genocide.¹ The ICTY has so far failed to convict any suspect of genocide except in relation to the Srebrenica massacre. Consequently, the Srebrenica massacre has assumed the status of a crime apart in the Bosnian war.

Introduction

The term 'Bosnian genocide' remains controversial. Whether or not there was a Bosnian genocide is something that divides scholars,² and the claim that there was, lack a solid legal underpinning. By contrast, the fact of the Srebrenica genocide is recognised not only by the international courts, but by almost all respectable scholarly opinion internationally, with one or two notable exceptions, in particular William Schabas and Katherine Southwick.³ This has been reflected in the memorialisation of the genocide internationally. For example, the European parliament voted in 2009 for member states to adopt 11 July as the date of commemoration for the Srebrenica massacre. The UK held its first Srebrenica memorial-day event in 2013, and in 2015, sponsored a resolution to the UN to mark the 20th anniversary. The choice to commemorate Srebrenica alone, rather than the Bosnian mass killings as a whole, may also serve to avoid making a bigger judgement as to guilt and responsibility for the war. If we were to commemorate more

1 Case Concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro): Judgement of 26 February 2007. (2007). *International Court of Justice*. Available at: <https://www.icj-cij.org/public/files/case-related/91/091-20070226-JUD-01-00-EN.pdf>

2 Hoare, Marko A. (2014). 'Towards an Explanation for the Bosnian Genocide of 1992–1995', *Studies in Ethnicity and Nationalism*, 14 (3), pp. 516–532; <https://doi.org/10.1111/sena.12111> p. 516

3 Schabas, William A. (2001). 'Was Genocide Committed in Bosnia and Herzegovina? First Judgments of the International Criminal Tribunal for the Former Yugoslavia', *Fordham International Law Journal*, 25 (1), pp. 23–53; <https://ir.lawnet.fordham.edu/ilj/vol25/iss1/2/>; Southwick, Katherine G. (2005). 'Srebrenica as Genocide? The Krstić Decision and the Language of the Un-speakable', *Yale Human Rights and Development Law Journal*, 8(1), pp. 188–227. <https://digitalcommons.law.yale.edu/yhrdlj/vol8/iss1/5/>

broadly than Srebrenica, would we commemorate only victims of Serb mass killings? Or of Serb and Croat crimes, which might include the Croatian shelling of Mostar? Or even victims of all three sides? Would we conflate the different sides in the conflict, or single out one side? These politically sensitive questions are avoided by picking just one crime to commemorate, which was both the biggest single massacre and the work of the side that was overall, vastly most responsible for the killings.

However, the effect of this is that the Srebrenica massacre has been allowed to overshadow the mass killings carried out by the Bosnian Serb perpetrators during the war as a whole. This is despite the fact that the Srebrenica massacre was merely the last major episode of mass killing in the Bosnian war, and far from the largest. The biggest phase of mass killing was the initial Serbian assault on Bosnia-Herzegovina in the spring and summer of 1992. In that year, in East Bosnia alone, more Bosniaks were killed than in 1995, the year of the Srebrenica massacre, according to the figures of Mirsad Tokaca's Research and Documentation Centre.⁴ The siege of Sarajevo also killed significantly more Bosniaks than the Srebrenica massacre (if both civilian and military casualties are included – as indeed they should be, since the two categories are not fully distinct when a genocidal war is being waged against an entire population – compare, for example, the Warsaw Ghetto Uprising).

Concentration camps were established in the Prijedor region and elsewhere and were a key element in the killing process and the targeting of the civilian population, a fact that is lost when genocide commemoration focuses on the Srebrenica massacre alone. In the Prijedor region, the genocide was particularly brutal as it targeted a region with a strong anti-fascist and social democratic tradition.⁵ Instead, international commemorations focus solely on Srebrenica which occurred late in the war, and it only the annual commemoration in Srebrenica, that receives any international attention. Furthermore, the genocide in Srebrenica is, widely though inaccurately viewed as an aberration or exception to the general pattern. The idea of Srebrenica as an aberration was reinforced by the ICJ's 2007 ruling. This found Serbia guilty of failure to prevent genocide in Srebrenica, on the grounds: 'The FRY leadership, and President Milošević above all, were fully aware of the climate of deep-seated hatred which reigned between the Bosnian Serbs and the Muslims in the Srebrenica region.'⁶ This formulation attributes the

4 Hoare, Marko A. (04.01.2008). 'What do the figures for the Bosnian war-dead tell us?', *Greater Surbiton*, available at: <https://greatersurbiton.wordpress.com/2008/01/04/what-do-the-figures-for-the-bosnian-war-dead-tell-us/>

5 Sivic-Bryant, Sebina. (2016). *Re-making Kozarac: Agency, reconciliation and contested return in post-war Bosnia* (London: Palgrave); Wesselingh, Isabelle and Vaulerin, Arnaud. (2005). *Raw Memory: Prijedor, Laboratory of ethnic cleansing* (London: Saqi)

6 'Case Concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)', *ICJ*, p. 186.

massacre to local Serb-Muslim relations in Srebrenica, rather than to the intentions of the Bosnian Serb supreme command. It also hints at victim-blaming, or at least a division of blame between victims and perpetrators. Some have claimed that the scale and ferocity of the Srebrenica massacre should be explained by reference to local Serbs seeking revenge for Naser Oric's raids against the Serb villages surrounding Srebrenica. It is possible that individual rank-and-file Serb perpetrators may have had personal grievances against Bosniaks related to Oric's actions – this certainly emerges from David Rohde's investigative journalist study of Srebrenica.⁷ But this cannot explain the presence of the VRS commander Ratko Mladic at Srebrenica, and the supreme logistical effort of the VRS needed to organise the systematic massacre of over 8,000 people and dispose of their bodies afterwards. As scholars such as Zarko Puhovski have suggested, this reduces the Srebrenica massacre to a 'municipal genocide'.⁸

Furthermore, the idea that there was some sort of particular climate of hate between Serbs and Bosniaks in the Srebrenica municipality fails to consider the fact that the massacres in other areas of East Bosnia and Bosnia as a whole, were just as vicious and brutal, even if their scale was smaller. For example, in the Zaklopaca massacre in May 1992, Serb forces surrounded the unarmed village of Zaklopaca in the Vlasenica municipality, blocked off all exits from the village and massacred 63 inhabitants – men, women and children. Or in the Bikavac Hill massacre near Visegrad in June 1992, about 70 Bosniak civilians, women, children and the elderly, were barricaded into a house which was then petrol bombed – only one woman survived, severely burned. If anything, the careful, central, top-down planning that went into organising the July 1995 massacre, suggests it may have had less to do with the hatred of ordinary rank-and-file perpetrators than some of the earlier, smaller massacres. In fact, the Srebrenica massacre cannot be understood except as an intrinsic part of the programme of mass killing that took place in Bosnia between 1992 and 1992. This was planned and set in motion by the Milosevic regime in Belgrade, then transferred to formally independent Bosnian Serb (Republika Srpska and Army of the Republika Srpska - VRS) command in May 1992.

There are strong grounds for deeming the Bosnian Serb extremist mass killings in Bosnia-Herzegovina as a whole to have been genocide. Namely, the goal of the perpetrators was to destroy the non-Serbs, above all Bosniaks, as a group or groups on the territory of the projected Republika Srpska; this involved actual destruction of the group *in part*. This view enjoys some support in the scholarship and judicial record. You can hardly find two genocide scholars who will

7 Rohde, David. (1997). *Endgame: The Betrayal and Fall of Srebrenica, Europe's worst massacre since World War II* (Boulder, CO: Westview)

8 Burić, Ahmed. (02.07.2007). 'Opstinski genocid', *Radio Slobodna Evropa*. Available at: <https://www.slobodnaevropa.org/a/707678.html>

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agree on the precise definition of genocide, which results in part from the fact that the international legal definition embodied in the UN declaration allows for multiple interpretations. Nevertheless, several leading genocide scholars do characterise the Bosnian Serb mass killings as genocidal, including Eric D. Weitz, Adam Jones, Norman Naimark and Martin Shaw.⁹ So do several experts on the Bosnian war themselves: Norman Cigar, Edina Becirevic and Smail Cekic.¹⁰ Others disagree.

So again, the question as to whether the Bosnian Serb's mass killings across the whole of Bosnia-Herzegovina should be categorised as genocide may depend on how broadly or narrowly the term is defined. It would be a much less controversial question if, instead of using the international legal definition, which was shaped by a political and diplomatic process in the 1940s, we use the original definition favoured by Rafael Lemkin, the man who coined the term 'genocide'. Lemkin believed genocide should be deemed to include cultural genocide.¹¹ The Bosnian Serb authorities conducted very extensive and systematic destruction of the cultural heritage of Bosnia-Herzegovina – the destruction of mosques, graveyards, libraries and other cultural artefacts.¹² The evidence of this was discounted by the ICJ judges, because cultural destruction was not included in the international definition. Had the international legal definition included cultural destruction as Lemkin had wished, there is no doubt Serbia would have been found guilty.

Yet even with the existing international legal definition, there are reasonable grounds for considering the killings to have constituted genocide. This was the opinion expressed by dissenting Judge al-Khasawneh, who argued that judges should have inferred genocidal intent from the consistent pattern of atrocities.¹³ In Germany, the courts that prosecuted the Bosnian Serb perpetrators Nikola Jorgic and Novislav Djajic concluded that genocide occurred in Bosnia outside of Sre-

9 Weitz, Eric D. (2003). *A Century of Genocide: Utopias of Race and Nation* (Princeton, NJ: Princeton University Press); Shaw, Martin. (2007). *What is Genocide?* (Cambridge: Polity); Jones, Adam. (2006). *Genocide: A Comprehensive Introduction*. 3rd ed (London: Routledge); Naimark, Norman. (2001). *Fires of Hatred: Ethnic Cleansing in Twentieth-Century Europe* (Cambridge, MA: Harvard University Press)

10 Čekić, Smail. (2004). *Agresija na Republiku Bosnu i Hercegovinu: planiranje, priprema, izvođenje*. Vols. 1–2 (Sarajevo: Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava); Cigar, Norman. (1995). *Genocide in Bosnia: The Policy of 'Ethnic Cleansing'* (College Station: Texas A&M University Press); Cigar, Norman. (1995). *Genocide in Bosnia: The Policy of 'Ethnic Cleansing'* (College Station: Texas A&M University Press); Bećirević, Edina. (2014). *Genocide on the Drina River* (New Haven, CT: Yale University Press)

11 Moses, Dirk A. (2010). 'Raphael Lemkin, Culture, and the Concept of Genocide'. In *The Oxford Handbook of Genocide Studies*, ed. Bloxham, Donald., and Moses, Dirk A. (Oxford: Oxford University Press), pp. 19-42

12 Walasek, Helen. (2015). *Bosnia and the Destruction of Cultural Heritage* (London: Ashgate)

13 'Dissenting Opinion of Vice-President Al-Khasawneh: Bosnia and Herzegovina v. Serbia and Montenegro. (2007). *International Court of Justice*. Available at: <https://www.icj-cij.org/public/files/case-related/91/091-20070226-JUD-01-01-EN.pdf>

brenica, specifically in the Doboј and Foca regions. Jorgic was convicted in Germany of genocide, and appealed his case all the way to the European Court of Human Rights, which ruled that his conviction was in keeping with the international legal definition of genocide.¹⁴ Finally, the ICTY's 2012 conviction of Zdravko Tolimir, Assistant Commander of Intelligence and Security of the Bosnian Serb army, determined that the group targeted for genocidal destruction was the Bosniak population of East Bosnia as a whole, not simply Srebrenica.¹⁵ Although the 2015 Appeals Chamber judgement in the case of Tolimir, modified his conviction and granted some minor aspects of his appeal, it confirmed the Bosniak population of East Bosnia as a whole had been targeted for destruction

Even the ICJ verdict in the case of Bosnia vs. Serbia, which established genocide at Srebrenica but not elsewhere in Bosnia, nevertheless concluded that features of the 1992 mass violence were consistent with genocide, except that the proof of genocidal intent was lacking. The intent of the perpetrators is difficult to prove. The ICJ argued that Serb the perpetrators of the 1990s killings were motivated by the goal not of destroying the Bosniaks in whole or in part, but by the goal of establishing an expanded, ethnically homogenous Serbian state. This represents a confusion between motive and intent. For any genocide, the intent to destroy the group is motivated by the pursuit of additional goals – in particular, the supposed or alleged need to save the perpetrators' own national group from slavery or destruction, be they Turks, Germans, Serbs or Hutus.

Nevertheless, there are also respectable genocide scholars – i.e. ones who are not cranks or obvious apologists for the Serb nationalist cause - who dispute the categorisation of the mass killings across Bosnia-Herzegovina in 1992-1995 as genocide, such as Jacques Semelin and Michael Mann.¹⁶ Since there are reasonable arguments that can be made both for and against the categorisation of these mass killings as genocide, it is reasonable to consider the political influences that led to the situation in which Srebrenica alone has been recognised as genocide. We might have the ideal of justice as absolutely impartial, or as absolutely political, but the reality is that even respectable courts and judges may be influenced by political considerations, without being simply political courts. The US Supreme Court has both liberal and conservative judges, appointed by the President and confirmed by the Senate. So far as the ICJ ruling in the case of Bosnia-Herzegovina vs Serbia goes, it could be seen as something of a compromise, given the

14 'Case of Jorgić vs Germany': Fifth Section, App no. 74613/01. (12.07.2007). *European Court of Human Rights*, Available at: <https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECHR&id=003-2055877-2175646&filename=003-2055877-2175646.pdf&TID=thkbnlilzk>

15 'Prosecutor v. Zdravko Tolimir' (12.12.2012) ICTY – REFERENCE INCOMPLETE: NEEDS EXTRA DETAIL, SEE COMMENT IN BIB.

16 Mann, Michael. (2005). *The Dark Side of Democracy: Explaining Ethnic Cleansing* (Cambridge: Cambridge University Press); Semelin, Jacques. (2007). *Purify and Destroy: The Political Uses of Massacres and Genocide* (London: Hurst)

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multinational character of the ICJ, and the fact that its rulings to some extent represent a compromise between the national standpoints of different judges. Some of the judges did not believe the ICJ should even have jurisdiction in the case. So, there was a legal case for arguing that the ICJ had no business recognising the Srebrenica genocide in the first place. Nevertheless, not even the Russian judge disagreed with the view that genocide had occurred at Srebrenica. So, the idea that not even Srebrenica comprised genocide is clearly legally very weak.

The judicial recognition of the Srebrenica genocide was the result of a process that was not foreordained. The ICJ's recognition followed on from the precedent established by the ICTY rulings. The ICTY's recognition began with the Radislav Krstic ruling in 2001, but this turn owed itself to the internal politics of the ICTY Office of the Prosecutor. Not all the ICTY prosecutors wanted to prosecute suspects for genocide, if the memoirs of Florence Hartmann and Carla del Ponte are to be believed.¹⁷ There were those, such as Geoffrey Nice, who wanted to stick to lesser charges more likely to result in convictions. This reflected a difference of opinion, among prosecutors, as to whether the ICTY's purpose was to put perpetrators behind bars, or to establish the correct historical record. Had Nice, rather than del Ponte, been Chief Prosecutor, the Srebrenica genocide might not have achieved the recognition that it did.

Thus, there is not just one objective legal answer to the question of whether a particular process or act of mass killing is recognised as genocide or not. There are different legal opinions, and the question of which one establishes itself is the result of political struggles among those judges and prosecutors whose job it is to decide these matters. So, there are strong intellectual grounds for not seeing the ICJ ruling as definite. Therefore, there is a reasonable case for talking of a Bosnian genocide. However, this debate over terminology is ultimately less important than understanding the place of the massacre in the overall programme of mass killings.

The idea of the Srebrenica massacre as a local aberration in the Bosnian war has been challenged by Edina Becirevic, in her 2014 work *Genocide on the Drina River* – the most serious academic study of the genocide in East Bosnia to date. Becirevic places the Srebrenica massacre as the culmination of a genocidal process that began in the spring of 1992, when the assault on the Bosniak population of East Bosnia began with the launch of coordinated and systematic massacres and expulsions across the region, and indeed the rest of Bosnia-Herzegovina. Even if the massacres in no individual region assumed the scale of the 1995 massacre, in total more people were killed that year. Although it is often ignored that

¹⁷ Hartmann, Florence. (2007). *Paix et châtimeut: Les guerres secrètes de la politique et de la justice internationales* (Paris: Flammarion); del Ponte, Carla. (2009). *Madame Prosecutor: Confrontations with Humanity's Worst Criminals and the Culture of Impunity: a Memoir* (New York: Other Press)

women and children were also killed in the Srebrenica massacre of 1995, that massacre was above all, directed at combat-age males. Whereas women, children and civilians generally with no possible combat potential, were targeted more extensively in 1992.

In terms of killing of members of the victim group as an end in itself, many of these massacres were not less genocidal than the Srebrenica massacre. Certainly, they were deemed by the ICJ to be on a scale to resemble genocide, if you leave aside the question of genocidal intent. As Becirevic relates, Srebrenica was one of the few towns in East Bosnia not to fall to Serb forces in 1992. Along with Zepa and Gorazde, it held out, and was filled with refugees pouring in from surrounding localities. The population of Srebrenica, both locals and refugees, therefore comprised survivors of the first genocidal assault. The Bosnian Serb forces then continued their war against this population, attempting to make their survival impossible by siege and starvation – group destruction continued by other means. The genocidal process then reached its culmination with the Serb conquest of the enclave in July 1995 and the massacre that followed. This can be compared to the Holocaust, in which there were successive stages to the genocide.

This begs the question as to why Srebrenica was different from other massacres in the war, both in terms of the much larger number killed, and the particular focus on combat-age males. This can only be answered by looking at how the war had evolved since 1992. The genocidal goal of the Serb perpetrators was to destroy the Bosniaks and non-Serbs generally as a group or group on Serb-held territory. This destruction was to be accomplished by killings, torture, expulsions, cultural destruction and other means. The means shifted during the course of the war, but the goal remained the same. The continuity of Serb-extremist war-aims is indicated among other things by the siege of Sarajevo, which was established in the spring of 1992 and remained constant throughout the war. In the spring of 1992, the Serb rebel forces were waging war against a population that was largely incapable of serious military resistance. They had every reason to believe that their victory would be relatively quick and easy, given the massive discrepancy in terms of armaments and preparation between the sides. This confidence was certainly shared by Western policy-makers, and helps explain the readiness of the West to recognise what appeared to be a *fait accompli*.

However, the war then dragged on for three years without a clear Serb victory over the Bosnian army. Against all expectations, the latter succeeded in organising itself, and by mid-1995 was beginning to gain the upper hand.¹⁸ By this time, mid-1995, the Bosnian army significantly outnumbered the Army of the Serb Republic, and its morale was superior, whereas Serb morale was in steep decline. The international situation was turning against the Serb rebel side. The

¹⁸ Hoare, Marko A. (2004). *How Bosnia Armed* (London: Saqi)

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US had shifted away from outright appeasement and had begun to work to swing the military balance against the Serb side. Hence, the Washington Agreement of March 1994 had ended the Croat-Bosniak conflict and established the Federation of Bosnia-Herzegovina. Arms from Iran, Turkey and elsewhere were reaching the Bosnian army with US connivance. Retired US officers were training the Federation army.¹⁹

In Bihac, the Bosnian forces won a spectacular, if short-lived, series of victories in the autumn of 1994 that revealed the extent of Serb military decay.²⁰ Croat forces recaptured Kupres in November 1994. Between mid-1994 and mid-1995 the Bosnian army expanded the area in Sarajevo under its control and recaptured key areas there and (Mt Vlasic) in Central Bosnia, culminating in the ambitious but unsuccessful attempt to break the siege of Sarajevo in June 1995. Croatia's Operation Flash in May 1995 revealed Serb weakness more starkly than ever, and presaged a general Croatian war-effort against the RSK. By mid-1995, the Bosnian army was capable of, for example, launching offensives on multiple fronts, and the Army of the Serb Republic would only have sufficient manpower to repel some of them.

In these circumstances, the Bosnian Serb leadership had every reason to believe that they were gradually losing a war of attrition in which above all, the enemy's superior numbers would prove decisive. Consequently, it was no longer militarily wise to release captured Bosniak males, who would only return to fight as soldiers in the Bosnian army. It became a military necessity to destroy the enemy's superior manpower by systematically killing prisoners. Rather than seeing the Srebrenica massacre as an act of revenge resulting from hatred, it should be seen also as a response to the reality that Bosnian army forces had shown themselves capable of inflicting losses on Serb forces, around Srebrenica and elsewhere. On the other hand, the increased global media attention on Serb crimes in 1995, as opposed to 1992 probably spared the women and children of Srebrenica, just as it had brought the closure of concentration camps in summer and autumn 1992. Had the Serb forces made additional conquests in the weeks following Srebrenica, the pattern of massacres would in all likelihood have been repeated. Zepa's population was spared at the price of a negotiated surrender of the town, while Gorazde came under NATO air protection following the outcry over Srebrenica. But as regards Bihac, which came under sustained Serb rebel attack after Srebrenica, there was no negotiated surrender and no NATO protection. Had it not been for

19 Hoare, Marko A. (1998). 'A Rope Supports a Man Who is Hanged—NATO Air Strikes and the End of Bosnian Resistance', *East European Politics and Societies*, 12 (2), pp. 203-221.

20 Hoare, Marko A. (2011). 'The Bosnian War's Forgotten Turning Point: The Bihać Crisis of Autumn 1994', *Journal of Slavic Military Studies*, 24 (1), pp. 88 — 114. Available at: <https://doi.org/10.1080/13518046.2011.549044>

the Split Agreement and the launch of Operation Storm, there might have been a Bihac massacre in the pattern of Srebrenica.

The successive peace plans of the international community largely recognised the realities of military conquest. Thus, the Vance Owen Plan of January 1993, which at least on paper looked reasonably fair, insofar as it broadly divided Bosnia on the basis of pre-war ethnic local majorities, was followed by the Owen-Stoltenberg Plan of August 1993, which was a more naked recognition of Serb and Croat conquests. Following the Bosniak rejection of the Owen-Stoltenberg Plan, the Contact Group Plan of July 1994 then scaled back Serb gains. The Serb side's declining military fortunes would then likely have been reflected in successively less generous territorial offers to them. There was therefore a strong incentive to secure a total victory in the battle for the strategically sensitive spot of Srebrenica, close to the border with Serbia and in the heart of VRS-occupied East Bosnia. As the investigative journalism of Ed Vulliamy and Florence Hartmann has shown, the US and its allies had already accepted that the existence of the East Bosnian enclaves was an obstacle to a peace agreement, and their conquest by the Serb forces was accepted in order to 'tidy up the map'.²¹ The US was prepared to accept this conquest even at the price of large-scale war crimes. John Shattuck, the US assistant secretary for human rights, said 'We had the Omarska model in mind'. So, the Bosnian Serb leadership acted in the correct belief that their conquest would not be opposed militarily by the West or the international community, and that they enjoyed a certain leeway to carry out atrocities in the process. However, they miscalculated over just how much leeway they did have, and the outrage over Srebrenica paved the way for the NATO bombing of VRS forces in August and September. Nevertheless, the Serb conquest was successful and was legitimised by the Dayton Accords – even though the rebel Serb side paid a considerable price for it.

The fact that genocide is generally accompanied by war, and that the form and intensity of a genocidal process is influenced by the events and balance of forces in the war, is hardly controversial for genocide scholars. Without wishing to suggest equivalency between the Bosnian genocide and the incomparably larger-scale Nazi Holocaust, the latter can be used to illustrate this. If World War II had ended with a Nazi victory over Britain in 1940, the genocide of the Jews might have followed the Madagascar Plan, with the deportation of Europe's Jewish population to Madagascar. The genocide would have taken longer to carry out and been less absolute in claiming its victims. Likewise, if the Nazis had defeated the Soviet Union in 1941, the genocide might have involved the deportation of the Jews to Siberia, in which case, once again, it would have been slower and less absolute

²¹ Hartmann, Florence and Vulliamy, Ed. (4/07/2015). 'How Britain and the US decided to abandon Srebrenica to its fate', *The Guardian*, <https://www.theguardian.com/world/2015/jul/04/how-britain-and-us-abandoned-srebrenica-massacre-1995>

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in form. It was the inability of the Nazis to defeat their enemies, Britain and the Soviet Union, and their lack of a suitable location for mass deportation, that led to their adoption of the policy of total, immediate genocide of the European Jews. We could say something similar about the Rwandan Genocide, which was driven by the military advances of the Rwandan Patriotic Front during 1992 against the Hutu regime's forces, followed by the Arusha Accords, which faced the Hutu supremacists both with a perceived deadly threat, and a window of opportunity, to solve finally the Tutsi 'problem' in the manner that they wished. Again, in the case of the Armenian Genocide, the genocide was driven in intensity by the deadly military threat faced by the Turkish nationalist regime during World War I, and the scale of its defeat by the Russians in late 1914 and early 1915 (at the Battle of Sarikamish). In each of these cases – the Jews, Armenians, Tutsis and Srebrenica Bosniaks – the intensity of the genocide was catalysed by the intensity of the military threat facing the perpetrating regime.

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BOSNIA  STUDIES
SARAJEVO

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Srebrenica is not a Metaphor
– The Significance of the Srebrenica
Memorial Center - Potočari for
Understanding Genocide –

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Abstract

The author will emphasize the importance of both the existence and the further development of the Srebrenica - Potočari Memorial Center, in the context of the continued need to understand the genocide that took place in and around Srebrenica, from the aspect of building a culture of remembrance throughout Bosnia and Herzegovina (B&H). This is necessary in order to continue fighting the ongoing genocide denial. At first glance, a culture of remembrance presupposes immobility and focus on the past to some, but it is essentially dynamic, and connects three temporal dimensions: it evokes the present, refers to the past but always deliberates over the future. In this paper, the emphasis is placed on the concept of the place of remembrance, the lieu de memoire as introduced by the historian Pierre Nora. In this sense, a place of remembrance such as the Srebrenica - Potočari Memorial Center is an expression of a process in which people are no longer just immersed in their past but read and analyze it in the present. Furthermore, looking to the future, they also become mediators of relations between people and communities, which in sociological theory is an important issue of social relations. The author of this paper emphasizes that collective memory in the specific case of genocide in and around Srebrenica is only possible when the social relations around the building (Srebrenica - Potočari Memorial Center) crystallize, which is then much more than just the content of the culture of remembrance.

Keywords: social relations, genocide, the culture of remembrance, places of remembrance, Srebrenica - Potočari Memorial Center, Srebrenica

“Conscious forgetting prolongs exile, the secret of salvation is memory”

(Jewish proverb)

Introduction

An overview of the organized nurturing a society's culture of remembrance, is most often followed through ideological and institutional ways of its transmission. Although it is more extensive in its content, the culture of remembrance determines the historical culture, that is, how society looks at its past. It is a constantly changing whole that is formed under the influence of many factors.

One of these factors is the phenomenon of accelerating history (Nora, 2007), which clearly reveals the distance between true memory, social and intact, embodied in societies just like B&H, and which disappears with them. The culture of remembrance, as a way to which all societies organize their past, is doomed to

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oblivion because they are driven by accelerated change. Memory and history are not synonymous, they are largely opposed (Nora, 2007:137).

Memory is life, it is always transmitted by living people and that is why it is in constant evolution, open to the dialectic of memories and forgetfulness; often unconsciously, constantly distorted; sensitive to all appropriations, manipulations, and denials; subject to long dormancy and sudden revivals. On the other hand, the way of historical perception changes and expands, especially with the help of the media and daily politics, so that memory, once a legacy of an intimate experience, is replaced by an “ephemeral membrane of actuality” (Nora, 2007). In other words, dictated by the need for contemporary relevance, serious topics and issues are simplified and trivialized, including the culture of remembrance. According to Nora, “so much is said about memory precisely because it no longer exists” (Nora, 2007:23). Therefore, in a general sense, this paper is a kind of call for a fuller and more serious awareness of Bosnian society about itself.

Furthermore, the study of *lieux de memoire*, places of remembrance, and in the specific case of this paper, the Srebrenica - Potočari Memorial Center, defines both the meaning and importance of understanding the genocide committed in 1995 in and around Srebrenica. This paper seeks to actualize the importance of the Memorial Center and emphasize the need for an adequate cultural policy that will place this specific object of memory, with its support, directly in the context of directing the development of comprehensive social relations in society with emphasis on their moral and educational transformation.

Cultures of remembrance - a link between past, present, and future

At first glance, memory seems to be something exclusively internal, ‘stuck’ in the past, the memory of something that happened in the past, and remains thus, frozen in time. However, when we consider it more closely, it emerges as a dynamic process that connects three temporal dimensions. Evoked in the present, it remembers the past but always thinks about the future. In this context, it is important to emphasize two types of memory: *communicative memory*, which refers to the transmission of memory in everyday life, and the *culture of remembrance*, which is objectified, institutionalized and thus transmitted and reincarnated through generations. The culture of remembrance is formed by symbolic heritage, shaped in texts, monuments, ceremonies, customs, objects, and other media that serve as mnemonic triggers to initiate meaning about what actually happened (Assmann, 2012). Furthermore, the culture of remembrance ‘restores time’, crystallizes the collective experience of the past, and presupposes knowledge rather than assumptions. It consists of cultural content and practical patterns; which people learn to decode and place in their own identity. Sociologically speaking, it is a social and integrative vision of the past that individuals interpret, change and

communicate in the self-vision of themselves and their own group, in a different, but still similar way (Kuljić, 2006:9). It is not only a passive reflection of culture and politics but also the creator of the culture, beliefs, and values of public and private life.

Studies of cultures of remembrance analyze mechanisms of social transmission, shaping, maintenance, and processing of the past and develops approaches to the study of collective and individual images of the past. It is now understood that cultures of memory are created by people and groups in certain situations, in order to interpret the present with the help of the past and create a constructive character of future development. In other words, cultures of remembrance are a part of the general culture of every society and are closely connected with socially integrative, cohesive, and practical-technical knowledge, skills, and various forms of artistic shaping. The continuity of ‘social images of oneself’ is established by a culture of remembrance that also gives a horizon of meaning and time (Assmann, 2012). The past can also be seen as a platform for interpreting problems in the present, and according to Misztal, the comparison of past and present events gives the collective memory a strategic character, when it comes to influencing the present (Misztal in: Kuljić, 2006:18). Cultures of memory presume of human and social relations, which actively influence both conflicts and cooperation, and reconciliation between people.

An organized culture of remembrance is not just a mere collection of experiences from the past however. Its important function is to structure the results of communication activities through which the group or society as a whole determines its own relationship to the world and itself. Memory brings the contents of the past into a meaningful order, establishes harmony in the acceptance and interpretation of the world (Kuljić, 2006), but not only by preserving certain contents, but also by forgetting others and fighting against denial of war events or war crimes around the world, Holocaust denial and denial genocide in and around Srebrenica.

Lieu de memoire – a place of remembrance

According to Kuljić two perspectives intersect when researching cultures of remembrance in their broadest sense. The first, is centered around the individual, who asks about the motives and contexts of individual memory. The other perspective, the macro perspective also emerges, which explores We explore Nora’s *lieux de memoire* from a macro perspective. According to this significant author, the study of places of memory is located at the crossroads of two currents that define its importance and significance. On the one hand, the historiographical movement: the reflexive return of history to itself, and on the other hand, it is a historical movement in the true sense of the word that marks the end of a tradition of memo-

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ry (Nora, 2007:142). The time of the site of remembrance represents exactly this moment - in which the infinite capital we have lived in the intimacy of remembrance disappears and revives only under the gaze of re-established history in the place of remembrance. Places of remembrance are first and foremost remnants, the ultimate form in which commemorative consciousness survives in a history that needs remembrance, because it has renounced it itself. The de-ritualization of the world has given rise to the notion of *lieu de memoire*, and it is precisely the art and desire of societies, carried away by their transformation and renewal, that produces, raises, establishes, constructs, determines and sustains these places (Nora, 2007:143). Society, according to its own nature, values the new against the old, youth before old age, the future before the past. Museums, archives, graves, cemeteries, art, and other collections, associations, private associations, are all, according to Nora - remnants of another age, or as he puts it, “privileged refuges”. In a contemporary context, the disappearance of sincere memory as a ‘lived present’ means that our view of July 11 that must be neither naive nor indifferent. It is a memory that torments us and that is no longer ours, as Nora emphasizes, a memory between rapid desacralization and the temporary return of holiness. A fall from memory into the historical, from one world in which we had ancestors, into a world of only a contingent relationship with what made us, is the moment in which places of memory occur.

All approaches to memory, historical or scientific, whether relating to national memory or social mentalities, deal with *realia* (lat.), things relevant to practical, everyday life, dealing with realities, real knowledge, and totality of facts, trying to grasp in their most vivid reality (Nora, 2007:164). Unlike the objects of history, *lieux de memiore*, places of memory, have no referent in reality. They are their own referent, signs that point to themselves, signs in a pure state. But this does not mean that they are without a content, physical presence, or without history - quite the opposite. Places of memory are at the same time material, symbolic and functional, and they differ only in the levels and the ways in which these meanings are present (Nora, 2007:36). Pierre Nora believes that the place of memory is created precisely by the relationship of the game between memory and history. Thus, he points out that in the beginning, it is necessary to have a will, that is, an intention to remember. On the other hand, he emphasizes that without the intervention of history, time, and change, one should be satisfied with a simple history of memorials. He claims that places of memory are in fact “hybrids” or a “solid intertwining of life and death, time and eternity, a spiral of collective and individual, prosaic and sacred, constant and changeable” (Nora, 2007:37). The fundamental purpose of a place of memory, he states, is the stopping of time, the fixation of the state of things, the materialization of the immaterial in order to gather the maximum meaning in a minimum of signs, but at the same time he

emphasizes that places of memory live only from their “ability to transform”, i.e. in “continuous renewal of meaning” (ibid.).

But what makes them places of remembrance is exactly what eludes history. They are according to Nora, *templum*. Intersection within the continuum of the profane, space or time, or both, the circle within which everything is important, symbolizes everything and means everything (Nora, 2007). In this sense, the place of memory’s role is twofold, even plural: it is a place of abundance closed in on itself, defined by its identity and summed up in its name, and at the same time, open to an infinite range of all possible meanings.¹

Srebrenica - Potočari Memorial Center as a Contact Zone in the Bosnian-Herzegovinian Social Relations

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Michel Foucault describes the role of institutions in which testimony takes place as archives where the first law of what can be said, is a system that marks the appearance of statements as exceptional events. However, the archive is also what determines that all uttered things do not accumulate infinitely in an amorphous mass, nor are they inscribed in unbreakable linearity, nor are they left to the will of random external accidents, but events are grouped together into different figures, created together in a plane with different relationships, sustainable or foggy, according to specific regularities and circumstances (Foucault, 1998). According to Foucault, all this determines what defines the way a statement-thing happens, and it is a question of the nature of the system, and its functioning. Far from unifying everything that is uttered in some whisper of discourse, far from being the only thing that allows us to exist in the midst of preserved discourses, it is right to differentiate discourses into numerous existences and specify their duration (Foucault 1998:145-146).

However, considering the sites of remembrance from the aspect of the so-called ‘contact zones’ revolves around the notion of an institution in modern society and responsibility of an institutional place of remembrance as such, with its authority and legitimacy, to “works for the betterment of society and its development”

1 In this particular case, I consulted the most relevant theoretical research on memorial centers, which is related to the main questions: how to achieve ethical transformation through activities, exhibitions, or other reference contents; how to change the understanding of self, others, and the world and how to deepen a sense of responsibility according to the suffering of others. A vulnerability that is presented in memorial centers is, according to many theorists (Holocaust museologists, for example), when it comes to the contents of “difficult topics” (Difficult Matters), which could contribute to the ethical transformation of society. However, vulnerability still has a ‘negative’ connotation in terms of the weakness of the spirit and character of individuals, groups, and even an entire nation. Furthermore, the concept of ‘Difficult Matters’ is still insufficiently researched in the museological theoretical sense, and the works of Swedish sociologists and museologists remain predominant.

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(Tinning, 2017). Questions are often asked about how institutions communicate with society or learn from it, how they represent the past, and what can be learned in them. The postmodernist view of places of memory deals with questions of truth and knowledge. In this particular case, there is truth and knowledge about the genocide in and around Srebrenica and how to respond to political, cultural, and social challenges and difficulties when it comes to understanding the genocide in and around Srebrenica. My thesis refers to the re-invention of the institution of the Memorial Centre in Potočari, from a place of remembrance to a public educational institution, with an emphasis on strengthening its role in society. Furthermore, when it comes to memorial centers and museums, it is important to emphasize that at the center of the world's major debates, is thinking about responsibility for social inclusion, the emphasis on the discussion of 'difficult topics' (Difficult Matters), with an emphasis on the visibility of the "invisible" in relation to prevent forgetting and denial of the heinous crimes against man and humanity. In terms of the perception of the Srebrenica - Potočari Memorial Center as an educational institution, it is important to keep in mind the fact that it is evolving into a presupposing form of critical pedagogy. The development of this centre should further be included within the cultural policy at the level of the entire state of B&H, which it currently does not t. It is known that cultural policy, which includes a culture of remembrance, more the precisely support *lieux de memoire*, or places of memory, and is a picture and expression of the general social situation. Consequently, it can not be different from the political situation in the country. B&H is a glaring example, where the consequences of the long-standing social, political, and economic crisis are most often visible permeating the cultural sphere.

In giving preference to museums or memorial centers as 'places of remembrance where learning happens', leading museological theorist Eileen Hooper-Greenhill, seeks to prioritize an approach to social constructivism that becomes the most influential formula in museum memorial practice, by assuming the cognitive aspect over the emotional one. This approach, as discussed in this paper (with adequate cultural policy or not) implies accepting a constructivist approach to knowledge and learning, which means recognizing the fact that institutions of memory have the potential to negotiate cultural boundaries and constraints, and create contact zones where identities, exhibitions artifacts, people, and objects can reveal new opportunities for personal and social life, for the democratization of society (Hooper-Greenhill, 1999:24).

According to another and equally important theorist in this field, Paul Williams, memorial museums are particularly useful in a political sense, since they concretize and refine the event being remembered. By initiating discussion of sensitive topics, which exist in personal memories, books, movies, websites, etc., political activism is created and interpreted through the physical memorial museum.

They should be homes of debates that would otherwise be ‘homeless’ (Williams, 2011:233). In other words, memorial centers strengthen our knowledge of the past, help in understanding and constructing identities, transforming our relationship to community, society, state, and with some luck, make us ‘better people’.

The Srebrenica - Potočari Memorial Center² is a *lieu de memoire* for the victims of the 1995 genocide in and around Srebrenica. In the context of this paper, the center’s work is seen as an ‘act of teaching’ because within the main exhibition complex and among its many artifacts and contents, one can hear testimonies about crimes committed in and around the city of Srebrenica, see material evidence, and access international legal documents. The goal of each component of this Memorial Center is to remember events of the genocide and its victims, as an act of ethical learning about the importance of understanding the past and a deeper understanding of human responsibility. Integral to this, is that learning about the past is linked to the imperative of building a more meaningful future, and social relations based on reconciliation. The contents of the Center communicate the general imperative “never again”, in which the elements of ethics and pedagogy overlap. Furthermore, it is a question of using an extremely important educational model, personification of history, in terms of presenting personal narratives and objects in order to give a concrete face to cultural history and at the same time, to participate directly in creating closeness and connection with history. By presenting the past in a way wherein we experience a connection to specific human beings who have been brutally killed, each visitor sees, touches, and is touched by stories. The method of creating relationships with others, in this case with victims, while gaining knowledge about the facts of genocide in and around Srebrenica and learning about the importance of responsibility, is fundamental when it comes to ethical education or ethical learning, in all relevant theories of memorial museum practice that is in accordance with Levinas’ theory³ on the principles of ethics and responsibility. According to Levinas, peace cannot be equated with the end of struggles and wars. In other words, peace must be ‘my’ peace and must start from the self and go to the Other, in desire and goodness, where the self is maintained and lives without egoism, filled with compassion for the suffering of the Other (Levinas, 1976:19).

Furthermore, the way of presentation (in this context, the interior of the exhibition space and the aesthetics of the photographs) represents the heart of the ‘act of learning’. In aesthetic terms, the past is categorized in a spectrum from light to dark and vice versa. Darkness, dehumanization of the human being, suffering, pain, and death are communicated, precisely with an emphasis on light color, the

2 The Srebrenica - Potočari Memorial Center was opened in September 2003.

3 While, for example, Kant’s ethics were based on the principle of duty, Levinas’ ethics rests on the principle of responsibility for the Other. Levinas’ principle of responsibility for the Other takes its concrete form, in his notions of closeness and justice.

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theme of the feeling of the need for calm, but also hope for a better and more meaningful future. The black-and-white photographs on display at the Center⁴ represent a play of light and shadow. Particular attention is paid to shadows, textures, illuminated parts of the scene, volume, composition, plan, angle, and contrast. The basic properties of light play a big role in the specific impression of the interior: contrast and brightness. In the photographs, it is the contrast that gives strength and stirs emotions. This creates the possibility of helping visitors identify with the victims of genocide, their suffering and tribulation, and at the same time, on an emotional and cognitive level, opens the space for arousing a sense of moral responsibility by placing human beings at the epicenter. In essence, such artistic artifacts must correspond to both historical and aesthetic criteria. Aesthetic criteria are specific here because they are positioned outside the pleasure of the beautiful, but are rather, motivated by the search for the expression of the inexpressible (Martinović, 2007). In this way, the Center also represents an aesthetic contact zone between the past, present, and future. The aforementioned contact zone in the museological theoretical approach implies a connection between the social inclusion of the museum and learning (Tinning, 2017:29), with an emphasis on the visitors own revitalization in their role and responsibility towards society, especially the younger generations.

The concept of 'Difficult Matters' in the context of the Srebrenica - Potočari Memorial Center, the way in which the genocide in and around Srebrenica is presented, is the backbone of reflection and museum practice in B&H. It is a clear answer to the question of what it means when an institution is in the true sense, of service to the public, for its own good and for its benefit, in helping build a value system of elementary civilized values. Various projects, exhibitions, film screenings, especially open public discussions on the genocide in Srebrenica, and having in mind the well-known fact that memorial centers are essentially educational institutions, a great and extremely serious effort is made, but also a challenge to this Center to strengthen its capacities and influence on Bosnian society, the social relations within it, and beyond.

Concluding remarks

The aim of this paper, written from context of the culture of remembrance and thus the sociology of culture, is to place the notion of *lieux de memoire* in its usual everyday meaning and confront the question of how places of memory can contribute to the social and cultural mastery of reality or where the necessary patterns of meaning are created and spread.

⁴ The artist responsible for these photos is the famous Bosnian photographer, Tarik Samarah.

The question of what role the culture of remembrance is to play in society is by no means only of an academic nature however. On the contrary, this question has one essential practical significance. Almost every society, including B&H, must reckon with difficulties that can only be resolved by a culture of remembrance, especially when it comes to the genocide in and around Srebrenica. Without a culture of remembrance, society is as impracticable as it would be without a valid social institutional structure. The problem with mnemonic culture in B&H, especially in the context of the culture of remembrance and genocide in and around Srebrenica, lies in the fact that Bosnian society has been reduced to the idea that value, ethical, and moral issues are placed in the private level of individuals only, i.e. that these issues are to be excluded not only from any social and political process and outside of social management and decision-making, but also cultural policy in B&H.

Based on a brief analysis of the artifacts and contents found in the Srebrenica - Potočari Memorial Center, I realized that it is a *lieu de memoir* or a place of remembrance that interprets the specificity of human cruelty, which does not shy away from the most heinous atrocities to achieve its own goals. This Center has the purpose of paying tribute to all known and unknown victims of genocide in and around Srebrenica, and to, in Popper's words, warn of the constant danger and pernicious consequences of ideologies whose exponents and 'leaders' were convinced of. They were the ones who persuaded others that they knew what was good for 'their' people and humanity since they were so convinced of their own 'possession' of the truth and were ready to kill for its sake (Popper, 1993). It follows that memory is in fact the duty of every individual and every society, with the elementary goal of not repeating the past, which corresponds to Nora's thinking that memory would disappear completely when individual consciousness did not take care of it itself (Nora, 2007:32). Paraphrasing the old words of Gunther Anders, it is not enough to change the world, because changes happen anyway. Usually without our knowledge and participation. However, we must interpret these changes in order to change them further, so that the world would no longer change without us, and eventually turn into a world without us.

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BOSNIA  N
STUDIES
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SABAHUDIN ŠARIĆ

The Denial of Genocide in
Srebrenica in the Context of
Strengthening Neo-fascism and
Relativization of the Holocaust
in Europe

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Abstract

The denial of the 1995 genocide against Bosniaks in the UN security zone of Srebrenica, has continued uninterrupted for 25 years. This denial has taken various forms and manifestations during that time; from denying the extent and character of crimes and the number of victims, to not accepting relevant court verdicts and especially, ignoring the consequences of genocide. As time passes, we are beginning to get the impression that an additional phase to the denial of the genocide in Srebrenica has emerged, in which, through the glorification of convicted war criminals and their affirmation in society, genocide is affirmed as an acceptable procedure and activity.

We believe that this 25-year period of persistent denial, and even celebration of the genocide in Srebrenica, largely corresponds to the strengthening of neo-fascist and right-wing ideas and movements in European countries, which has been accompanied by an increasingly louder denial and relativization of the Holocaust.

In this paper, we intend to analyze the connection between these phenomena, because we believe that the ideas pedaled by deniers of the genocide in Srebrenica, are significantly suited to strengthening the neo-fascism and Holocaust denial and are using this atmosphere to intensify genocide denial against Bosniaks and yet paradoxically, affirm the genocide, by glorifying the convicted war criminals and their ideas.

Keywords: denial, genocide, Srebrenica, neo-fascism, Holocaust

Introduction

The living experience of genocide in Bosnia and Herzegovina (B&H) and the inadequate sanctioning of perpetrators (and deniers) of genocide, requires caution and constant re-examination of the social conditions that enable such a situation. The precedent set in B&H, where the perpetrator is recognized¹ but not fully sanctioned, encourages followers of extreme ideologies to pursue new forms of extremism and violence. There is a similar indication of such an attitude in the statements of European right-wingers and neo-fascists who, in an ideological

¹ Međunarodni sud za krivično gonjenje osoba odgovornih za teška kršenja međunarodnog humanitarnog prava počinjena na teritoriji bivše Jugoslavije od 1991. godine, Blagojević i Joškić, Predmet broj: IT-02-60-T, Prvostepena presuda, (17.01.2005), ICTY paragraph 674, https://www.icty.org/x/cases/blagojevic_jokic/tjug/bcs/050117.pdf, “The Trial Chamber is satisfied that all crimes committed by Bosnian Serb forces were part of a single plan to commit genocide against Bosnian Muslims in Srebrenica, which can be seen in the document “Operation Krivaja 95”, whose ultimate goal was to destroy the enclave, and, therefore, the Bosnian Muslim community living there.”

sense, imitate the Serbian extremists who committed the last genocide against Bosniaks.²

Numerous right-wing, nationalist, and extreme organizations and parties are conquering large swathes of the social and political scene in European countries. In the last two decades, there have increasingly numerous attacks on minorities, migrants, and vulnerable groups, so we can no longer talk about isolated incidents. Despite the established legislation that prohibits Holocaust and genocide denial and anti-Semitism, we are witnessing the expansion of such phenomena, even in the most developed democracies in Europe.

Although anti-Semitism and Holocaust denial are a permanent feature of all xenophobic movements in Europe, in 2017 alone 1453 anti-Semitic crimes or misdemeanors were recorded in Germany (an average of four a day), classic fascist anti-Semitism and anti-communism have been increasingly replaced by anti-Islamic sentiment .

It is therefore, not surprising that there are no adequate reactions to the denial of the last genocide in Europe after the Second World War. Genocide deniers who go further and promote, glorify, affirm, and defend the perpetrators of genocide, use this lack of reaction. How could they not do so, when they see that in the parliaments of European countries places are won by organizations and parties that supported them even at the time of the genocide. They see that neo-fascists in Europe are drawing inspiration from Greater Serbia nationalism, because they believe that the wars in the former Yugoslavia were the beginning of a civilizational conflict between the Christian West and Islam.

The problems of definition: fascism, neo-fascism, post-fascism, far-right, extreme right, and the radical right.

The 1980s and 1990s can be considered as a period of intensive reaffirmation of (neo) fascist ideas in Europe. Italy is once again the cradle of this European or new fascism, now known under different names: post-fascism, neo-fascism, the extreme, radical or extreme right (the name extreme right is mostly used). The avoidance of the term ‘fascism’ is largely justified by the fact that these new extreme movements and parties in Europe do not have the characteristics that fascism and Nazism had before and during World War II. In doing so, they ignore the potential that exists in all these right-wing tendencies, characterized by “xenophobia, racism, anti-democracy, and a strong state.”³ They also ignore

2 Some segments of this paper are taken from the doctoral dissertation of the author: Sabahudin, Šarić. (2017), Doctoral dissertation: Ideology of Neo-fascism and Genocide - the case of Bosnia and Herzegovina, *PhD Thesis*, University of Tuzla, Faculty of Philosophy

3 .. Mudde, Cas. (2007), *Populist radical right parties in Europe*. (New York: Cambridge University Press) p. 188.

the consequences of the rampage of the right-wing movements that destroyed the former Yugoslavia, committing all known forms of crime, and even the greatest of all - genocide.

Most contemporary analyses of the emergence of a new wave of the extreme right in Europe⁴ emphasize the inflation of concepts, i.e. discussions that are aimed at describing the phenomena, and do focus not on their possible long-term consequences. Whilst scientific analysis is of course very necessary, the need to prevent these phenomena through adequate engagement is not emphasized. The perniciousness of the movement and ideology based on xenophobia, nationalism, and radical action can best be seen in the consequences of the genocide in B&H. That is why it is necessary to point out the possible causes of this situation in Europe, in order that the growth of this movement can be countered.

First of all, most witnesses of World War II, genocide, and other crimes are no longer alive. And those who are still alive, and have not succumbed to the influence of right-wing ideologies as in the Balkan countries, do not represent a critical mass and do not have a strong voice and influence to change anything. This is one of the reasons for today's progressively common acceptance of neo-fascism, which is increasingly considered a "normal" phenomenon because direct experience, especially war, suffering, crime, Holocaust, and genocide, cannot be replaced by any education and information. A deep commitment to research and an understanding of the problem is necessary, the seriousness of which is hinted at by Laszlo Vegel, who said; "National fences are being erected, **a feeling of repulsion towards all types of minorities is creeping towards us, which will quickly grow into a militant fear of any kind of otherness and culminate in various aggressive attitudes...** *Deja vu*, I often wrote this saying in my diary. The last time I wrote something was last week: I am drowning in the spirit of the thirties. They are reviving the neurasthenia of that period known to me from the literature. Now I face them directly."⁵

Even when a large number of World War II Holocaust and genocide witnesses were still biologically present in the early 1990s, there was no strong reaction to the genocide that was happening again in Europe - in B&H. In the case of geno-

4 For discussions on the definition of these terms, see: Traverso, Enzo, (2019), *New Faces of Fascism: Populism and Far Right*. (London and New York: Verso); Tamas, Gaspar Miklos. (2000), *On Post-fascism*. (First published in Boston Review 01.06.2000) Available at: <https://usa.anarchistlibraries.net/library/g-m-tamas-on-post-fascism>; Stanley, Jason. (2018), *Kako funkcionira fašizam?* (Zagreb: 24sata d.o.o.); Paxton, Robert, O. (2012), *Anatomija fašizma* (Zagreb: TIM press); Mudde, (2007), *Populist radical right parties in Europe*; Mudde, Cass. (2000), *The ideology of the extreme right*. (Manchester and New York: Manchester University Press); Ignazi, Piero. (2003) *Comparative Studies: Extreme Right Parties in Europe*. (New York: Oxford University Press).

5 Vegel, Laslo, (26.09.2015), Evropa u pat poziciji, *Autonomija; Portal Gradjanske Vojvodine*. <http://www.autonomija.info/laslo-vegel-evropa-u-pat-poziciji.html>, (Retrieved 01.08.2020)

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cide in the United Nations Security Zone in Srebrenica, we can even speak of a kind of *support* to the aggressor, expressed through inadequate reaction and tacit consent manifested in the sluggishness of the international community to punish aggression against the Republic of Bosnia and Herzegovina, a sovereign member of the United Nations. This was the weapon that hit the victims the hardest. This “indifference” could be another reason for the freer affirmation of neo-fascist tendencies in Europe. If neo-fascism has gone unpunished and has not been eradicated in the Balkans, why could it not develop in the European countries that are its original cradle?

Why is that so? Unfortunately, all indications are that Europe, in itself, is more prone to xenophobia than we want to admit, or to paraphrase Boris Buden, that hatred has no basis in any objective reasons but is autochthonous. It is a part of something that comprises the so-called European⁶ identity. Buden points out that we are constantly wrong in thinking that European, or Western identity is defined only by positive, democratic, modernist categories, and that Europe was not a place where fascism was born and a place where Auschwitz was invented.⁷

The systematically created and propagated illusion of Europe as a nursery and heir of exclusively positive values, very skillfully covers some other aspects of European reality, among which is neo-fascism. As time goes on, we're waking up in a new, post-post-ideological Europe - in the Europe of Golden Dawn, Vojislav Šešelj and Viktor Orban, in Europe where Predappio and Bleiburg become places of pilgrimage, where skinheads burn synagogues and radical xenophobes conquer up to quarter of the votes in national elections, even in the civilized, beautiful gardens of bourgeois civilization, such as the Netherlands and Sweden.⁸

To talk about neo-fascism in general, it is necessary to highlight a kind of “new speech” that specifically avoids calling things by their real names, and thus significantly complicates and narrows the possibility of a phenomenological “return to things” approach to understanding the essence of the problem. Phenomenology, as developed by Husserl, is a “science of phenomena”, not mere phenomena or appearance, especially not mere **causes or illusions**, but as a science of “things themselves”, about the way things are given to us and how they “show” themselves in the world. According to modern phenomenology, the world of “phe-

6 The original reads; “Croatian”.

7 Buden, Boris. (14.12.2013), Prošlo je vrijeme manifesta, *Oslobodjenje*, <http://www.oslobodjenje.ba/kun/kultura/boris-buden-proslo-je-vrijeme-manifesta/95460>, (Retrieved: 08.04.2016)

8 Pavičić, Jurica. (2015), Tuga Europe ili kako je fašizam (opet) postao samorazumljiv, U: *Evropa, sedamdeset godina nakon Drugog svetskog rata*, (izv) Bremer, Alida i Ilić, Saša (Belgrade: Most Art), p. 178.

nomena” is therefore not a world of mere phenomena but a world of things as they are given to us, with regard to their **essence and being**.⁹

So, unlike Orwell’s ‘newspeak’, in our contemporary society, especially in mainstream science and the media, we are faced with an inflation of terms, and expressions, or, as Thompson says, “symbolic forms” or “mere phenomena”. With the difference being that instead of linguistic restriction, we are faced with inflation of words, names, terms, terms, expressions, concepts, and meanings. Thus, instead of limitation, we face a profusion of opinions, leading to confusion, mimicry, blurring, and generally hiding the essence of Husserl’s “things” and their “being and battle”. Of course, we do not want to dispute the desirability, and limit the possibility of pluralism of opinion here. However, we must emphasize that pluralism in our time, whatever you choose to call it (postmodern, post-postmodern etc.) has come to the brink of vulgarity, so that it serves more to justify each and every thing (concerning the area of neo-fascism, xenophobia, and then crime, murder, genocide), rather than to confirm humanistic, ethical, and universalist endeavors. The purpose of this approach to phenomena is mimicry, hypocrisy, relocation, and concealment, so that we do not have to face a reality that, if we call it by its real name, would require our serious engagement. There are many examples in which, even today, a lot can be elaborated by notions such as human rights, democracy, ethnic cleansing, terrorism, and Islamophobia. Such is the case with the concept and appearance of fascism, i.e. neo-fascism in the time of our lives. Xenophobia is justified by preserving identity, fighting migrants, preserving jobs for domestic workers, genocide is called a “great crime”, and concentration camps are the “fruit of propaganda”.¹⁰

This way of new speech is characteristic for ideologies where, instead of the correct characterization of things, there are shifts of meaning, generality, allegories, metaphors, etc., Deceit and concealment of real intentions are used, as noted by Umberto Eco in his essay on Ur-Fascism. He says that all Nazi or fascist textbooks used impoverished vocabulary and elementary syntax to limit the means for complex and critical thinking. “We have to be willing to recognize new forms of new talk, even when it appears in a whole new form of a talk show.”¹¹

When it comes to the new wave of fascism in Europe over the last three decades, Baudelaire’s saying that, “the devil’s best trick is convincing people that he doesn’t exist” could be applied. Namely, since today’s “far-right” is not fascism in its authentic forms, as in Nazi Germany and fascist Italy, then it is not

9 Fenomenologija. (2021), Hrvatska enciklopedija, mrežno izdanje. *Leksikografski zavod Miroslav Krleža*., <http://www.enciklopedija.hr/Natuknica.aspx?ID=19238> (Pristupljeno 4. 3. 2021)

10 Ivica Dačić - Nećemo dozvoliti da Bosna bude islamska država! - DJS - (TV Happy 17.06.2019) <https://www.youtube.com/watch?v=AIOEyYWa37w>, (Retrieved 15.03.2021)

11 Eco, Umberto, Ur-fašizam, preveo: Efendić, Kenan, (Sic!). časopis za po-etička istraživanja i djelovanja), 18.06.2010, <http://sic.ba/rubrike/stav-esej/umberto-eco-ur-fasizam/>

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particularly threatening. This ignores the obvious fact that right-wingers (read neo-fascists) are already a serious force in many European countries: Austria, Belgium, Britain, Bulgaria, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Italy, the Netherlands, Poland, Portugal, Romania, Slovakia, Spain, Sweden, and Switzerland.¹²

Although within the International Holocaust Remembrance Alliance (IHRA), 16 countries have laws under which Holocaust denial is a criminal or civil offense, a further four have hate speech provisions covering the phenomenon. One IHRA liaison country and two countries positioned as IHRA observers, reject Holocaust laws. 21 EU Member States have transposed the Framework Decision into specific Holocaust denial laws. Outside of IHRA and the EU, Andorra, Liechtenstein, Montenegro, and Russia have similar regulations.

Neo-fascism, anti-Semitism, and Islamophobia

Neo-fascism is the resurrection of a form of political discourse and practice that nostalgically imitates historical fascism. It especially refers to symbolic politics and a culture of remembrance - the destruction of Jewish graves on the one hand and the erection of monuments to fascist collaborators on the other, the wearing of retro-fascist uniforms, flags and symbols, the use of retro-fascist political rhetoric, the rediscovery of fascist political ideas (and racial theories), and street violence against LGBTQ+ population and minorities by gangs, which sometimes happens with the tacit or explicit support of far-right political parties.¹³

Neo-fascism is also a movement that, based on the ideology of fascism, nazism, and racism, strives to restore fascism in a new guise. It is also an ideology that promotes nationalism, racism and xenophobia, and an authoritarian model of governing society. The basic characteristics of neo-fascist movements were best defined by Umberto Eco in his work titled "Ur Fascism". While not wanting to distinguish between fascism and neo-fascism, Eco uses the term "Ur fascism" or eternal fascism, making it known that, although manifest forms may have a difference, neo-fascism is inherently inseparable from fascism. Eco lists the typical elements of eternal fascism: the cult of tradition, rejection of modernism, irrationalism, fear of difference, individual or social frustration and an obsession with conspiracy. Added to this are feelings of humiliation by an enemy power, that life is permanent warfare, a contempt for the weak, cults of heroism and heroic death,

¹² Aisch, Gregor., Pearce, Adam. and Rousseau, Bryant. (23.10.2017), How Far Is Europe Swinging to the Right? *The New York Times*, <https://www.nytimes.com/interactive/2016/05/22/world/europe/europe-right-wing-austria-hungary.html>, (Retrieved 10.10.2020)

¹³ Krašovec, Primož. (2016), Evropska politika i (neo)fašizam, *STvar, časopis za teorijske prakse*, 8. Novi Sad; Gerusia. p.42-53.

machismo, selective qualitative populism, and the use of new forms speech.¹⁴ To this should certainly be added the characteristics of the modern extreme right as portrayed by Nikola Vukobratović and Mario Šimunković in the review titled “Right Extremism”, which are: advocating division, spreading of hatred, a desire for strict forms of ‘law and order’; anti-communism, and nationalism.¹⁵ Most of these characteristics can also be observed in the neo-fascist and right-wing movements in the former Yugoslavia, who have inherited the ideology of those who committed genocide against Bosniaks.

Anti-Semitism and the denial and/or belittling of the Holocaust, also form an integral part of neo-fascists and right-wing discourse of . In its annual report for 2019, published in February 2020, the Council of Europe’s independent body against racism and intolerance (ECRI), points to an alarming trend in the increased influence of ultranationalist and xenophobic policies across Europe. The report points to hate speech on social media, widespread anti-Semitism, and hatred directed at Muslims and an increasingly hostile environment for NGOs working with vulnerable groups. Europe is facing a shocking reality: anti-Semitic, anti-Muslim, and other racist hate crimes are growing at an alarming rate.

A survey conducted by the EU Agency for Fundamental Rights entitled “Experiences and Perceptions of Anti-Semitism - Second Survey on Discrimination and Hate Crimes against Jews in the European Union” listed the following key results:

The vast majority of respondents (85%) believe that anti-Semitism and racism are the main problems across the EU Member States that participated in the survey.

The vast majority of respondents (89%) believe that anti-Semitism has increased in the country where they live in the past five years. The majority of respondents (72%) expressed concern about the growing intolerance towards Muslims.

The vast majority of respondents (89%) believe that online anti-Semitism has become a problem in the country where they live.

The vast majority of respondents (88%) believe that anti-Semitism on the Internet has increased in the past five years, and most of the state that it has “increased” a lot.

Most respondents state that they regularly encounter derogatory statements about Jews.

¹⁴ Eco, *Ur- Fašizam*, Ibid.

¹⁵ Vukobratović, Nikola, Šimunković, Mario (2012) *Desni ekstremizam*, (Zagreb : Savez antifašističkih boraca i antifašista republike Hrvatske) p.13

The vast majority of respondents across the countries participating in the survey (80%) state that the internet is the most common platform for expressing derogatory statements.¹⁶

It should be noted that this includes data for 12 EU countries, in which Holocaust denial and anti-Semitism are mostly sanctioned by law.

In addition to the inevitable anti-Semitism, one of the key features of neo-fascism in Europe is anti-Islamic propaganda, action, and Islamophobia. According to the Polish anti-fascist association Never Again, cases of hate crimes and hate speech, which include the use of fascist symbols and the growth of anti-Semitism among extremist groups, have been on the rise since 2015, when the refugee crisis in Europe began.¹⁷ That is why political scientists warn that Islamophobia is the most important unifying factor of the new ultra-right, just as anti-Semitism was in the 1920s.¹⁸ Andreas Zick points out that now; “hostility to Islam is very widespread.” Xenophobia and racism were also expressed towards Jews, but the aversion to Islam has surpassed other forms of hatred.¹⁹ Islamophobia, as well as attitudes, distorted perceptions, speculations, and prejudices about Islam and Muslims - until recently characterized only by neoconservative writers and far-right politicians - have now become a part of mainstream discourse, and is taking on a certain permanence.

It is necessary to point out once again that the Serbian Orientalists and the Croatian right-wingers were the forerunners of this propaganda, which emphasized the danger of Islam and Muslims by promoting themselves as the bulwark against Islam and the walls of Christianity.

This growing hatred is best exemplified by the situation in France, where one journalist stated, “Hostility is directed mainly against Muslims. The word ‘immigre’ is almost synonymous with Islam, now the second most widespread religion in France, reflecting the cultural and ethnic racism deeply rooted in French history.”²⁰

16 Iskustva i predodžbe o antisemitizmu- Drugo istraživanje o diskriminaciji i zločinima iz mržnje protiv Židova u Europskoj uniji. (2018), *FRA – Agencija Europske unije za temeljna prava*, (Beč), https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-experiences-and-perceptions-of-antisemitism-survey-summary_hr.pdf (Retrieved 12.12.2020).

17 Opačić, Tamara, (24.11.2017), Selektivna amnezija: Hrvatski negatori holokausta, *Balkan Insight*, <https://balkaninsight.com/2017/11/24/selektivna-amnezija-hrvatski-negatori-holokausta-11-16-2017/?lang=sr> (Retrieved 11.24.2020.)

18 Grečić V. i Korać S. (2012), Politički diskurs ekstremne desnice u Zapadnoj Evropi, *Medjunarodni problemi* 64 (2), <https://doi.org/10.2298/MEDJP1202202G>, p.202–232.

19 Ćurak, Nerzuk, (26.02.2014), Uspon radikalne desnice u Evropi, *Radiosarajevo.ba*, <http://www.radiosarajevo.ba/metromahala/sta-drugi-pisu/nerzuk-curak-uspon-radikalne-desnice-u-evropi/1427699>

20 Huntington, P. Samuel. (1997), “Sukob civilizacija”, (Zagreb; Izvori” d.o.o. nakladničku djelatnost), p. 248.

This socio-political environment affects those who deny the 1995 genocide in United Nations Security Zone Srebrenica. This is one of the important reasons behind its intensity and, as we have already said, affirmation. European neo-fascists often cite war criminals who are responsible for the genocide of Bosniaks as their heroes and role models.

The most famous examples are Brenton Tarrant, who killed dozens of people in an attack on a mosque in New Zealand, as well as Anders Breivik, who carried out a similar attack on a youth camp in Norway in 2011. Radovan Karadžić was cited as one of the role models.

Also, already established right wing and neo-fascist parties in European countries have glorified and still glorify the Serbian anti-Muslim campaign. Mario Borghecio, from the right-wing and strongest party in Italy, Lega Nord, once said on the occasion of the arrest of indicted war criminal Ratko Mladić that for him, he was not a war criminal but a patriot, that the process against him was political violence and that Serbs could **stop Islam from penetrating Europe**.²¹

And already well-known members of the neo-fascist Golden Dawn from Greece who took part in the genocide in Srebrenica declared that they fought **“for a great Greece in Europe free from Zionists and Muslims”**.²²

Denial of genocide

In addition to the fact that there is no law in B&H and Serbia sanctioning genocide denial and the activities of fascist organizations, Serbia violated the obligation to prevent genocide under the Convention on the Prevention and Punishment of the Crime of Genocide in connection with the events of Srebrenica in July 1995.²³ Thus Serbia became the first state in history responsible for violating the Convention on the Prevention and Punishment of the Crime of Genocide, giving rise to a paradoxical situation wherein: “It is forbidden in Serbia to deny genocide, for example, committed in the Congo, while it is completely legitimate to deny crimes committed, for example, in Ovčra or Kosovo and the genocide in

21 Salvatore, Valentino, (27-05-2011), Borghezio, “Mladic patriota, serbi potevano fermare islam”, <https://blog.uaar.it/2011/05/27/borghezio-mladic-patriota-serbi-potevano-fermare-islam/>

22 Grčka zastava nad Srebrenicom: Pripadnici Zlatne Zore bili su dobrovoljci u napadu na Srebrenicu, (15.06.2012), *Slobodna Bosna* http://www.slobodna-bosna.ba/vijest/1343/grchka_zastava_nad_srebrenicom_pripadnici_zlatne_zore_bili_su_dobrovoljci_u_napadu_na_srebrenicu.html

23 Presuda Međunarodnog suda pravde: Bosna i Hercegovina protiv Srbije i Crne Gore (26.02.2007) PDF. Prijevod: (Grupa autora), Izdavač: *Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava Univerziteta u Sarajevu* p. 231. http://institut-genocid.unsa.ba/pdf/Presuda%20MKSJ-a_BiH-Srbija.pdf, (Retrieved 16.03.2021.)

Srebrenica.”²⁴ In this way, space is opened for the most brutal denial of the genocide in B&H, the insulting and belittling of victims, and, unknown in previous experiences of genocide, affirming the genocide by glorifying and rewarding the convicted genocidaires.

Genocide denial is, according to genocide theorists and researchers, an inseparable, final phase in the genocidal process. Gregory Stanton first published a document on the 8 phases of genocide in 1998, and in 2013 he expanded the number of phases of genocide to 10. In both cases, denial is treated as the last phase and is a warning that genocide could happen again. Stanton says, “We have sociologists, and I am among them, who have studied the effects of genocide denial - in short, we have come to the conclusion that the chance of future genocide increases more than threefold if there is no clear definition of past genocide. That is when we have a complete denial of the genocide that undoubtedly occurred. I think the exact number is 3.2.”²⁵ Despite the verdicts of international courts and courts in B&H, the echo of genocide is almost unstoppable in the public and scientific spheres of Serbia, Republika Srpska, and even by some international authors. Denial of genocide in Srebrenica has different forms and tactics, but it can be said with certainty that it encompasses almost all 12 tactics cited by psychologist Israel Charny.²⁶ In the following text we will give examples of the use of some of these techniques in denying the Srebrenica genocide:

1. Review and minimize statistics. The deniers of genocide try to bypass the key issue in this way, by playing with the number of victims, trying to downgrade it from the crime of genocide. Thus, the Republika Srpska War Crimes Investigation Documentation Center, together with the RS ICTY Relations Office, issued the so-called “Srebrenica Case Report” in 2002. Among the multiple insulting allegations in the report, it is stated that no more than 2,000 Bosniaks were killed in Srebrenica and that they were all armed soldiers, not civilians. The current member of the Presidency of Bosnia and Herzegovina, Milorad Dodik, states in

24 Cvetković, Ljudmila, (11.07.2018). Žanić, Ivana, izjava u: Cvetković Ljudmila, Srebrenicu vređaju, ndležni u Srbiji čute, *Radio Slobodna Evropa*, <https://www.slobodnaevropa.org/a/srebrenicu-vredjaju-nadlezni-u-srbiji-cute/29357375.html> (Retrieved 12.11.2020.)

25 Šarić, Sabahudin, Negiranje genocide nad Bošnjacima, U: “SREBRENICA 1995-2015: EVALUACIJA NASLIJEĐA I DUGOROČNIH POSLJEDICA GENOCIDA” Zbornik radova sa Međunarodne naučne konferencije održane 9-11. jula 2015. godine Sarajevo – Tuzla – Srebrenica (Potočari): 9-11. juli 2015. Univerzitet u Sarajevu Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava, Sarajevo 2016, PDF, Str. 402. http://institut-genocid.unsa.ba/userfiles/file/Zbornik%20Srebrenica%20%20-%20knjiga%20%201a0_6.pdf, (Retrieved 16.03.2021.)

26 Charny, Israel W. A Classification of Denials of the Holocaust and Other Genocides – Updated 2012, <https://www.ihgilm.com/a-classification-of-denials-of-the-holocaust-and-other-genocides-updated-2012/> (Retrieved 16.03.2021.), And see also Stenton Gregory, Twelve Ways To Deny A Genocide, <http://genocidewatch.net/genocide-2/12-ways-to-deny-genocide/> (Retrieved 16.03.2021.)

a similar tone, “Not even The Hague Tribunal, apart from the qualification that extends according to the system of the already decisive act, has never been accurate in the number of victims.”²⁷

The editor of TV Happy, a Serbian state television channel, says: “Every year when television broadcasts, when foreign statesmen come, they bring dead bodies from who knows where and bury them in Srebrenica.”²⁸ Vojislav Šešelj, a convicted war criminal and member of the National Assembly of Serbia, claims that he proved on 3360 pages that there was no genocide. According to him, the proof that there was no genocide is that women and children were not killed, but between 1,000 and 1,200 prisoners of war were shot, and secondly, the Genocide Convention specifies that genocide is the murder or attempted murder of a racial, ethnic, national or religious group. as such or a significant part of that group, which, according to him, was not the case in Srebrenica. Some international officials also contribute to this campaign. The American Philip Corwin, who was a UN official in Bosnia and Herzegovina from the spring to the summer of 1995, claims that the number of Muslims killed in Srebrenica probably does not exceed the number of Serbs killed in the region in previous years in attacks by Muslim war commander, Naser Orić.²⁹

2. Attack the motivation of those who tell the truth about genocide. Any allegation of genocide is treated as a conspiracy against the ethnic group from whom the criminals come. In that context, Milorad Dodik, on the eve of the 20th anniversary of the genocide in Srebrenica, claimed; “It is a huge crime, which has also created a huge political obstacle. This is also shown by this propaganda, which tries to create an image that all Serbs are potential killers in Srebrenica.”³⁰ The same person, in another statement, said; “I am claiming here that no genocide was committed! There was no genocide. There was a plan according to which certain foreigners and Bosniak politicians wanted to impose guilt and responsibility on us for something we did not do.”³¹ Genocide deniers always strive to find allies in the world who, for various reasons or ignorance, will make statements in favor of genocide deniers. Dodik said that, “a terrible crime happened by some Serbs”. Thus, the Prime Minister of Serbia, Ana Brnabić, stated that 75% of the 161 ac-

27 Milorad Dodik, predizborni skup u Srebrenici. (24.09.2012), *Radio Slobodna Evropa*, <https://www.slobodnaevropa.org/a/30052016.html> (Retrieved 12.12.2020.)

28 ĆIRILICA - Istina i mit o Srebrenici / 23 godine kasnije - (TV Happy 09.07.2018), https://www.youtube.com/watch?v=SXXzy_tMO3c, (Retrieved 16.03.2021.)

29 Reljić, Slobodan, Od genocidē se živi, *Novi standard*, 24.12. 2019. <https://www.standard.rs/2019/12/24/od-genocida-se-zivi/>, (Retrieved 16.03.2021.)

30 Dodik prvi put u Srebrenici, 25.03.2015, <https://www.dw.com/bs/dodik-prvi-put-u-srebrenici/a-18386602> Retrieved 16.03.2021.)

31 Dodik ponovo provocirao u Srebrenici: ‘Nije bilo genocida!’, 24.09.2012., <https://dnevnik.hr/vijesti/svijet/dodik-ponovo-provocirao-u-srebrenici-nije-bilo-genocida.html>, (Retrieved 16.03.2021.)

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cused are Serbs, evidence of the deeply ingrained Serbian attitude that the Hague Tribunal is anti-Serbian.

3. Claim that the deaths were unintentional.

4. Emphasize stereotypically negative traits of victims. The most famous example of this strategy, is the statement by Ratko Mladić after the occupation of Srebrenica, in which he talks about revenge against the Turks. Identifying Bosniaks as Turks is a well-known ideological matrix that was used both before and after the genocide.

5. Rationalize deaths as a consequence of an inter-tribal conflict that has its roots in history. This method was used during the aggression on BiH, and even after the genocide, especially among Western diplomats who justified their passivity by not interfering in “ancient Balkan conflicts”.

6. Blame “out of control” forces for committing the killings. In the Serbian “ethnocentric culture of remembering that crime, everything is transferred to criminals.”³² Thus, the Scorpions, the unit famously filmed executing Bosniaks, become an instrument in the process of proving the innocence of the state; t, “the entire responsibility for Srebrenica and other crimes committed on behalf of the state of Serbia falls on a group of pathological individuals who commit crimes by self-organizing, without any state aid or motive.”³³ Thus, the Serbian state is absolved from any responsibility.

7. Avoid condemning those responsible for genocide so that the “peace process” can be conducted. During the aggression and after the genocide, the international community tolerated Slobodan Milošević, the former president of Serbia, as a key figure in the peace process, even though they knew he was responsible for crimes. Today, the Serbian leadership is being treated similarly. Aleksandar Vučić, when he was the Prime Minister of Serbia, also said that condemnation should be muted, in a bid to avoid the aggravation of relations, primarily within B&H but also between Serbia and B&H. On the occasion of **announcing the revision** of the genocide verdict. “We will respond professionally. It seems to me that we will get the expected answer. An answer that, I can’t say, is in Serbia’s favor, but certainly, an answer that is not harmful to Serbia. But this whole process certainly takes us away from “It seems to me that we have invested a lot, a lot of energy and effort in this matter,” Vučić said.³⁴

32 Helsinški odbor za ljudska prava, Slučaj Škorpioni (2008) *Helsinški odbor* (Beograd) Available at: <http://pescanik.net/2008/09/slucaj-skorpioni/>. (Retrieved 12.13.2020.)

33 Karačić, Darko et al. (2012), *Revizija prošlosti, Politike sjećanja u BiH, Hrvatskoj i Srbiji od 1990. FES Sarajevo*, <https://library.fes.de/pdf-files/bueros/sarajevo/09702.pdf> (Retrieved 12.21.2020.) p. 222.)

34 Mihajlović, Branka. (20.02.2017), ‘Genocid je zabranjena reč u Srbiji’, *Radio Slobodna Evropa*. <https://www.slobodnaevropa.org/a/bih-revizija-tuzba-srbija-beograd-prava-adresa/28320801.html>

8. Justify the denial of genocide in favor of current economic interests.

9. To claim that the victims were well treated, while at the same time denying genocide.

In the text entitled “Genocide in Srebrenica”, which was published on February 5, 2019, on the website of the Serbian Embassy in Portugal, Serbian Ambassador to Portugal Oliver Antić writes that after the capture of Srebrenica, the Serbian army provided buses to evacuate 17,000 women, children, and the elderly. Muslim territory, and adds that many of them “decided to go to Serbia”, where they still; “live completely safe”.

10. Claiming that what happened does not fit the definition of genocide. The classic example is provided by Ana Brnabić, the Prime Minister of the Government of Serbia, who said; “I don’t think it was genocide. I think it is, you know. You know, it looks like... I think it was a horrible, horrible crime. But genocide is basically when... Genocide is the murder of the entire population - women, children... And this was not the case here.”³⁵ Draško Stanivuković, the mayor of Banja Luka, a student of economics, also played the legal expert when he said: “Do you know the definition of genocide? Extermination of people from a certain territory. Was the intention in that sense that everyone is expelled? Srebrenica is part of Bosnia and Herzegovina. We are talking about the intention to exterminate a nation from that territory, about the intention to kill children. There was no such intention. I said it was a big crime, I feel sorry for every victim. But what is the problem? The problem is that the issue is politicized. What he wants is that when that famous word is said, I will not repeat it, then it will be said that the whole nation is like that.”³⁶ Aleksandar Vučić, the President of Serbia, said; “No one questions the gravity of the crimes in Srebrenica, but the question arises as to why they insist on the legal qualification that it was genocide.”³⁷

11. Blaming the victims. This is one of the most common methods and tactics of denying the genocide in Srebrenica. It implies that Bosniaks in Srebrenica are guilty of genocide because they committed “crimes” against Serbs, carried out terrorist attacks on Serb villages and the like.

12. To say that peace and reconciliation are more important than blaming anyone for genocide. In this context, the tactic is to equalize the crimes,

35 Srbija nikada nije prihvatila kvalifikaciju ‘genocid’ (20.03.2019) *Al Jazeera Balkans*, https://www.youtube.com/watch?v=LlmlgCi8RDY&feature=emb_logo

36 Draško Stanivuković: ‘U Srebrenici nije bilo genocida, a presude Karadžiću i Mladiću ne priznajem. Čiča-miča, gotova priča.’ (24.11.2020) *Jutarnji*. <https://www.jutarnji.hr/vijesti/svijet/u-srebrenici-nije-bilo-genocida-a-presude-karadzicu-i-mladicu-ne-priznajem-cica-mica-gotova-pri-ca-15008153> (Retrieved 12.15.2020)

37 Beta, Vučić: Zašto se insistira da je zločin u Srebrenici genocid?, 17.03.2017., <https://rs.n1.info.com/vesti/a235660-vucic-zasto-se-insistir-a-da-je-srebrenica-genocid/>, (Retrieved 16.03.2021.)

the criminals, and victims and the effort to forget the past and assuage idea of responsibility.

Affirmation of genocide

Promoting, rewarding, and affirming crimes through the affirmation of convicted war criminals, is a specific feature of the genocide against Bosniaks in Srebrenica. Nowhere else in the world have we seen the celebration of war criminals and genocidaires to the extent we have seen in Serbia and Republika Srpska, with streets named after them, murals painted, buildings named after them, and involving them in the teaching processes in universities. This is a precedent in history and says a lot about the state of consciousness, moral loss, disrespect for the victims, and general disrespect for humanity both in our country and in the world. By tolerating such actions, the international community, as well as the public in Serbia and the Republika Srpska, are dangerously lowering the threshold of tolerance for violating fundamental human values. The possible consequences of such actions are very dangerous and long-term, but that is a topic for another time.

For some, a state that glorifies war criminals or Nazis in the 21st century is comical, but that is a naive reaction given the anger, prejudice, and hatred that feed many European fascist movements today. It would be a serious mistake to believe that these are just harmless right-wing lunatics.³⁸

Conclusion

Political and social developments in the immediate vicinity of B&H, as well as in Europe, in terms of attitudes towards genocide and genocide denial, do not inspire much optimism. We are faced with the brutal attitude of genocide deniers towards this global crime. There is no doubt that the social and political activities of these actors will be largely determined by their views on the crime of genocide. Therefore, it is necessary to find ways, instruments, and to plan activities that will strengthen and affirm the positive decisions of domestic and international courts on genocide. It is necessary to affirm the narrative of genocide as a crime that must not be forgotten and denied. Adequate legislation in this regard is only part of the activities that can stop the denial of any crime, especially the genocide in the 1995 UN Security Zone in Srebrenica.

³⁸ Burns, Nicholas. (13.06.2013), *Uspon mržnje, Buka*, <https://www.6yka.com/novosti/uspon-mrznje> (Retrieved 12.21.2020).

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BOSNIA  N
STUDIES
SARAJEVO
1

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“Bosnianness Or Anti-Bosnianness,
That Is the Question”

A Discourse On Bosnianess by Senadin
Lavić

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“Bosnianness Or Anti-Bosnianness, That Is the Question”
A Discourse On Bosnianess by Senadin Lavić, Faculty of Political
Sciences (2020)

(Book review)

The book, *A Discourse On Bosnianness*, by the author Senadin Lavić, analyzes and with methodological precision, positions the concepts of nations and states on the one hand, and ethnicity and people on the other. The book is divided into twelve chapters, where Lavić begins with a prolegomenon for the Bosnian nation and later analyzes its identity, history and emblems. In the following chapters, Lavić then analyzes Bosniak folk cultural forms and religious consciousness and introduces them to the discourse on the Bosniak question. In a chapter on ethnicism and “tribes” in agony, the lack of rational speech about the nation and the national ideal, is precisely identified, noting that it is reduced to ethnicism, i.e. ethnopolitics in social and political communities. Analyzing certain chapters more specifically, we notice that Bosnia, Bosnian emblems and all kinds of identity forms do not exclude any other identity that a Bosnian has or can have, giving a clear explanation of what they are, and how to perceive notions having their hierarchy, while not imposing any form of identity on anyone. Lavić correlates the notions of nation, people, ethnicity, identity and contextualizes them sociologically, methodologically, and epistemologically with regard to today’s B&H. He considers scientifically relevant theoretical positions and understandings of these notions in scientific discourse. *A Discourse On Bosnianess* defines concepts such as ethnicism, religious consciousness, and ethnopolitics, with clear theoretical, empirical constructs and deconstructs the meaning of these terms in order to indicate the existence of Bosnian national identity, which includes national, ethnic, religious, and all other identities that an individual may have, as well as destigmatizing the Bosnian identity as one that has an absolutist meaning and, according to quantitative indicators belongs to the people who are the most numerous in the state of Bosnia.

Lavić follows the “red thread” of Bosnian identity as being both plural in construction and common to those who are tied to the state of B&H. The destructive ethnopolitics that continuously act on the creation of ideologically determined understandings of the existence of the “three nations” in Bosnia, must be opposed by understanding and searching through scientific argumentation of a both theoretically and empirically democratic nation or state.

Lavić sees the main reasons for the inferior position of the Bosnian nation in the post-Dayton reality of B&H in the ideological “set of circumstances” that “began to act” much earlier, by completely marginalizing and “silencing” all those who

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scientifically and methodically argued the existence of the Bosnian nation, in the context of the Balkans and European processes. Thus, in the very introduction to *A Discourse On Bosnianess*, Lavić states that; “Bosnian identity is based on the freedom and dignity of the individual man, which is not omnipresent but is particular, individual, and partial” and is an idea that must become universal for all Bosnians. The notion of the Bosnian nation or Bosnianess, is the only and logical thing in the reality of B&H, that being acceptable and exceeding ideological understandings should be treated as an “inclusive concept of life”. Bosnia and the Bosnian identity, which can be scientifically defined, have been continuously and systematically suppressed and reduced to the “stereotype of a bridge and a geographical point of contact of the worlds” for the “higher goals” of previous systems. Today, many “Balkan centers of power” speak of Bosnia as an “innovation”, something that has been drawing its right to exist only in the last 25 years, while ignoring scientific indicators that clearly and precisely speak of the historical significance and existence of Bosnian identity, which is now deliberately amputated from Bosnian social life. This diminishes and systematically undermines the significance of Bosnia and Bosnianess in the historical and political construct of the Balkan nations. This marginalization is best seen in bypassing or “forbidding” the use of Bosnian symbols in the form of speech, words, terms, or names under the guise that Bosnian symbols undermine the “multiethnicity and multiculturalism” of today’s Bosnian state, done with the goal of making the expansion and even the existence, of Bosnia’s political space impossible.

In *A Discourse On Bosnianess*, Lavić highlights and subsequently analyzes the stated ideological matrix that prevents the notion of Bosnianess, with all its identity characteristics and limited plurality, from being established as the national identity of all citizens of B&H. Of course, the conservative consciousness and the continuous suppression of Bosnian national thought, by the dominant ethno-territorialist approach contribute to this, which equates the notion of nation (which is much broader), with the notion of ethnicity and even religion. Lavić states, “The Balkan habit is to associate the definition of people and identity with religion, and then to not distinguish cultural identity (ethnos or some national group) from legal-political identity (nation or community of equal and free citizens).” On the other hand, advocating for the scientific engagement with the nation implies going beyond political myths and common-sense struggles over concepts. Here, of course, the goal is to not give a final answer about how the state of a society in which all the criteria of logical thinking were destroyed, knowledge no longer has value, and science is measured by ideological criteria of politics or religion. Rather, it is clear that Lavić’s epistemological-methodological approach to understanding the concepts of nation, people and ethnicity, differs in many ways from the conservative and outdated “absolute scientific truths” established in this area, because it uses logical insight and modern and contextualized scientific ar-

gumentation that destroy the quasi-argument which promulgates the idea of three nations in B&H. According to the above, I warmly recommend everyone to analyze the flow of argumentation in this book and make their judgment about the notion of Bosnia and the Bosnian nation, which are terms that are not against, but go along with the Bosnian nation and refer to the multitude of identities that an individual may have, including their ethnic, folk, or religious identity.

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