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ABDEL ALIBEGOVIĆ

The Semiotics of the 'Unfinished State'
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Developments in Bosnia and Herzegovina

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Summary

The paper “Semiotics of the ‘Unfinished State’ – Debosnization and Scenarios for the Future Development of Events in Bosnia and Herzegovina” explores the semiotic aspects of the prolonged denial and destruction of Bosnia and Herzegovina’s identity through the processes of debosnization. The author analyzes discursive and epistemological strategies aimed at deconstructing Bosnia’s autonomy, historical identity, and social ontology. The semantic field of anti-Bosnian discourse is reflected in terms such as “unfinished state” and “impossible state,” which are part of a broader epistemological agenda of denial and attacks on Bosnia’s sovereignty. Key mechanisms of destruction include the banalization of Bosnian reality, the reduction of knowledge about Bosnian singularity, and the deliberate generation of ignorance, undermining the foundations of Bosnia’s social ontology. The paper advocates for the necessary affirmation of the “Bosnian knowledge space” as a key strategy for preserving and developing Bosnia’s autonomy and identity.

Keywords: Debosnization, Semiotics of Anti-Bosnian Discourse, Anti-Bosnian Epistemological Agendas, Banalization of Bosnia’s Social Ontology, Bosnian Knowledge Space, and Balkan Postmodern Biopolitics.

Debosnization and future of the state

In the context of a purposeful and causal understanding of the condition of Bosnian Herzegovinian society and state, we should point to the manifest and latent forms of the destruction of Bosnia and all things Bosnian. Such intents and evil aspirations can be understood through a special semiotic lens, but also the metalanguage of “de-Bosni-zation.” In the long-term processes of denying the autonomy and autochthony of Bosnia as such, we notice that its culmination is visible in the attacks on the very sign of Bosnia, everything that contains Bosnia, which is Bosnian, as attacks on what is constitutive of Bosnia and that which is constitutively Bosnian. In the intellectual tone of Ferdinand de Saussure,¹ we observe that anti-Bosnian semiotics attack the signs, but also the meanings of the Bosnian being. The anti-Bosnian semantics can best be made visible, plainly and clearly thought the discourse analysis of phrases such as “the unfinished state,² segmented state, flexibly designed [state],” a state which falls under the category

1 Saussure, F. de, 1996. *Kurs opšte lingvistike*. Sremski Karlovci; Novi Sad: Izdavačka knjižarnica Zorana Stojanovića.

2 Nešković, R., 2017. *Nedovršena država: politički sistem Bosne i Hercegovine*. Sarajevo: Friedrich-Ebert-Stiftung.

of “weak and failed states,”³ “divided societies and unstable states,”⁴ “divided society without a state,”⁵ “the impossible state,”⁶ as in other derivations of these constructed anti-Bosnian phrases.

Aside from the discourse analysis of the semantic field of anti-Bosnian forms of symbols and other forms of violence, it is important to develop sustainable forms of knowledge about all the peculiarities of the singular Bosnian case. Long-term, systemic and brave propagation, should strengthen and factually argue for a contextual *Bosnian Knowledge Area*.⁷ By affirming the Bosnian Knowledge Area, knowledge about the self, and not by imposed, contradictory, falsified forms of anti-Bosnian knowledge, we open the path to the development of a holistic understanding, a new structure, that will adequately present, represent and maintain the structures of knowledge and thought about Bosnia.

Anti-Bosnian forms of knowledge are nothing but anti-Bosnian epistemological agendas which produce endless fictions about Bosnia, anesthetizing critical thinking, producing thus a generative, unnatural, ignorance about Bosnia. Hence, it is wholly adequate to understand Bosnia as “ignorance” (*neznanje*) based on the analysis by Mahmutćehajić.⁸ Equally legitimate is to read the theoretical depictions of the anti-Bosnian epistemological agenda based on Baudrillard⁹, through anti-Bosnian simulacra and simulations. As a specifically planned result and a long-term consequence, the Bosnian political subject becomes a space impoverished and removed from all forms of Bosnian knowledge of itself. It is characterized by a spatial, temporal and normative disorientation, and each of these forms of orientation/understanding of the world, in an anthropological sense,¹⁰ represent a prerequisite for overcoming the anti-Bosnian chaos.

3 “Lack of state capacity in poor countries has come to haunt the developed world much more directly. The end of the Cold War left a band of failed or weak states stretching from the Balkans through the Caucasus, the Middle East, Central Asia, and South Asia. State collapse or weakness had already created major humanitarian and human rights disasters with hundreds of thousands of victims during the 1990s in Somalia, Haiti, Cambodia, Bosnia, Kosovo, and East Timor.” Fukuyama, F. The Imperative of State-Building. *Journal of Democracy*, Jhrg. 15, No. 2 (April 2004), pg. 21-24.

4 Kasapović, M., 2005. *Bosna i Hercegovina podijeljeno društvo i nestabilna država*. Zagreb: Politička kultura.

5 Topić, T. 2011. Bosna i Hercegovina - podijeljeno društvo bez države. *Politički život*, 3/2011, pg. 32-41.

6 Kecmanović, N., 2007. *Nemoguća država: Bosna i Hercegovina*. Banja Luka: Glas Srpske.

7 Lavić, S., Delić, Z., Osmić, A., 2016. Bosanski prostor znanja: bosanski prostori znanja i obrazovanje pojmova o znanju: između neoliberalne globalizacije i “postkomunističke” tranzicije. *Pregled*, 57(2), pg. 233-238.

8 Rusmir Mahmutćehajić, R. 1997. Bosna kao neznanje. *Dijalog - Časopis za filozofiju i društvenu teoriju*, 03, pg. 18-34.

9 Bodrijar, Ž., 1991. *Simulakrumi i simulacija*. Novi Sad: Svetovi.

10 Haviland, W.A., 2004. *Kulturna antropologija*. Jastrebarsko: Naklada Slap.

A particular form of the projected Bosnian drama with the anti-Bosnian epistemological apparatus is visible through the permanent erasure, encryption, minimization, suppression and vulgarization of the entire Bosnian social ontology. A discourses analysis of the processes of de-Bosnization, the annihilation, changing, reducing, encrypting, fetishizing of the Bosnian social ontology shows that one of the greatest forms of this process is banalization, namely the banalization of the fundamental principles of social ontology. Banalization, as an especially complex and highly particular anti-Bosnian form of destructiveness, can be analyzed in two ways. The first way relates to the reduced forms of knowledge, to processes known as the “cantonization of consciousness” (*kantonizacija svijesti*).¹¹ It is a process which for the Bosnian subject, and generally the Bosnian person, complicates in various ways the understanding of the self and the context in which it exists in. On the other hand, the second way to understand banalization, is banalization as a systemic and perfidious anti-Bosnian form of purposeful production of “ignorance about Bosnia.” It should be clearly stated that the first method of banalization can count directly as the product of systemic encrypting forms of generating ignorance about everything Bosnian. Also, the generation of banalizing forms of pseudo-knowledge presents merely *the means* of anti-Bosnian programs of evil, and never *the end* as such. Analyzing discourses and power, but also the power of discourses, it is possible to determine how banalization, a special form of anti-Bosnian hegemonic destructiveness, is directed at the core content and structures of the Bosnian social ontology. That new form of re-arranging,¹² reaching into our Bosnian social ontology is key to understanding and eclipsing the bloodily generated the Bosnian drama of desecration, violence, genocide, uricide, sociocide, culturicide, oikocide. General confusion, ignorance, ideological anesthesia, banalization, vulgarization, reductionist paradigms, are merely the same name for the construct, agenda, project – to create conditions for hegemonic evil, to finally resolve of the question/problem of the sovereignty of Bosnia and Herzegovina, according to the logic of non-Bosnian ideologies of evil.¹³

11 Lavić, S., 2018. *Zaborav razlike: bosanski prekarijat, “bolonjski” univerzitet i medijski cinizam*. Sarajevo: Dobra knjiga.

12 “But in the context ‘rearranging’ something does not mean ‘change something in thought,’ rather to re-think from the beginning and describe something as ‘the same, but in another way.’ Now that means something quite more concrete: to physically change its structure mechanistically – to which we should add also violence, degradation, desecration, amputation and ethnic cleaning – all to change a things structure.” (Ibrulj, N., 2005. *Stoljeće rearanžiranja: eseji o identitetu, znanju i društvu*. Sarajevo: Filozofsko društvo “Theoria.”, pg. 18.)

13 Zgodić, E., 2012. *Teritorijalni nacionalizam: ideologija, zlotvorstvo i alternative*. Sarajevo: Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava Univerziteta.

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Rearranging forms directed against Bosnian social ontology, peculiarity, singularity are engulfed by the syndrome of denial, fantasies of denial,¹⁴ and from these deranged and dangerous fantasies, come symbolically created forms of new symbolic violence, calling Bosnian sovereignty¹⁵, statehood as artificial, ahistorical, administrative, impossible, unfinished, false, Turkish, AVNOJ-based, ZAVNO-BiH-based.¹⁶ Each of these forms of denial is aimed at the plan of engineering and re-engineering, arranging and re-arranging Bosnian specificity, the Bosnian political, cultural, social ontology. The war against ZAVNOBiH is directly related to the syndromes of denial¹⁷, fantasy,¹⁸ fetishization, obfuscation of the nature of the state-legal capacity of Bosnia and Herzegovina.

The State of Emergency, in which Bosnia and Herzegovina is being kept and which suits the detractors of Bosnia and everything Bosnian, did not arise from any banalizing situation, civil war or ethnic conflict, or anything similar. Such a state occurred because of the aggression on the Republic of Bosnia and Herzegovina. Paradoxically, contrary to all narratives about liberal democracies, Bosnia and Herzegovina, as Delić says, is “enduring a kind of (almost unimaginable) European and world experiment, a psychosocial laboratory, a training ground for the rehearsal of postmodern Balkan biopolitics.”¹⁹ Malignant Balkan postmodern biopolitics through symbolic violence, denial, negation, destruction, micro-fascisms²⁰, and general banalization, questions the future of everything Bosnian,

14 Mustafa I. 2013. ZAVNOBiH i državno-pravni kapacitet Bosne i Hercegovine. *Historijska traganja*, 12, pg. 17-25.

15 Delić, Z., 2016. Poricanje suvereniteta Bosne i Hercegovine i figura “posljednjeg rata”. *Pregled*, 57(1), pg. 45–56.

16 Translation note: AVNOJ (bos. *Antifašističko vijeće narodnog oslobođenja Jugoslavije*) – The Anti-fascist Council for the National Liberation of Yugoslavia (AVNOJ) was a deliberative-legislative body established by the Yugoslav Partisans in November 1942 to aid in and help organize the struggle against the Axis occupation of Yugoslavia. It also established that any future Yugoslav state would be a federal one, including Bosnia and Herzegovina as a republic.

ZAVNOBiH (bos. *Zemaljsko antifašističko vijeće narodnog oslobođenja Bosne i Hercegovine*) – State/National Council for the National Liberation of Bosnia and Herzegovina (ZAVNOBiH) was first convened on November 25, 1943, and served as the highest representative-legislative body of the territories controlled by the Yugoslav Partisans in Bosnia and Herzegovina until April 1945. It further affirmed the statehood of Bosnia and Herzegovina and its equal status within a proposed federated Yugoslavia.

For more information, see for instance: Hoare, Marko Attila. *The Bosnian Muslims in the Second World War*. 1st edition. New York, NY: Oxford University Press, 2014. Pirjevec, Jože. *Tito and His Comrades*. Madison, WI: University of Wisconsin Press, 2018. and Calic, Marie-Janine. *History of Yugoslavia*. West Lafayette, IN: Purdue University Press, 2019.

17 Zgodić, E., 2005. *Politike poricanja: o metapolitici i bosanskoj alterpolitici*. Sarajevo: DES.

18 Zgodić, E., 2005. *Politike fantazija: o ratu protiv Bosne i Hercegovine*. Sarajevo: Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava.

19 Delić, Z., 2016. Poricanje suvereniteta Bosne i Hercegovine i figura “posljednjeg rata”. *Pregled*, 57(1), pg. 47.

20 Ibidem, pg. 50.

Bosnian history, Bosnian sovereignty, and the territorial integrity of Bosnia and Herzegovina.²¹ Conversely, one ought to understand the very telling studies, discussions, and expert teams that very superficially and uninterestedly, from a distance observe/create the future development of events in Bosnia and Herzegovina. Thus, one of such analyses will very *casually*, from a distance, use, but also suggest possible scenarios, in a way that will view “a functional decentralized state”²² and “a functional centralized state (violent conflicts-centralization),”²³ as just two possible solutions with certain artistic illustrations. This is, in fact about the fate of several million people, Bosnian people – men, women, children, and their lives. Of the scenarios, the one named “status quo” (*Dayton Mail*)²⁴ is listed as a bad state, and almost no expert analysis has paid attention to the causes and consequences of such a state in Bosnia and Herzegovina. One form of banalization can also be represented by the expert description of regional integration under the name “Western Balkan Inter-City,”²⁵ while the scenario of dissolution, this time of a prepared ethnic conflict for the purpose of non-Bosnian, greater-state interests, is now planned and described as the “Tripartite Border Train.”²⁶ As an additional form of the tendentious banalization, we can single out the already well-known attempts to deny any statehood to Bosnia and Herzegovina. With this banalizing intention, writes the author of the book “The Unfinished State: The Political System of Bosnia and Herzegovina,”²⁷ that except for the single (renewal) from 1943, then manipulation with legitimate representation, *the Spirit of the Dayton Agreement*²⁸, but also announcing “creeping secession”²⁹ and diminishing the importance of the range of anti-Bosnian arguments, says how “Bosnia has failed, it cannot function, it is best for it to disintegrate, the dissolution of Bosnia is inevitable, two peoples do not want it, it would be best if Srpska were independent, etc.”³⁰ To this type of directed banalization, which even goes so far as to play with the term “modern statehood,” we respond with an excerpt from the Stenographic Report from 1919, which states:

21 “The denial of Bosnian and Herzegovinian sovereignty, which occurs as a global event, presupposes the possibility of normalization (of already normalized practices), denial, negation and actual destruction of everything that is Bosnian (in the name of particularisms that are not Bosnian or do not recognize the territorial integrity of Bosnia and Herzegovina).” (Delić, Z., 2016. Poricanje suvereniteta Bosne i Hercegovine i figura “posljednjeg rata”. *Pregled*, 57(1), pg. 50.)

22 Pasch, P. (ed.) 2012. *Bosna i Hercegovina 2025.: scenariji budućeg razvoja događaja*. Sarajevo: Friedrich-Ebert-Stiftung, pg. 28.

23 Ibidem, pg. 34.

24 Ibidem, pg. 24.

25 Ibidem, pg. 40.

26 Ibidem, pg. 46.

27 Nešković, R., 2017. *Nedovršena država: politički sistem Bosne i Hercegovine*. Sarajevo: Friedrich-Ebert-Stiftung.

28 Ibidem, pg. 252.

29 Ibidem, pg. 404.

30 Ibidem, pg. 397.

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In the difficult days of our distant past, when the sovereignty of the old Bosnian state was destroyed, it was a great fortune for the people, because if sovereign Bosnia and Herzegovina had remained, a major question is whether our people would have a fourth name (besides Serbian, Croatian, and Slovenian). With the fall of the old, sovereign Bosnian feudal state, the bearer of a special sovereignty for the people was also destroyed, which could have created a special national name within the state [today]. Know that we were faced with the danger that the special sovereignty of Montenegro would also create a special name for our people. Today, we must destroy all those sovereignties.³¹

However, with the affirmation of the Bosnian Knowledge Area, with the depth of anti-Bosnian semiotics analytical discursive analysis of the semantic fields of evil programs, deconstruction of anti-Bosnian epistemological agendas, all attacks on Bosnia and everything Bosnian will be significantly stopped, but on a longer-term plan.

Conclusion

In the context of global and regional hegemonic narratives, Bosnia and Herzegovina faces multiple challenges, including symbolic and political violence against its state sovereignty and social ontology. Debosnization emerges as a destructive process with ultimate goals of destabilizing society and the state, as well as dividing them. However, the affirmation of knowledge about Bosnia, grounded in facts, historical continuity, and the analytical deconstruction of anti-Bosnian narratives, can provide a sustainable foundation for overcoming these challenges. Introducing semiotics as an analytical tool opens up possibilities for understanding and countering programs of disintegration, emphasizing the crucial role of education and awareness of Bosnia's singularity as a basis for the future development of all things Bosnian and the sustainable stability of the state of Bosnia and Herzegovina.

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³¹ Pribičević, S. 1919. *Stenografski izvještaj sa skupštine održane 15. i 16. februara*, Zemaljska štamparija, Sarajevo, pg. 66–67.

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NEZIR KRČALO,
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Regarding the Philosophical and
Religious Aspects of Dialogue

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Summary

Dialogue always entails some form of exchange. The main purpose of dialogue is in listening to and understanding of the other; in the other understanding our position about the topic under discussion. A good conversational partner can be a reflection of ourselves, and provide a better insight into the truth about ourselves. The article is based on the primordial definition of language and speech, giving an overview of philosophical and religious aspects of dialogue, leading to a conclusion about the therapeutic nature of dialogue which it takes on when the "living word" reveals the inner speech or state of the interlocutor.

Key Words: dialogue, speech, word, language, thought

Introduction

In Ancient Greece, therapeutics were seen as a condition for the philosophical way of life, which was a cultural phenomenon, and spread through "friendship networks," via communication. The verb *therapeuein* in that period denoted the healing of the soul according to the truth about the being. It is best reflected by Epicurus' formulation which speaks of the tight connection, or equalization philosophy with self-care, "Philosophy is the care of healing towards the truth." The practice of philosophy, as knowledge about humans and the world, is separated and distanced from therapeutic practices of the soul, which meant medicinal, medical and healing approaches, and which focus on things directly tied to individual life and daily life, and a select number of factors we can influence.¹

Human consciousness is shaped not only by science, but also morals, customs, art, religion etc. The consciousness is impossible to shape without things. Hence, Plato insisted that they be named by the wisest, as the name (word) carried the meaning of the thing. Should we want to engender a just and clear understanding between the thing, thought and language, the condition is that the things are properly named. Misnamed things result in incorrect contents of consciousness, which on an individual level require a long-term therapeutic process in the form of a "dialogue" between the spiritual and psychosomatic components.

Dialogue has its true source in the inside of the individual, in talking to oneself. The man is, above all, a riddle to himself. He who truly does not doubt his own "truths," does not leave the comfort of personal security and does not want to fully surrender to the truth, which is nobody's ownership, that person is not ready for dialogue. The one who has no doubts and thinks that he possesses the whole entire truth does not need dialogue. Galimberti links such a mental profile with *narcissistic intelligence*, which

¹ Blagojević, Nada, (2016), *Fukoova hermeneutika subjekta*, Filozofski fakultet u Beogradu, Beograd, pg. 53.

notices nothing of the other, his level of understanding, and the value of his remarks (which the Narcissist considers an attack), making his intelligence crude, more dogmatic, and in the end, vapid and fossilized, considering it is not dialogical and is unresponsive to what others and the world still have to teach it.²

Hence every form of dialogue, and especially religious dialogue, is difficult, because it demands discipline, maturity and humility. Today, interreligious dialogue takes many forms, but four are most practiced. First is the dialogue where religion is more of a *lifestyle* than a *worldview*. The second is action-oriented, in the sense that people of different religions are joined in a collective considering of social needs. The third is the theological exchange between experts, who discuss specific theological questions in an academic atmosphere. The fourth form of religious dialogue is an exchange of religious experiences between members of different religions.³

Dialogue represents a mode of functioning of thought. In this context, “thought” is not merely the result of someone’s intellectual activity, but it also includes intertwined feelings, intentions and desires, layers of memories, beliefs, as well as current perceptions of our reality. Our “reality” is a mixture of concepts, memories, reflections colored by personal needs, fears, and desires, limitations distorted by language, habits, gender, and culture. It is hardly possible to remove all these mentioned and other unrecognized components from one’s thinking and be certain that our perception is correct.

1. Dialogue in the Function Of Transformation

Swidler sets ten base rules for quality and successful interreligious dialogue.⁴ The first rule, and primary purpose of dialogue is learning, meaning being open, changing habits and perceptions in understanding reality. The second rule postulates that interreligious dialogue should be a two-sided process, between religious communities and inside of them. According to the third rule, every participant should approach dialogue honestly, presupposing that all other partners would feel similarly. The following rule highlights that when comparing, our ideals should not be compared to the practice of our partners, but rather ideals should be compared with ideals, and practices with practices. The fifth rule states that every participant must define their position. However, as dialogue is a dynamic process, every participant should note what should be changed in their own self-determination. Especially highlighted, the sixth rule notes that each participant

2 Galimberti, Umberto (2018), *Mitovi našeg vremena*, Izdavačka knjižarnica Zorana Stojanovića, Sremski Karlovci - Novi Sad, pg. 101.

3 Mišić, Anto (2002), “Međureligijski dijalog - prinos općoj kulturi dijaloga,” *Obnovljeni život: časopis za filozofiju i religijske znanosti*, Vol. 57, No. 4., pg. 455-465.

4 Swidler, Leonard (2012), *Dialogue for Interreligious Understanding. Strategies for the Transformation of Culture-Shaping Institutions*, Palgrave Macmillan, New York, pg. 87.

should enter the dialogue without firm and hasty assumptions, which is especially important when we get to points of disagreement. The following rule notes that dialogue can only occur between equal participants, who are gathered to learn. The eighth rule stresses that real dialogue can only happen where there is mutual trust. The ninth rule presupposes that people enter interreligious dialogue with a dose of self-criticism, or rather that they are not subjugated by their own religious or ideological tradition. Finally, the tenth rule for interreligious dialogue requires that every participant try to experience the partner's religion on the inside.⁵ In the same sense, as a summation of the above-stated rules, Galimberti's musings about the phenomenon of dialogue:

Without a relativist mode of thinking, there is no "tolerance," which is not so much about being left alone and not prevented in anything by someone who is different, as it is about the assumption that the person who is a member of another culture or even another religion can possess a higher level of grasping some truth than we do. Without that intellectual preparation, no dialogue is possible, no matter how many encounters there were and how much good will is invested in them.⁶

Religions shape specific culture, and cultures are shaped by religious specificities. Cultural changes cause changes in religion and offer new possibilities for religions to open towards one another. Furthermore, changes within religions and between religions create new cultural consciousness, which follows a new understanding of the spiritual and the religious. Conversely, religious dialogue itself follows from the dynamics that exist between religions and cultures. But every culture has its own values, parameters and criteria. The meeting of cultures occurs as the encounter of different freedoms, and independent of which, new fruits are born. Communication is only possible in the spirit of exchange between open cultural models. It is about the abolition of closed-minded mentalities, through dialogue and exchange, which assumes that cultural models can exist without a center and core, as new experiences of culture. Cultural identity is the basis for a personal, collective, ethnic identity, as for the openness and possibility of creating supranational culture, in as far as culture has no borders in the globalized and connected world, and the "rift deepened by the incompatibility of the traditional concept of the nation-state and trans-territorial cultural identities" becomes ever larger.⁷

Thanks to openness, science, art, religion, and other creative human activities are in constant state of mutual influence and complementarity too. The exception is, unfortunately, religious practice! Besides the multitude of hypothetical views

5 Prijatelj, Erika (2017), "Healthy Cultures: New Challenges for Interreligious Dialogue," *Synthesiphilosophica*, 63 (1/2017), pg. 109-120.

6 Galimberti, Umberto (2018), *Mitovi našeg vremena*, Izdavačka knjižarnica Zorana Stojanovića, Sremski Karlovci - Novi Sad, pg. 112.

7 Spahić, Vedad (2016), *Književnost i identitet: Književnost kao prostor izazova u reprezentaciji/konstrukciji bošnjačkog kulturnog identiteta*, *Lijepa riječ - BZK "Preporod"*, Tuzla, pg. 131.

on the need to eliminate barriers to dialogue, they do not persist in uncovering the meaning of the existence of different forms of religiosity but succumb to the inertia of moving in an egocentric direction. Spirituality, as is tested in religious practices, has not been elevated to the level of thought and concept, that is, the cognition of reality as such, but is still predominantly experienced in the form of feelings and sensory perceptions.

2. Dialogue as a Flow of Meaning

The etymology of the Greek word *dialogos* is a compound word. The particle *dia* denotes the interpersonal relationship, moving, etc. The word *logos* is derived from the verb *legein* (to collect, to place, add, speak, say, etc.), and at its core carries two meanings. One is in the semantic reach – word, decision, discussion, proof etc. The second meaning is about the mind, or rather reason (judgement, evaluation, exposition etc.) The term *dialogos* comes from the verb *dialegomai*, which means “to think, judge, calculate, talk, speak.” Key to dialogue for the Ancient Greeks was purpose. Their discussions had two general purposes: the first was truth, if it was theoretical dialogue, and the other was consensus about the greater good.⁸

Whenever there is an attempt to etymologically describe the word dialogue, Heraclitus’ idea about *logos* in the world, “neither hidden, nor discovered” comes to the fore. The term *logos*, as we said, includes at least two groups of meaning that relate to the mind and speech. The simplest interpretations speak of dialogue as the “discussion of two.” That interpretation is too modest, as it does not show in what sense would dialogue be exclusive, and different to other forms of conversation (which is often attributed to it). “Theoretical dialogue” should be directed so speakers come closer to the truth of the term that is being discussed. Finally, if we want to broadly interpret the word *logos*, we need to unite the components of speech and mind. Closest is the Aristotelian understanding of *logos* as “reasoned speech,” unlike “barbaros” (babbling).⁹

If we consider different aspects of dialogue and linguistic means that are proprietary to certain aspects of it, then we can also discuss dialogical types. So, the *first* type of dialogue is about the relationship between the participants, where emotional or volitional moments are stressed. The most extreme type of such dialogue is the fight/argument, as dialogue which is endemic to less well-cultivated societies and regions. The *second* type of dialogue, centering the connection of the interlocutors via a practical situation, is seen in various “work discussions.”

8 Laušević, Savo (2005), “Dijalog o dijalogu”, u: *Mala čitanka o dijalogu*, Nansen Dialogue Centre, Podgorica, pg. 9-13.

9 Lojančić, Goran (2005), www.dijalog.com, u: *Mala čitanka o dijalogu*, Nansen Dialogue Centre, Podgorica, pg. 73-80.

Such discussions, should they not turn into a discussion, are free of stronger emotional coloring, and any tensions between the speakers, as they are more directed towards the situation itself, rather than the mutual relationship between the participants of the speech act. The *third* type of dialogue, tied to the expansion or contraction of context, is based on individual turns of meaning, and is not personal (first type) nor situational (second type). The final form of such dialogue insists on the interplay of meanings, in giving special attention to the dialogue itself. That type of conversation is seen in discussions, i.e. dialogue that is, to a degree, its own purpose, which is freed of external usefulness, and represents a cultural achievement, spoken for speaking's sake, for people to socialize, praise, play and entertain themselves.¹⁰

Worth mentioning is the inherently dialogical nature of every text. Namely, its explicitly dialogical nature is affirmed when it becomes speaker and co-speaker, (has two or more voices). The dialogical nature of every text is implicit, even the one which is strictly monological, as its messages are directed towards real or imagined recipients. Thought, by its nature, is dialogical, and monologues are just a conversational form of its expression. Finally, every text establishes relations with other, already written texts (intertextuality)

Furthermore, attempts to determine the term dialogue are based on theoretical musings about the nature and function of language. For David Bohm, dialogue is communication that gains certain special, higher qualities. In dialogue, “two people do something together, that is, create something new together.”¹¹ Dialogue, Bohm stresses, is “flow of meaning through us, and among us, which enables the flow of meaning in a group, and from which new understanding can emerge.” Creating new meaning is stressed as the main value of dialogue, which meaning that the participants of the dialogue are enriched by new values and insights. In those qualities, we can recognize important differences between dialogue, and communication as a wider term.

According to M. Bakhtin, every expression is constructed between two socially-organized people, and if there is no real interlocutor, then we assume that it is constructed in the person of a normal representative of the social group to which the speaker belongs to. Every word is therefore directed to the interlocutor, the word itself is a bilateral act, or metaphorically said, it is a bridge between *self* and the *other*; if it leans on me on the one end, it leans on the interlocutor with the other. Finally, the real unit of language-speech is not an isolated individual monological expression, but the interaction of at least two expressions, i.e. dialogue.¹²

10 Badurina, Lada, Ivo Pranjković (2014), “O dijalogu,” *Sarajevski filološki susreti II: Zbornik radova*, knjiga I, pg. 216-226.

11 Bohm, David (2009), *O dijalogu*, Naklada Jesenski i Turk, Zagreb, pg. 28.

12 Badurina, Lada, Ivo Pranjković (2014), “O dijalogu,” *Sarajevski filološki susreti II: Zbornik radova*, knjiga I, pg. 221.

3. Speech – the Connection of Things and Language

Human speech can be observed from the perspective of the speaker, as the expression, in relation to who is being spoken to – as the message, but also from the perspective of the thing that is being spoken about – the meaning of things. Meaningful speech is only speech that has some meaning, and its truthfulness can be examined in the agreement of speech with what is being discussed, i.e. “things.”

According to Ricoeur, the word connects the being of the soul with the being of things. In the mythical worldview, total unity of words and things reigned supreme. Only later, did the thing in its own right lose its power, and the word became a sign. The space between things and language belongs to speech, which can be “connecting” or “separating” things and language. Using the term *symbolon* denotes the expressive power of spoken voices to express the state of the soul, which is created through knowledge. That means if the soul is ready to acknowledge (symbolically) the speech of things, then the task of speech is to express the state of things in language. In the end, speech uncovers, or hides many meanings about the state of things.¹³

Clarifying the phenomenon of speech (voice), Heidegger calls upon Aristotle and his work *On Interpretation*, in which the relations between things, the soul, speech and language is explained as follows:

What happens in the production of spoken voice is the display of that which exists in the soul as passion, and that which is written, is the display of spoken voice. And as handwriting differs between people, so too do the spoken voices. On the other hand, what is first revealed through them (voices and handwriting) are the passions in the soul of all people, and things – whose resembling depictions are also passions – are also the same.¹⁴

The same author concludes that language, as speech, remains hidden, as letters show voices, the voices show the passions of the soul, and the passions of the soul the things that excite them.

As the fundamental property of speech, Humboldt (1988) explains in the following way:

Taken in its totality, language is something steadfast, and something transient at any given moment. Even its preservation through writing is always incomplete, mummification which is necessary, if someone attempts to present life speech sensorily. Speech itself was not the act (*ergon*), but the action (*energia*). Hence, its real definition can only be genetical. Namely, language is the eternally repeated *spiritual labor*, for the *articulated voice* to be prepared to express *thought*. Di-

¹³ Ricoeur, Paul (2005), *O tumačenju: ogled o Freudu*, Impresum, Zagreb, pg. 67.

¹⁴ Hajdeger, Martin (1982), *Mišljenje i pevanje*, Nolit, Beograd, pg. 93.

rectly and strictly speaking, it defines all *speech*; but in its true and fundamental sense, just the totality of that speech could be seen as language.¹⁵

Bošnjak (2008) suggests the discovery of the “state” of things can follow only from the careful hearing, through the *himma* or strictly spiritual speech, and in no way plain use of the word, or clarification and soothsaying. This spiritual state is precisely the one pointed out by Ibn Arabi in the 198th chapter of his work *Al-Futuhāt al-Makkiyya*, section 8,

Speech and word are two traits of the Divine. Through the word, He listens to that which is in the state of non-existence, as He Himself says, ‘If We ever will something “to exist,” all We say is: “Be!” And it is!’ (An-Nahl, Ayat 40; 16:40). Through speech, He listens to existing beings, hence saying, ‘...And to Moses Allah spoke directly.’ (Al-Nisa’, Ayat 164; 4:164).¹⁶

However, the roots of things are not representations of them as images, characters, symbols or signs. The root of things is not their essence either (*being*), because they are just polished mirrors in which the glory of the names of God and His Properties are reflected in. The root of things is the Words of the Divine, and in His omniscience lies the silent reality of things, metaphysical seeds from which the visible worlds develops when the names of the Divine cross the state of *in potentia* (*Aql bi al-Quwwa*), into a state of *in actus*. The Lord himself asks that we continuously come to know Him and precisely says so in the noble Ayat: “I did not create jinn and human except to worship me” (Adh-Dhariyat, 56; 51:56). Using the verb ‘*abada-ya’budu* – to worship God with a “mindful heart that lends and attentive ear” (Qaf, 37; 50:37), The Lord points to the fundamental endeavors of our heart and mind, as these two organs of spiritual cognition can listen best to what the Lord ceaselessly tells them through the nature of things, and these spiritual organs unmistakably known and reach the “likeness” of things through Divine Light. For this level of consciousness, a state of the soul (*nefs*) is needed, which is the “creative imagination” (*al-khiyal*), shrouding the “likeness” into a sensory form that should be interpreted (*ta’bir*) in the light of which they symbolize in the hierarchy of symbols (*‘alam al-amthal*). This organ of spiritual knowing is a watershed (*ber-zakh*) between the world of the soul and the world of the sensory forms. Its power is the union, in the actuality of the oppositions of the Names of God: The Visible and The Invisible, The First and The Last (Alpha and Omega), etc.

4. Intra Dialogue

Dialogue is a broad term and can denote conversation with others, with oneself, with objects, with animals, etc. Through the word *dialogos*, a complex thought

15 Humboldt, Wilhelm von (1988), *Uvod u delo o Kavi jeziku i drugi ogledi*, Dnevnik, Novi Sad, pg. 257.

16 Bošnjak, Abdulah (2008), *Tumačenje dragulja poslaničke mudrosti*, Ibn Sina, Sarajevo, pg. 170.

is expressed. The compound synthesis of two words (*dia-logos*) engenders these two meanings, through speech, between speeches, speaking with, co-speaker, etc. Whether we are speaking or not, the word is constantly present within us. What is behind the word? Thoughts. Hence, thoughts emerge within us and come to the surface as words. Should we express those words, then that is outer speech, and should we not express them, that that is inner speech. Whether we express our thoughts (words) or not, we always speak.

According to the founder of logic, Aristotle, terms are cognitive-linguistic expressions of the matter of things. This means that knowledge about things is translated into thoughts, and those thoughts are expressed through speech or language. Knowing the basis of a science, means mastering what it is bounded by, and those are the terms – knowledge about things transferred into the world of thought. Science is the speech of the “material world.” According to Uzelac,¹⁷ the German philosopher Heidegger alludes to a type of dialogue (internal dialogue) with God. According to him, that which prevents that fundamental dialogue is logical thinking about the being. The road to knowing the being always happens via the “visible” being, and based on that opinions are built about *being* itself. Such a relationship prevents the “publishing” of the truth about being and its “stepping out from hiding into the light of reality.” Heidegger hopes to overcome the rule of logical thinking and flip the long-standing relationship. He never asks the question of “What is being?” because he knows that it cannot be grasped logically, but asks what people think, or rather according to what basis do people form strong opinions about being. Finally, Heidegger concludes that thought must be determined by being (God). Heidegger associates being and logos, and he arrives to this conclusion thinking through Leibniz’s principle of sufficient reason – nothing is without reason (or cause).

Logos can therefore be heard...can logos be heard in the same way another person is being listened to? Is interreligious listening the only possible type of listening? Was the man able to listen in another way? Logos is not human and does not speak with a human voice. Who speaks in logos and what is his voice like? A voiceless voice? Which form of listening would be able to hear such a voice? Is human listening entirely clear?”¹⁸

Of course, the other dimension of listening (“speech”) is possible only if the usual “opinion is ready and allows itself to be brought into another dimension. In the second dimension, everything is different. Jumping from one dimension into the other, and only thus, the possibility for understanding what the opinion meant in the first dimension.” Ibn Arabi leads us into the other dimension in which thoughts are received from God, and dialogue is led with Him.¹⁹ According to Ibn Arabi,

¹⁷ Uzelac, Milan (2007), *Metafizika*, Studio Veris, Novi Sad, pg. 114.

¹⁸ Vučković, Ante (1993), *Dimenzija slušanja u M. Heideggera*, Hrvatsko filozofsko društvo, Zagreb, pg. 101.

¹⁹ Arebi, Muhjiddin Ibn (2009), *Mekanska otkrovenja III*, Ibn Arebi, Sarajevo, pg. 38.

there are no terms for that which has no physical appearance (the essence of the thing being thought or imagined). In other words, humans cannot have sense of Divine knowledge as such, as it belongs to the dimension that human understanding cannot reach. But the famous scholar informs us that Divine knowledge, or Divine Words, through the Pen of Creation (the First Mind, or '*Aql*') are buried in the Preserved Tablet (Universal Soul), in the form of signs or symbols written in lines and rows of ten parts or chapters. The Magnificent Quran and the previous Revelations too contain the ten mentioned fields:

That which descends into it and what it contains from the words created in the subject of the Pen and the Tablet, after the Pen finishes writing, consists of 269,200 signs or symbols that represent what this Universal Soul transmits and delivers to the world through causes.²⁰

Divine knowledge in the form of signs (manifest forms) at the level of human cognition corresponds to concepts (internal or external), expressed in words. Jalal al-Din Rumi says of this phenomenon, "A word is a thought, whether it is hidden or clearly expressed. Therefore, man's essence is thoughts, and the rest is just a heap of bones and veins."²¹ It is fully evident that the signs in the Preserved Tablet contain God's words. But God's word is not the same the word of man. Hence, Ibn Arabi concluded that signs encompass words, and words encompass voices, and voices or speech are a vessel of meaning.

If we keep in mind that the sign is always in the sensory form, and the symbolic (meaning) of the sign expressed through meaningful speech (voice, internal or external)²², then the previous view is confirmed: the *symbolon* is the expressive power of vocal sounds to convey the state of the soul created by cognition. Enlightened or creative imagination (*al-khiyal*) can translate the symbolism of God's Word in the form of a sign, into meaningful speech.

5. The Divine Word and Speech

The Holy Books of the Almighty God hold only some of His words, which He gave to His creatures. The books are as follows: the Suhufs (Scrolls of Abraham

20 For early Greek thinkers, being was the same as *cosmos*, and for those after Aristotle, the same as *physis*. Initially, this expression did not denote a collection of material things, but the totality of being in general. According to Heidegger, *physis* denotes emergence, the stepping from hiding into the light of the real, emerging duration. And the term *logos* has the same meaning: *logos* is something permanent, something that is real, lasting, collecting in the being. The gathering character of *logos* comes to the fore in Heraclitus' fragment about the term *polemos*. Heidegger translates this term as original opposition, difference, etc. Ultimately, *polemos*, *logos*, and *physis* are the same from three different aspects: opposition, gathering, and emerging duration.

21 Rumi, Dželaludin (1998), *Fihi ma fihi*, Kadirijsko-bedevijska tekija Čeljigovići, Sarajevo, pg. 174.

22 Berberović, Jelena (1978), *Filozofija Ludwiga Wittgensteina*, Svjetlost, Sarajevo, pg. 45.

and Moses), Zabur (Psalms), Tevrat (Torah), Injil (Gospel) and the Quran.²³ The first thing God created was the First Intellect (The Most Exalted Pen). Then God created the Guarded Tablet and said to the Pen, “Write!” The Pen asked, “What should I write?” God told it, “Write, and I shall dictate,” so the Pen wrote onto the Plate everything that God dictated, and that was His knowledge of the creatures He would create until Judgement Day.

God allowed the Tablet to understand everything that He told it, and He gave it two properties or abilities: the property of knowledge and the property of action. In the actional, or the creative property, characters emerged from it: one could be felt (schema, forms, colors, shapes etc.) and the others were ones that could not be felt (knowledge, insights, wishes, etc.) The first speech which reached the hearing of the possible beings was the word: “Be!” so the world came to the term through the properties of God’s speech. God has no word in his creatures other than the word: *Be!* The essence of creation is the word, and he directs it to the established original prototypes. According to Ibn Arabi,

all existing being are Divine words that never fade away. The Almighty says that in bringing the Prophet Isa AS (Jesus Christ) into existence, that His (God’s) word was delivered to Maryam (Mary). So, that word of God was the Prophet Isa AS. So, we can say that all existing creatures are the words of God, when seen from their audibility.²⁴

God’s speech as a personal trait of God is not created, while the Quran in the meaning of letter and in the meanings we speak, is created. However, it is not permissible to say and to think that the Quran is created, except in the situation when one lectures on it to clarify parts of it. God’s speech, *kalam* is one of His perfect and eternal properties that exists in His being. That is affirmed by the consensus of the Ummah and the reliable transmission of all the Prophets. With his speech properties, The Almighty orders, forbids, and reveals books like the Quran, the Tevrat, the Injil etc.²⁵

6. Symbol and Language

According to Aristotle, sounds expressed by voice are a symbol of spiritual states, and written words are symbols of words expressed by voice. Even though the symbol and sign are closely related, and in some situations the same, that connection is imaginary. One could conclude that there is a difference, and a visible, deep one, because the sign carries only one meaning, and the symbol many mean-

²³ Behdžet, Ahmed (2001), *Allah: islamsko poimanje i vjerovanje*, El- Kalem, Sarajevo, pg. 10.

²⁴ Arebi, Muhjiddin Ibn (2009), *Mekanska otkrovenja III*, Ibn Arebi, Sarajevo, pg. 539.

²⁵ Pramenković, Almir (2002), “Kelam - Allahov vječni govor,” *Islamska misao: godišnjak Fakulteta za islamske studije u Novom Pazaru*, 1/2002., pg. 45-54.

ings (contents).²⁶ According to Northrop Fry, the symbol is best called a painting, as the human imagination can clothe the spiritual in a sensory form.²⁷ Rather, the interpretation of symbols cannot be based on their replacement with words, but on the deepening of their contents and enriching their symbolizing meaning. The symbol, next to the fictional element, contains a kernel of truth, because it expresses that which is real, and that which is not real.

When describing language we can differentiate two basic principles: formalist and functionalist. Formalist linguists consider language the reflection of the mind, and it should be described independent of its use in communication. Language is about expressing thoughts, and every human has the inherent ability to learn languages. The basic function of language is not merely communication, but equal and free expression of thought. The functionalist approach, unlike the formalist, places communication as one of the most important functions of language in society and meaning plays a large role in it. In this approach the purposefulness of linguistic activity matters. Language is not the reflection of the mind, but a tool with which we communicate with, so too, language structures can be described with the functions they serve in language. Inside the functionalist paradigm, language is conceptualized as an instrument between human individuals and is used with the intention to establish a communicative relationship.

Towards a Conclusion

A justified question is one about the origins of words and languages, because neither Philosophy, nor Linguistics, nor any science, provides an answer to that question. However far we went into the history of the origins of words' meanings, we are always met with complete linguistic facts, or rather words that have their meaning. We do not know and cannot know what language lies the basis of everything that we know and can say about the world in which we live in and where language's peerless ability to do so comes from. This is because we cannot reach outside of it and peak about it as an item, unless we find some primordial connection between language and some other medium, or order of events, that would enable us to speak about language through those mediums. Since language describes the world, then the origin of the world as it is given to us is, therefore, lies in the question about the origin of language.²⁸

There are all premises for the opinion that the basic function of words is their signifying purpose, as the word is a sign that denoted things (items) and their traits – characteristics, actions, relations, etc. As such, the word carries the meaning that the human consciousness comprehends. When we name an item using

²⁶ Đokić, Radoslav (2003), *Znak i simbol*, Zavod za udžbenike i nastavna sredstva, Beograd, pg. 112.

²⁷ Frye, Northrop (1979), *Anatomija kritike*, Naprijed, Zagreb, pg. 93.

²⁸ Filipović, Muhamed (2005) *Filozofska istraživanja*, Sarajevo Publishing, Sarajevo, pg. 169.

a word, just in doing so we sort the item into a certain category, that is, words generalize the thing. Hence, the word is not just a means of exchange, but also the tool of opinion. Finally, the most complex function of words is their analysis of things. Doing so transfers the experience of generations of social development and a system of socially established knowledge about things. Because of that, we can say that language emerges as a system able to individually personalize items (things) and express any of its properties, traits and relations.²⁹

Among all his creatures, God gave to man the most perfect speech. So, he ordained that when speaking, breath stopped in twenty-eight places. In each of those stop-pages, a certain letter emerged (consonants), and not others, from which it differs in the spot the breath stopped, even though that is nothing else but the breath itself.³⁰

The Divine Word can have a therapeutic role only in the dialogue in which one of the interlocutors reached the stage of the “logos,” or Divine speech, which is the connection between things and language. Listening to the “logos,” as speech of the state of things is conditioned by the basic endeavor of our heart and mind (*‘aql*). The level of “logos” is not reachable without one ability of the soul – the creative imagination (*al-khiyal*). Only the enlightened ego experiences the speech of “the state of things” in the form of internal speech, or thoughts by which it grasps meaning. The proper use of words (concepts) in language reveals the meaning of things and evokes the “echo” of the primordial word. Dialogue assumes a therapeutic role when the “living word” reveals the internal speech or state of the interlocutor.

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BOSNIA  N
STUDIES
SARAJEVO
1

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Historical Science Between Traditional
Historiography and Postmodern Criticism
in the Light of Several Works of Historians
from Bosnia and Herzegovina, and Croatia

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Summary

In the first part of the paper, using relevant literature, the author offers an overview of the development of History from Antiquity to the end of the 20th century, presenting the basic characteristics of historical thought, epistemological guidelines and applied methodological practices in Antiquity, the Middle Ages and in the 18th, 19th and 20th centuries. In the second part of the paper, the author describes postmodernist historiographical concepts, compares them with the basic principles of traditional historiography, and based on the views of professional historians, points to possible traces of the development of a new methodology of historical science in the context of postmodernism.

Keywords: history, science, traditional historiography, postmodernism

Introduction

What is History? If we try to answer this question (based only on the relevant literature), we will discover that there is no single answer. We will discover tens of definitions of History as a science, History as a historian's object of study and History as a product of the historian's research. The historical science demands and require a historian's life-long cognitive engagement. The term (*historía*) is of Greek origin and covers the following meanings: a science which explores and studies the past, story or event. A historical event (*historikós*) is an event which regards the past, which truly occurred, and one which is remembered (Domović et al., 1998, pg. 559; Vujaklija, 1980, pg. 368). *In hoc casu* for the subject studied by historical science, we will use the term *past* (*povijest*), and for the works made by the historian, we will use the term historiography (*historiografija*).¹ For the overview of its historical development, the term historiography will also denote the concepts of a historiographical school and its methodology. Considering its complexity, from the very beginning of its development until today, historians never agreed as to what History is.

The Basic Characteristics of the Development of Historiography from Herodotos to Leopold Von Ranke

The first traces of the historical profession in the lands of the ancient East can be found in imperial autobiographies and chronicles. The first written overview of the ancient Eastern Mediterranean world was given by the Greek historian Herodotos (Hēródotos, 485-425 BCE). In the works of the early Greek historians (the *logographers*), historical facts were neglected. Only oral history and

¹ Translation note: the term *past* is preferred here for clarity, although *history* (lowercase) can and has been used at times. This is also because *povijest* can also denote *History* (uppercase) e.g., in its usage in Croatian.

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myths that reconstructed histories of tribes or aristocratic lineages were taken into consideration, with conscious embellishment to impress the audience. Considerable attention was given to famous people, who were interpreted as the moving force of a society. As the narrative storyteller of the events, disinterested in their causes and connection based on them, Herodotos composed the *History of the Greco-Persian Wars*. It was a work that founded the historiographical style most represented in ancient historiography. With the development of Greek society, the teleological character of History too changed, one which demanded the education of statesmen and citizens, while the historical process was described by an unchanging human nature. It was thought therefore, that the future could be predicted based on the past. This didactic-pragmatic position was founded by Thucydides (Thoukydidē, 460-395 BCE). However, in the fourth century BCE, History also became a branch of rhetoric, which served to illustrate and legitimize a speaker's position.

Greek historiography heavily influenced the development of Roman historiography, whose roots are found in the fourth century BCE. The fundamental source for Roman historians were the *fasti consulares*,² while annals were the earliest form of historiographical reports. The first work of such nature was written by Quintus Fabius Pictor (third century CE), called the *Annales*. Following Thucydides and Polybius, Gaius Sallustius Crispus (Sallust, 86-34 BCE), wrote works that did not resemble the chronicling annal. He was a famous rhetorician, who sought ethical role models in the past, and considered History a branch of rhetoric. In this collection of historiographical works, we can also include the speeches, letters, debates by Marcus Tullius Cicero (106-43 BCE), who considered History to be the teacher of life.³

The works of Titus Livius (Livy, 59-17 CE), present History as a type of literature, which was read as an epic or tragedy, while the historian paid attention to the arterial expression, and not the facts. The work *Ad Urbe condita* was his most important work, in which he described the general history of Rome in 142 books, covering the entire period from the city's founding to his age.⁴ The most prominent Imperial Roman historian (27 BC – ca.476AD) was Publius Corenlius Tacitus (55-120 AD). He set himself the task of writing impartially and without hate. However, his works are characterized precisely by bias, more expressed than in any work of the other ancient historians. His goal was not to question the past,

2 These were registers of the highest Roman magistrates (the consuls) detailing the important events that occurred during their one-year administration. Next to the consult, the *fasti triumphales*, *fasti sacerdotales*, etc. were also used. (See more in: Mesihović, S. (2015). *Orbis Romanvs: udžbenik za historiju klasične rimske civilizacije*. Sarajevo: Elektronsko izdanje)

3 Cicero's definition of History was dubbed as famous by historian Marko Šunjić. "For all times, Cicero's famous definition according to which History is a witness of time, light of the truth, life of the memory, the teacher of life and the messenger of antiquity." (Šunjić, 1984, pg. 31)

4 Accessible at: [[https://www.istrapedia.hr/hr/natuknice/2370/livije-tit\(25.6.2020\)](https://www.istrapedia.hr/hr/natuknice/2370/livije-tit(25.6.2020))]

but to lay it out. He wrote also in the form of the annal/chronicle. Looking up to Tacitus, the last significant Roman historian was Ammianus Marcellinus (330-400 AD). The goal of historiography in antiquity was to “instruct” rulers in the present and to uplift or denigrate rulers from the past in the eyes of the common folk (Kožar, 1994, pg. 23-31; Avdijev, 2007, pg. 5-18; Maškin, 2005, pg. 5-26).

Following Classical Antiquity, the Middle Ages adopted the concept of History as a teacher of life, but the concept and goal of teaching were changed. History was no longer the teacher of life in general, but it had to teach about the Christian life and discover the meaning of all-encompassing yet mysterious Divine. History was subjected to the higher ends of ethics and theology. The Church trusted historical records which helped to build the Kingdom of God and restoring the glory of the Divine, as they pointed to notable humans inspired by the Holy Spirit. The Cluniac monk Peter the Venerable (*Petrus Venerabilis*, ca.1092-1156), in his book *De miraculis*, states that a monk is obliged to write histories that served the glory of the Church. Rodolfus Glaber (985-1050), considered the best historian of his time, similarly saw the role of History.⁵ In the Middle Ages, History was not an autonomous science in the system of the seven liberal arts. It was joined to Grammar; it did not find its place at universities either, so there were few problems of historical methodology being discussed, as few cared for it. (Šunjić, 1984, pg. 29-62.)

The medieval Arabs built a new culture by assimilating the main traits of Greco-Roman culture, and as such transferred it to Europe through Iberia. The sources of Islamic teaching (the Quran and the Sunnah) had a profound influence on historiography. Historical works in the pre-Islamic era were written based on legends and anecdotes. The first historical works in the Islamic era were written as biographies and treated many questions of religious tradition. They took chains of events as sources, chosen according to their judgment. Two key Arab historians in the Early Middle Ages were Al-Tabari (838-923) and Al-Masudi (?-956).⁶ Following them, the development of Arab historiography suddenly slowed. It is important to also mention Ibn-Khaldun’s (1332-1406) conception of History. He was one of the first historians to deal with the philosophy of History as well. In his *Muqaddimah* (*Prolegomena/Introduction*), Ibn-Khaldun laid out the theory of historical development under the influence of nature and the social power of a people. They later called him “the Arab Toynbee.” In his parallel research, he sought to discover and explain the causes of historical events.

A major influence on Byzantine historiography were the cultural and intellectual achievements of the Greeks, Egyptians and other peoples. Important for the

5 [<http://www.cosmovisions.com/Glaber.htm> (23.6.2020.)]

6 He wrote the general History in 30 parts, which has not been preserved. [See more at: <https://www.encyclopedia.com/history/encyclopedias-almanacs-transcripts-and-maps/ali-ibn-al-hu-sayn-al-masudi> (24.6.2020)]

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development of Byzantine historiography was the continued study of Ancient Greek philosophers and historians. The most dominant historiographical genres were monographs and world chronicles (Kožar, 1994, pg. 33-38; Đurđev, 1974, pg. 13; Black and MacRaild, 2007, pg. 44).

The European Renaissance revived the cyclical (akin to the Classical) view of History, arguing all civilizations were preordained to collapse after a period of rise. Giambattista Vico (1669-1744) in his work *The New Science*, advanced the cyclical theory of historical development, which explained the advancement of civilizations. The German philosopher Immanuel Kant (1724-1804) believed in the idea of progress and sought to discover the nature of historical development. History was understood also as a fine art and composed as such by Voltaire (1694-1778) in France and Bolingbroke (1678-1751) in Great Britain. They wrote for the masses and commercialized works of History. Many of the historiographical works in the 18th century were written with a political end in mind, but there were also historians who wrote for a wider readership. Histories were commissioned, both elite and urban. Hence, historians did not use the same methods in writing their works.

In the 18th century, History began to mature as a scientific discipline, but it would only take on the main traits of modern science only in the 19th century, when the importance of knowing facts and analyzing them became pre-eminent. Throughout the entire period, it was considered that writing national histories was most important. That tendency is best expressed with the works of Leopold von Ranke (1795-1886) and the British historian Thomas Babbington Macaulay (1800-1859). The basic principle of Rankean historiography was that History should be based only on what happened and on evidence. He thought that historians, apart from interpreting the past, must understand it. Conversely, he was accused of historicism, as American and English historians called him an old-fashioned positivist. Such critiques have been brought into question. Historian Arthur Marwick thought that for all its limitations, Ranke's approach to History ultimately resulted in a scientific discipline (Black and MacRaild, 2007, pg. 39-68).

In the 19th century, apart from empiricism as the dominant form of historical method, positivism developed in Europe. The author of the positivist approach to society, Auguste Comte (1798-1857), divided History into Theological, Metaphysical and Positivist. The key idea of Positivism was that, using empirical data, scientists could discover the causal connection between the past, present and future. American historians were also profoundly shaped by Positivism. All in all, we can conclude that History in the 19th century developed from the methods of empiricism and positivism and profiled itself as a *Historical science* with the basic traits of a modern scientific discipline. Following the domination of positivism and empiricism, European historians decided to pursue new directions (Black and MacRaild, 2007, pg. 39-68)

Historiography in the 20TH Century

The most important historiographical change in this century was the *Annales* school, which was conceptually at odds with the 19th century historiographical traditions. The *Annales* school took the center-stage in the development of French historiography, but it also had a wide reach and reception across Europe. In general, the *Annales* historians enriched History methodologically and thematically, while developing an interdisciplinary approach to studying the past. We can recognize four generations of *Annales* historians, who hoped to reach *Total History* through the interaction of History with other scientific disciplines. The first generation consists of the founders of the school, Lucien Febvre (1878-1956) and Marc Bloch (1886-1944), who in 1929 started the journal *Annales of Economic and Social History*, whose name was frequently altered with the application of new methods in new subject matters. Febvre and Bloch, matured as historians in the methodologies emanating from French positivism and German historicism of the 19th century.

Bloch, Febvre and their successors advocated an interdisciplinary approach to History and discarded narrative (event-based) History, considering analysis to be the key to understanding the past. They sought new methods and used new sources. They thought History cannot be explained with Ranke's model, based on fact alone, because they did not exist themselves, but were created by the historians. They did not accept theories about the laws of historical development, and they discarded the absolute objectivity of historical science. With their original works, they affirmed their theories in practice, through critiques of traditional historiography.

Following WWII, the second generation of the *Annales* school was led by Fernand Braudel (1902-1985). The journal *Annales. The Journal of Social History* in 1945 was renamed into *Annales. Economies, Societies, Civilizations*. We already highlighted how the journal changed its name with methodological and thematic adjustments by the editors. Influenced by Henri Berr (1863-1954) and Henri Pirenne (1862-1935), Braudel developed an interest in the Mediterranean. The title of his pre-war thesis was *The Mediterranean and the Mediterranean World in the Age of Philip II*, which coincided with his imprisonment. It appears truly incredible that while imprisoned, *ex capite*, he wrote his dissertation again, which he then defended in 1947, under the mentorship of Lucien Febvre. His thesis became the most important work of History in the 20th century, closest to the idea of *Total History*. This generation of *Annales* historians, partially using quantitative methods, directed their research focus from events to socio-economic structures and long-lasting processes, and different levels of historical time. Braudel recognized the geographical (geo-historical/*longue durre*), social and singular event/indivual time. Political events were considered surface-level impulses, while the

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main subject of his historiographical analysis was the layering of material culture as the broadest Social History – *Total History*.

Following the affirmation of the *Annales* School, in 1969 Braudel surrendered editorship to the third generation of the *Annales* historians – Jacques Le Goff (1924-2014), Emmanuel Le Roy Ladurie (1929-2023) and Marc Ferro (1924-2021). The third generation studied the History of Mentalities (collective feelings: love, fear, dreams, myths, illnesses), and dealt with culture and daily life in regional and local History, considering facts that were also the domain of anthropology. Such methodological and thematical foundations were the basis of the fourth generation of the *Annales* historians, who were inspired by literary theory and anthropology. However, the research idea of the *Annales* historians from the 1960s (covering the relationship of all fields of life in each period), would not be achieved, due to the fragmentation the *Annales* historians experienced, orienting themselves towards different social sciences, and methodology-rich past. Such a development resulted in the focus on narrower research fields (Stanić, 2009, pg. 203-217; Gross, 2006, pg. 589-590, Black and MacRaild, 2007, pg. 86-105).

There was a continued development of Social History from the 1960s to the 1990s. Ten years later, the historiography would atomize into various unconnected areas. Research methods, spatial borders of research units, and subjects of research were at odds with one another. In the mid-1980s, social history was “attacked” by the new Cultural History, which limited itself to smaller stories, while Social History researched social processes. That was at the core of the conflict. The new Cultural History was tightly connected with the History of everyday life (*alltagsgeschichte*), which was also influenced by History of Women. The History of Everyday life was adopted by professional historians, so the former idea that these histories should be written by the subaltern somewhat fell apart. The late 1970s also saw the development of Oral History, which also touched upon Everyday, Social and Cultural History. Through interviewing the contemporaries of certain events, Oral History collected the experiences of subaltern, poor and marginalized. Through collection, the researcher later asked research questions (Cvijović - Javorina, 2012, pg. 441). In the early 1970s, under the influence of feminism, there was more interest for the histories of women. Under the influence of Cultural History, Gender History, studying the relations of men and women historically also developed.

Following 1989 in Europe, revisions and reinterpretations of ideologically and politically acceptable narratives about the Second World War also occurred. Debates between historians and the public sprang up, and that relationship became an unavoidable part of modern History. For instance, in Germany, the most numerous disputes were about interpreting the Nazi past and the relation of most Germans towards the regime. Those disputes continued even after the German Re-unification. The public was especially shaken by the book *Hitler's Willing*

Executioners: Ordinary Germans and the Holocaust (1996), by Daniel Goldhagen. Goldhagen claimed that most of German society identified with the Nazi regime (which was mostly suppressed after the war), and that the Holocaust was a national project, which was unacceptable. In 1980s Austria, the myth of Austria being the first victim of Nazi Germany was also disproven, and the responsibility of many Austrians for the Nazi crimes re-discovered. At the end of the 20th century, similar reinterpretations and discussions were led in Switzerland (about the alleged Swiss neutrality in the war), in Poland (about Polish-Jewish relations in occupied Poland), and France (about the character of the Vichy regime). Aside from the fact that History at the start of the 21st century, under a strong critical broadside of postmodernism, was more insecure than ever before, Mirjana Gross considered that new approaches to research offered historians solid bases for achieving relevant scientific results (Gross, 2006, pg. 583-609).

Historiography in Socialist Bosnia and Herzegovina was determined by Marxist principles, or rather, developed based on Marxist historical thought. Some historians hold that historiography too was a component of the politics and ideology of the Socialist government. New historiographical directions developed in the second half of the 20th century, in Europe and the US, and especially the *Annales* school, would have followers among Yugoslav historians, but also detractors, who considered the approaches unapplicable to Yugoslav historiography.

The example of the 1970s polemic between historians Branislav Đurđev (1908-1993) and Mirjana Gross can help us reconstruct the process of expansion and (non-)acceptance of new methodological approaches (of the *Annales* school) among the Yugoslav historians. Đurđev accused Gross of implementing structuralism into Marxist historiography – the proclaimed goal of the Yugoslav historiography. On the other hand, Gross wanted to reckon with the traditional historiographical and positivist understandings. She argued for a methodological turn, by incorporating structural analysis, which would make History a real social science (bos. *društvena nauka*).⁷ Gross thought should Yugoslav historiography not transform into a real social science, History would only become a repository of data for the social sciences and mythmakers. Đurđev thought that Gross merely offered structuralism, a modified post-Marxist theory, which despite being presented as compatible with Marxist historical method, was simply not possible to him.

Interestingly, both argued from the position of Marxist historians, so the basis of their attitudes is difficult to grasp. However, their positions diverged mostly re-

7 Translation note: Unlike in the English-speaking world, in Bosnian, History is referred to not as part of the *humanities*, but more commonly as a *social science* (lit. *društvena nauka*). The term is translated directly as social science for more accuracy linguistically and contextually. For more about the linguistic-cognitive distinction between the English and non-English speaking worlds, see: Richard Evans, *In Defense of History* (W.W. Norton & Company: New York, NY, 2000), chapter 2, and Edward Hallet Carr, *What is History?* (Penguin Books: London; New York, NY, 1990), chapter 3.

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garding (not) accepting the new historiographical directions developed in Europe and the US in the second half of the 20th century. Đurđev claimed that non-Marxist historiographical strivings could not be incorporated into the system of Yugoslav historiography, which should have an original Marxist orientation, while Gross thought that the new directions were valuable contributions to Marxist historiography. Gross' attempts to initiate change in the Yugoslav historiography, based on European tendencies, to Đurđev were an attempt to reconcile a Marxist understanding with the structuralist school. Gross considered Đurđev's theory of history antiquated, Marxist philosophy of History (to which Đurđev himself declared subscribing to), which cared little for the "struggles of the historian" so high in his ivory tower. All the while, she proclaimed herself interested in the methods and techniques of modern historical science. At the end of the discussion, in a text called *Two Irreconcilable Worlds*, Mirjana Gross stated that Đurđev really did not even understand what she was talking about (Gross, 1980, pg. 309-310).

In the following period, Đurđev devoted attention to classifying historical sources and studying synthesis as a historical method, which he divided into objective synthesis at the professional, and scientific level. Interestingly, he never wrote a full methods handbook, even though he dealt with the questions, discussing them at various conferences globally, and publishing articles in various journals. He did not do it, as he himself said, because he hoped to end the problems of historical methods. Unlike him, Mirjana Gross followed the development of historiography abroad, and wrote new, modernized editions of her important work, *The Science of History* (bos. *Historijska znanost*).

In the 1970s, Mirjana Gross was convinced that professional History, with the new historiographical directions of the *Annales* school, reached her temporary peak. But twenty years later (1996), she thought that History could not be thought of merely as a relationship between traditional and new, Structural History, because the *Annales* historians were no longer the avant-garde, and the elements of traditional History were revived in the Histories of daily life and subalternity. Furthermore, ancient understandings of History, as a sub-discipline of rhetoric, have come back in the context of the post-modern – "the linguistic turn." Hence, Mirjana Gross did not favor either direction, but pointed to pluralism as the reality of modern History as a discipline (Đurđev, 1978, pg. 441-470; Đurđev, 1980, pg. 305-308; Gross, 1979, pg. 239-261; Gross, 1980, pg. 309-310; Gross, 1996, pg. 7-10; Juzbašić (ed.), 2010, pg. 1-239).

Regarding the character of History in Bosnia and Herzegovina, which developed since the 1960s, historian Muhidin Pešić offered a compelling reflection.⁸ In

8 About the state of historiography in Bosnia and Herzegovina between the 20th and 21st century see: Pešić, M. (2009). *Oblikovanje i rastvaranje života u eliksiru vremena* (omnibus – studija o modernoj historiji) ili *glasine o začeću historijske znanosti u ideološkom zagrljaju i njihovo utapanje u brzicama istine*. *Historijska traganja*, 4, 127-198; Kamberović, H. (2006) O glavnim

one of his articles (2015), reinterpreting his work and the thoughts of historian Husnija Kamberović about the state of History in Bosnia and Herzegovina today, the author wrote the following –

Historian Muhidin Pelešić, among others things, in an omnibus study (2009), described the state of History in Bosnian-Herzegovinian of the 1960s. Its origins were rooted in the 19th century, and it was institutionalized by the communists and helped it mature. It was, of course, politically controlled, but the ideology lost the battle with the science, and the scientific research so far point to how already by the 1960s, History in Bosnia and Herzegovina was not a servant of the regime, Unlike then, Pelešić notes that today in B&H, there is a politically-demanded revision of the past. There are three kinds of Bosnian historians: the rare few, which offer new insights into known historical topics, those who present new facts in traditional ways and the third (unfortunately the most numerous), which sketch a caricature of the important historical themes, and sell it to us as ‘History’.”

Four years earlier (2006), historian Husnija Kamberović claimed that historiography and History in Bosnia are lagging behind modern historical trends – the choice of themes (national-historical themes dominate), methodological approaches (traditional approaches are dominant) and by the state of the cadres – there is a major fracturing of institutions and lack of joint work etc. There is no historiographical school in BiH, and we do not have historians that established good concepts, that would be followed by new generations of historians. We have some quality historians, but little histories of daily life, gender or using oral methods are being written. The period after 1945 remains unexplored and we lack researchers that deal with the most recent past – the wars and genocide are researched by non-historians. The profession has also failed in terms of writing textbooks, etc. (Selimović, 2015, pg. 169-170)

According to Husnija Kamberović, historiography in Socialist Yugoslavia fell apart before the state itself, and History in all post-Yugoslav states developed independently, without significant international contact. With the crumbling of the state, so too did the credibility of institutions where affirmed historians worked to develop historiography. The political and social context in all post-Yugoslav states in the past two decades was not favorable for the development of History as a scientific discipline. The main trait of the relationship between the post-Yugoslav historiographies is their division, which is manifest in the personal clashes between historians (which are often not ideologically motivated), and less so by

problemima historije Bosne i Hercegovine. *Prilozi*, 35, 217-222; Kamberović, H. (2012) *Historiografija u Bosni i Hercegovini u službi politike*. Zagreb: Srednja Europa; Lovrenović, D. *Upad parahistoriografije u prostor historiografije*, http://old.stanak.org/index.php?option=com_content&view=article&id=362:interview1&catid=1:vijesti&Itemid=91 (26.10.2015)

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difference of methodology. Still, some new historical methods have been met with acclaim in the post-Yugoslav era.⁹

Postmodernist Historiographical Concepts, or the New Methodology of the Historical Science

Postmodernists and poststructuralists faced the traditional historians with the challenge of questioning the concept of History as a science, bringing into question its traditional and widely accepted epistemological positions. Radical postmodernists reject History as a possible means of knowing the past, leading traditional historical methods and History as a science into theoretical nihilism. That challenge was posted in 1973, at the height of the “linguistic turn,” with the question of historian Hayden White (1928-2018): is History a story, rather is it a science or a poetic discipline? In the last three decades of the 20th century, there have been many discussions about the postmodern conception of history. We will only analyze a handful of postmodernist positions that speak to the core of their critique of traditional History, along with a handful of opposing viewpoints.

By postmodernism, we mean a collection of ideas and worldviews, resulting from the socio-technological changes from the end of the 20th century, including the global economy, consumerism, information technology and skepticism of progress of science. Postmodernism rejects the Enlightenment belief in reason and progress. It speaks more to the end of the Western paradigm of modernity but is unsure of concepts that would follow the end of modernity. Postmodernism did not define a new paradigm, hence being “post” modern. The idea is clear in that the paradigm of modernity is spent, but it is unsure of what is to follow, rather offering a plurality of choices, often contradicting ones. Postmodernism rejects the importance of grand narratives, created by cultures that produce them about themselves, masking their instability and contradictions, core to every society. Apart from that, it advocates narratives about little practices and local events, rejecting universal concepts. Those mini narratives are fragmented, relative and uncertain; they prevent any attempt at events to be given an objective meaning, as stated by Mirjana Gross. She agrees with the post-modern critique of grand narratives, but rejects the postmodern absolute focus on microhistory, inherent to which is the pointlessness of attempts to research historical structures and processes. In that case, historians would be rejecting their mission, Gross concludes (Gross, 2009, pg. 167).

The postmodernist critique of traditional historiography does not offer a new epistemological and methodological concept of History. It fundamentally endangers the foundations of History, denying it the possibility of ascertaining the truth

⁹ See more in: A. Vučković, (2017). Intervju sa Husnijom Kamberovićem. *Noema: časopis za društvenu i humanističku misao*, 4, 81-89.

about past events and deeming the research method and source-critique relative (i.e. hopeless), as the result of the historian's work is an imaginary tale (fiction), expressed in books. That means postmodernists, unlike traditional historians, believe that objective reality cannot be achieved through documents, as every author will give them a different meaning. Facts themselves do not reflect any *real* past, and considered in isolation, they have no meaning; the author will give them meaning later. One of the most recognizable postmodernist authors, Alun Munslow (1947-), believes that documents represent merely "a series of meanings and interpretations." Postmodernist philosopher of History, Keith Jenkins (1943-), representing the extreme thesis for the deconstruction of History, claims that History can only be known (observed) through the medium of the text, but not as a real event. The written works of historians are a linguistic construction, and as such, they are not scientific, but subjective and relevant, Jenkins claimed.

The reality of the past cannot be scientifically ascertained, as it is founded exclusively on language, which is used to present reality – the truth, as constructed by certain dominant groups. Hence, reality as such does not exist, as postmodernism does not believe there is a real connection between language and socio-political reality. The reality of the past is possible as a linguistic artifact, whose meaning is created through the relation between linguistic symbols, and does not depend on non-linguistic, real events. Intertextuality does not enable us to explain reality either. Postmodernists claim that language only speaks about its own reality and is not capable of informing us about any other reality. Texts do not reflect reality, and they are not differentiated (the difference between literature and documents, primary and secondary sources, is erased), and can be read in different ways. The concept of truth is abandoned, historicity and development are too. Key terms in postmodernist discussions are discourse, deconstruction and decentering. Discourses are institutional ways of thinking, determined by power in society, which determines what can and cannot be thought or spoken about. Postmodernism de-centers all modernist concepts. Followers of postmodernism mostly have very different opinions, but they agree that: there is nothing fixed and safe, and especially written text, which can be understood as temporary fictions, created with certain interests in mind. All knowledge is legitimate, because no knowledge is secure and true. In doing so, they open the gates to interpretative and methodological anarchy. To avoid it, and next to the fact that multi-perspectivity is relevant and acceptable, we should take account of the epistemological, methodological and logical criteria upon which relevant opinions and knowledge should be based on.

The postmodernist critique of History ties into methodology, and the approach to discourses. It is notable that historian's texts cannot be fully separated from literary texts. Although they are not wholly identical, their story-telling nature opens the path to discovering fiction in their historical narration. Two of the supporters of the new Cultural History, Hayden White and Dominic LaCapra (1939-),

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influenced the viewpoints that did not merely reduce knowledge of the past to just the research of facts, but also attention to narrative forms and the language system. White's theory was based on the idea that historical narration contains elements of fiction and has been recognized as a critical literary approach to History, which, among others, promotes the historian's creativity. White does not erase the boundary between the past (reality) and literature (fiction). He believes that historical reality is shapeless and illogical, and that it is ordered by historians with the help of language. He suggests the introduction of new narrative forms and increasing the historians' sensibilities to language, which would enable them to transcend the narrow professional boundaries, enabling historians to use their own style when writing, to pick a narrative form in accordance with their individual aesthetic understanding. Such a type of historian has been dubbed the *poetic historian*. According to White, narrative explanation is not related to facts, because narrative is a linguistic act, bounded by aesthetic or ethical criteria, and not epistemological. White would step back from his thesis, especially noticeable in the discussion of facts and interpretations in the case of the Holocaust. He claimed that it was possible to depict a realistic image of such events, using a middle voice, which denoted narration without explanation, and stating facts without considering perspectives that are outside the events described. It follows that the relationship between the historical text and past reality is not really fictitious. Facts *do* limit the total freedom of the historian, which literary writers have, but it leaves them the possibility of different interpretations.

LaCapra sought to show that researching History was always also reaching language and that historians have much to learn from Literary Critique and Philosophy. Historical sources are just texts that add to reality, but not a source that contains facts about reality. In showing a more critical sense for the role of language, story-telling structure and the understanding of the text, historians would promote an evolutionary development of History, which is not logically geared towards absolute truth. Rhetoric therefore bound History to its will, LaCapra thought. Historical documents can be read in a literary light, because they contain their own rhetorical value, which historians must interpret when reconstructing the past. Opposite of such an approach are the tendencies of professional historians, LaCapra notes, who read the text as merely a source of information, and approach documents as such, to not disrupt the hierarchy of sources established by 19th century source critique. He does not support White's position that documents can be read in a countless number of ways and argues that White's poetic conception relegated History to subjective relativism. Historians must take account of a scientific reading of the texts, but it similarly cannot neglect the rhetorical traits of the text, nor give rhetoric a propagandistic role. LaCapra criticized the fetishization of archival research, singular viewpoints, *Total History*, while arguing for the novel as an interpretative roadmap for historians, dialogue between text and

context, and warns that History should not seek solutions in rough documentarian objectivism, nor relativistic subjectivism, as both neglect the dialogical understanding of the past. He believes that History would be inherently lively, to the extent that it embraces critical questioning of its methods. In his epistemological discussions, White and LaCapra warn that it was not possible to change the methodology of studying the past, without changing the definition of historical reality. They demanded from the historians a more active relationship with the text. Even though professional historians were not indifferent to the criticisms, it seems that they watchfully observed the fiction in writing historiographical texts, and insist on the separation of fact and fiction, as stated by historian Nada Kisić Kolanović. Postmodernism's influence can be seen in the various new strains of Cultural History, but less so in accepting the claims that historical reality truly is unknowable (Kisić-Kolanović, 2003, pg. 217-233).

The postmodernist thesis rejects the possibility of reconstructing historical truth. The main goal of postmodernists was the deconstruction of the gap between language about the past and the past itself. In doing so, it the idea of History being a scientific discipline, as the past left behind only unrecognizable texts as traces. The postmodern world is skeptical towards modernist methodological foundations, such as historical truth, grand narrative and the objectivity of the historian – considered to be a modernist myth. Empirical research is considered pointless, as is the belief in a close correspondence of historical with historiographical expose. Historians should not be researching historical facts and trying to offer relatively truth pronouncements about them, but historians should primarily be concerned with texts and discourses. Even though she did not agree with the postmodernist conception entirely, Mirjana Gross thought that some postmodernist critiques had valid points about the weaknesses of History. But such critiques were voiced long before the demands for deconstruction. Earlier Historians were conscious of the many *aporia* of methods in History. For instance, the myth about absolute truth was discarded by analysts, and a sense about the limitation of sources was rarely in question; professional historians were, as they are now, conscious of the selective approach in research, bias and dependence on contemporary ideas, as well as how results of research were incomplete and provisional. The weaknesses of History always were irrelevant academic publications, ideological biases and the fragmentation of the field, Gross argued. Jeremy Black had a similar opinion, arguing that many postmodernist critiques were founded on old stereotypical descriptions of the historian's work – belief in perfect objectivity, a male-chauvinistic and ideological direction of History, made peripheral by analysts, Marxist, social and cultural historians. There was always a doubt about the possibility of historians discovering the complete truth about the past. However, Gross highlights that postmodernists believe that the truth cannot be known *at all*, and that it does not exist outside of language. In that case, knowledge about the past through

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research would simply be an ideological construction serving particular interests, and History would then merely be a collection of myths that determined collective identities.

How to answer the challenges of postmodernism? Many historians believe that the critiques can simply be ignored, and discussion avoided. However, some believe that there are good reasons to push back. The main reason to push back, Black and MacRaild argue is postmodernism's nihilistic attitude towards History, which does not aim to improve methodology, but totally discard the belief of historians in being able to know the past through sources (Black and MacRaild, 2007, pg. 195-203). Mirjana Gross also believed that postmodernism should be taken seriously, and that its non-extreme concepts should be examined for positive critiques that could contribute to the development of new approaches to History. She was well-aware however that the postmodernist critique could mean insecurity and confusion for many, as it did not provide a new way, but rather argued that everything is relative, that nothing can be known and that attempting to do so was actually ideology.

The historian Zdenka Janeković-Römer in her work *Historical knowledge and the Methodology of History in Postmodernity* (1999-2000), among other things writes about the new possible methodology of History and the future of the discipline in postmodernity. This paper is a fascinating answer by a professional historian to the challenges of postmodernism. Despite postmodernism not offering a newer (better) conception of knowledge after it has undermined the modernist concepts, Römer is certain that it would be inappropriate to return to a traditional methodology that did not see the importance of the textuality of the publications themselves. On the other hand, neither is the full absorption of the past into text acceptable either. According to new recommendation, History does not have to be based on a single methodological practice (even though it never was). Historians can use various approaches, which must be open to constant critique and to adjustment. In that vein, a handful of methodological approaches developed – narrative approaches without theoretical backgrounds, methods of contextualization or understanding, that generated many works integrating the postmodernist critique and researching new subjects, as well as History's literary possibilities.

Janeković-Römer believes that historiography cannot discard theory and must embrace an epistemological meaning of its form. Without theoretical backing, History would transform into many disciplines, because every author would have their own theory; wider consensus would not be possible, and History would disappear as a science. When writing about epistemology, the author does not mean a default and absolute modernist setting, but she sees them as regulating ideas. Traditional models of knowledge meant the description of the facts the historian collected through source-analysis. Postmodernists answered these claims with the idea that sources too are texts, which also have a literary dimension, and

cannot be read using the Positivist approach, which denotes a mere collection of facts. The postmodernist reading of sources, which highlights their literary dimension and its interpretability, annuls the traditional division into primary and secondary sources. Traditional historiography, in their eyes, fetishized official documents as repositories of meaning, while the secondary sources were considered unreliable. Such a division was a part of an illusory search for total and complete truth, Janeković Römer believes, and further explains how secondary sources are also traces of the past, which reveal motives and the intentions of the author etc. When analyzing the modernist belief in objectivity of the facts that are found in the sources as such, Janeković-Römer believes that it is incorrect to believe that the study of sources can lead to total truth, because complete stories are not waiting in the archive. Historians, with their questions, guided by sources and interpretation, give meaning to historical sources. Sources themselves with their characteristics set the domain of the research. The author does not agree with the postmodern tenant that archival research is fetishized (overrated) and that it can be reduced to only source-critique, because archival research is crucial, and does not exclude linguistic work. Such sources are used in the same way as published documents. Even before postmodernism, historians did not have many qualms about the idea that the job of the historian extends beyond source critique, but it should not be overlooked; source critique still matters in the work of historians.

Summarizing her thoughts about the character of history in the postmodern era, Janeković-Römer writes

History must be based on both the crafted, and literary, and subjectivity, and the voice of the past, and the ear of the present. Historians must affirm knowledge as a perspective and forgo hopeless and unnecessary efforts to delete themselves, their time and place from their work. Objectivity is not possible, but a fair and open positionality is. Modernist 'objectivity' is merely a hidden subjectivity [...]. Knowing cannot be un-subjective, because it does not exist without a subject [...] Being conscious about the limitations and subjectivity of historical knowledge is something wholly different from ideologization and the misuse of the past. Historians choose facts, organize them according to [...] opinions and ability, their stories are no complete, but that does not mean that they are necessarily twisted and false. To claim such a thing is to be trapped in a modernist mirage of an absolute and objective past, and to forget the subjective perspective that had already been deeply embedded into the foundations of the discipline. (Janeković-Römer, 1999-2000, pg. 215).

In Conclusion

As we have seen, postmodernism does not offer any new epistemological directions, nor does it provide solutions to previously known *aporia* of History, nor does it attempt to. In its most radical form, postmodernism reduces the historical method to a theoretical nihilist basis, claiming that works of history are fiction,

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and so places History into the cleavage between art and science, making it neither useful nor harmful. Postmodernists do not try to redefine the historical method. They consider works of historians ideological constructs, which is not related to the past, as historians communicate with texts through which they cannot know the real past (truth). In its most extreme version – based on theoretical nihilism, postmodernism delegitimizes History, deeming it insufficient for knowing the truth of historical processes.

Even though many historians believe that postmodernist conceptions should be ignored, we believe that postmodernist broadsides against History should be pushed back against. Historians must do the work and redefine the nature of History in the postmodern context. It is crucial to set basic principles (rules) of historical methods (which would be open to question), around which there would be consensus. History will lose its scientific character, unless it ensures a theoretical basis, defines its subject of research and sources of knowledge, ultimately taking the postmodernist critique into account. Modernist historians had no qualms about the basic assumption of the historical method (collecting sources, source-critique, exposition) and believing in the possibility of knowing the past (truth), which was not complete and absolute. Difference existed in the application of method, scope of research and the character of the exposition (narration, generalization, explanation, etc.). Contrary to it, postmodernists declared the traditional historical method irrelevant, and having not offered its version, opens the room for methodological anarchy (as without sources, History that resembles fiction would be written), that would individualize History, and make it wholly unscientific, and therefore not useful. If they want to ensure History's *raison d'être* in the postmodern era, professional historians must strengthen the modernist methodology with clear stances that will derogate the irrelevant postmodernist demands and incorporate eventually constructive elements of postmodernist critique.

Despite its importance, post-Yugoslav historians' main priority is not the question of how to approach postmodernism. More dominant discussion is about revisionism,¹⁰ mythologization¹¹ and ideological-political (re)interpretation of the past. However, there are fewer historians which deal with the legitimate revision of the past (examining historical processes based on new sources or new methods and interpretations), from the revisionists (who subordinate the past to contemporary political interests) and authors of mythologized national histories. Were such tendencies in post-Yugoslav historiographies born out of the sea form of postmodernism?

¹⁰ About the historical revisionism in former Yugoslavia see: Katz, V. (ed.) (2007). *Revizija prošlosti na prostorima bivše Jugoslavije: zbornik radova*. Sarajevo: Institut za istoriju.

¹¹ An interesting, edited volume about historical myths: Kamberović, H. (ed.) (2003). *Historijski mitovi na Balkanu: zbornik radova*. Sarajevo: Institut za istoriju.

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BOSNIA  N
STUDIES
SARAJEVO
1

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The Specificities of the Organization
of Ottoman Rule on the Balkan Pen-
insula

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Summary

The paper presents the specific administrative division and organization of Ottoman rule of the Balkan Peninsula, especially in the South-Slavic-speaking areas. The questions of formation, make-up and administrative-governing division of certain provinces of the Ottoman Empire hold significant importance for the sciences of History, Law and Administration. Clarifying these questions matters for the administrative-governing history of the lands and people which forever how long lived as a part of the Ottoman Empire. Understanding the administrative divisions is commonly presented as precondition for a proper understanding and successful solving of many key questions, processes and insights.

Key Words: Administration, governance, organization, Ottoman Empire, Sancak, Balkan Peninsula, Eyalet (pashalik), parish/county, nahiye, vali, kadi, prince, casbah

Introduction

At the end of the 13th century, Turkmen tribes moved west, thus pressing the Byzantine borders in Western Anatolia. The main reasons for the migration were pressures by the Mongol, pursuit of better pastures and opportunities for raiding neighboring Christian lands. The founder of the Ottoman state, the later Ottoman Empire, was called Osman, the son of Ertugrul, one of the Turkmen leaders.¹ The Seljuk Sultan Ala ad-Din Kayqubad II granted Ertugrul, a Turkmen chief, feudal fiefs and lands called a beylik or emirate, centered in the town of Söğüt, on the Byzantine frontier in Asia Minor.²

Like the other Ghazi (holy warriors), Ertugrul too protected the frontier, and carried out periodical incursions into Byzantine lands. Ertugrul's early emirate turned into a state through the constant war and expansion. The opportunity to fight for Islam attracted many Ghazis from all over the Islamic world, and espe-

1 Inaldžik, Halil, *Problem pojave Osmanske države*, POF, XXXV, Orijentalni institut, Sarajevo, 1985., pg. 212, 220.

Due to a lack of sources, the origins of the Ottomans are not entirely known. According to early Ottoman-Turkish chronicles, the Ottomans hailed from central Asia, from the nomadic tribe of the Kayi Turks, a branch of the Oghuz Turks. Under pressure by the Mongol invasions, they sought refuge in Anatolia during the third decade of the 13th century. Osman, after whom the dynasty was named, was born in Söğüt, ca. 1258, and stepped onto the historical stage at the siege of Nicaea (İzmit). The emperor sent an army of mercenaries against him, but Osman beat them at Bapheus, near Nicomedia (İzmit) on July 27, 1302, as reported by the contemporary Byzantine chronicler Georgio Paphymeros (Pahimer). We know his father's name was Ertugrul, because of discovered coins, forged at Osman's behest, and one Ottoman census from the middle of the 15th century mentions his endowment, raised in the town of Söğüt.

2 Hammer, von Joseph, *Historija Turskog (Osmanskog) carstva*, I, Nerkez Smailagić, Zagreb, 1979., pg. 23.

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cially the various Turkic ethnic groups, still fleeing to Anatolia from the Mongols. Thus, the Ghazi structures slowly shaped the basis for the military-administrative organization of Erthogrul's emirate. These holdings were inherited by his son, Osman Ghazi (1299). Of all the Anatolian Beys and Emirs, his possessions were the closets to the southern coasts of the Black Sea, and to Byzantium and the Balkans. In 1302, during the siege of Nicaea (İzник), the former Byzantine capital, Osman resoundingly defeated the Byzantine Army, which tried to relieve the besieged city. Following the defeat, Osman Ghazi achieved fame throughout Anatolia, and ghazis began to arrive from all over, wanting to fight under his command. According to traditions, the bordering emirates and beyliks took the name of their leader and began to call themselves Ottomans. Thus, the Ottoman dynasty was established, so the year 1302 can be considered the year of the founding of the Ottoman dynasty and state.³

Osman, the founder of the Ottoman dynasty, likely died between September 1323 and March 1324.⁴ He was succeeded by his son Orhan,⁵ whose first major success was the capture of Bursa, on April 6, 1326.⁶ He took Nicaea (İzник) on March 2, 1331, and Nicomedia (İzmit) in 1337. The Ottomans moved westwards, and slowly took territories of their rival Emirate, Karasi (the final conquest took place around 1345). With this acquisition, the Ottomans reached the southern coast of the Dardanelles, and it was only a matter of time before they crossed into Europe. That soon occurred in the winter of 1345, when Orhan helped Byzantine Emperor John Kantekouzenos conquer cities along the Black Sea coast.⁷ From

3 Fuad Köprülü argued that the process of the formation of the Ottoman state was shaped by armed clashes with its main enemy – Byzantium. The key to Ottoman wartime successes against Byzantium, Köprülü found, was the total concentration of state power in the hands of the Ottoman rulers. The weakening of Byzantium's power to resist created the conditions for the constant Ottoman expansion westwards. (Köprülü, Fuad, *Porijeklo Osmanske carevine*, Veselin Masleša, Sarajevo, 1955., pg. 118, 283)

4 Although some chroniclers, e.g. the Arab traveler Ibn Battuta, claimed that Osman was alive during the taking of Bursa (April 6, 1326). If this is true, he surely was not in power after March 1324. (*Istorija Osmanskog carstva*, ed. Robert Mantran, Clio, Beograd, 2002., pg. 19)

5 Orhan succeeded Osman ca. 1324, and at that time he was no longer young, because he already had three adult sons. He had five brothers and one sister, and during the succession, there was rivalry between him and his brother Alaeddin, who renounced the throne, although we do not know willingly or not. Orhan led the Ottoman Empire all up to 1362. (*Istorija Osmanskog carstva*, ed. R. Mantran, pg. 19-20)

6 Kicikis, Dimitri, *Osmanlijsko carstvo*, Plato, Beograd, 1994., pg. 28.

7 Following the death of Byzantine Emperor Andronikos III in 1341, the heir to the throne, John V Palaiologos was a legally in minority, making John Kantekouzenos regent. But soon after, an open war broke out between him and the supporters of Anna of Savoy, mother of John V Palaiologos. John Kantekouzenos found an ally in Orhan, so he gave his daughter Theodora's hand in marriage (June 1346). John Kantekouzenos held onto power until December 4, 1355, when he had to abdicate when John V entered Constantinople. He took the monastic vow at the Monastery of St. George of Mangana in Constantinople, where he wrote the history of the many situations from his exciting life. It became an important source about the relations between the

that moment on, Ottoman troops crossed the Dardanelles constantly. In 1352, Orhan's son Suleyman, went to Adrianople (Edirne) to help Kantakouzenos, he took the town of Çimpe (Tzympe) on the European side of the strait. Helped by an earthquake (which occurred in the night between March 1 and 2, 1354), Suleyman took the other forts around Gallipoli.⁸ Merely by rebuilding the forts and garrisoning them with his Anatolian troops, he strongly fortified his position in Europe. To strengthen the bridgehead in Europe, Suleyman began to settle Muslim populations from Anatolia in Europe, and especially quick-adapting nomads.⁹ Following Suleyman's sudden and tragic death (1357), his brother Murad became commander of the Gallipoli area, taking Adrianople (Edirne), the capital of Thrace in 1361.¹⁰ Orhan died in March 1362. He was buried in Bursa, in an old Byzantine monastery, which was turned into a mausoleum.¹¹

The Ottoman Conquest of the Balkans

Murad, I succeeded Orhan.¹² During his rule, the Ottomans continued their conquests in Europe. Geographical conditions set the order of the Ottoman conquest of the Balkans. Moving along the historical Via Egnatia Road westwards, through Serres, Bitola and Ohrid, the Ottomans reached the Albanian frontiers in 1385. The local lords in Macedonia and Albania accepted Ottoman suzerainty. Their other line of advance lay through Thessaly, so the port-town of Thessaloniki was conquered in 1387. The third line followed the direction from Constantinople to Belgrade, and in the year 1365, the Maritsa Valley, with minimal resistance, fell under Ottoman rule.¹³ In 1372, the despot of Dobruja and the King of Bulgaria became Ottoman vassals, while the Ottomans were already the masters of the major traffic routes in the Balkans. In 1395, travelling through Sofia and Nish, the Ottomans entered the Morava Valley, and reduced Serbia to vassalage the fol-

Byzantines and the Anatolian Emirates in the second quarter of the 14th century. (Inaldžik, Halil, *Osmansko carstvo – klasično doba (1300.–1600.)*, Filip Višnjić, Beograd, 1974., pg. 14-15; *Istorija Osmanskog carstva*, ed. R. Mantran, pg. 22-25; Kicikis, D., *Osmanlijsko carstvo*, pg. 30)

8 *Historija naroda Jugoslavije*, I, Školska knjiga, Zagreb, 1953., pg. 345.

9 Inaldžik, H., *Osmansko carstvo*, pg. 15.

10 Kosminski, E. A., *Povijest srednjeg vijeka*, Nakladni zavod Hrvatske, Zagreb, 1950., pg. 129.

11 In the near vicinity, in a special building, there is a grave of his father, whose body was carried there, at his own request, following the taking of the city. The two tombs were initially under the same roof, but later, because of fires and earthquakes which damaged the building, Sultan Abdulaziz ordered in 1868 for the two mausolea to be built. They stand to this day. (*Istorija Osmanskog carstva*, ed. R. Mantran, pg. 26)

12 *Murad I* (r. 1362-1389) was one of three sons of Orhan (fourth and likely most capable son, Suleyman died in 1357, leading the Ottoman troops in Europe). According to Turkish traditions, all sons of the ruler had an equal right to the throne, and the one to establish control over the troops and imperial treasury, along with the consent of the grandees, came to power and ensured his legitimate rule. (*Istorija Osmanskog carstva*, ed. R. Mantran, Beograd, 2002., pg. 38)

13 *Istorija srpskog naroda*, II, Srpska književna zadruga, Beograd, 1982., pg. 36, 39.

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lowing year. Local lords in the Balkans bordering Ottoman territory continued to accept suzerainty of the Ottoman Sultan, who ruled over the entire peninsula.¹⁴

The Ottoman Conquest of the Balkans can be explained by a handful of historical facts. Namely, Ottoman invasions coincided with widespread feudal anarchy, when many independent Kings, Despots and Lords of minor Balkans states, without hesitation, asked for outside help, to solve their internal squabbles. Unlike them, the Ottomans followed a consistent policy and only they had centralized rule, with a strong military, capable of intervening to calm situations. Most important of all were the Janissaries (tur. *yeni çeri*, “new army”) – the first standing army in Europe.¹⁵ The Sultan formed the Janissary Corps from prisoners of war after taking Adrianople (Edirne), and he commanded them directly.¹⁶ On invitation, the Ottomans helped the various factions in various Balkan lands, and they would later made them Ottoman vassals. Apart from that, during the early period, no major state stood up to the Ottomans, in the Balkans or in Anatolia, nor did they face European Crusader Armies, despite the Pope issuing a Golden Bull (December 25, 1366), calling for a Crusade against the Ottomans. Their strongest adversary at the time was the Kingdom of Hungary, which also sought to use the Ottoman advance in the Balkans to expand its holdings in the lower Danube.

The Ottomans followed a conciliatory policy towards the Christians, and thus more easily spread their rule, and increased their sources of revenue. Protecting the peasantry from the exploitation of local rulers was the main principle of Ottoman administration. Similarly, an integral part of the expansionist doctrine was tolerance towards the local nobility and military class. Ottomans would co-opt the members of the military class into their own ranks, so Christians, who were in the Ottoman Army, were relieved of various taxes. The key weakness of the Ottoman state at the time was the underdevelopment of its navy.

Following the death of Murad I in 1389 at Kosovo Field, Bayezid I became the new Sultan.¹⁷ Upon ascending the throne, the new Sultan faced problems in Anatolia, as the Anatolian dynasts rebelled. However, he handled the problem by 1392, and the Ottoman state absorbed most of the Anatolian principalities. At

14 Inaldžik, H., *Osmansko carstvo*, pg. 16-17.

15 Smailagić, Nerkez, *Leksikon islama*, Svjetlost, Sarajevo, 1990., pg. 293.

16 The capital of the state was transferred from Bursa to the Balkans, to Edirne (Adrianople) around 1375. (Festić, Raifa, *Opća historija države i prava*, Studentska štamparija univerziteta, Sarajevo, 1998., pg. 199)

17 As he lay dying, Murad I appointed his eldest son, Bayezid I (r. 1389-1402) as heir. Bayezid I is known by his nickname, the Thunderbolt (tur. *Yıldırım*). In 1396, he trounced the Crusaders, an army of the proudest European knights. He defied the Mamluk Sultanate, the primer Islamic power at the time, and conquered its cities along the Euphrates. He challenged the Great Timur, the new ruler of Asia and Iran. And as Halil İnalçık said: “he went some way towards creating an empire with a centralized government in place of one composed of vassal states.” (Inaldžik, H., *Osmansko carstvo*, pg. 24)

that moment, preoccupied with the situation in Anatolia, Ottoman influence in the Balkans waned, so the Sultan shifted to again dealing with the Balkan problem. In 1396, at Nicopolis, the Ottomans defeated a Crusader Army, led by Hungary and Venice. The victory at Nicopolis not only confirmed Ottoman supremacy in the Balkans but also elevated their prestige in the Islamic World.

Bayezid returned to Anatolia in 1398, and conquered the Karamanid lands, and the principality of Kadi Burhan al-Din, creating an Empire that stretched from the Danube to the Euphrates. At the end of 1401, Bayezid I was at the peak of his powers. In Europe, Thrace, Macedonia, Thessaly, Dobruja and Bulgaria were directly ruled by the Ottomans. That was also the case with a part of Albania. Wallachia and Serbia were subjugated protectorates. Byzantium, which resisted still, could not last out for long, and Constantinople itself was basically under siege. So too was much of Asia Minor under Ottoman administration, as was Anatolia and all the lands from the Aegean to the Euphrates.

At the same time, the powerful Timur (1336-1405) founded a major Empire in Central Asia and Iran, declaring himself the successor of the Ilkhanate in Anatolia.¹⁸ Bayezid challenged Timur to battle, but was defeated, near Ankara on July 28, 1402.¹⁹ The battle was long and full of twists. During the clash, local Anatolian horsemen switched sides to their former lords, who found refuge at Timur's court. During the battle itself, Bayezid I was captured, and his rule ended in disaster without precedent.²⁰ The ten years which followed the defeat at Ankara were very difficult, and this period in Ottoman history is known as the Civil War or the Interregnum (1402-1413).²¹

Even though the defeat at Ankara caused a slump and unleashed chaos, Ottoman forces were not wholly broken. The Ottoman dynasty prevailed, but the Empire was divided. What followed were years of strife between Bayezid's sons for supremacy. During those struggles, Mehmed²² led the most aggressively, managing to defeat his brothers and achieve his goal: re-unification of the Ottoman Em-

18 At the end of the 14th century, most Mongol holdings fell apart into a series of minor feudal states, which warred with one another. That was used by a Central Asian Emir, Timur, who using the squabbles of the feudal lords, managed to conquer a sizable area and create a strong state. (Kosminski, E. A., *Povijest srednjeg vijeka*, pg. 129-130)

19 *Historija naroda Jugoslavije*, I, pg. 456; *Istorija srpskog naroda*, II, pg. 65.

20 Bašagić-Redžepašić, Safvet-beg, *Kratka uputa u prošlost BiH (Od g. 1463.–1850.)*, Vlastita naklada, Sarajevo, 1900., pg. 7.

21 In this period, local Anatolian rulers started to restore their old, independent principalities. The rest of the Ottoman territory was divided among the sons of Bayezid, accepting Timur's suzerainty. Bayezid left four sons – Suleyman, Mehmed, Isa and Musa. After Timur's death in 1405, intense strife for the control over the entire territory began. (Hammer, von Joseph, *Historija Turskog (Osmanskog) carstva*, I, pg. 97-103; *Istorija Osmanskog carstva*, ed. R. Mantran, pg. 62-63; Kicikis, D., *Osmanlijsko carstvo*, pg. 34)

22 Mehmed I (r. 1413-1421), became Sultan at a very difficult time. All up to his death, the Sultan had to fight rebellions and Anatolian Emirs. Hence, it was crucial for him to avoid foreign

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pire. However, the total unification and lasting entrenchment of Ottoman rule was achieved during the reign of Sultan Murad II.²³ The rule of Murad II was a period of notable economic advancement. Trade branched out, and Ottoman cities, like Bursa and Edirne developed considerably. In 1434, a traveler named Bertrandon de la Broquière noted that the annual revenue for the Ottomans climbed to as high as 2,5 million ducats, and that should he use all his means, Murad II could easily invade Europe.²⁴ The central question for this entire period is: How did the Ottoman Empire so successfully rebuild, when civil war, crusades and other crises threatened its existence? There were many factors which helped weather the crises and keep the Ottoman Empire together. The largest of which was the *kul*, the Ottoman system of slavery. The Janissary Corps, whose numbers climbed to six or seven thousand, ensured the Ottoman Sultan's supremacy over his adversaries. In the provinces, the Ottomans developed a corps of military governors of slave origin and armies of *sipahi* (cavalrymen), only responsible to the government, which also guaranteed the governor's status. Peasants and traders also found themselves in a more favorable position under a centralized Ottoman administration than under earlier feudal regimes. The last factor was also the enormous prestige the Ottoman Sultan enjoyed in the mind of the Muslim population. He was considered the greatest Holy Warrior, and such reputation meant significant moral and material benefits.²⁵

When Murad II died, the Ottoman Empire was powerful enough to enable his young son, the new Sultan, Mehmed II and his advisors to realize their policies of conquest.²⁶ The main goal of the new Sultan was to revive the Empire of his ancestor, Bayezid I, and by directly subjugating all lands in Europe South of the Danube, and west of the Euphrates in Asia. The first target for conquest was Constantinople, because only with it could he ensure the prestige and reputation needed to forge an Empire. Mehmed the Conqueror took overlordship of the Bosphorus, building the Rumelia Fortress (*Rumelihisari*) on the European shore, across the Anatolian Fortress (*Anadoluhisari*), built by his grandfather Bayezid.

conflicts. He died in Edirne on May 21, 1421. (*Istorija Osmanskog carstva*, ed. R. Mantran, Beograd, pg. 69, 75)

23 Murad II (r. 1421–1444, 1446–1451), son of Mehmed I, was seventeen when he became Sultan (June 25, 1421). He had three younger brothers – Mustafa, Yussuf and Mahmud.

(*Istorija Osmanskog carstva*, ed. R. Mantran, pg. 75-76)

24 Inaldžik, H., *Osmansko carstvo*, pg. 32, 33.

25 Ibidem, pg. 28.

26 Mehmed II, the Conqueror (*Fatih*) (r. 1444–1446, 1451–1481), son of Murad II. He was a strong personality and authoritative ruler. The thirst for conquest and warrior drive were the main characteristics of his personality. However, the open-mindedness of the Sultan should be highlighted, e.g. when he ordered a portrait from a Venetian artist and requested that various Greek and Western works to be translated for him, to be better acquainted with the Christian faith. Often a winner, secretive, of immense physical stature, Mehmed II became a legendary figure.

(*Istorija Osmanskog carstva*, ed. R. Mantran, pg. 93)

No ship could pass the Bosphorus without Ottoman permission. The siege of Constantinople lasted fifty-four days, from April 6 to May 29, 1453.²⁷ Following the fall of the city, Mehmed II passed through the city at the head of a column, cut the looting short, and headed to Hagia Sophia to pray there. He converted the church into a mosque and declared: “From now on, Constantinople shall be my capital.”²⁸

In 1463, the Ottomans put the Dardanelles under their control, erecting two forts, one on each side of the strait. The Ottoman fleet sailed into the Black Sea and forced all states along its shores (Genoese colonies, the Komnenian Kingdom of Trebizond and Moldavia) to pay tribute and recognize Ottoman suzerainty.²⁹ As a natural frontier for their Empire, the Ottomans designated the Danube and made it their mission in the Balkans to reduce Hungarian influence. Mehmed II’s policy in the Balkans was to prevent any state from consolidating their power on this peninsula south of the Danube and conquered every state which was already consolidated. Such policies crystalized when he conquered Morea in 1460, Bosnia in 1463 and northern Albania between 1464 and 1479.

The Ottoman State at the Height of its Powers

Mehmed the Conqueror was, in the true sense, the founder of the Ottoman Empire. He established an Empire spanning Europe and Asia, with its capital in Constantinople, which would remain the core of the Empire for four centuries. He carried the title of the “sovereign of two lands” (Rumelia and Antolia), and “two seas” (Mediterranean and Black Sea). He was a warrior who fought to conquer the world, but also a man appreciative of tolerance and culture.³⁰ After the death of Mehmed II in 1481, a terrible Janissary rebellion broke out, coinciding with a succession crisis between the Sultan’s son’s Cem and Bayezid. With the help of the Janissaries, Bayezid II became the new Sultan.³¹ Bayezid II’s rule was a time of great economic advancement under stable and safe conditions. Edirne and Bursa continued to develop, and thanks to their mosques, caravansaries and other magnificent buildings, began to look like imperial cities. Bayezid II was not a great conqueror like his father, but he consolidated territories that Mehmed II conquered. This period of development created the necessary conditions for

27 *Historija naroda Jugoslavije*, I, pg. 474; Zirojević, Olga, *Srbija pod turskom vlašću (1459.–1804.)*, Srpski genealoški centar, Beograd, 2007., pg. 7.

28 Inaldžik, H., *Osmansko carstvo*, pg. 35.

29 Hammer, von Joseph, *Historija Turskog (Osmanskog) carstva*, I, pg. 193.

30 Inaldžik, H., *Osmansko carstvo*, pg. 42-43.

31 Bayezid II, the Pius (r. 1481–1512) was thirty when he acceded to the throne. Because of an unhealthy lifestyle (opiate inclinations), his relationship with his father, the Conqueror, was quite poor. In the later years, he became pious and God-fearing. He was in love with the technical arts, and knew technology and astrology very well, studying them diligently.

(*Istorija Osmanskog carstva*, ed. R. Mantran, pg. 123, 125)

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the great conquests that would follow, as the Ottoman land and sea forces were modernized.

The already-aging Sultan Bayezid II abdicated on April 24, 1512, in favor of his son Selim I.³² The new Sultan conquered eastwards. Syria, Egypt and Palestine fall under Ottoman rule. The conquest of the Arab lands, and especially Mecca and Medina marked a new period. The Ottoman Empire was no longer a regular border-state, but the Islamic Caliphate, and from this moment on, the Ottoman Sultans considered themselves the protectors of the entire Islamic world, and not just its borders.³³ One of the aspects of this new consciousness of the Ottoman rulers was the fact that they elevated Islamic law to such a degree, that it became central to running the state.³⁴ No less an important consequence of Selim's conquests was that the Ottomans now controlled the richest centers of transit trade in the world. The income of the Ottoman empire doubled, and the state treasury overflowed. Thanks to those means, Selim's heir, Sultan Suleyman I, was able to finance his plans of global conquest.³⁵ In a relatively short period, Suleyman the Magnificent subjugated Baghdad, Georgia, Armenia, Yemen, Aden, Tunis, Algeria, Rhodes, Tripoli and the Venetian Cyclades. Suleyman the Magnificent also reached northwest, taking Belgrade (1521), defeating the Hungarians at Mohács (1526), and in 1529, he besieged Vienna with 100,000 soldiers, but without success.³⁶ During the truce negotiations in 1533, he was the victor, as he graciously bestowed peace upon Ferdinand I of Austria, who had to accept the title of "the son of the Sultan," while Suleyman received a large part of Hungary (Buda fell to the Ottomans in 1541).³⁷ His numerous successes, on top of which he managed to force Moldavia and Transylvania to pay tribute to him, brought the Ottoman

32 Selim I, the Grim (*Yavuz*) (1512-1520) was forty when he became Sultan. During his life he attained the title "the Grim," because actions he took could be truly terrible. It is likely that heads of high dignitaries were flying more often than usual. But, the Sultan was convinced the punishments were just, and the victims were hardly ever innocent. He was valued as an exceptional military commander, who led his troops in battle, as a just, efficient administrator, but also as a Sunni whose ire should not be drawn. Below the gruff soldierly exterior, the ruler was a man of wide culture, a great disciple of the books he read (with glasses on) and he wrote solid verses in Persian. (*Istorija Osmanskog carstva*, ed. R. Mantran, pg. 165)

33 Živojinović, Dragoljub, *Uspom Evrope (1450.-1789.)*, Zavod za udžbenike, Beograd, 2000., pg.123.

34 Skaskin S.D. – Vajnštajn O.L., *Istorija srednjeg veka*, II, Naučna knjiga, Beograd, 1952., pg. 394.

35 Suleyman I, the Lawgiver (*Kanuni*), the Magnificent (r. 1520 – 1566) was the only surviving son of Selim. He was twenty-five years old when he became the ruler. Suleyman solidified his father's achievements, securing internal peace in the Empire and expanding the borders to the furthest reaches where his army could act. His ascension to the throne was marked by the extension of certain freedoms. He attained the reputation of a just and merciful ruler. (*Istorija Osmanskog carstva*, ed. R. Mantran, pg. 172-173)

36 Kosminski, E. A., *Povijest srednjeg vijeka*, pg. 188; Luković, J. – Nižić, T., *Pregled istorije ratova*, Vojno delo, Beograd, 1962., pg. 28.

37 Živojinović, D., *Uspom Evrope (1450.-1789.)*, pg. 124.

Empire to the height of its power, and turned it into a considerable force in European politics.³⁸

There were many factors that enabled a small group of nomadic and seminomadic Turks to create a sizable organized Islamic state, in which a significant number of non-Muslims also lived. The Ottomans were an ethnic element with an exceptional sense for political organization, which, based on Islamic learning, Seljuk subordinates and slaves, over time, managed to create one of the largest and longest lasting Empires of History. Traditions of Persian, Arab, Seljuk and urban Islamic life and intellectual activity, greatly contributed to the development of the new state. That fact, like the later period of Islamic-Byzantine and Jewish coexistence and mutual influence, show that the Ottomans had the fitting and self-restraining power to create a strong state.

The *ahilik*, associations of craftsmen and the ulema, the class of teachers and interpreters of Islam. These two structures especially contributed to the establishing and expansion of the Ottoman state system. Worth especially noting is the strict discipline of the Muslim youth organizations, whose members were bound by a code of moral, rather ethic ideals, i.e. the ghazi honor code. In the entire Islamic World, few people revered Islam as the Ottomans. The idea of Ghaza or Holy War was an important factor in the establishing and organization of the state. Ghaza was understood as a religious duty, which inspired believers to undertake various tasks, and prepared them for self-sacrifice, At the same time, in accordance with the teachings of Islam, the purpose of Holy War was not to destroy, but subjugate and protect the Christians, Jews and other peoples of the Books of Divine Revelation, i.e. non-Muslims. The skill of various Ottoman rulers played an important role in their initial successes. Outside factors behind the Ottoman successes should also be stressed – there was, above all, the evident decline of Byzantium following the Fourth Crusade in 1204, and the feudal anarchy engulfing the South Slavic states of the Balkans. Furthermore, the West too, especially Venice, Genoa and Florence, due to their trade interests in the Near East, were not united in resisting the Ottomans.³⁹

³⁸ To get a clearer sense of such a whole, we shall state the contemporary names of the state that, organized differently, were part of the Ottoman Empire, in whole or in part. IN Europe they were: Hungary, Romania, Albania, Greece, Ukraine, Crimea and all the Slavic Lands; In Asia: Turkey, Iraq, Syria, Lebanon, Israel, Palestine, part of Saudi Arabia (Red Sea), Northern Yemen and Aden; In Africa: Egypt, the coast of Sudan and Ethiopia, Eritrea, Libya, Tunis and Algeria. The Maritime area of the Empire at the border of the three continents covered the Eastern Basin of the Mediterranean (Also the Eastern Adriatic and Ionian Seas), South of its Western Basin to the borders of Morocco, as the two "Ottoman Lakes:" the entire Black Sea and nearly the entire Red Sea, the southwestern part of the Persian Gulf. It is impossible to determine an exact number of people in the Empire, but it is commonly estimated to have been 22 million in the middle of the XVI century, a sizable number at the time. (*Povijest svijeta – od početaka do danas*, Naprijed, Zagreb, 1977., pg. 467-469)

³⁹ Kosminski, E. A., *Povijest srednjeg vijeka*, pg. 121-126.

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The basic and oldest administrative units of the Ottoman Empire were the *sanjaks* and the *nahiye* from the 1380s, the first *beylerbeylik* (*eyalet* or *pashalik*), the highest administrative division, composed of more *sanjaks* appears. Between the *sanjak* and *nahiye*, in various periods and regions of the Ottoman Empire, there were a handful of lower administrative units, which differed according to institutions, titles, whether they were permanent or impermanent, military or civilian, general or specific.

The administrative terms *beylerbeylik* and *eyalet* share a meaning and denote the highest military and administrative units dividing the Ottoman Empire from the 1380s, until the reforms of the 19th century, when the *eyalets* were turned into *vilayets*.⁴⁰ The difference between the two administrative terms is that the *beylerbeylik* is older and more comprehensive. It denoted not just the area administered by a single *beylerbey* (*pasha* and *vizier*), but also his title and rank, while the name *eyalet* was used just for the highest administrative unit.⁴¹ The term *pashalik*, which is the most common in Bosnia, stems from the fact that *beylerbeys*, who administered certain *eyalets*, routinely had the title of *pasha*, with the rank of two *tugs*, and later the title of *vizier*, with the rank of three *tugs* (banners).⁴²

Already in the 16th, and especially in the 17th century, we commonly see that *eyalets* are referred to using the general term *vilayet*, and their governors as *valis*, not just in common speech and literature, but also in official documents. The terms *vilayet* and *vali* were used concurrently with the term *sanjak* (*liva*) and *sanjak-bey* (*mir-i liva*, *mirliva*). When the *beylerbeys* (*miri-mirani*) began to receive the rank of *vizier* with three *tugs*, then the *sanjak-beys* (*miri-liva*) began to be called *pasha* (*miri-miran*, *vali*) with two *tugs*, but were never called *beylerbey*. The use

40 Vilâjet (*vilâet*) – region, province, territory of a *vali* (Škaljić, A., *Turcizmi u srpskohrvatskom jeziku*, Svjetlost, Sarajevo, 1989., pg. 641)

41 The Turkish word *beylerbeyi* translated literally to “the bey of beys” (Škaljić, A., *Turcizmi u srpskohrvatskom jeziku*, pg. 130) As an administrative term in the Ottoman Empire, it denoted Imperial governors, who governed the largest administrative units of the Empire. The Ottomans adopted these institutions from the Seljuks. The *beylerbey* was appointed by an Imperial Divan at the suggestion of the Grand Vizier. The newly named *beylerbey* received an imperial *berat* and *firman*. The *berat* underlined his jurisdiction, and the *firman* (Royal Decree) circumscribed his duties. (Šabanović, H., *Bosanski divan*, POF, XVIII-XIX, Orijentalni institut, Sarajevo, 1968/69., pg. 12-13)

42 In the Ottoman Empire, the rank of the dignitary was measured by *tug* (*tuğ* – “horse tail”). *Tugs* were made from horse tails, which associated how the Ottoman Turks came to present-day Anatolia from Central Asia. The *tugs* were placed on a special type of flag, as the symbol of the bearer’s rule. During the appointing, *beylerbeys* received the title of *pasha* with two *tugs*. *Beylerbeys*, which had the title of *vizier*, received three *tugs*. The Grand Vizier carried the title of four, or even five *tugs* (Škaljić, A., *Turcizmi u srpskohrvatskom jeziku*, pg. 622). When one *beylerbey*’s rule ended, when he was transferred to another post, or even died, the *tugs* had to be returned to the Imperial Treasury, as emblems of rule.

of the term *vilayet* in the sense of *eyalet* became completely dominant by the 18th century, so by the middle of the 19th century, it became the official term for the *eyalets*.⁴³

Lower administrative units into which the *eyalets* were divided, were routinely called *sanjaks* (*liva*). The name *sanjak* (tur. *sançak*) and *liva* (ar. *liwa*) are synonymous, and initially meant “banner,” but as an administrative term, they were readily used for larger areas, governed by the *sanjak-bey* (*mir-i-liva*, *mirliva*).⁴⁴ From the end of the 16th, and especially in the 17th century, As certain *sanjak-beys* began to receive the title of *pasha* (*mir-i-miran*), they called themselves *valis* since, so the *sanjaks* would be called *vilayets*. The *sanjaks* were divided into a handful of lower administrative units, which differed from one another according to the various types of lower governing bodies, permanent or temporary, general or specific. The basic lower division was the *nahiye* (literally meaning “area, region.”)⁴⁵ The *nahiye*, as a term in the Ottoman administration, signified the lowest order of Ottoman administrative units, which had its own permanent and precisely defined territory, under the direct authority of a body of government, with certain prerogatives. These Ottoman administrative units in the South Slavic lands were largely created by converting the old medieval *counties* (or *parishes*, bos. *župe*) into Ottoman *nahiye*, wherever they existed, while if they did not, similar units were formed around main settlements or forts. Thus, the Ottoman term *nahiye* entirely fits the medieval term *county* and every medieval county in the South Slavic lands would become a *nahiye* under Ottoman rule. If the *nahiye* was not called by the same name as the old county, they were nearly always named after the main fort, if there was an active one, or after the main settlement in the county. Worth stressing is that every medieval county, as a geographical unit which the Ottomans called the *nahiye*, did not always correspond to the Ottoman *nahiye* as an administrative unit, which is wholly understandable when one remembers that the county could be very small. From the oldest Ottoman documents, we can see that the Ottomans, upon taking smaller parts of a geographical whole, a few villages in a county, would join them to the nearest *nahiye*. But, if they had the opportunity later to capture the entire county, they would restore the old unit.⁴⁶

43 Šabanović, Hazim, *Bosanski pašaluk*, Svjetlost, Sarajevo, 1981., pg. 95-97.

44 Sućeska, A., *Državno-pravni razvitak BiH (izbor tekstova)*, Sarajevo, 1997., pg. 47; *BiH od najstarijih vremena do kraja Drugog svjetskog rata*, Bosanski kulturni centar, Sarajevo, 1998., pg. 100.

45 Sućeska, A., *Državno-pravni razvitak BiH*, pg. 47.

46 The regular *nahiye* should be differentiated from the so-called *Vlach* (*pastoral*) *nahiye*. They were, again, largely old geographical units, parishes/counties and regions, inhabited by mostly the Vlach, pastoral population, local or migrant. They had internal self-government, with many privileges and special military organization. The organizations were directly subordinate to the Sultan, *beylerbey*, or the *sanjak-bey* of the local *sanjak*, and within their organization, they reported to their elders, the military: *voivodes* and the *harambasha*, and civilian: *princes* (*nahiye*

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The most common administrative unit, which was between the basic permanent administrative units, the *sanjak* and the *nahiye*, was the *kadiluk* (sometimes equivalent to the *kaza*).⁴⁷ The Arabic word *kaza*, as an administrative term for Ottoman subdivisions, denotes the area under the jurisdiction of a single *kadi* (ar. *kadi* – judge).⁴⁸ As the *kadis* in the Ottoman Empire, had not only judicial, but also administrative functions, the *kaza* or *kadiluk* was a regular administrative unit in all regions inhabited by Muslims. Every *kadiluk* covered a certain number of *nahiye*, depending on the number of Muslim inhabitants in the area. If one *sanjak* had a sparse Muslim population, then the territory of the *kadiluk* could coincide with the territory of the entire *sanjak*. Thus, there were entire *sanjaks* in which there was only a single *kadiluk*. The territory of a single *kadiluk*, and jurisdiction of the *kadi* did not have to coincide with the borders of the titular *sanjak* but could cross the boundaries and cover *nahiye* of other *sanjaks*. If in one area, the Muslim population increased (through Islamization or colonization), then the number of *kadiluks* grew. In the *kadiluks* with a higher number of Muslims, the *kadis* would appoint *naibs* in their centers and the centers of more distant, larger *nahiye*.⁴⁹ They would conduct judicial-administrative duties in one or more *nahiye*, outsourced by the *kadi* from the neighboring *kadiluk* and his jurisdiction.⁵⁰

The next Ottoman administrative division we encounter in the South Slavic lands, after the *nahiye* was the *vilayet*. Early on, before and during the introduction of regular administration, the Ottoman used the term to denote certain administrative units lower than the *sanjak*, but higher than the *nahiye*. These units were territorially composed of more *nahiye*, and they most resembled the judicial-administrative units, the *kaza* or *kadiluk*. Just as the *kadi* was at the head of every *kadiluk*, the head of every *vilayet* was the *voivode* or the *soubashi*.⁵¹ Furthermore, as the *kadis* of larger *kadiluks* had their aides – *naibs* in one or more *nahiye* of

elders), the village heads (*primičuri*) and the heads of the *katun* (*katunari*). (Šabanović, H., *Bosanski pašaluk*, pg. 110-111)

47 Sućeska, A., *Državno-pravni razvitak BiH*, Sarajevo, pg. 47.

48 Sućeska, A., *Državno-pravni razvitak BiH*, Sarajevo, pg. 47.

49 Naib (ar. Nā'ib) – the *kadis* representative or governor in the *nahiye*, who had the ranking of the *kadi*. (Škaljić, A., *Turcizmi u srpskohrvatskom jeziku*, pg. 483)

50 More about the jurisdiction of the *kadis* can be seen in u Hadžibegić, Hamid, *Prilog proučavanju nadležnosti sudova u turskom periodu*, Istorijsko-pravni zbornik, III–IV, Sarajevo, 1953., pg. 241-246.

The *kadis* were paid by the state (according to education and the category of the *kadiluk*) and they had the right to certain taxes for their administrative-judicial work. The taxes were called *rusum* and they were paid during the division of property via inheritance (1,5-2,5%), marriages, issuing confirmations, contract notarization, putting acts into protocol, etc. All the acts received by the *kadi*, or the decisions he made, were entered into the judicial protocol (*sijill*) integrally, making these documents first rate historical sources today. (Karčić, F., *Istorija šerijatskog prava*, Fakultet islamskih nauka, Sarajevo, 1997., pg. 123)

51 Sućeska, A., *Državno pravni razvitak BiH*, pg. 49; Isti, *Organizacija lokalne vlasti u Osmanskom carstvu do kraja XVII vijeka*, pg. 237.

their *kadiluks*, so too did the *vilayet voivodes* and *vilayet soubashi* have their aids in certain larger or more remote settlements and *nahiye* of their *vilayet*, also called *soubashi* or *voivodes*. Hence, the terms *voivode*, as somebody in charge of the *voivodship* (*vojvodaluk*), and the term *soubashi*, a similar type of administrator, should be differentiated from the use of the same names in the sense of the *vilayet voivode*, or *vilayet soubashi*.

Concurrent to the emergence of the name *vilayet*, for a temporary military-political jurisdiction, the name *soubashilik* (bos. *subašilik*) emerges as well. This name comes from the old Turkish title *subaşı*, denoting the title and the area under the military-administrative body. In that sense, during earlier periods, the *soubashilik* had the same meaning as *vilayet*, and *soubashi*, the same meaning as *vilayet voivode*. Sometimes, the same area was once called a *vilayet*, and another time, even in the same document, a *soubashilik*. In that sense, the names *vilayet* and *soubashilik* could be the same. The difference between the terms is that the *soubashi* were feudal holders of a higher rank, enjoying a rent of up to 20,000 to 100,000 akçe, while the *vilayet voivodes* could be smaller, regular *timar* holders. There are cases, especially after the consolidation of Ottoman rule, that the difference between the two was noticeable, in that the *soubashilik* was a narrower term, meaning not every *soubashilik* could be a *vilayet*. It seems that border *vilayets* were often called *soubashiliks*, e.g. the Zvornik area before the founding of the Zvornik *sanjak*. Certainly, this differentiation of meaning was influenced by the fact that in the earliest periods of the Ottoman Empire, *soubashi* were always at the head of every *vilayet*. The title *voivode*, which is seen with the heads of certain *vilayets* of the South Slavic lands, was borrowed from the conquered Slavic peoples of the Balkans. It was not native to the Ottomans, and perhaps not even known before it. This old *vilayet* make-up was temporary, so with the consolidation of Ottoman rule in certain areas and the introduction of regular administration, it slowly disappeared, and with the end of Ottoman expansion, disappeared completely. In the 1480s, a classification of the *sipahi* between the *timar* and *ziamet*, which meant every *ziamet*-holder got the title of *soubashi*, which further differentiated the *soubashilik* and *vilayet*.⁵²

Another type of administrative unit was called a *vilayet*, independent of temporary military-political and regular judicial-administrative divisions of the *sipahi*. In such a system, the *vilayet* signified the area of a few administrative *nahiye* of a *sanjak*, whose *sipahi* were under the direct command of a feudal official, called the *cheri-bashi*, *seraskier* and *soubashi*. All three of the old Turkish terms are synonyms, and it literally meant “voivode/duke.” It was a much older institution, and hierarchically lower than the *alay-bey*, who (from 1526 onwards) became the head of all the *sipahi* of a *sanjak*. These *sipahi soubashi* were still the in charge

⁵² Šabanović, H., *Bosanski pašaluk*, pg. 111-113.

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of their holdings, but they were no longer directly subjected to the *sanjak-bey*, but to the *alay-bey*. These *vilayets* held up as military-operational units, all up to the liquidation of the *timar* system. Censuses, inspections and controls of the *sipahi* were also done according to them. The ordering and mobilization of the cavalry armies was also done according to these structures.

The most typical Ottoman political-administrative body in administering units smaller than *kadiluks* or *vilayets* were the *voivodes*, and their territories were called the *voivodeluk/voivodeship*. In the Ottoman administration of the South Slavic lands, there were many dignitaries called *voivodes*, but that name held up the longest in signifying the administrative-police bodies in one or more *nahiye* in a *voivodeship*. Their territories were not always strictly set; it did not represent a permanent administrative or geographical whole, as e.g. the *nahiye* or *kadiluk* did. It could be composed of one *nahiye*, as was the most common case, but it commonly covered two or more, even an entire *kadiluk*. The provincial governor would decide whether he would let a person administer one or more *nahiye* on a case-by-case basis. As the *voivodeships* were usually composed of a single *nahiye*, practically, although not wholly theoretically, we can say that the *voivodeships* coincided with the *nahiye*, and hence, the *voivodes* were *nahiye* elders. When one *voivode* received two or more *nahiye* to manage, he would appoint his own *soubashi*. The Imperial *hass-ı humayun* (Imperial demesne) in the *nahiye* was managed by the *emin* (steward).⁵³

Along with the many local titles and institutions in the South Slavic names, which the Ottomans introduced into their administrative system, is the title of prince (*knez*), meaning a local elder for a territory – a *nahiye*, town (*varoš*), one or more villages inhabited mostly by Christians. The name prince's land (principal-ity, *knežina*), meaning a certain area under the prince's jurisdiction, existed only in the Vlach, pastoral *nahiye* and their organization.⁵⁴ It was an institution of local self-rule, tolerated by the Ottomans and supported by the people. As in the Vlach

53 Along with this name, certain dignitaries received epithets, which signified the type of income a dignitary collected. So, for instance, the Imperial *emin* was called the *gümriük emin*, the *haraç* collector, the *haraç emin*, the trustee who collected customs at the market the *bazaar emin* etc. (Sućeska, A., *Organizacija lokalne vlasti u Osmanskom carstvu do kraja XVII vijeka*, pg. 249-250)

54 The principalities could be encountered at any given point of the Ottoman rule of these lands. In the first period, they were only covering the Vlach population. They were especially prevalent in Herzegovina, Serbia and parts of Bosnia proper, where the Vlach population was settled *en masse*. (Vasić, Milan, *Knežine i knezovi timarlije u Zvorničkom sandžaku u XVI vijeku*, Godišnjak Društva istoričara BiH, Sarajevo, 1959., pg. 250)

Linguist A. Kovačec gave a very interesting encyclopedia article about the Vlachs, namely about the emergence of the Vlach name: "The name itself is connected to a Celtic people, which in the 3rd century CE participated in the Celtic migration towards Greece and Asia Minor. The Slavs borrowed the name from the Germanic tribes as *Walch*, *Welch*, denoting a Romanesque population, or any of foreign origin. Until the 9th and 10th centuries, the name had an ethnic meaning, only to later become a synonym for nomadic, or half-nomadic (pastoral) social communities,

nahiye, so in the Christian towns and town quarters, the elders were largely princes, and in the villages, village princes or *primičuri*.⁵⁵

At the start of the Ottoman rule, there existed also county prefects/parishioners (*župani*), elder pastoralists in some county/parish *nahiye*. Religious or social groups and groups of more villages, hamlets, or neighborhoods (*zaselci, mahale*), as well as a single military-organizational unit of the Vlachs was called a congregation (*džemat*). Hamlets and smaller city quarters were called *mahale*. A larger Muslim settlement was called a *šehar*, a smaller one a casbah (*kasaba*). A Christian mahala was called a *varoš*.

Concluding Remarks

The internal make-up of the Ottoman Empire differed from other European and Christian states. It differed not just in its specific military-feudal system, but also in that it was a theocratic Empire. In the conquered lands, all faiths, if they were loyal to the state, were respected and protected by the Ottoman government, but Islam was the only state religion. The Ottoman state, based on the precepts of Islam, guaranteed Christians and Jews, and other minorities, rights to life and property, under the condition of the head tax (*jizya*). Considering their legal character, all taxes in the Ottoman Empire were divided into two major groups, Sharia (*tekalif-i sheriyye*) and non-Sharia, extraordinary or regular taxes (*tekalif-i örfiyye*). The criterion for this division was whether the laws, directly or indirectly, were based on the Sharia. The *jizya* fell under the first category and was a head tax for adult non-Muslims and sign of loyalty and obedience. The income collected from the *jizya* was largely used for military purposes.

The Ottomans allowed the protected minorities the freedom of worship and way of life, as prescribed by Islam. The Ottomans were very favorable towards both Muslim and non-Muslim peasants as sources of state income. It was their traditional and long-lasting policy, which also promoted religious tolerance, because the Ottomans too, as frontier people, mixed readily with Christians. Apart from their ethnic roots, the Ottoman Turks absorbed elements of other cultures that left a mark in Anatolia. These included elements of the Hittite, Armenian and Greco-Byzantine culture, which especially influenced the Ottomans after the capture of Constantinople. However, Islam remained the fundamental principle of the Ottoman state and society.

Only through a comprehensive examination of the structure of the Ottoman state and society, as well as its complex politics, can we explain the fact that the tiny

regardless in which ethno-cultural wholes they lived in.” (*Hrvatski leksikon*, 2, Naklada Leksikon, Zagreb, 1997., pg. 655)

55 Guzina, Ružica, *Knežina i postanak srpske buržoaske države*, Kultura, Beograd, 1955., pg. 12-13; Sućeska, A., *Državno-pravni razvitak BiH*, pg. 49.

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Ottoman Emirate/Beylik, dedicated to holy war on the Byzantine frontier, grew into one of the largest global Empires. Owing to its specific organization, societal traits and community relations, the Ottoman Emirate had all the prerequisites to grow into a cosmopolitan Empire, in which all races and faiths made up a whole, in which Islam, Christianity and Judaism co-existed.

The History of the Ottoman Empire, which was one of the greatest, non-colonial Empires and most important civilizations of the second millennium CE, is equated with the history of Turkey. Thus, the Ottoman Empire is wrongly called “Turkish,” even though the Ottomans did not accept such a name for themselves. This distortion of truth intensified with the emergence of national movements in the Balkans and Arab lands in the 19th and 20th century, which sought to simply incorporate the histories of multi-national Empires into their national histories. However, every empire is, by definition, multi-national and tolerance is a matter of life and death for an empire. Moreover, the organization of every empire requires the development of two opposing forces: one that strives for unity and another that preserves diversity. Unity in diversity is therefore a necessary principle. Excessive centralization or extreme decentralization results in the destruction of the imperial order. The Ottoman Empire, merely by lasting almost seven centuries, proved that it long respected the principle of necessary tolerance. In the Ottoman state, various languages of the East and West could be heard. Officially, Turkish prevailed as the language of administration written in Arabic script. Among the four Sunni *madhhabs* (legal schools), the Hanafi *madhhab* was officially in use for religious rituals and Sharia judiciary, but in the Arab world, the other three *madhhabs*: Maliki, Hanbali, and Shafi’i, were practiced freely. All this indicates that the Ottoman state was as tolerant, as it was complex. The Ottomans, ennobled by the spirit of Islam, did not destroy in their conquests, but primarily built and spread a civilization without violence and coercion, which, of the European lands, surely found its most fertile ground in Bosnia and Herezegovina.

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BOSNIA  STUDIES
SARAJEVO
1

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Genocide: From Definitions to the
Srebrenica Verdict

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Summary

The paper briefly analyzes the crime of genocide in a historical and legal context, stressing that the 20th century is often called the “Century of Genocide” because of the numerous mass crimes that were committed during it. In the paper, we rely on the legal definition of genocide, and the efforts of Raphael Lemkin for it to be adopted at the Convention for Prevention and Punishment of the Crime of Genocide from 1948. Among others, we explore the complexity of proving genocidal intent, consider the role of ideology in committing genocide, and point to challenges in classifying a crime as genocide.

Despite international efforts to prevent genocide and punish the perpetrators, the perpetration of crimes with the element of genocide continued during the 20th and 21st centuries, which is illustrated by the example of the genocide in Bosnia and Herzegovina. The paper pays special attention to the chronology of the genocide. We also highlight the continued denial of the genocide verdict in Srebrenica and its consequences for Bosnian-Herzegovinian society and state.

Key Words: Genocide, twentieth century, Genocide Convention, Raphael Lemkin, genocidal intent, Bosnia and Herzegovina, Srebrenica, Bosniaks, July 1995, genocide verdicts, genocide denial

Introduction

Due to a high number of victims, the twentieth century is often called the “Century of Genocide.”¹ The harshest forms of crimes which fit what is designed as genocide are not characteristic for just that century. Proof of crimes that have all the traits of genocide reach into the distant past. Examining the continuity of these crimes, we can conclude that they are one of the features of human history. From inter-tribal extermination at the time of the earliest human communities to exterminating members of groups of different national, ethnic, racial or religious persuasion, a long time of historical development has passed. Hence, from the

1 Bruneteau, Bernard (2005): *Stoljeće genocida*. Zagreb: Politička kultura; Valentino, A. B. (2004): *Final Solutions: Mass Killing and Genocide in the Twentieth Century*. New York: Cornell University Press; Totten, S., Parsons, W. S. (ed.) (2009): *Century of Genocide: Critical Essays and Eyewitness Accounts*. New York: Routledge; Wallimann, I., Dobkowski, M., Rubenstein, R. (ed.) (2000): *Genocide and the Modern Age: Etiology and Case Studies of Mass Death*. New York: 1st Syracuse University Press; Siniša Malešević claims that at the start of the late Middle Ages, there were only 60,000 deaths in all wars around the known world, and that the 20th century alone is responsible for more than 110 million direct victims of war.” Malešević, Siniša (2011): *Sociologija rata i nasilja*. Zagreb: Naklada Jasenski i Turk, 17.

earliest communities to the present day, violence was a means with which an individual or group goals were achieved.²

After the end of the Second World War, the promise “Never Again” was inspired, above all, by the vast scale of the crimes and the Holocaust of the Jews. Despite the goal to free humanity of such crimes, they were nonetheless committed in many places, including Bosnia and Herzegovina. Brutal killing with the features of genocides have continued into the 21st century.

Naming the Crime of Genocide

Thanks to Raphael Lemkin, more attention was given to the naming and analysis of the “greatest of all crimes.” In his analyses, he invested special attention to studying what Winston Churchill called the “crime without a name.”³ Even though the “crime of crimes”⁴ was officially named genocide with the adoption of the Convention for the Prevention and Punishment of the Crime of Genocide in 1948, Lemkin showed interest for the special naming of these mass crimes even before those committed during World War II. Lemkin spoke of the destruction of ethnic, national and religious groups already in 1933, at the Fifth International Conference for the Unification of Penal Law in Madrid.⁵ At the Conference, he

2 Ben Kiernan highlights that mass killings were present also in the neolithic age. He says that “Mass killing is not a newer age particularity...The development of agriculture in the neolithic era secured surpluses that could support systemic warfare. There is proof of the destruction of whole societies.” Kiernan, Ben (2007): *Blood and Soil: A World History of Genocide and Extermination from Sparta to Darfur*. New Haven: Yale University Press, 1-2.

See also: Muchembled, Robert (2015): *Istorija nasilja. Od kraja srednjeg veka do danas*. Beograd: Delfi; Rubinstein, 2004; Rubinstein, William (2004): *Genocide*. Edinburg: Pearson Education.

Raphael Lemkin highlights that “wantonly and deliberately wiping out whole peoples is not utterly new in the world. It is only new in the civilized world as we have come to think of it.” Lemkin, Raphael (1945): *Genocide – A Modern Crime*. Free World, No. 9, 39.

3 Bruneteau, Bernard, *Stoljeće genocida*.

4 William Shabas is one of the theorists who highlight that genocide is at the top of the “pyramid” of crimes. He underlines “[...] nor does the fact that a crime is considered less serious than another mean that it is in some way trivialized or overlooked. But in any hierarchy, something must sit at the top. The crime of genocide belongs at the apex of the pyramid.” Schabas, A. William (1996): *Genocide in the international Law: The crimes of crimes*. Oakland: Cambridge University Press, 9;

Some authors discard this qualification and call it unjustified. They consider that such a qualification minimizes other crimes against values protected by international law and that such qualifications reduce the moral condemnation of other crimes.

Dimitrijević, Vojin, Vidanović, Vojin, Jovanović, Ivan, Marković, Žarko, Milanović, Marko (2010): *Haške nedoumice, Poznato i nepoznato o Međunarodnom krivičnom tribunal za bivšu Jugoslaviju*. Beograd: Beogradski centar za ljudska prava, 101-107.

5 *Raphael Lemkin and the genocide convention*, Facing History and Ourselves, Brookline, 2007, available at: https://www.facinghistory.org/sites/default/files/publications/raphael_lemkin_0.pdf; Also regarding it: Bećirević, Edina (2009): *Na Drini genocid*. Sarajevo: Buybook, 23-24.

did not successfully legally frame the practice he called “crime according to international law.” His suggested terms “Acts of Barbarity” and “Acts of Vandalism” were not accepted – “He called this practice ‘barbarism’ and ‘vandalism’ he called the destruction of ‘works of art and culture.’”⁶ In the first instance, he meant the physical destruction of numerous peoples, and in the other case, other forms of crimes, rather attempts at destruction of what forms the culture of a people. The basic goal with which he moved towards was laying the foundation of international law to prevent and punish serious crimes in the future.

The term “genocide” was first used in 1944, in Lemkin’s book *Axis Rule in Occupied Europe*.⁷ Since then, the use of this term spread continuously, not just in scientific discussion, but also in the discourse of politicians and the wider public. Lemkin’s initial thoughts were wider ranging, but he highlighted that death and killings are not the end goal of the process for genocide. Instead, death of the victims of genocide comes as the result of the execution of certain crimes, producing conditions, which make the death of members of a certain group an inevitable consequence. He stated that:

[...] genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves. The objectives of such a plan would be the disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups.⁸

He conceived the term “genocide” based on Greek words *genos* (race, tribe) and the Latin suffix – *cide* (from *caedere*, to kill).⁹

In a 1947 text for the *American Journal of International Law*, working on the definition of genocide, Lemkin further clarified that “The crime of genocide involves a wide range of actions, including not only the deprivation of life, but also the prevention of life (abortion, sterilization) and also means considerably endangering life and health (artificial infections, working to death in special camps,

6 Power, Samantha (2002): *A Problem from Hell: America and the Age of Genocide*. New York: Basic Books, 21.

7 Lemkin, Raphael (1944): *Axis Rule in Occupied Europe; Laws of Occupation, Analysis of Government, Proposals for Redress*. Washington D. C.: Carnegie Endowment for International Peace.

8 Ibid.

9 Lavić, Senadin (2014): *Leksikon socioloških pojmova*. Sarajevo: Fakultet političkih nauka Univerziteta u Sarajevu, 266.

deliberate separation of families for depopulation purposes and so forth).¹⁰ Martin Shaw is a researcher who, following Lemkin's important starting efforts undertook the analysis of the core process of genocide. He established that apart from physical violence, genocide includes numerous other acts, and that "defining genocide by killing misses the social aims that lie behind it."¹¹ Other theorists like Hannah Arendt, speaking about genocide, recognize the same assault as on human diversity as such, on the "essential characteristic of the 'human status,' without which the very words 'humanity' and 'human kind' would be devoid of meaning."¹²

Article II of the Convention for the Prevention and Punishment of the Crime of Genocide (Genocide Convention), which the General Assembly of the United Nations (UN) approved on December 9, 1948, and went into effect January 12, 1951, considers as genocide:

[...] any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.

Article I states that "The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish."¹³

Every criminal offense consists of two elements: the objective (*actus reus*) and subjective (*mens rea*).¹⁴ The basic trait of the crime of genocide, what differenti-

10 Lemkin, Raphael (1947): "Genocide as a Crime under International Law", *The American Journal of International Law*. Cambridge University Press, Vol. 41, No. 1, 147.

11 Shaw, Martin (2007): *What is genocide?*. Cambridge: Polity Press, 34.

12 Arendt, Hannah (2000): *Eichmann u Jerusalmu – Izvještaj o banalnosti zla*. Beograd: K. V. S, 242.

13 Article III defines that the following acts will be punishable: (a) Genocide; (b) Conspiracy to commit genocide; (c) Direct and public incitement to commit genocide; (d) Attempt to commit genocide; (e) Complicity in genocide. UN, *Convention on the Prevention and Punishment of the Crime of Genocide*, <https://www.un.org/en/genocide-prevention/1948-convention>, accessed January 12, 2024;

About the Convention as a source of international obligations, and about the international obligations of states and of international organizations which derive from the very convention, see for more details: Omerović, Enis (2021): "Konvencija o sprečavanju i kažnjavanju zločina genocida: izvor međunarodnih obaveza", *Genocid nad Bošnjacima, Srebrenica 1995-2020: Uzroci, razmjere i posljedice*, Tom 1. Sarajevo: Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava Univerziteta u Sarajevu, 161-218.

14 Objective elements, or the *actus reus* of a crime is composed from practically all the elements of the crime, apart from the mental, that is the subjective element, and according to the Rome Statute, those are, above all: acts, consequences and circumstances. These circumstances can be

ates it from war crimes or crimes against humanity, is the existence of the intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as specified by the Genocide Convention:

That intent does not require the existence of an organized plan or criminal association, nor the systematization of killing, nor number of victims...genocidal intent is aimed at a group to which every individual victim belongs to; that what the criminal wants to commit is the whole or partial destruction of a group as such, and the murder of individuals is really the means to that end.¹⁵

Frank Chalk clarifies that “criminal intent is not crucial for the definition of genocide, then all kinds of unintentional deadly consequences of human action would be classified as genocide.”¹⁶ However, genocidal intent is difficult to prove. TO support that, Helen Fein highlighted that the intent is the hardest element to prove, and that “proving intent is problematic in the absence of a written order or public statement.”¹⁷ So too do Steven Ratner and Jason Abrams agree that “intent is the hardest element of genocide to prove and often only just indirect or only partly visible from the evidence about the circumstances.”¹⁸

Most genocide researchers conclude that, next to genocide being a state crime, of crucial importance in uniting perpetrators towards a common goal is the shared ideology. Ideology was traditionally “considered crude, closed system of ideas which directs social and political action.”¹⁹ Movements that are recognized as genocidal, in their inception and sowing of their ideas, present themselves as positive. During this period, the movement is joined *en masse*, and followers are mobilized. Thomas Mann, in a 1940 lecture at Claremont College in Los Angeles, titled “War and Democracy,” given after he could no longer live in Hitler’s Germany, but with enough experience to see how a fascist movement rose to power said: “Allow me to tell you the whole truth: if ever Fascism should come to America, it will come in the name of ‘freedom.’”²⁰ Hence, genocide is not a crime

factual (for instance, the age of the victim) or normative (e.g., the protected object). With war crimes or crimes against humanity – contextual conditions, that is, contextual elements of those crimes, have the deciding role in establishing individual criminal responsibility (e.g., for the existence of war crimes the connection with armed conflict). For the perpetrator to answer for an international crime, apart from objective elements, it is necessary to establish his subjective element as well (*mens rea*), which is practically related to guilt.” Degan, Vladimir-Đuro, Pavišić, Berislav, Beširević, Violeta (2011): *Međunarodno i transnacionalno krivično pravo*. Beograd: Pravni fakultet Univerziteta Union i JP Službeni glasnik, 140.

15 Dimitrijević i dr, *Haške nedoumice*, 102.

16 Chalk, Frank (1994): “Redefining Genocide,” *Genocide: Conceptual and Historical Dimension*. Philadelphia: University of Pennsylvania Press, 57.

17 Fein, Helen (1993): *Genocide: A Sociological Perspective*. London: Saga Publications.

18 Ratner, S., i Abrams, J. (2001): *Accountability for Human Rights Atrocities in International Law*, 2nd edition. Oxford: University Press, 36.

19 Malešević, Siniša, *Sociologija rata i nasilja*, 18.

20 Riemen, Rob (2015): *Vječiti povratak fašizma*, Zagreb: TIM PRESS, 37.

***MUAMER DŽANANOVIĆ**

Genocide: From Definitions to the Srebrenica Verdict

that happens “accidentally,” which moves small groups of “paramilitary units.” It is a well-prepared state crime, which has more phases.²¹ In support of this claim is the clarification by Ton Zwaan, namely that

there are no accidental and unintentional crimes of genocide...the process of genocide stems from the decision, or the collection of constitutive decisions by the political leadership at the central level of a state-society. That leadership makes the decision to start genocidal politics, although that decision can emerge in various shapes. Such decisions rarely exist in written form. Decisions are made orally and then are transferred further to the lower levels of the hierarchy and exclusively orally.²²

Fein highlights, and many authors second, that “practically everyone recognizes the fact that genocide is first a crime of the state.”²³ Rene Lemarchand adds some examples, “Had they been perpetrated by the police, armed forces of Rwanda, paramilitaries or the Yugoslav Army, in Rwanda, as in Bosnia, massacres could not take place without a central genocidal plan, elaborated by and through the state’s elite.”²⁴

Discussions about classifying an individual case as a genocide often generates voluminous discussion. It seems that the most common discussions are about the number of victims that is “sufficient” for a crime to be characterized and declared as genocidal. Regarding the numbers question, Irving Louis Horowitz argues that, “Making a definition of genocide based on the percentage of killed population, we risk morality being reduced to mere bookkeeping.”²⁵ Fein similarly stressed, “Essentially, it boils genocide down to the numeration of the killed,

21 According to Gregory Stanton, “genocide is the process which develops through ten phases, which are predictable, but inescapable. In each of the phases, genocide can be stopped with preventative measures. The process is not linear. At the same time, there can be more phases. Logically, the starting phases must precede the latter phases, but all phases of genocide continue to appear through the entire process.” The ten phases of genocide, which Stanton states and elaborates on are: classification, symbolization, discrimination, dehumanization, organization, polarization, preparation, persecution, extermination and denial. Gregory H. Stanton, „The Ten Stages of Genocide“, <https://www.genocidewatch.com/tenstages>, accessed August 12, 2024.

22 Zwaan, Ton (2003): *O etiologiji i genezi genocida i drugih masovnih zločina uperenih protiv određenih grupa*. Centar za proučavanje holokausta i genocida Holandske kraljevske akademije nauka i umjetnosti Univerziteta u Amsterdamu.

23 Fein, Helen, *Genocide: A Sociological Perspective*, 12; Bauman, Zygmund (1989): *Modernity and the Holocaust*. Ithaca, New York: Cornell University Press.

24 Lemarchand, Rene (2007): “Poređenje polja smrti: Ruanda, Kambodža i Bosna”, Jensen L. B., Stevan (ed.), *Genocid: slučajevi, poređenja i savremene rasprave*. Sarajevo: Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava Univerziteta u Sarajevu, 185.

25 Horowitz, Irving Louis (2000): “Genocide and the Reconstruction of Social Theory: Observations on the Exclusivity of Collective Death”, *Genocide and the Modern Age: Etiology and Case Studies of Mass Death*. New York: 1st Syracuse University Press, 62.

totally ignoring the causes of death.”²⁶ Marko Attila Hoare agrees that counting victims cannot classify a crime as genocide, but determining the identity of the victims, and determining the circumstances of the crime can do much to ascertain the truth: “But if numbers cannot be used to affirm or deny genocide, they can tell us a great deal about when, where and how the vast majority of killing happened, who were the main perpetrators and who were the main victims.”²⁷

The adoption of the Genocide Convention legally established and defined the term “genocide,” which had been Lemkin’s life work. Aside from aligning legal norms, or codifying such crimes, it made it possible to indict, try, and punish the perpetrators of genocide.²⁸

Interestingly, the Federal People’s Republic of Yugoslavia (FNRY, 1945-1963, later SFRY) relatively early, even in 1950, included the word genocide in its criminal law, but all the crimes from WWII were characterized as “war crimes” or “treason.”²⁹ Although the term entered the judiciary, as Mustafa Bisić highlights, nobody was tried for the crime by the courts in FNRY/SFRY, because even in later changes to the penal code the formulation remained, but was not used.³⁰

During the 20th century, four international tribunals were formed, including the UN’s International Criminal Tribunal for the former Yugoslavia (ICTY).³¹ After the forming of the war crime courts for former Yugoslavia and Rwanda, the idea for forming a permanent court which would have the jurisdiction for such acts.

26 Fein, Helen (ed.) (1994): *The Prevention of Genocide: Rwanda and Yugoslavia Reconsidered*. New York: Institut for Study of Genocide, 100.

27 Hoare, Marko Attila (2015): *Bosnia and Herzegovina – genocide, justice and denial*. Sarajevo: Center for Advanced Studies, 189-190.

28 Hence, Lemkin gave the most important contribution to the theoretical elaboration of the crime of genocide. It is reflected in the detailed research of the Nazi techniques of genocide. These included: political, social, cultural, economic, biological and physical. For more details see: Džananović, Muamer (2021): “Pregled tipologizacije zločina genocida: prilog izučavanju sociologije genocida,” *Novi Muallim*. Sarajevo: RIZBiH, vol. 88, 61-67.

29 Article 124 of the Criminal Law of the FNRY defines genocide as “Who with the intent to wholly or partly destroy a national, ethnic, racial or religious group, kills or grievously wounds, or severely harms the physical and social health of the group, or forcefully re-settles the population, or places the group in such conditions that lead to the whole or partial extermination of the group, or applies measures with which procreation of the members of the group, or forcefully settles children into another group, will be punished with a strict jail sentence of at least five years or the death penalty.” According to: Bougarel, Xavier (2011): “Od krivičnog zakona do Memoranduma. Upotrebe pojma ‘genocid’ u komunističkoj Jugoslaviji”, *Političke perspektive*. Zagreb: Fakultet političkih znanosti, Vol. 1, No. 2, 10.

30 Bisić, Mustafa (1997): *Ratni zločin i genocid*. Sarajevo: ZAP Biblioteka, 167.

31 UN, Security Council, S/RES/827, *Resolution 827 (1993)*, 25. maj 1993; Three remain: The International Military Tribunal (Nuremberg Court), The International Military Tribunal in Tokyo (Tokyo Tribunal) and the International Criminal Tribunal for Rwanda.

More in: Petrović, Borislav, Bisić, Mustafa i Perić, Velimir (2011): *Međunarodno kazneno sudovanje (pregled sudske prakse i relevantnih dokumenata)*. Sarajevo: Privredna štampa, 521-568.

With the adoption of the Rome Statute of the International Criminal Court in 1998 (which went into effect in 2002), the International Criminal Court was established. Article 5 defines that

The jurisdiction of the Court shall be limited to the most serious crimes of concern to the international community as a whole. The Court has jurisdiction [...] with respect to the following crimes: (a) The crime of genocide; (b) Crimes against humanity; (c) War crimes; (d) The crime of aggression.³²

The act also defined the nature of the listed crimes. They are international crimes *stricto sensu*, for which the international courts have jurisdiction over. They represent the highest criminal acts and include genocide, crimes against humanity, war crimes and aggression.³³ War crimes, crimes against humanity and the crime of genocide are acts that are not bound by statutory limitations. That is guaranteed by the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, which was signed in New York on November 26, 1968.³⁴

Wars and violence continued in the 21st century. The reality of contemporary age is that human invest more and more intellectual and financial potential into the perfection and production of “efficient” weapons daily. It is a “humane” paradox with a deeply antihuman undertone. Considering that massive means are being invested in scientific research in this field, we can agree with Michael Brooks who concludes that “The people in power quickly realized that science is a good investment: if another war occurs, the side with the best scientists will win.”³⁵

Genocide in and Around Srebrenica in July 1995 – from Intent and Execution to Denial

The example of the international armed conflict on the territory of the Republic of Bosnia and Herzegovina (1992-1995) and the crimes committed therein demonstrate that norms of international law were hardly respected, and that their neglect was calmly observed by all the great powers of the world. It took more than three and a half years for a serious reaction. In those three and a half years, horrendous crimes were committed in Bosnia and Herzegovina, including genocide. Tens of thousands of innocent people were killed, hundreds of thousands were expelled from their homes, hundreds of Bosnian cultural and historical sites were destroyed. It was deemed acceptable in late 20th century Europe for civilians

32 Rimski statut Međunarodnog krivičnog suda od 17. jula 1998, “*Službeni glasnik Bosne i Hercegovine*”, br. 2, 6. mart 2002, član 5; Available at: https://narodne-novine.nn.hr/clanci/međunarodni/2001_04_5_42.html, accessed July 14, 2024.

33 Degan i dr, *Međunarodno i transnacionalno krivično pravo*, 139.

34 Petrović i dr, *Međunarodno kazneno sudovanje*, 287-290

35 Brooks, Michael (2012): *Slobodni radikali: tajna anarhija znanosti*. Zagreb: Ljevak, 11.

to be mass murdered, put in camps, sexually assaulted, humiliated and tortured in numerous ways.

Continuous, centuries-long attempts at breaking up Bosnia and Herzegovina and Bosnian society culminated during the aggression against the Republic of Bosnia and Herzegovina from the beginning of 1992 to the end of 1995. Eastern Bosnia was labelled as one of the strategic goals of the Greater Serbian project, which was stressed by the third “Strategic Goal of the Serb People” in Bosnia and Herzegovina, which was also published by Radovan Karadžić, the leader of the Serb Democratic Party (SDS) of Bosnia and Herzegovina and the President of the self-declared “Serb Republic of Bosnia and Herzegovina (SrRBiH), or “Republika Srpska” (RS), as it was renamed in 1992.³⁶ Karadžić published the strategic goals, which expressed intent to commit genocide, at the 16th session of the self-declared Assembly of the SrRBiH which was held on May 12, 1992 in Banja Luka.³⁷ The “Strategic Goals” meant the final breaking up of the centuries-long traditional way of life of Bosnian society. After Karadžić read the goals, the first person at the session to say that they would be realized via genocide was Ratko Mladić, who was appointed the head of the Army of the RS during the session. In multiple intercepted phone calls during Fall 1991, he threatened that, in the case of war, the Muslims (Bosniaks) would disappear.³⁸ Especially illustrative are the intercepted phone calls between Karadžić and Slobodan Milošević, because they demonstrate clear intent of the Greater Serbian policies to ensure Bosnian Serbs never lived in the same state as Bosniaks and Croats, through “ethnic separation” and the establishing of a Serb state on the territory of Bosnia and Herzegovina.³⁹ On March 18, 1992, Momčilo Krajišnik also, as the second most influential

36 The parastate of the Serb Republic of Bosnia and Herzegovina was declared on January 9, 1992, in Sarajevo, and was renamed to *Republika Srpska* (the Serb Republic) in September of the same year. See for more detail: Džananović, Muamer, Medić, Jasmin, Karčić, Hikmet (2023): *Nastanak Republike Srpske: od regionalizacije do strateških ciljeva: (1991-1992)*, Sarajevo: Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava Univerziteta u Sarajevu i Institut za historiju Univerziteta u Sarajevu.

37 The strategic goals were: “The First Strategic Goal is the separation from the other two national communities...the Second Strategic Goal was a corridor between Semberija and the Krajina [Military Frontier] ... The Third Strategic Goal was the establishing a corridor in the Drina River Valley, rather, the elimination of the Drina as the border between two worlds...The Fourth Strategic Goal was establishing borders on the Rivers Una and Neretva...The Fifth Strategic Goal was the division of Sarajevo into a Serb and Muslim part, and the establishing each of these two parts effective state rule of that constitutive state...The Sixth Strategic Goal was an access of the Bosnian Serb Republic to the sea.” ICTY, inv. br. 01146063, Narodna skupština Republike Srpske, *Odluka o strateškim ciljevima srpskog naroda u Bosni i Hercegovini*, 12. maj 1992; ICTY, „Izvorni zapisnik sa 16. sjednice Skupštine srpskog naroda u BiH, održane 12.05.1992. godine u Banjaluci u prostorijama Doma JNA“, govor Radovana Karadžića, 7-8.

38 ICTY, dokaz br. P2536, *Izveštaj vještaka Patricka Treanora pod naslovom “Rukovodstvo bosanskih Srba 1990-1992.”*, 30. juli 2002, 191.

39 See, for instance: ICTY, dokaz br. P5877, *Presretnuti razgovor Radovana Karadžića i Slobodana Miloševića*, 4. septembar 1991; ICTY, P5861, *Presretnuti razgovor Radovana Karadžića*

leader of the SDS, at the session of the SrRBiH, concretely spoke about the need for “national separation in the field”.⁴⁰

Karadžić’s genocidal ideas were supported by the political representatives of the SDS at the local level, crucial factors in their execution. Dangers of the alleged “slow stifling through births” by the Bosniaks was stressed by Goran Zekić, among other things the leader of the Srebrenica SDS, mid-March 1992, at the 11th sessions of the self-declared Assembly of the SrRBiH, fifteen or so days before the aggression began. Zekić stated,

“...all negotiations will go on, and Bosnia and Herzegovina will exist as an internationally recognized subject, which will prolong solving the internal make-up for ten years. It will never be reached, and their birth rates will spill over onto our territories slowly, meaning we will get into a difficult situation.”⁴¹

The stated ideas and the prevention of the Bosniak “gradual suppression [of the Serbs] though birthrates” was only possible through the realization of a genocidal plan, which is what was done in the following years.

In Srebrenica, as in other parts of Eastern Bosnia, from April 1992, the genocidal plan for “ethnically clean” areas was being executed. Mass brutal crimes followed all throughout the Drina basin municipalities. After the taking of Srebrenica in April 1992 by the JNA forces and their collaborators in Bosnia and Herzegovina, and the establishing of Serb rule, many Bosniaks were killed, their property looted and pillaged. After the members of the legitimate formations of the Army of Republic of Bosnia and Herzegovina successfully liberated Srebrenica on May 9, 1992, this area was constantly attacked in the following three years.⁴² Catastrophic humanitarian, medical and security situation was worsened in the first quarter of 1993, when the forces of the Bosnian Serb Army (VRS) and the Yugoslav Army (VJ) conquered the enclaves of Kamenica, Cerska and Konjević Polje, which brought the VRS closer to Srebrenica, along with thousands of new Bosniak civilians into the Srebrenica enclave. Shelling and military maneuvers continued in the following period. Not even the declaration of Srebrenica as a

i Slobodana Miloševića, 23. septembar 1991; ICTY, P2546, *Presretnuti razgovor Radovana Karadžića i Slobodana Miloševića*, 24. oktobar 1991; ICTY, P5832, *Presretnuti razgovor Radovana Karadžića i Slobodana Miloševića*, 29. oktobar 1991; ICTY, P5832, *Presretnuti razgovor Radovana Karadžića i Slobodana Miloševića*, 29. oktobar 1991; ICTY, P5790, *Presretnuti razgovor Radovana Karadžića i Slobodana Miloševića*, 20. decembar 1991;

40 ICTY, Predmet protiv Miće Stanišića i Stojana Župljanina, dokaz br. P00708, *Stenografske bilješke sa 11. sjednice Skupštine RS*, 18. mart 1992, 12.

41 ICTY, “Stenogram 11. sjednice Skupštine srpskog naroda u Bosni i Hercegovini, Sarajevo, 18.03.1992.,” govor Gorana Zekića, 45-46.

42 ICTY, UN, Generalna skupština, *Izveštaj generalnog sekretara u skladu sa Rezolucijom Generalne skupštine 53/35 – Pad Srebrenice*, 15. novembar 1999, 18; ICTY, IT-98-33-T, *Prvostepena presuda protiv Radislava Krstića*, 2. august 2001, par. 13

UN “safe zone” on April 16, 1993, helped much.⁴³ The next day, April 17, 1993, a ceasefire was reached covering Srebrenica from April 18, demilitarizing it and allowing UN troops passage.⁴⁴ Already on April 18, a Canadian battalion was stationed in the enclave, their command center in the town itself (Bravo company), and with the main base in Potočari, 5km north of Srebrenica, towards Bratunac.⁴⁵

The population of the Srebrenica enclave lived without the basic minimal means, namely without medicine and medical materials, hygienic necessities, on minimal rations. Military incursions of the VRS took place even after the “safe zone” was established, and the humanitarian situation improved, but was meagre still.⁴⁶ At the start of 1995, the Canadian UNPROFOR battalion was replaced by two Dutch battalions.⁴⁷

On March 1995, Directive no.7, signed by Radovan Karadžić stated clearly the strategy of the RS regarding the “safe zones” in Eastern Bosnia. It ordered the Drina Corps of the VRS to promptly carry out the physical separation of Srebrenica from Žepa and that “planned and intentional daily military activity should create the conditions of total insecurity, ones that are unbearable and show the lack of perspective for the future existence and life of the inhabitants in Srebrenica and Žepa.”⁴⁸ At the start of July 1995, based on the Directive 7 and 7/1, it was ordered that “A surprise attack should completely separate and shrink the enclaves of Srebrenica and Žepa, correcting the tactical position of the forces in depth, and create the conditions for the elimination of the enclaves.” The VRS operation, code-named “Krivaja-95” began on July 6, and the VRS forces entered Srebrenica on July 11, 1995.⁴⁹

43 ICTY, Predmet protiv Radovana Karadžića, dokaz br. P4209, UN, Security Council, *Resolution 819 (1993)*, 16. April 1993.

44 ICTY, GŠ VRS, br. 17/5-48, *Sporazum o demilitarizaciji*, 18. april 1993; Detaljnije vidi: ICTY, *Prvostepena presuda protiv V. Popovića, Lj. Beare, D. Nikolića, Lj. Borovčanina, R. Miletića, M. Gvere i V. Pandurevića*, Tom I, par. 96-97.

45 ICTY, *Prvostepena presuda protiv R. Karadžića*, tom IV, par. 4972.

After the Resolution 824 was adopted, the status of “safe zone” was expanded to five other cities (Žepa, Sarajevo, Tuzla, Goražde i Bihać) On May 8, an Agreement about the demilitarization of Srebrenica and Žepa was signed. The Agreement was signed by Sefer Halilović Chief of Staff of the ARBiH and Ratko Mladić, Commander of the Main Staff of the VRS, and as witness and representative of the UNPROFOR, Phillipe Morillon.

ICTY, Predmet protiv Radovana Karadžića, dokaz br. D135, *Sporazum o demilitarizaciji Srebrenice i Žepe*, 8. maj 1993, 1-4; For more details about demilitarization, surrender of weapons and control of the forces of the UNPROFOR, see: ICTY, *Prvostepena presuda protiv R. Karadžića*, tom IV, par. 4973-4976; ICTY, *Prvostepena presuda protiv R. Mladića*, tom III, par. 2341-2342.

46 ICTY, *Prvostepena presuda protiv R. Mladića*, tom III, par. 2330-2334.

47 ICTY, *Prvostepena presuda protiv R. Karadžića*, tom IV, par. 4977-4978.

48 ICTY, Vrhovna komanda OS RS, dt. br. 2/2-11, *Direktiva za dalja dejstva op. br. 7*, 8. mart 1995, 8.

49 ICTY, Komanda DK, str. pov. br. 04/156-2, *Zapovest za aktivna b/d op. br. 1-., Krivaja-95“*, 2. juli 1995.

During the afternoon and night of July 10, 1995, a significant number of civilians took shelter in the UN base in Srebrenica. The commander of the Dutch battalion Thom Karremans notified the civilian government in Srebrenica about the alleged NATO attacks the next morning, July 11. The Bosniaks did not believe they would come, and hence in the night of July 11, between 10,000 and 15,000 people, mostly men, gathered at the northwestern part of the enclave, between the villages of Šušnjari and Jaglići. From there, they formed a long column and started a march towards Tuzla. By some estimates, the column was ten kilometers long. It was a “march of death,” because the VRS forces attacked the column with various means.⁵⁰

The following day, July 11, by 16:00, the members of the UN Dutch battalion evacuated the remaining 4,000-5,000 civilians from the UN Srebrenica base in Potočari.⁵¹ The VRS forces took the city, and Mladić declared in front of the cameras,

Here we are on July 11, 1995, in Serb Srebrenica. On the eve of another great Serb holiday, we gift the Serb people this town. And finally, the moment has come to, after the rebellion against the *dahis*, to take revenge of the Turks of these lands.

He then ordered the VRS forces to go to Potočari.⁵²

In parallel with the organized crimes and expulsion of the Bosniaks from Srebrenica, with the “surrender of Srebrenica to the Serbs by the West,”⁵³ preparations were underway for military activities in the neighboring UN “safe zone” Žepa, where the Drina Corps prepared the operation code-named “Stupčanica-95.”⁵⁴ The situation around the UN base in Potočari on July 11 and 12 1995 was also terrible. It was extremely hot, there was no water, food or medication, nor were the conditions sanitary. Some women were giving birth, some people were dying, others took their own lives or tried to. Gunshots could be heard around the base; women were sexually assaulted until July 13.⁵⁵

50 ICTY, R. Butler, “Iskaz o vojnim događajima u Srebrenici (revizija): Operacija “Krivaja 95”, 34, 39; ICTY, *Prvostepena presuda protiv R. Karadžića*, tom IV, par. 5036-5038.

51 ICTY, R. Butler, “Iskaz o vojnim događajima u Srebrenici (revizija): Operacija “Krivaja 95”, 35.

52 ICTY, *Prvostepena presuda protiv R. Mladića*, tom III, par. 2410; ICTY, *Predmet protiv Karadžića*, dokaz br. P4201, *Ažuriran video-snimak prikazan na suđenju u vezi sa Srebrenicom*.

53 Regarding the responsibility of the International Community for the surrender of its “safe zones” to the Serb soldiers, many publications were written. See for example:

Biserko, Sonja (priredila) (2005): “Međunarodna zajednica i srebrenički masakr,” *Srebrenica: Od poricanja do priznanja*. Beograd: Helsinški odbor za ljudska prava u Srbiji.

54 ICTY, IT-05-88-A, *Predmet protiv Popovića i dr.*, dokaz br. P1225, Drinski korpus, str. Pov. Br. 02/04-158-1, *Zapovest za napad na enklavu Žepu – “Stupčanica-95,”* 13. juli 1995, 1-4.

ICTY, *Prvostepena presuda protiv V. Popovića, Lj. Beare, D. Nikolića, Lj. Borovčanina, R. Miletića, M. Gvere i V. Pandurevića*; ICTY, IT-05-88-A, *Drugostepena presuda protiv Vujadina Popovića, Ljubiše Beare, Drage Nikolića, Radivoja Miletića i Vinka Pandurevića*, 30. januar 2015.

55 ICTY, *Prvostepena presuda protiv R. Karadžića*, tom IV, par. 5076-5077.

On July 12, several buses and trucks were prepared for the organized expulsion of the civilian population from Potočari to Kladanj, territory under the control of the Republic of Bosnia and Herzegovina. Around noon, the first buses started leaving the UN base. Many VRS officers were with Ratko Mladić in Potočari.⁵⁶ The organized expulsion of the population was continued on July 13 and ended by 20:00. Before boarding, organized separation of men below 60 and older boys was carried out.⁵⁷ Numerous girls and women reported being raped and other cruelties carried out by the VRS forces. Men and boys were taken to the “white house,” which was near the UN base.⁵⁸ The murders already started there. With the passages of the convoys to Kladanj, busses were stopped, and some men were taken out and killed.⁵⁹

The column that walked the “march of death” was shelled, bombed, ambushed. Many were killed in forests, and a large majority surrendered to the VRS forces.⁶⁰ Often, the VRS forces would trick the Bosniaks using an armored UNPROFOR personnel carrier, by carrying UN gear and flags, and by calling for people to surrender. Believing this would guarantee their safety, many surrendered.⁶¹

In the following days after July 11, 1995, according to the plan, the Bosniaks were taken and killed at previously designated locations, primarily in Zvornik and Bratunac municipalities. During the July 1995 genocide, at least 8,372 Bosniaks were killed, 694 of which were children.⁶² After Srebrenica and later in July, VRS forces captured the “safe zone” of Žepa. Since 1996, 94 mass graves and 336 surface locations linked to the Srebrenica Genocide have been discovered. Most remains of genocide victims were found in many secondary and tertiary mass graves, which speaks volumes to the importance of hiding the truth and

56 ICTY, R. Butler, “Iskaz o vojnim događajima u Srebrenici (revizija): Operacija “Krivaja 95”, 44.

57 ICTY, *Prvostepena presuda protiv R. Karadžića*, tom IV, par. 5095, 5109.

58 ICTY, *Prvostepena presuda protiv R. Karadžića*, tom IV, par. 5142; ICTY, *Prvostepena presuda protiv R. Mladića*, tom III, par. 2527.

59 For more details about the taking out and murder of the men, see: ICTY, *Prvostepena presuda protiv R. Karadžića*, tom IV, par. 5146-5154.

60 For more details about the column of people that gathered in Šušnjari, their path to Nežuk, blockades of the column, ambushes, crimes, surrenders, captures, transportation to camps and finally killing see:

ICTY, *Prvostepena presuda protiv R. Mladića*, tom III, par. 2578-2609; 2615-2656; ICTY, R. Butler, “Iskaz o vojnim događajima u Srebrenici (revizija): Operacija “Krivaja 95”, 34, 39; ICTY, *Prvostepena presuda protiv R. Karadžića*, tom IV, par. 5036-5038.

61 For more details see: ICTY, *Prvostepena presuda protiv R. Karadžića*, tom IV, par. 5162-5166.

62 Arhiv Memorijalnog centra Srebrenica – Potočari; U periodu 1992-1995. godine u Srebrenici, uključujući i genocid u i oko Srebrenice jula 1995. godine, ubijeno je najmanje 826 djece. Džananović, Muamer (2020): “Dijete i porodica u genocidu – S posebnim osvrtom na genocid nad Bošnjacima u i oko Srebrenice jula 1995. Godine,” *Monumenta Srebrenica, Istraživanja, dokumenti, svjedočenja - knjiga 9. - Srebrenica kroz minula stoljeća*. Tuzla - Srebrenica: JU Zavod za zaštitu i korištenje kulturno-historijskog i prirodnog naslijeđa, 119-120.

scale of the crime to the perpetrators. Around 1,000 victims' remains are unaccounted for today.⁶³

Srebrenica Genocide Verdicts and Genocide Denial

The ICTY, International Court of Justice in the Hague, and national courts tried the war crimes as genocide against the Bosniaks, among other things. Until today, various courts have passed verdicts on more than fifty people, for over 700 years of prison time for the Srebrenica genocide and related war crimes. The ICTY and the International Residual Mechanism for Criminal Tribunals (IRMCT) convicted the entire political and military elite of the self-declared RS.⁶⁴ The Court of Bosnia and Herzegovina also issued genocide verdicts.⁶⁵

The first ICTY verdict that characterized the crimes against the Bosniaks in and around Srebrenica in July 1995 was that of Radislav Krstić, VRS general.⁶⁶ The political and military leaders of the RS, Radovan Karadžić and Ratko Mladić received life prison sentences and were convicted for genocide against the Bosniaks.⁶⁷ In the case against Jovica Stanišić and Franka Simatović, heads of the Serbian SDB (*Služba državne bezbenosti*, State Security Service), at the ICTY and IRMCT, established the existence of a Joint Criminal Enterprise in Bosnia and Herzegovina.⁶⁸ The final verdict covered the date relating to Trnovo, and the execution of six Bosniak men and boys, who were captured after the fall of Srebrenica in July 1995.⁶⁹ Some of the criminals admitted responsibility for the crimes.⁷⁰ The International Court of Justice passed the verdict that Serbia was co-

63 Halilovich, Hariz, Buturović, Amila, Karčić, Hikmet, Bećirević, Edina, Mujanović, Jasmin (2022): *Bosnian genocide reader*; Srebrenica: Memorijalni centar Srebrenica.

64 For a more detailed : ICTY, Cases, <https://www.icty.org/en/cases>, accessed, July 12, 2024; IRMCT, Cases, <https://www.irmct.org/en/cases>, accessed, July 12, 2024.

65 For more details into the proceedings see: Sud BiH, Sudska praksa, <https://www.sudbih.gov.ba/Court/Practice> accessed, January 12, 2024.

66 ICTY, IT-98-33-T, *Prvostepena presuda protiv Radislava Krstića*, 2. august 2001; ICTY, IT-98-33-T, *Drugostepena presuda protiv Radislava Krstića*, 19. april 2004;

67 IRMCT, MICT-13-55-ES, *Drugostepena presuda protiv Radovana Karadžića*, 20. mart 2019; IRMCT, MICT-13-56, *Drugostepena presuda protiv Ratka Mladića*, 8. juni 2021.

68 <https://www.slobodnaevropa.org/a/stanisic-simatovic-drugostepena-presuda/32435477.html>, posjeta 1. juni 2023.

69 IRMCT, MICT-15-96-A, *Presuda Žalbenog vijeća*, 31. maj 2023, par. 562-563; Available at: chrome-extension://efaidnbmninnibpcapjpcglclefindmkaj/https://www.irmct.org/sites/default/files/case_documents/IRMCT-Appeal-Judgement-Stanisic-Simatovic-ENG.pdf.

70 Dražen Erdemović admitted guilt before the ICTY and in the appellate proceedings received a five-year prison sentence. ICTY, IT-96-22-A, *Drugostepena presuda Draženu Erdemoviću*, 7. oktobar 1997;

Momir Nikolić also admitted his responsibility for the committed crimes. In the first instance, he was convicted of 27 years in prison. The appeals process lowered the sentence to 20 years in prison.

responsible for not preventing the genocide against the Bosniaks in and around Srebrenica in July 1995, and for not punishing the perpetrators.⁷¹

Thirty years after the start of the aggression and the genocide against the Bosniaks, Greater Serbian aspirations of expansionism west of the Drina River has not stopped. It could also be said that, based on the theoretical model of stages of genocide, that the process did not stop, and is in its final phase – the phase of negation. Hariz Halilović dubbed the current means of genocide denial “triumphalism.”⁷² Genocide denial occurs at the local, regional and international level.⁷³

The mid-2021 *Decision* by Valentin Inzko, then Higher Representative in Bosnia and Herzegovina, introduced the *Law on Amendments to the Criminal Code of Bosnia and Herzegovina*, which, among other things, prohibited genocide denial and celebration of convicted war criminals. This did not stop it. War criminal veneration and genocide denial is central to the politics of the ruling and opposition bodies of government in Serbia and the smaller Bosnian entity, RS. The ruling parties are not at peace with the fact that in RS, or “their” designated Greater Serbian areas, minorities of Bosniaks and Croats are still present. In all possible manners, they hope to show that there is no possibility of living together, nor that peace can be made, but Bosnian society only further dissolved. In May 2024, as

ICTY, IT-02-60/1-S, *Prvostepena presuda protiv Momira Nikolića*, 2. December 2003, par. 2, 183; ICTY, IT-02-60/1-S, *Drugostepena presuda protiv Momira Nikolića*, 8. mart 2006;

Dragan Obrenović also admitted guilt and responsibility for the crimes committed during the genocide in and around Srebrenica in July 1995. The Trial Council sentenced him to 17 years in prison.

ICTY, IT-02-60/2-T, *Presuda o kazni Draganu Obrenoviću*, 10. December 2003, par. 156;

Also important to note is the fact that Biljana Plavšić, a high functionary of the SDS, admitted guilt and was sentenced to eleven years in prison.

ICTY, IT-00-39 i 40/1, *Presuda o kazni Biljani Plavšić*, 27. februar 2003.

71 International Court of Justice (ICJ), Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), *Judgment*, I.C.J. Reports, 26 February 2007, Available at: <https://www.icj-cij.org/sites/default/files/case-related/91/091-20070226-JUD-01-00-EN.pdf>.

72 “Hariz Halilović: U BiH na djelu triumfalizam, <https://n1info.ba/video/info/a402895-hariz-halilovic-u-bih-na-djelu-je-trijumfalizam/>, accessed August 12, 2024.

73 For more details see: Mulagić, Elvedin (2014): *Negiranje genocida nad Bošnjacima*. Sarajevo: Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava Univerziteta u Sarajevu; Džananović, Muamer (2023): “Institutional denial of genocide against Bosniaks and discrimination against returnees in Republika Srpska,” *Bosnian Studies*, Sarajevo: BZK Preporod, Vol. VII/1, 66-82; Karčić, Hikmet, “An Erased Memorial, a Rape Motel, and a Nationalist Disneyland: Bosnian Genocide Denial and the Fight for Memory in a Bosnian Town,” *Georgetown Journal of International Affairs* 22 (2), 2021, 167-173.

the UN General Assembly voted for the Resolution on the Srebrenica Genocide,⁷⁴ political elites from the Republic of Serbia, especially President Aleksander Vučić, and including the political leadership of the Bosnian entity RS, invested considerable efforts to prevent the adoption of the Resolution.⁷⁵ In doing so, they affirmed that historical revisionism and genocide denial are more important to them than coming to terms with the past and peace-building in the region. The “Strategic Goals” were never given up. Ignoring the decisions and opinions of the Office of the High Representative in Bosnia and Herzegovina and the Constitutional Court of Bosnia and Herzegovina, as well as unconstitutional measures, negating and damaging the sovereignty of Bosnia and Herzegovina, veneration of convicted war criminals, genocide denial and celebration of the unconstitutional “January 9, 1992” are just some of the activities that are organized, supported and carried out by the political structures of the smaller Bosnian entity, with strong and decisive support of Belgrade.

CONCLUSION

Raphael Lemkin played a key role in recognizing and defining genocide, and his efforts resulted in the adoption of the *Convention for the Prevention and Punishment of the Crime of Genocide* in 1948. This convention presented a turning point in the legal definition and recognition of genocide. The definition of genocide was established as a legal standard, and even if there were difficulties in proving genocidal intent, the international legal framework enabled combatting such crimes.

Despite international efforts, including the formation of tribunals such as the ICTY, genocide presents a serious threat in the modern world. Proof of continued violence and human rights violations in the 20th and in the 21st centuries point to the need for a constant improvement of the legal system and international cooperation to effectively answer the heinous crimes. The question of genocide also demands a deeper understanding of the ideologies and political goals that often underpin these crimes. Genocide is not an accidental nor sporadic phenomenon. It is the result of systemic decisions and planning at the highest level of government, which further highlights the need for prevention and international oversight.

Despite international tribunals and legal norms, genocide was committed, and verdicts for it passed regarding the events in and around Srebrenica in 1995. This genocide, committed under the leadership of Ratko Mladić and Radovan

⁷⁴ UN, General Assembly, A/RES/78/282, *International Day of Reflection and Commemoration of the 1995 Genocide in Srebrenica*, 23 May 2024, Accessible at: <https://documents.un.org/doc/undoc/gen/n24/152/96/pdf/n2415296.pdf>.

⁷⁵ <<https://balkans.aljazeera.net/news/balkan/2024/5/17/vucic-i-dodik-razgovarali-o-rezoluciji-o-srebrenici>,> Accessed 15 July 2024.

Karadžić, reflects the brutal application of the Greater Serbian policy of “ethnic cleansing” in Bosnia and Herzegovina. Planning, implementation, and continued genocide denial point to a complex dynamic of crimes and their everlasting consequences.

The adopted UN GA Srebrenica Genocide Resolution is conditioned by the continued education, research, and international pressure to ensure that the truth about the genocide of the Bosniaks in Srebrenica remains clearly and unambiguously recognized. Facing the past through complete recognition is the only precondition for the building of lasting peace in Bosnia and Herzegovina, and in the region.

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1

ERMIN KUKA

The Activities of the Serb
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Summary

Political pluralization in Bosnia and Herzegovina began in 1990, with the formation of the first political parties. Immediately after the formation of the Party of Democratic Action – SDA (bos. Stranka demokratske akcije, May 1990), the Serb Democratic Party of Bosnia and Herzegovina (Srpska demokratska stranka, SDS) was formed on July 12, 1990. The SDS's program documents and express goals were based on the Greater Serbian ideology and the policies of creating "ethnically pure" Serb territories and the so-called, Greater Serbia. From the outset, its activities were geared towards Bosnia remaining a part of a rump Yugoslavia, which was already largely in the state of dissolution. It was with this political platform with which the SDS approached the 1991 debate about the future state-legal status and development of Bosnia and Herzegovina, held in the Bosnian Parliamentary Assembly. In the period before the open hostilities against the Republic of Bosnia and Herzegovina, the SDS was the main agent of political, military and ideological shaping of the Serb people. It was fully supported by the JNA (bos. Jugoslovenska narodna armija, Yugoslav People's Army) in those activities, which also guaranteed the party's freedom of activity in the said fields. Thus, the political, ideological and military activities of the SDS throughout Bosnia and Herzegovina, including the city of Doboj, were aimed at the fracturing of Bosnian Herzegovinian society from within. Open armed assaults, occupation and sieges of cities by the JNA and the SDS armed formations resulted in heinous crimes against humanity, violations of international laws, primarily against the Bosniaks, and including genocide. The aim of the paper, based on relevant documented material and other sources, is to show the role which the SDS of Doboj had in the preparation for the city's occupation, as well as in the actual occupation of Doboj in 1992. The results reached by the analysis will show that SDS Doboj had a key and crucial role in the political, ideological and military aspects of the preparation and later actual occupation of the city of Doboj.

Key Words: aggression, The Republic of Bosnia and Herzegovina, Serb Democratic Party, Doboj, occupation, crimes

Introduction

The ideological groundwork for the crimes committed against the Bosniaks during the aggression against the Republic of Bosnia and Herzegovina were set centuries ago. Political and ideological foundations for it were laid long before 1992. Those foundations were expressed publicly and with full consensus during the sessions of the so-called Assembly of the Serb People in Bosnia and Herzegovina (bos. *Skupština srpskog naroda u Bosni i Hercegovine*), where the campaign of extermination and elimination of the Bosniaks was planned. The criminal Ratko Mladić, at the 16th session of the so-called Assembly of the Serb People in B&H,

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held in Banja Luka on May 12, 1992, expressed how the realization of the adopted “Decision about the Strategic Goals of the Serb People in Bosnia and Herzegovina” (*Odluka o strateškim ciljevima srpskog naroda u Bosni i Hercegovini*)¹ would mean genocide.² Even though he was aware the implementation of the infamous “Strategic Goals” would entail genocide, Mladić placed himself at the head of the military formations which committed the most monstrous crime against the Bosniaks, aided by police and armed formations from the neighboring Federal Republic of Yugoslavia (Serbia and Montenegro.)

The Serb Democratic Party, in its full capacity, nearly from its very founding, and especially after the issue of the future status of Bosnia in Herzegovina within a rump Yugoslavia was raised in the Assembly of the Federal Republic of Bosnia and Herzegovina in 1991, represented a political program based on the strict rejection of any independent development of Bosnian Herzegovinian statehood.³

When it became clear that Bosnia and Herzegovina would go the way of independent development as a sovereign and independent state, the SDS expanded its political activities to include militarization. It started a campaign of arming the Bosnian Serbs, as well as organizing military formations that slowly occupied cities, and violently seized power with the help of the JNA. Especially interesting is the fact that the SDS carried out these activities before the actual referendum about the sovereign and independent status of Bosnia and Herzegovina. Thus, for instance, in the Report of the commander of the Zolje company, captain Nenad Erić, among other things, it is stated “TO Zolje company [Territorial Defense, bos. *Teritorijalna odbrana*] was formed as follows: - At the end of February 1992, one platoon of 39 people was formed as part of the Dubnica-Zolje company, which I commanded. At the start of March 1992, we received arms and gave out 30 long-barrel firearms to our platoon. The rest of our company and the population received firearms through the Party and the Army. After setting up barricades in Kalesija on March 13, the entire village was mobilized, firearms were distributed and the TO Zolje company was formed, separate from Dubnica. Positions were occupied around the entire village and watches were kept continuously...”⁴ Similar SDS activities in Višegrad were confirmed by Momir Krsmanović, in a book co-authored with Radomir Smiljanić, states, “Undoubtedly the surrounded Serbs

1 ICTY, *Službeni glasnik Republike Srpske*, br. 22/93, Odluka o strateškim ciljevima srpskog Naroda u Bosni i Hercegovini, 26.11.1993. godine.

2 Ibid; Džananović, Muamer, Medić, Jasmin i Hikmet Karčić (2023). *Nastanak Republike srpske: od regionalizacije do strateških ciljeva (1991-1992)*. Sarajevo: Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava Univerziteta u Sarajevu/Institut za historiju Univerziteta u Sarajevu, pg. 185.

3 Više u: Pejanović, Mirko (2017). *The State of Bosnia and Herzegovina and Democracy*. Sarajevo: University Press-Magistrat izdanja, pp. 38-39.

4 International Criminal Tribunal for the former Yugoslavia (ICTY), *Izveštaj kom. čete Zolje*, kap. Erić Nenad.

could not defend themselves in Višegrad; they would be destroyed. Relying on the lawful state [*zakonitu državu*], Yugoslavia, and the army of that country, they did not need to prepare for war, although the SDS Party armed the Serb people as much as it could, but insufficiently. That is why the Serb leadership in Višegrad asked for the help of the Yugoslav Army, which was the only legitimate military formation.”⁵

The Role of the Serb Democratic Party in the Occupation of Doboj

Representatives of the Municipal Boards of the SDS Doboj, Doboj, Modriča, Bosanski Šamac, Odžak i Maglaj decided at a joint meeting held on February 7, 1991, at the Municipal Board of \SDS Doboj for the municipalities of Doboj, Modriča, Bosanski Šamac, Odžak, Maglaj, Derventa, Tešanj, Teslić i Bosanski Brod to form one region. Doboj was decided as the center of the region, and the region named the “Doboj region” (bos. *Dobojska regija*).⁶ At the same meeting, a Conclusion was adopted which asked the Center for Regional Security Doboj to appoint Radivoj Gojković the head of the Center, allegedly due to the “extremely difficult security situation in the municipalities of Modriča, Doboj, Bosanski Šamac i Odžak.” The previously-mentioned decision was subsequently signed on February 12, 1991 by the representatives of the regional boards of the SDS in Bosanski Brod, Derventa and Tešanj, due to not being present at the February 7 meeting.⁷ Based on the decision, the municipalities of Bosanski Brod, Derventa and Tešanj “accept that they form a regional whole in union with the municipalities of Doboj, Modriča, Bosanski Šamac, Odžak, Maglaj, Teslić, Bosanski Brod, Derventa i Tešanj, dubbed the ‘Doboj region.’” The same Decision designated Doboj as the seat of the region. It was also decided that, until the Regional Board of the Serb Democratic Party was elected, further organizational coordination would be handled by Radovan Milićević from Osječani, Doboj municipality.

The decision was delivered to the Main Board of SDS Sarajevo on February 16, 1991, along with a conclusion “on the security situation in the remaining municipalities, with same the proposal, that URGENT personnel changes be made in the Center for Regional Security Doboj, and that RADIVOJE GOJKOVIĆ, a lawyer from Doboj, be URGENTLY appointed as the Head of the Center...”⁸

Already on May 3, 1991, even more concrete and open activities of the SDS Doboj began regarding the ideological and political preparation of the Bosnian

5 Krsmanović, Momir i Radomir Smiljanić (2016). *Jugoslavija u plamenu*. Beograd: Nova knjiga, pg. 246.

6 Arhiv instituta za istraživanje zločina protiv čovječnosti i međunarodnog prava Univerziteta u Sarajevu (AIIZ), Inv. br. 03-1076/5, *Odluka*, 7. februar 1992. godine.

7 AIIZ, Inv. br. 03-1076/5, *Odluka*, 12. februar 1992. godine

8 AIIZ, Inv. br. 03-1076/6, *Dopuna odluke zaključka i prijedloga od 7. februara 1991. godine*, broj 01-36/91, od 16. februara 1991. godine.

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Serb population for the total seizure of power in Doboj, and its occupation. On that day, the SDS Doboj Municipal Board sent a letter to the Main SDS Board in Sarajevo,⁹ regarding the media reporting by TV Sarajevo about the situation and events in the Republic of Croatia. Dissatisfied with the reporting of TV Sarajevo, SDS Doboj sent the “harshest protest,” demanding “urgent measures to ensure objective reporting, and if that is not possible, please inform us so that we can stop paying the subscription for tendentious and unobjective reporting.” They also demanded “specific actions to ensure that the Serb people are no longer called derogatory names like ‘terrorists,’ ‘rebels,’ ‘population’!” and to find a solution for “the Serb people of Bosnia and Herzegovina to be objectively and timely informed about all events, especially the leadership of the Municipal and Local Boards of the Serb Democratic Party.” These activities of SDS Doboj were the prelude to introduction of the RTV Beograd channel in the Doboj area, which was later confirmed through a request on January 7, 1992.

At the session of the Municipal Board of the SDS Doboj, held on June 27, 1991,¹⁰ among other things, the “Finding solutions to ensure the work of all Local Organizations – SDS Doboj Municipal Organization.” The meeting was held in the premises of the Saint Sava House (bos. *svetosavski dom*), near the Church.

After a series of activities of the SDS Doboj, on October 13, 1991, a series of illegal and illegitimate decisions were made, declaring the territories of the Local Communities of the Doboj Municipality an integral and inseparable part of the Federal Yugoslavia.¹¹ The decisions were made in the following local communities – Opsine, Majevac, Pridjel Donji, Stanovi, Bušletić, Doboj Novi. Article 1 of the said decisions states:

With the goal of realizing the freely expressed will of the Serbian people to live united in the federal state of Yugoslavia, as a community of free and equal peoples, whose right to self-determination has been obstructed and disputed by the act of

9 AIIZ, Inv. br. 03-1076/7, *Obavijest*, broj 78/91, od 3. maja 1991. godine.

10 AIIZ, Inv. br. 03-1076/8, *Poziv na sastanak predsjednika mjesnih odbora SDS Opštinske organizacije SDS Doboj*, 27. juni 1991. godine.

11 AIIZ, Inv. br. 03-1076/10, Odluka o proglašavanju teritorije mjesne zajednice Opsine sastavnim i neodvojivim dijelom Savezne države federativne Jugoslavije, broj 015/91, od 13. oktobra 1991. godine; AIIZ, Inv. br. 03-1076/11, Odluka o proglašavanju teritorije mjesne zajednice Majevac sastavnim i neodvojivim dijelom Savezne države federativne Jugoslavije, broj 25/91, od 13. oktobra 1991. godine; AIIZ, Inv. br. 03-1076/12, Odluka o proglašavanju teritorije mjesne zajednice Pridjel Donji sastavnim i neodvojivim dijelom Savezne države federativne Jugoslavije, broj 01-116/91, od 13. oktobra 1991. godine; AIIZ, Inv. br. 03-1076/13, Odluka o proglašavanju teritorije mjesne zajednice Stanovi sastavnim i neodvojivim dijelom Savezne države federativne Jugoslavije, broj 10/91, od 13. oktobra 1991. godine; AIIZ, Inv. br. 03-1076/14, Odluka o proglašavanju teritorije mjesne zajednice Bušletić sastavnim i neodvojivim dijelom Savezne države federativne Jugoslavije, broj 01-48/91, od 13. oktobra 1991. godine; AIIZ, Inv. br. 03-1076/15, Odluka o proglašavanju teritorije mjesne zajednice Doboj Novi sastavnim i neodvojivim dijelom Savezne države federativne Jugoslavije, broj 5/91, od 13. oktobra 1991. godine.

proclaiming the sovereignty of the Socialist Republic of Bosnia and Herzegovina, the Assembly of the local community declares the territory of this local community to be an integral, indivisible, and inseparable part of the federal state of Yugoslavia.

The decisions were also delivered to the Main Board of the SDS in Sarajevo on October 16, 1991.¹² With the stated decisions, which pertained to the territory of the city of Doboj, the SDS started the dismemberment of the state territory of Bosnia and Herzegovina on a micro level. They were secessionist decisions, which illegally, violently and outside any norm of international and local law, included the territory of Bosnia and Herzegovina into the already rump state of Yugoslavia.

The intention was, therefore, to degrade the Assembly and Government of the Socialist Republic of Bosnia and Herzegovina, and the creation of parallel (para-state) institutions and unions which were not allowed by the highest republican institutions. Conducting a national (Serb-ethnic), unconstitutional regionalization, the so-called Municipal Communities were, throughout September, October and November 1991 transformed into so-called Serb Autonomous Regions (*Srpske autonomne oblasti*, SAO), or rather, mini states.¹³

The so-called Assembly of the Serb People in Bosnia and Herzegovina affirmed all the previous decisions about the formation of collaborationist Serb authorities – “Decisions on the proclamation of the Serb Autonomous Region and Autonomous Areas in Bosnia and Herzegovina” at its second session on November 21, 1991. The following so-called Serb Autonomous Regions were verified: 1. Krajina Autonomous Region; 2. Serb Autonomous Region Herzegovina; 3. Serb Autonomous Region of Romanija-Brčko; 4. Serb Autonomous Region Semberija, and 5. Serb Autonomous Region Northern Bosnia.¹⁴

SAO Northern Bosnia, headquartered in Doboj, was composed of parts of municipalities with majority Serb population, namely: Teslić, Doboj, Tešanj, Derventa, Bosanski Brod, Odžak, Bosanski Šamac, Modriča, Gradačac, Gračanica, Lukavac, Srebrenik, Živinice, Banovići, Zavidovići, Maglaj i Orašje.

On October 24, 1991, The regional Board of the SDS Doboj sent an official letter to the Government of Bosnia in which they protested the “impossibility of speaking with the representatives of the European Community’s observing mission,”

¹² AIIZ, Inv. br. 03-1076/17, *Dostava odluka*, broj 01-164/91, od 16. oktobra 1991. godine.

¹³ More in: Džananović, Muamer, Medić, Jasmin i Hikmet Karčić (2023). *Nastanak Republike srpske: od regionalizacije do strateških ciljeva (1991-1992)*. Sarajevo: Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava Univerziteta u Sarajevu/Institut za historiju Univerziteta u Sarajevu, pg. 85-91.

¹⁴ AIIZ, Inv. br. 3-491/5, *Odluka o verifikaciji proglašanih srpskih autonomnih oblasti u Bosni i Hercegovini*; Kuka, Ermin (2021). *Uloga Srpske demokratske stranke u okupaciji Višegrada 1992. godine i počinjenju zločina nad Bošnjacima*, u “Prilozi,” vol. 50, pg. 315-340.

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requesting that “in the future, official talks be ensured between the representatives of the Doboj Regional Board of the Serb Democratic Party and the members of the observer mission of the European Community.”¹⁵

At a session held on December 27, 1991, the so-called Assembly of the SAO Northern Bosnia voted for a Conclusion¹⁶ with which, among other things, it asked for the urgent deployment of the appropriate military command on the bridge on the River Sava in Bosanski Šamac within 48 hours, seeing as “the Serb people in this area does not trust the MUP [Ministry of Internal Affairs, bos. *Ministarstvo unutrašnjih poslova*] B&H.”

On January 7, 1992, the Regional Committee SDS Doboj forwarded the already mentioned Request for the introduction of the channel for RTV Beograd on the territory of the Doboj municipality to the Ministry of Information, as well as to RTV Sarajevo.¹⁷ The Request explains how the distribution of the RTV Beograd signal can be ensured through the signal repeaters on the Kozara Mountain, by directing the antennas at the Becan (Doboj municipality) towards the emitter on the Kozara. Unfulfillment of the request was conditioned by the cessation of radio-television subscription payments. As the Request was not fulfilled, on February 6, 1992, the SDS Doboj Regional Board issued an Announcement¹⁸ in which, among other things, it is stated how: “3. The petitions, warnings and requests of the Serb people of these lands were not satisfied, so the Serb people solved that question partly on its own and took it upon themselves to adjust the repeaters on Becanj.” A classic occupation technique (seizure) of equipment and receivers of RTV Sarajevo was conducted violently, at the behest of and directed by SDS Doboj. That was confirmed also in the fifth point of the Announcement, where it said:

The Serb people of the Doboj region with its Civil Protection secure the facility and warn all those (MUP and JNA) that every attempt at a forcible return of the repeater to its original state, without the previously created conditions for following TV Serbia, could have unforeseeable consequences, which we hope is nobody’s goal.

The Announcement was signed by Milan S. Ninković, BSc. Eng., President of the SDS Doboj Regional Board.

Regarding the announced referendum on the sovereign and independent status, and future development of Bosnia and Herzegovina, the SDS Doboj Municipal Board issued a “Statement to the Serb People” which called for a boycott, with

15 AIIZ, Inv. br. 03-1076/20, *Protest radi nemogućnosti razgovora sa predstavnicima posmatračke misije EZ*, broj 01-115/91, od 24. oktobra 1991. godine.

16 AIIZ, Inv. br. 03-1076/21, *Zaključak*, od 27. decembra 1991. godine.

17 AIIZ, Inv. br. 03-1076/22, *Zahtjev za uvođenje kanala RTV Beograd*, broj 11/92, od 7. januara 1992. godine.

18 AIIZ, Inv. br. 03-1076/23, *Saopštenje*, broj 02-13/92, od 6. februara 1992. godine.

the concluding remark that “should we stay in a sovereign and independent Bosnia that is being forced on us, we would be reduced to a national minority and unnaturally separated from our brothers and compatriots.”¹⁹ Additionally, on February 19, 1992, the SDS Bosnia and Herzegovina Executive Board delivered to all municipal and regional committees of the Bosnian SDS its position regarding the referendum, with the mandatory request for the

making of an activity plan to not enable any sort of organization of the referendum, and to prevent any manipulation of the Serb people. Evers adult Serb should be explained not only to not participate in the referendum as a voter, not as a member of a municipal or other commission for its implementation. Our cadres in municipal and other government bodies should be explained that they are not obliged to secure either material, or any other means for the carrying out of the referendum, not should they engage in any work related to it.²⁰

The memo with all the instructions was signed by Rajko Dukić, President of the Executive Board of the Bosnia and Herzegovina SDS. And despite such open, planned and pre-prepared moves and orders to prevent and obstruct it, the referendum was successfully conducted throughout the entire territory of Bosnia and Herzegovina.

In early 1992, the Doboj SDS secretly formed the so-called *Crisis Committee* in the city. JNA Major, later General Milovan Stanković, together with the so-called Crisis Committee, planned and carried out the capture of Doboj. In doing so, he had the full support also of the Crisis Committee of the so-called Serb Autonomous Region Northern Bosnia, headquartered precisely in Doboj.

Already “in March and April of 1992, the JNA set up control points in the city of Doboj. At the end of March, at the final session of the Doboj Municipal Assembly, the SDS Doboj President Milan Ninković suggested the division of Doboj into a Serb and Muslim-Croat part. The SDA deputies in the Assembly stood up to the division and left the session in protest. Division was again discussed at a meeting on which Ninković, the commander of the JNA garrison Čazim Hadžić (a Muslim), his deputy Major Stanković and Borislav Paravac, president of the SDS and Serb Crisis Committee. According to that suggestion, all main municipal objects and military buildings would be under Serb control in one part of the town.”²¹

¹⁹ AIIZ, Inv. br. 03-1076/25, *Saopštenje srpskom narodu*, Opštinski odbor SDS Doboj.

²⁰ AIIZ, Inv. br. 03-1076/27, *Dostava stavova u vezi referenduma*, broj 490-02/92, od 19. februara 1992. godine.

²¹ ICTY, Predmet br. IT-00-39-T, Pred Pretresnim vijećem I, Tužilac protiv Momčila Krajišnika, *Presuda*, 27. septembar 2006. godine, paragraf 339. (accessible at: <https://www.icty.org/x/cases/krajisnik/tjug/bcs/060927.pdf>)

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At the start of 1992, the Serb leadership began with “open activities to, ‘ethnically cleanse’ all regions in which the Serbs lived, with the help of the JNA, which was mostly composed of Serbs, and so too in the region of Doboj.”²²

As it was highlighted in the Verdict of the Judicial Council of the Higher Regional Court in Düsseldorf in the case against the criminal Nikola Jorgić,²³

leaders of the SDS and Serb Army in Bosnia and Herzegovina had the intention to completely or partially destroy groups of the Muslim peoples as such in those regions. From described single and systemic occurrences in Doboj and other places, it follows that such actions were centrally managed and organized by them.

It is further stated how the “leaders of the SDS in Doboj stated that they wanted their own Serb state in Bosnia and Herzegovina, and for it to be joined to Serbia. Then, they organized street barricades, and Muslim villages were cut off.”

Even though the verdict against the criminal Nikola Jorgić

does not fall under the verdicts of the ICTY, it is nonetheless important and meaningful, as it is one of the first verdicts in post-WWII Europe to convict an individual, and whose positions were later cited in ICTY cases. The criminal Nikola Jorgić was sentenced to four life sentences. He was judged to have had the intent to commit genocide in all of his criminal acts, and it was also stated that there was the special intent of genocide does not have to be directed at merely the physical-biological destruction of the group, but can also involve the destruction of the group as a social community with its ‘specificities and sense of belonging.’²⁴

Unilateral decisions made by the Doboj SDS, and in many other places across Bosnia and Herzegovina, are clear proof of intentional para-state and destructive action and behavior. One of the motives and goals of such actions was to break down Bosnian Herzegovinian society, destroy the Bosnian state, and create the co-called Greater Serbia. In that context, special attention should be given to the *Manual for the Organization and Operation of the Serb People’s Authorities in Bosnia and Herzegovina in Emergencies*²⁵, which the SDS Main Board published

22 Viši regionalni sud Dusseldorf, Predmet br. IV-26/96 2 StE 8/96, Generalno savezno tužilaštvo protiv Nikole Jorgića, *Presuda*, 13. august 1999. godine, pg. 12.

The criminal Nikola Jorgić received four life sentences. The European Court for Human Rights in 2007 rejected his appeal against the final verdict, thereby once again confirming the crime of genocide committed against the Bosniaks in Doboj in 1992. He died in a German prison in 2014.

23 Ibid, pg. 32.

24 Marušić, Bartul (2017). Tumačenje i primjena definicije genocida kroz presude MKSJ-a, u “Pol-emos,” 20, 1-2, pg. 53-82; Kuka, Ermin i Almir Grabovica (2020). *Zločin – negacija ljudskog dostojanstva*, u “Monumenta Srebrenica: istraživanja, dokumenti, svjedočanstva, Knjiga 9.” Tuzla-Srebrenica: JU Zavod za zaštitu i korištenje kulturno-historijskog i prirodnog naslijeđa Tuzlanskog kantona, pg. 35-53.

25 ICTY, Predmet br. IT-00-39-T, Pred Pretresnim vijećem I, Tužilac protiv Momčila Krajišnika, *Presuda*, 27. septembar 2006. godine, paragraf 86-95

(dostupno na: <https://www.icty.org/x/cases/krajisnik/tjug/bcs/060927.pdf>).

in Sarajevo on December 19, 1991. The essence of the Manual was to ensure the formation of Crisis Committees by the Municipal SDS Boards, and the creation of a network which would cover all Serbs in municipalities (convening all Serb municipal assemblies, forming municipal and executive boards, mobilization and subordination of all Serb militias to cooperate with the JNA command and headquarters, implementing the order for the mobilization of JNA reserves and Territorial Defense units, forming Serb Municipalities...)²⁶

The training of SDS units in the region of Doboj was organized and led by Major Milovan Stanković and Second Lieutenant Ilić, in agreement with General Vojislav Đurđevac. To that end, Major Stanković was in constant contact with General Đurđevac. For instance, in February 1992, he came to Sarajevo to visit the General. Together with the Crisis Committee, they planned and carried out the capture of Doboj.²⁷

On April 1992, the JNA brought

two hundred fifty 'White Eagles' to the Doboj barracks. At the end of April 1992, the 'White Eagles' (*Beli orlovi*) together with members of the JNA, criminal SDS forces and other Chetnik formations, participated in the attack and destruction of Bosanski Brod. During this time, they shelled the facilities of the oil refinery in Bosanski Brod with multi-purpose rocket launchers, tank shells and 155mm howitzers.²⁸

Concluding Remarks

The SDS of Bosnia and Herzegovina, together with its regional, municipal and other organizations, from its forming and early activities, was the main driver of the breakdown of state's legal order and the institutional structure of Bosnia and Herzegovina at the time of the dissolution of the Socialist Federal Republic of Yugoslavia. Parallel to this, it worked on the destruction and breakdown of Bosnian Herzegovinian society and the separation of people on an ethnic basis. From relevant SDS Bosnia and Herzegovina documentation, it is evident that the Party, which was formed by and supported by SPS of Serbia (Socialist Party of Serbia) and its leader Slobodan Milošević. The SDS was the main bearer of political, ideological and later military activities, whose goal was to implement the Greater Serbian ideology and policy, which reflected in the adage "All Serbs in one state" and the separation of Serb people from other the other peoples of

26 Kuka, Ermin (2021). *Uloga Srpske demokratske stranke u okupaciji Višegrada 1992. godine i počinjenu zločina nad Bošnjacima*, in "Prilozi," br. 50, pg. 315-340.

27 Viši regionalni sud Düsseldorf, Generalno savezno tužilaštvo protiv Nikole Jorgića, *Presuda*, 13. august 1999. godine, pg. 32.

28 Čekić, Smail (2004). *Agresija na Republiku Bosnu i Hercegovinu – planiranje, priprema, izvođenje (knjiga II)*. Sarajevo: Institut za istraživanje zločina protiv čovječnosti i međunarodnog prava/Kult/B, pg. 881.

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Bosnia and Herzegovina, primarily Bosniaks and Croats. All these activities were planned and systemically prepared, organized and carried out in the field, through all municipal and regional boards of the SDS in Bosnia and Herzegovina. Representing the position profoundly based on the express rejection of the idea of the independent development of the statehood of Bosnia and Herzegovina, it was the progenitor of the preparation, planning, organizing and later putting into practice Greater Serbian ideas about the creation of ethnically pure Serb domains on the territory of the Republic of Bosnia and Herzegovina. Military formations, which it openly formed and armed, had all the help and support for the Yugoslav People's Army. The case study, presented in this paper, through the example of the city of Doboj, clearly shows the activities and actions of the SDS in the city. The activities of Doboj SDS are a concrete indicator of the planned, organized and systemic moves towards the creation of ethnically cleansed Serb territories. At the beginning, it was on the ideological and political level, which quickly gained its military concretization, through the arming and organizing of military formations, and their implementation of Greater Serbian ends, with the full support and help of the JNA.

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