

Denial of Genocide and Other War Crimes Committed in Bosnia as a Form of Collective Memory

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Abstract

This article discusses the politics of remembering and forgetting in post-war Bosnia and Herzegovina. I argue that the denial of genocide and other atrocities committed in the country between 1992 and 1995 acts as a form of collective memory, or anti-memory. Denial takes place within the context of the social identity construction of the victim group, and is part of the processes of 'sanitizing' the national identity narrative of the perpetrators. Denial is thus the logical extension of the social construction of the victim group as a mortal threat; physical annihilation is followed by a process which aims to portray the victims as deserving of their fate, and to recast the perpetrators' actions as heroic deeds. The deliberate selection of which facts are to be remembered and which are to be forgotten is the underlying process which connects denial and national narrative construction. In order to preserve a coherent grand narrative of national identity, it is necessary to omit certain facts from the collective historical memory, and to regulate which topics are to be spoken about, and which are to be avoided. Denial, therefore, is a form of memory. It is a conscientious decision on how certain events are to be remembered.

It is impossible to imagine a group of people who would commit genocide and then willingly and unilaterally take responsibility for it. Denial, therefore, is intrinsic to the perpetration of genocide. The perpetration of genocide is inconceivable without pretexts in place to “explain” and justify genocidal actions after the fact, including ways to evade accusations of genocide in the future.¹ To that end, Gregory Stanton characterizes denial as one of ten stages of genocide:

The perpetrators of genocide dig up the mass graves, burn the bodies, try to cover up the evidence and intimidate the witnesses. They deny that they committed any crimes, and often blame what happened on the victims. They block investigations of the crimes, and continue to govern until driven from power by force, when they flee into exile.²

As Stanley Cohen has observed, in the case of “political atrocities” such as genocide, denial is more deeply rooted in ideology. Here, denial operates as collective memory based on the dehumanization of members of an out-group, and creates a cognitive paradigm in which the perpetration of genocide becomes possible. As a consequence, broader “cultures of denial” pave the way to “leaving horrors unexamined or normalized as being part of the rhythms of everyday life.”³

Cohen additionally provides a framework for the analysis of denial based on the categories of content, agency/social structure, and time. In terms of content, denial can be literal, interpretive, and implicative; it can be individual, official and cultural and either historical or contemporary⁴. These are not clear-cut, neatly bound categories, rather they overlap along all three criteria: in content, agency as well as temporally. If denial was a continuum, we could easily imagine a matrix

¹ Henry Theriault introduces the concept of “anticipatory denial”, whereby the perpetrators intentionally misrepresent and tweak planned actions themselves to maximize the possibility of definitional denial once actions are taken”, and argues that the weaponization of rape – rather than direct killing – by the Serb forces in Bosnia and Herzegovina “made what Serbs were perpetrating appear not to be genocide” to outside observers. Henry C. Theriault, “Genocidal mutation and the challenge of definition”, *Metaphilosophy*, Vol. 42, No. 4. July 2010, pp. 487-488

² Gregory H. Stanton. Originally presented as a briefing paper, “The Eight Stages of Genocide” at the US State Department in 1996. Discrimination and Persecution have been added to the 1996 model.

³ Cohen, Stanley. “States of Denial: Knowing about Atrocities and Suffering”, Polity Press, 2001, Cambridge-Malden, pp.7-14

⁴ Cohen, Stanley. “States of Denial: Knowing about Atrocities and Suffering”, Polity Press, 2001, Cambridge-Malden, pp.7-14

where literal, individual and historical would represent one end and implicatory, cultural and contemporary the other. Cohen additionally classifies denial as either literal, implicatory, or interpretive. Of these three categories, the latter is by far the most prevalent.

Interpretive denial is based on the dissemination of “uncertainty, ambiguity and even contradiction,” and is especially dangerous due to its ability to permeate different spheres of society, including politics and media, posing as diversity of opinion.⁵ In practice, this form of denial is manifest in assertions that what took place was not genocide, but “ethnic cleansing;” that it was not deportation, but “population transfer;” that it was systematic rape, but rather a by-product of war.⁶

Israel Charny proposes two-tier model for the classification of denial. The first tier is based upon “the extent to which the denier does not or does consciously know the facts of genocide,” and is determined along a continuum ranging from innocent to malevolent denial of facts. The second tier refers to “the extent to which denier does not or does engage in celebration” of the killing, with innocent disavowal on one end of the spectrum, and celebration of violence on the other.⁷

Roger Smith defines denial as a form of lying, and argues that it is as much concerned with the perpetrator as it is with the victim. Therefore, denial should be understood as reinterpretation and reappraisal of events undertaken in order to “defend the perpetrator’s self-image,” as well as to avoid external threats and/or justify genocide. The logic behind seeking to defend the self-image hinges on successfully turning the victim into the perpetrator.⁸ Genocide is a crime of

⁵ Parent, Genevieve (2016), “Genocide Denial: Perpetuating Victimization and the Cycle of Violence in Bosnia and Herzegovina”, *Genocide Studies and Prevention: An International Journal*, Vol. 10, Issue: 2, pp. 41-42

⁶ For an insight how interpretive denial operates in the case of Holocaust see Berel Lang, “Six Questions about Holocaust Denial”, *History and Theory*, Vol. 49, No. 2 (May 2010), pp. 157-168

⁷ Israel Charny, “Innocent Denials of Known Genocides: A further Contribution to a Psychology of Denial of Genocide”, *Human Rights Review*, April-June, 2000, p. 19

⁸ Roger W. Smith, “Genocide Denial and Prevention”, *Genocide Studies International* 8, 1 (Spring 2014), pp. 104-105

identity not only in the sense that the victim is targeted based on its identity, but also in that the identity of the perpetrator is central to the perpetration of genocide⁹.

Denial and Memory

Memory is integral to denial as the final stage of genocide. As Richard Hovannisian writes,

Following the physical destruction of a people and their material culture, memory is all that is left and is targeted as the last victim. Complete annihilation of a people requires the banishment of recollection and suffocation of remembrance. Falsification, deception and half-truths reduce what was to what might have been or perhaps what was not at all.¹⁰

Denial and memory both represent a selective reconstruction of the past which is possible only from a position of power. Human memory is a social phenomenon; that is to say, people remember within the framework of an existing body of knowledge and belief, established intersubjectively, which includes conceptualizations of the self and the Other. This article argues that the perpetrators of genocide who subsequently engage in denial remember the events which they deny in a specific way, which aims to preserve the “dehumanizing conception” that enabled genocide, and their participation in it, in the first place.¹¹ Remembering and forgetting are not necessarily in opposition to one another, but are rather “two sides of one process,” in which “we give shape to our experience, thought and imagination in terms of past, present and future.” In short, because remembering is a process of selecting information, it is also a process of reconfiguring it. Remembrance establishes new orders and new coherences, organizing and reorganizing the “the selected fragments of memory into meaningful schemata.”

Narrative is instrumental to genocide denial as a discursive act. Not only are the “production, distribution and circulation of conflicting narratives is one of the most favored techniques of

⁹ David Moshman, (2007) “Us and Them: Identity and genocide”, *Identity: An International Journal of Theory and Research*, 7:2, pp. 115-135

¹⁰ Richard G. Hovannisian, *Remembrance and Denial* (Detroit: Wayne State University Press, 1998), p. 202

¹¹ David Moshman, (2007) “Us and Them: Identity and genocide”, *Identity: An International Journal of Theory and Research*, 7:2, pp. 115-135

genocide denial,”¹² but historical memory is produced and distributed in narrative forms. Historical narratives are central to national self-image, functioning as a lens through which not only past events but current events as well, are interpreted. In national narratives there is no place for crimes and atrocities perpetrated on behalf of the nation.¹³

As Ramet argues, denial involves not only the negation of facts, but also the assertion of “an alternative script” of events in which (war) criminals are heroes, and deserve to be celebrated as such.¹⁴ Denial, then, is never just denial. It is a manner of story-telling in which the need for factual accuracy is supplanted by the need for consistency and coherence between the account in question, and the pre-existing narrative of the perpetrators’ group identity, history, and moral code. In the course of interpretive denial, facts which are deemed “inconvenient,” which is to say they do not oblige the perpetrators’ preferred self-perception, are simply substituted for socially constructed, “alternative facts.” It is not sufficient merely to declare that a given event never took place; perpetrators must offer an alternative narrative which appeals to the group’s collective narcissism and is consistent with previously held ideas of the group’s moral identity and self-image. Such a narrative becomes as central to the identity of the perpetrators as the perpetration of genocide itself.

Social Construction of Genocide

In order to understand denial within the larger context of genocide and post-genocide narrative construction, it is necessary to adopt a broader theoretical approach to genocide than that provided by the legal framework. While the legal definition of genocide may suffice for the purposes of criminal prosecutions, the nature of judicial proceedings precludes such a narrow definition from shedding light on how genocide unfolds¹⁵ or from explaining the social and

¹² Oranli, Imge. “Genocide Denial. A Form of Evil or a Type of Epistemic Injustice”, *European Journal of Interdisciplinary Studies*, May-August 2018, Volume 4, Issue 2, p. 46

¹³ Rezarta Bilali (2013), “National Narrative and Social Psychological Influences in Turks’ Denial of the Mass Killings of Armenians as Genocide”, *Journal of Social Issues*, Vol. 69, No. 1, p. 20

¹⁴ Sabrina Ramet, “Denial Syndrome and its Consequences: Serbian political culture since 2000”, *Communist and Post-Communist Studies*, 40 (2007), 41-58

¹⁵ In the sense of the Convention on the Prevention and Punishment of the crime of Genocide, genocide “means 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

political processes leading up to or following the killing. Raphael Lemkin, the originator of the term, did not envision genocide to mean “the immediate destruction of the nation,” except when accomplished by wholesale murder of every single member of the nation, an enterprise that is hardly feasible. Lemkin took a far more comprehensive view of genocide, conceiving of it as intended “to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups... disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence” of the group in question. Genocide, according to Lemkin unfolds in two overlapping phases: destruction of the national pattern of the oppressed group, and the imposition of the national pattern of the oppressor.¹⁶ Denial is vital and integral to the latter.

The point of departure for the purposes of this article is understanding genocide as embedded in “shared beliefs and understandings as well as shared actions.” Daniel Feierstein’s approach to genocide as a technology of power seems especially cognate, insofar as it defines genocide as a: “social practice... that aims 1) to destroy social relationships based on autonomy and cooperation by annihilating a significant part of the population and 2) use the terror of annihilation to establish new models of identity and social relationships among the survivors.”¹⁷

The key to understanding genocide as social practice, however, is the process of reconceptualization of the victim group. This process entails the discursive social construction of the victims as a. “as lying outside the political community”, b. “almost superhumanly powerful enemy whose continued existence threatens the very survival of the political community” and paradoxically c. as sub- or nonhuman.¹⁸

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.”
Convention on the Prevention and Punishment of the crime of Genocide, United Nations – Treaty Series, available at: <https://treaties.un.org/doc/publication/unts/volume%2078/volume-78-i-1021-english.pdf>; accessed: February 20, 2020

¹⁶ Lemkin, Raphael. „Axis Rule in Occupied Europe“, The Lawbook Exchange, New Jersey, 2008, p. 79

¹⁷ Feierstein, Daniel. „Genocide as a Social Practice: Reorganizing Society under the Nazis and Argentina's Military Juntas“, Rutgers University Press, 2014, p. 14

¹⁸ Maureen S. Hiebert, *Constructing Genocide and Mass Violence: Society, Crisis, Identity*, (New York, Routledge, 2017) p. 141

The process of social construction is informed by history. Social construction and representation are instrumental both in positioning the victim in relation to the perpetrator, as well as in constructing the identity of the perpetrator after the execution of genocide. In as much as social construction imposes a new identity on the victim, it can also be used to alleviate the collective guilt of perpetrators, as well as to create a backdoor to the denial of historical injustices.¹⁹ Social representations, in the form of narratives, shape reality “through a process of selective interpretation, biased attribution, restricted assessment of legitimacy and agency, and by privileging certain historically warranted social categories and category systems above other alternatives.”²⁰ Some social representations, those that Liu and Hilton refer to as hegemonic, require “a resonance between historical representations, physical artifacts and mass media and the current political agenda.”²¹ This article argues that genocide denial by the Serb elites, media, and society stems from the hegemonic nature of the Serb national narrative.

Re-conceptualizing Bosniak Muslims

There is a wealth of social structures – imagery and heritage, to be precise – to draw on in re-conceptualizing Bosniak Muslims. From the early 19th century to the formation of the Kingdom of Yugoslavia to the Second World War, “Muslims in the Balkans sometimes became viewed as a kind of ethnic ‘fifth column,’ left over from a previous era, who could never be integrated successfully into the planned future national states.”²² Islam was the element of Bosnian Muslim identity which lent itself most readily to reconceptualization, and was therefore singled out by

¹⁹ James H. Liu and Denis J. Hilton, “How the past weighs on the present: Social representations of history and their role in identity politics”, *British Journal of Social Psychology* (2005), 44, pp. 537-556

²⁰ Gail Moloney and Iain Walker (Eds.) “Social Representations and Identity: Content, Process and Power”, Palgrave, New York, 2007, Liu, James H. “A narrative theory of history and identity: Social identity, social representations, society and individual”, p. 87

²¹ James H. Liu and Denis J. Hilton, “How the past weighs on the present: Social representations of history and their role in identity politics”, *British Journal of Social Psychology* (2005), 44, pp. 537-556

²² Cathie Carmichael, “‘Neither Serbs, nor Turks, neither water nor wine, but odious renegades’: The Ethnic Cleansing of Slav Muslims and its Role in Serbian and Montenegrin Discourses since 1800”, Steven Bela Vardy and T. Hunt Tooley (Eds.) in *Ethnic Cleansing in Twentieth Century Europe* (New York, Columbia University Press, 2003), p. 71.

Serbian elites in their efforts to construct Bosnian Muslims as a mortal threat which had to be physically removed from the projected Serb states on the ruins of Yugoslavia.

Petrović argues that Serbia's initial steps toward statehood were made in "sharp opposition to the Ottoman political and cultural heritage and open hostility towards Muslim believers." Furthermore, he claims [ethnic] "cleansing" of the "Turk" was a way of connecting to the past, redeeming historical sins and laying the groundwork for future victories.²³ By the end of the Balkan Wars in 1913, 62 percent of the Muslim population living in the Ottoman Empire in Europe had been forcibly removed.²⁴ This crime a celebrated chapter in the histories of several states that emerged in the wake of the Ottoman Empire, and has come to occupy a central role in the Serbian narrative of "national liberation."

Therefore, when Serb elites set out to destroy Yugoslavia in the 1990s, they drew on a "repertoire of contention" which was informed by a successful history of executing genocidal policies against Balkan Muslims. "The Turk" still occupied an important place in the imagination of the Serb political class.

Both as a prelude to violence as well as when it started in earnest, the motif of "the Turk" was prevalent in Serbian discourse. In the town of Bratunac, slogans such as "Muslims, Balijas, Turks move out, you're going to be slaughtered" were written on public and private property. Detainees in the Luka detention camp in Brčko were referred to by their guards as a "Turkish gang, a fictitious people, a non-existent people." After purging Zvornik of its Muslim population, the Drina Corps of the Bosnian Serb Army, which would come to play a pivotal role in the Srebrenica genocide three years later, reported that with

...the arrival of paramilitary organizations to the Zvornik municipality, particularly the arrival of Arkan and his people, this territory was liberated from the Turks. Turks made up

²³ Petrović, Vladimir. "Etnicizacija čišćenja u reči i nedelu", *Hereticus*, 1/2007, pp.15-15

²⁴ McCarthy, Justin. "Death and Exile: The Ethnic Cleansing of the Ottoman Muslims, 1821-1922", Darwin Press, New Jersey, 1995, p.164

60% of the municipality's population and it has now been cleansed and replaced with an ethnically pure Serb population.²⁵

In the years prior to the dissolution of Yugoslavia, Serbian orientalists²⁶ contributed to re-enforcement of social boundaries between Christian Serbs and their Muslim Bosnian neighbors by constructing a stereotype of Muslims as a “foreign, inferior and threatening factor.” At a later stage, this stereotype would also provide a rationale for the perpetration of genocide. Two of the Serbian intelligentsia's most prominent experts on “the Muslim question,” Miroljub Jeftić and Darko Tanasković, saw evidence of Islamic fundamentalism and jihad at every turn. Their commentary, which was peddled as “expert analysis” by the Serbian establishment, amounted to nothing more than racist lunacy. Jeftić claimed that the Muslims of Bosnia and Herzegovina were prepared to wage jihad against the state, whereas the zenith of Tanasković's expert career consisted of mocking the dietary requirements of Muslim recruits in the Yugoslav National Army.²⁷

At the height of the Bosnian genocide, upon entering Srebrenica, the commanding officer of the Bosnian Serb Army, Ratko Mladić, declared: “Here we are, on 11 July 1995, in Serb Srebrenica. On the eve of yet great Serb holiday, we give this town to the Serb people as a gift. Finally, after the [R]ebellion against the Dahis, the time has come to take revenge on the Turks in this region.”²⁸

Mladić's pronouncement was deeply embedded in the Serb “knowledge” about Bosniaks and in the conceptualization of the “Turk” constructed by Serbian political and academic elites. Such ideation had been blatantly visible within the ranks of the Bosnian Serb political established since at least January 1993, when the Bosnian Serb Assembly held a formal debate on whether or not the Bosniaks were in fact a nation. This debate was initiated by a member of the assembly who

²⁵ IRMCT, *Prosecutor v Radovan Karadžić*, 24 March 2016, para. 1365, p. 555.

²⁶ Some of Jeftić's views are to be found in “Islam: džihad ili samo rat?”, *NIN*, 10 January 1988, pages 20-22 and “Džihad i Jugoslavija”, *NIN*, 10 July 1989, pages 65-67; for a sample of Tanasković's writings about Islam see “Radikali protiv Jugoslavije”, *NIN*, 8 April 1990, pages 10-14 and “Između Kurana i kazana”, *NIN*, 25 June 1989, pages 22-23

²⁷ Cigar, Norman. *The Role of Serbian Orientalists in Justification of Genocide against Muslims of the Balkans*, Institute for Research of Crimes against Humanity and International Law, 2000, Sarajevo, page 23

²⁸ *Prosecutor v. Ratko Mladić*, Judgment, 22 November 2017, Vol. 3, page 1257

proposed “that we deny Muslims as a nation,”²⁹ whereupon another assembly member posited that Bosniaks were merely “Muhammedans of Turkish provenience and nothing else.”³⁰ These pronouncements were received enthusiastically by all in attendance. The matter was finally settled by Momčilo Krajišnik, the President of the assembly, who suggested, “Let’s say ‘a religious group of Turkish orientation’” and in a final vote, summarily concluded:

Can we now make up our mind and take position that the Muslims as a nation are the communist creation. We do not accept this artificial nation. We believe that the Muslims are a sect, a group or a party, of Turkish provenience.³¹

The proposal was adopted unanimously.

Denial is embedded in the same social knowledge as constructed identities. The interplay between denial and the discursive representation of the Bosniak Muslims is most clearly observable in the case of Ratko Mladić. Knowledge of the genocide in Srebrenica, as well as of Mladić’s role in it, was relatively widespread by the time the Dayton Peace Agreement was signed in December 1995. This did not stop Mladić, in a subsequent speech before the Drina Corps of the Bosnian Serb Army, from submitting the following counterfactual narrative for preservation in the socially constructed national memory:

You fought heroically under the leadership of your Chief of Staff or Corps Commander who, although severely wounded made a tremendous contribution to the victory of Serbian arms (...) not only against the Muslim gladiators in Srebrenica and Žepa... They could not be saved, because they did not deserve to be saved. All of those who obeyed the agreement and came to the UNPROFOR base were saved and transported.³²

Mladić later elaborated:

²⁹ Vojo Kuprešanić, The transcript of the 24th session of the Republika Srpska Assembly, January 8, 1993, p. 28

³⁰ Savo Knežević, The transcript of the 24th session of the Republika Srpska Assembly, January 8, 1993, p. 30

³¹ Momčilo Krajišnik, The transcript of the 24th session of the Republika Srpska Assembly, January 8, 1993, p. 31

³² Srpska Vojska, Turning Towards Peace, 28 December 1995, D. Radan, p.7

Although I'm aware how difficult it may have been for our mothers to watch, we made it possible for many cutthroats from Srebrenica and Žepa who formed their Islamic divisions in the Safe Area to be transported, not only by the international community but our buses as well, to where they wished to be transported.³³

This argument, which would serve as the paradigmatic foundation for future denial, can be summarized as follows: the Bosniaks are not an actual people. Because they are not a people, the crime of genocide, which by definition is committed against a people, could not possibly have been committed against the Bosniaks. Thus, what took place in Srebrenica was not genocide, but a glorious victory of Serb arms.

Denial of the Bosnian genocide began simultaneously with its perpetration, and continues to develop and expand unabated to this day.³⁴ This is true not only domestically, but abroad. High profile scholars, from both far-left and far-right leaning international circles, have produced a steady diet of genocide denial over the years. From Peter Handke to Noam Chomsky and Edward Herman, Western intellectuals have made enormous contributions to the normalization of values underpinning the genocidal project in Bosnia and Herzegovina. The Russian Federation has also been a consistent benefactor of Serbian genocide denial. In July 2015, Russia vetoed the adoption of a symbolic UN Security Council resolution which would have formally acknowledged the Srebrenica genocide.³⁵ Last year, the Russian Foreign Ministry through its support behind two revisionist commissions set up by the Government of Republika Srpska – the Serb majority part of Bosnia and Herzegovina as established under the Dayton Peace Agreement – for the purpose

³³ Srpska Vojska, Turning Towards Peace, 28 December 1995, D. Radan, p.7

³⁴ Interestingly, a very strong and virulent stream in the denial of Bosnian genocide originates on the left end of the political spectrum who seek to revise the negative evaluation of the regime of Slobodan Milošević, deny that genocide took place and shift the blame for violence and suffering on the West. Marko Attila Hoare (2003), Genocide in the former Yugoslavia, a critique of left revisionism's denial, *Journal of Genocide Research*, 5:4, pp. 543-563; See also David Campbell. (2002) Atrocity, memory, photography: Imaging the concentration camps of Bosnia--the case of ITN versus Living Marxism, Part 1. *Journal of Human Rights* 1:1, pages 1-33

³⁵ "Russia vetoes Srebrenica genocide resolution at UN", *The Guardian*, July 8, 2015, retrieved on April 4, 2019 from <https://www.theguardian.com/world/2015/jul/08/russia-vetoes-srebrenica-genocide-resolution-un>

of establishing a competitive and counterfactual narrative of the events related to the siege of Sarajevo and the fall of Srebrenica.³⁶

Tactics in Denial of the Bosnian Genocide

The initial source of denial is, as rule, official. This section will identify several key tactics used by government institutions and agencies of the Bosnian Serb authority to deny the Bosnian Genocide, both in the course of the genocide's perpetration as well as after the fact.

Serb authorities in Bosnia and Herzegovina employed a number of strategies to deny their genocidal operations while these operations were taking place. One such tactic was the meticulous documentation of their own actions. This is not, as it might appear at first glance, paradoxical to the overall mission of concealing criminal evidence. Rather, under the pretext of unwavering commitment to standard operating procedure, this practice served to normalize the crimes being committed. Careful record keeping and blind adherence to procedure, practices seemingly discordant with criminal enterprises and cover-up operations, negated the criminal and genocidal reality of the perpetrators' actions and perverted the very law.

Within the context of the Bosnian genocide, denial took place simultaneously with the killing, deportation, and operation of concentration camps, through the systematic concealment, destruction, and contamination of all evidence of these criminal activities. In this respect, mass graves represent the first tangible act of denial. The physical removal and burial of bodies triggers the mechanism of "active avoidance,"³⁷ and effectively socializes the practice of denial. This is especially critical in instances where knowledge of the crime is widespread, and involvement in the removal of bodies extends beyond the exclusive circles within a military or security apparatus.

³⁶ Maria Zakharova, Spokeswoman of the MFA of the Russian Federation, on the official Twitter account of the ministry, [@mfa_russia](https://twitter.com/mfa_russia), April 4, 2019 retrieved from https://twitter.com/mfa_russia/status/1113791389920309249

³⁷ Zerubavel, Eviatar. "The Elephant in the Room: Silence and Denial in Everyday Life", Oxford University Press, 2006, p. 9

The number of mass graves in Bosnia and Herzegovina is a macabre testament to the expansive operation to dispose of the evidence of murder through the burial and re-burial of the victims in far-off and inaccessible locations.³⁸ This complex and systematic operation continued weeks, months, perhaps even years after the initial crimes were committed. Following the genocidal operation in Srebrenica, 43 “Srebrenica related mass graves”³⁹ were discovered including in Cerska, Nova Kasaba, Branjevo, Orahovac, at Petkovci Dam and in Hodžići and Čančari villages, to name but a few of the locations.⁴⁰ The ICTY (International Criminal Tribunal for the former Yugoslavia) investigation also conclusively showed that a number of mass graves had been disturbed, and the bodies relocated.⁴¹

Burial of victims, the most expansive and exacting part of the cover-up, was usually carried out through some manner of cooperation between military, police, and civilian structures. Despite measures undertaken to ensure relative secrecy, knowledge of the burial and re-burial of Srebrenica victims certainly exceeded official military circles.⁴²

Years before the Srebrenica genocide, concealment and destruction of evidence of mass murder took place in relative openness across parts of Bosnia and Herzegovina under Serb control. On 21, April, 1992, a decision of the Zvornik municipal government designated the location and procedure for burial of individuals “killed in war in the town and surroundings, that is, Municipality of Zvornik.”⁴³ The decree additionally specifies the manner in which personnel are to be recruited for the task, and the type of equipment which is to be used.⁴⁴ The bureaucratic

³⁸ Adil Draganović, Prosecutor vs. Radislav Brđanin, 14 May 2002, Transcript page 5584

³⁹ Witness statement, Dean Manning, Date of statement: 24 November 2003; see also Dean Manning, Summary of forensic evidence – execution points and mass graves, 16 May 2000, pages 5-11

⁴⁰ Witness statement, Dean Manning, Date of statement: 24 November 2003 (It should be pointed out that Mr. Manning was the head of Srebrenica investigation at ICTY for several years.)

⁴¹ Witness statement, Dean Manning, Date of statement: 24 November 2003; see also Dean Manning, Summary of forensic evidence – execution points and mass graves, 16 May 2000, pages 5-11

⁴² See Krsto Simić, Prosecutor vs. Vidoje Blagojević and Dragan Jokić, 23 February 2004, Transcript pages 7317-7339

⁴³ Decree on demarcation of location for burials and the way of burial of individuals killed in war in the town of Zvornik with surroundings, that is in the territory of the Municipality of Zvornik, 21 April 1992, Provisional Government of the Municipality of Zvornik

⁴⁴ Decree on demarcation of location for burials and the way of burial of individuals killed in war in the town of Zvornik with surroundings, that is in the territory of the Municipality of Zvornik, 21 April 1992, Provisional Government of the Municipality of Zvornik

sterility of the decision's language could not possibly be further removed from the horrific reality of the subject matter to which it pertains. One local Serbian man who was recruited along with several others for a detail tasked with the collection and burial of bodies testified at the ICTY under protective measures and the pseudonym "B-1775." He described how the detail collected bodies from Zvornik and transported them back to the command of Serb forces, and operation that continued long after the town and its surroundings were firmly under Serb control. In his testimony he states that throughout the remainder of 1992 and 1993, he was ordered to collect corpses from the villages of Liplje, Kamenica, Šahbegovići, Šćemlija, Glumina, and Jusići,⁴⁵ and that these gravesites were subject to extensive relocation in 1995, three years after the murder and the first burial: "The bodies (...) were exhumed (...) and reburied at the front line Crni Vrh and Konjević Polje. I believe they made this decision to conceal the murder of these people."⁴⁶

The widespread knowledge of the burial and reburial of the victims is indicative of the participation of "ordinary people" in the perpetration of genocide. Almost everyone knew someone who was in the military. Almost everyone was involved in "war effort" in some capacity. It also shows that human beings cannot be manipulated endlessly and that some experiences, such as moving dead bodies under the cover of night in order to conceal evidence of genocide, are impossible to forget.

Another front the war-time denial campaign undertaken by the Bosnian Serbs concerned the prison and concentration camps maintained in Republika Srpska. Bosnian Serb officials launched a series of official "investigations" into the conditions at these camps, and their findings were no more than a brazen attempt to suppress damning evidence of the human rights abuses and inhumane conditions which characterized these facilities. Beginning in August 1992, various commissions were established and tasked with "inspecting Detention Centers and Other Facilities for Prisoners."⁴⁷ At least three separate reports on this subject were subsequently released by

⁴⁵ Witness statement, B-1775, Date of interview: 26 May 2003

⁴⁶ Witness statement, B-1775, Date of interview: 20 November 2002

⁴⁷ Serb Republic of BiH, Commission for Inspecting Detention Centers and other facilities for prisoners in Serb Republic BiH, Report of the Commission for Inspecting Detention centers and other facilities for prisoners in the Autonomous region of Krajina, 17 August 1992

members of these commissions and individuals acting on their behalf. Not one of these reports gives a realistic account of the facilities they portend to describe. One report describes Trnopolje camp in the vicinity of Prijedor as a “refugee center” where people “who refused to take part in Muslim extremists’ revolt against Republika Srpska” sought refuge of “their own free will.”⁴⁸ The same report describes the conditions in the Omarska⁴⁹ Manjača⁵⁰ camps in euphemistic terms to say the least. In a separate report on detention camps in Herzegovina, a prison facility in the Bileća police station is described as intended to isolate inmates “for safety reason” and “to prevent retribution...which was possible.”⁵¹ A third report by the Ministry of Justice which covered ten camps in the Serb-controlled territory in Bosnia and Herzegovina, finds that there were either no camps at all, or that the existing camps operated in line with international humanitarian law.⁵²

The destruction of documentary evidence in the aftermath of war crimes was another systematic component of the Bosnian Serb campaign of concealment and denial. As the testimonies of

⁴⁸ Serb Republic of BiH, Commission for Inspecting Detention Centers and other facilities for prisoners in Serb Republic BiH, Report of the Commission for Inspecting Detention centers and other facilities for prisoners in the Autonomous region of Krajina, 17 August 1992

⁴⁹ This is how the conditions in Omarska are described in this report: “Prisoners are accommodated in a hail with military beds and clean toilet facilities. They eat in workers’ self-service mess hall and food is prepared in the central mine building. A clinic is located in one of the offices and a doctor and a nurse work there in case first aid is needed, while seriously ill prisoners are taken to Banja Luka or Prijedor medical centers.” Serb Republic of BiH, Commission for Inspecting Detention Centers and other facilities for prisoners in Serb Republic BiH, Report of the Commission for Inspecting Detention centers and other facilities for prisoners in the Autonomous region of Krajina, 17 August 1992, pages 3-4

⁵⁰ The part of report on food and health care in the Manjača camp could not be more removed from the reality: “The prisoners cook their own meals, using foodstuff provided by the camp management. The quality and quantity of food comply with the standards of the international conventions and it is the same as the food that Serb officers and soldiers eat. The prisoners are given two meals a day (breakfast from 6 until 7:30 a. m. and Prisoners are given medical care with enough medicines and a number of imprisoned doctors contribute to the care.” Serb Republic of BiH, Commission for Inspecting Detention Centers and other facilities for prisoners in Serb Republic BiH, Report of the Commission for Inspecting Detention centers and other facilities for prisoners in the Autonomous region of Krajina, 17 August 1992 pages 4-5

⁵¹ In describing the conditions in the camp, the report states: “They are accommodated in reasonably good conditions. The beds are on the floor, they have communal toilet facilities, and there is enough light and airflow. We have talked to the prisoners for a while and none of the prisoners complained about the way the guards treated them.” Serb Republic, Ministry of Justice, Report by Slobodan Avlijaš and Goran Sarić, 22 August 1992, page 1

⁵² Republika Srpska, Ministry of Justice and Administration, Report on the Situation in Prisons and Collection Camps for Prisoners of War, 22 October 1992

several Bosnian Serb insiders at the ICTY indicates, after carefully documenting their crimes in accordance to standard procedure, an extensive operation was subsequently undertaken to destroy those documents which were deemed potentially incriminating. In the course of admitting their guilt before the ICTY, Momir Nikolić and Dragan Obrenović also described an organized attempt by the Drina Corps and its units to destroy all documents pertaining to the genocidal operation in Srebrenica. Nikolić stated that upon leaving the Bosnian Serb Army in 1996, he had destroyed all documents related to Srebrenica in the presence of his superior officers.

In May 1996 when I was already demobilized from the VRS (...) the safe (containing intelligence and security documents, including decisions and orders, and valuables such as money) which was the property of the Security and Intelligence Organ of the Bratunac Brigade was handed over from me to my successor (...) In the presence of a commission (...) the documents which could have compromised myself and the Bratunac Brigade were destroyed. These documents related to the events in Srebrenica in 1995.⁵³

Obrenović, on the other hand, testified that in the weeks leading up to the 1999 NATO airstrikes in Kosovo, that the Drina Corps systematically relocated all of its documents related to Srebrenica into Army of Yugoslavia (Vojska Jugoslavije or VJ) barracks in Mali Zvornik, Serbia, in order to prevent their discovery by international troops in Bosnia and Herzegovina. Obrenović testified that in spring 1999, he was ordered by the then Drina Corps Commander General, Svetozar Andrić, to go to the VJ barracks in Mali Zvornik and help organize proper working conditions for an individual who would be waiting there for him.

In the barracks I mentioned, I found General Miletić with two other men (...) in that room, there was a big pile of documents, and there was a smaller room next to it where they were sitting. This was full of documents. They had a photocopying machine. They were going through the documents, and they copied some of them.⁵⁴

⁵³ Joint Motion for Consideration of Plea Agreement Between Momir Nikolić and the Office of the Prosecutor, Statement of Facts and Acceptance of Responsibility, 6 May 2003, ICTY

⁵⁴ Dragan Obrenović, Prosecutor vs. Vidoje Blagojević and Dragan Jokić, 3 October 2003, transcript page 2562

The “review” of documents lasted for about five days, according to Obrenović’s testimony, after which General Miletić, officially a Bosnian Serb Army officer, and the other men disappeared. Obrenović returned to the site on two separate occasions, however the majority of the documents were never seen again.⁵⁵ In addition to revealing the care taken in the “selection” of documents, this account demonstrates that even after the signing of the Dayton Accords, the government of the Republika Srpska continued to function in many ways as part of the larger Serbian/Yugoslav framework.

Official denial of the Srebrenica genocide continued into the twenty-first century, becoming more and more deeply embedded in the daily political discourse of Serbian society. One early example was the Report about Case Srebrenica, released in September 2002, by Bureau of Republika Srpska Government for relations with International Tribunal for War Crimes in The Hague. The myriad revisionist claims furnished by this report have served as the foundation for nearly two decades of genocide denial in Bosnia and Herzegovina. According to the report, the male population of Srebrenica fled, not in fear of precisely the Serbian onslaught which came to pass, but rather because they “carried on hands the blood of Serbian victims in period 1992— 1995” and “in fear of revenge.”⁵⁶ Furthermore, the men who surrendered to Serb forces in and around the UN base in Potočari are claimed to have numbered no more than 750—five hundred of which were allegedly release. Of the remaining men, 250 were kept as legitimate prisoners of war, along with 88 wounded who are said to have later been exchanged.⁵⁷ The only crimes that the report concedes could possibly have been committed in Srebrenica would have been isolated incidents of excess--“summary executions for the purpose of personal revenge.”⁵⁸ The mass graves discovered in and around Srebrenica are described in the report as having been dug by local

⁵⁵ Dragan Obrenović, Prosecutor vs. Vidoje Blagojević and Dragan Jokić, 3 October 2003, transcript page 2563-2564

⁵⁶ Documentation Centre of Republic of Srpska Bureau of Government of RS for relations with ICTY, “Report About Case Srebrenica”, September 2002, Banja Luka, page 24

⁵⁷ Documentation Centre of Republic of Srpska Bureau of Government of RS for relations with ICTY, “Report About Case Srebrenica”, September 2002, Banja Luka, pages 25-27

⁵⁸ Documentation Centre of Republic of Srpska Bureau of Government of RS for relations with ICTY, “Report About Case Srebrenica”, September 2002, Banja Luka, page 30

villagers, compelled by sanitation concerns to remove the corpses.⁵⁹ Finally, the report puts the total number of Bosniak dead in Srebrenica at “2,000 - 2,500 at most, eventually”, out of which roughly 1,800 Muslim soldiers are estimated to be killed during combat” and “probably another 100 persons had died of physical conditions.”⁶⁰ Throughout the Serbian communities of the former Yugoslavia, these flagrant distortions of judicially established fact continue to structure the socially constructed historical memory of the crimes committed in Srebrenica in July 1995.

As a result of a class-action law suit filed by hundreds of family members of Srebrenica’s victims before the Human Rights Chamber, the RS government was forced to back-peddle its revisionist stance soon after this report’s publication. To this end, a special commission was established in 2003 to thoroughly reinvestigate the events of Srebrenica, and to publish all information on the fate of missing persons and the locations of mass graves, in addition to evidence of human rights violations.⁶¹ The resultant report, published by the commission in 2004, was a marked improvement on the previous publication; nonetheless, the findings of the investigation remained minimal, and focused exclusively on the fateful days in July 1995.

Last year, almost 15 years after its release, the Bosnian Serb parliament "annulled" this second report, ordering the RS government to establish a new body charged with creating a more “objective” picture of the events in and around Srebrenica. In February 2019, the RS government established two new commissions—one to investigate the siege of Sarajevo, and one to revise the conclusions of the 2004 report on the Srebrenica genocide.⁶² The decision is part of a wider assault by the autocratic head of the Bosnian Serb ruling party, Milorad Dodik, on the facts established by the ICTY and the International Court of Justice. Both UN bodies found conclusively

⁵⁹ Documentation Centre of Republic of Srpska Bureau of Government of RS for relations with ICTY, “Report About Case Srebrenica”, September 2002, Banja Luka, page 31

⁶⁰ Documentation Centre of Republic of Srpska Bureau of Government of RS for relations with ICTY, “Report About Case Srebrenica”, September 2002, Banja Luka, page 31

⁶¹ Hikmet Karčić (2015), “From the Selimović Case to the Srebrenica Commission: The Fight to Recognize the Srebrenica Genocide”, *Journal of Muslim Minority Affairs*, 35:3, 370-379

⁶² Bosnian Serbs Appoint Israeli to Head Srebrenica Commission, BIRN, February 7, 2019, available at: <https://balkaninsight.com/2019/02/07/bosnian-serbs-appoint-israeli-to-head-srebrenica-commission-02-07-2019/>

that the war crimes committed in and around Srebrenica in 1995 constituted genocide. Between 2008 and 2014, Dodik's government spent around 150,000 euros (\$170,000) annually financing an obscure organization called "Historical Project Srebrenica," dedicated solely to denying the fact that genocide took place in Srebrenica in July 1995. In 2017, the government banned teaching about Srebrenica and the siege of Sarajevo in elementary and secondary schools.

The authorities in the Serb-majority part of Bosnia and Herzegovina continue to frame the conflict in Bosnia and Herzegovina as a "defense and fatherland war,"⁶³ regardless of international and national jurisprudence on the personal responsibility of the leadership of the Bosnian Serb leadership, military, and police for the genocidal operation in Srebrenica.⁶⁴ According to a public opinion poll commissioned by Al Jazeera Balkans in 2018, more than 60% of Serbs living in the RS consider Radovan Karadžić, the former Bosnian Serb leader convicted of genocide by the International Criminal Tribunal for the former Yugoslavia, a hero.⁶⁵ These findings are consistent with a 2012 survey conducted by the OSCE on attitudes towards the ICTY and war crime prosecutions in Serbia, which found that around 50% of the population believes that Ratko Mladić and Radovan Karadžić are not responsible for the war crimes for which they are charged.⁶⁶ The findings attest to the extent that official denial has spilled over into the media, "academia," and mainstream society in both Serbia and Bosnia and Herzegovina over the years.

The proceedings of a 2019 conference, "Srebrenica: reality and manipulations," held in April 2019 in the Bosnian Serb capital of Banja Luka, are further evidence of these predominant attitudes. The nearly 800-page document, published by the Organization of Commanding Officers of the

⁶³ See "Law on the rights of combatants, invalids and family members of killed combatants of defense-fatherland war of Republika Srpska, December 23, 2001, available at: <https://udas.rs.ba/cr/zakonipravnici/Zakon%20o%20pravima%20boraca%20Republike%20Srpske.pdf>

⁶⁴ See *Case concerning application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment of 26 February 2007, available at: <https://www.icj-cij.org/files/case-related/91/091-20070226-JUD-01-00-EN.pdf>

⁶⁵ Istraživanje u RS: Mladić i Karadžić – zločinci ili heroji?, Al Jazeera Balkans, 11 July 2018, retrieved on April 4, 2019 from <http://balkans.aljazeera.net/video/istrazivanje-u-rs-u-mladic-i-karadzic-zlocinci-ili-heroji>

⁶⁶ OSCE Survey: Mladic and Karadzic are heroes, BIRN, February 28, 2012, retrieved on April 4, 2019 from <https://balkaninsight.com/2012/02/28/serbs-still-supports-war-crime-defendants/>

Army of the Republic of Srpska in cooperation with Banja Luka Independent University and the Institute for research on suffering of the Serbs in XX century Belgrade, is a cornucopia of classic revisionist narratives. The authors of the individual conference papers include convicted war criminals, their defense counsels, and Serbian nationalist war-mongers, in addition to a number of two-bit regional and international academics. The most prestigious contributor, an American leftist intellectual in the spirit of Noam Chomsky who never so much as set foot in the territory of former Yugoslavia, died several years before he had the opportunity to attend the 2019 Banja Luka conference.

The foundational motif which unifies all of the papers in the proceedings is naturally the complete role reversal of victim and perpetrator in the case of the Srebrenica genocide. The authors go to great lengths to establish a narrative of Serbian victimhood, invoking grievances from bygone eras, including the Middle Ages and the Second World War. Apocryphal and wholly irrelevant interpretations of historical events dating back decades and even centuries before the conflict are inconceivably used to set the stage for the violence which took place in July 1995. From here, the next logical step is to distort the number as well as the identity of the Bosniak victims. The unarmed men and boys who were detained, abused, and systematically executed in Srebrenica are described as military combatants, terrorists, and criminals. Death tolls of Bosniak Muslims are attributed to a range of causes, most commonly combat with Serbian armed forces, but also disease, malnutrition, exhaustion, and infighting. The preposterous notion of a legitimate Bosniak threat from the enclave is fabricated through outlandish exaggerations of the conflict prior to July 1995. Some authors are so far divorced from reality as to engage in outrageous characterizations of genocide or ethnic cleansing perpetrated against Serbs in Eastern Bosnia by Bosniaks. Thus, the Serbs are presented as hapless victims, and Bosniaks as legitimate military targets. The ludicrous finale of this narrative depicts the exhumation and reburial of bodies in far-off locations, which was usually undertaken in the dead of night by military personnel dressed in civilian clothing, as not a deceptive cover-up operation, by rather as a matter of hygiene—nothing more than a customary post-battle sanitation, standard operating procedure undertaken out of concern for public safety.

Naturally, all of the conference papers in the proceedings take aim at the international courts established to adjudicate the crimes committed in former Yugoslavia in the nineteen-nineties. Some authors take arrogant jabs at the basic competence of these investigative and judicial bodies, while others display their ignorance of legal scholarship and genocide theory with sophomoric attacks on the characterization of genocide. By far the most ubiquitous strategy used to undermine these courts however is to accuse them of being biased, one-sided, and part of an international anti-Serb conspiracy. Many the publication's authors indulge in the most outrageous facets of this discourse, characterizing not only the judicial proceedings but the entirety of the violence in Srebrenica as stage-managed Western conspiracy intended to provide a pretext for NATO intervention and the subsequent vilification of the Serbs. In short, these proceedings constitute a textbook case study of Serbian genocide denial, manifesting all of its classic discourses.⁶⁷

In the Serbian media, genocide and denial have become so widely normalized that scarcely anyone batted an eye when in November 2018, Ratko Mladić, phoned in to a morning television show, aired by the private, pro-government network 'Happy TV,' with a national frequency in Serbia. Mladić greeted the audience and jabbed Šešelj about his weight, eliciting laughter. He ended the call with: 'Kisses from Grandpa Ratko!'⁶⁸

Conclusion

Denial is an integral component of the perpetration of genocide itself. Not only is it inconceivable that any group would commit genocide without a plan in place to later exculpate themselves, denial is a direct continuation of the social processes which pave the way to for such large-scale collective political violence in the first place. Victims have to be seen in the same way that they were constructed before the killing—as less than human and deserving of their fate—in order to validate perpetrators' national self-perception and preferred moral and historical identity. By

⁶⁷ "Srebrenica – stvarnost i manipulacije", Zbornik radova sa međunarodne naučne konferencije, Organization of Commanding Officers of the Army of the Republic of Srpska, Banja Luka Independent University, Institute for research on suffering of the Serbs in XX century Belgrade, Banja Luka, 2019

⁶⁸ Filip Rudić, "Probe Launched After Ratko Mladic Speaks on Serbian TV", *Balkan Insight*, 16 November 2018, Available at: <https://balkaninsight.com/2018/11/16/mict-investigating-mladic-s-serbian-tv-address-over-telephone-11-16-2018/>

perpetuating pre-genocide constructions of the Other, perpetrators exclude victims from their moral universe in which right and wrong, as well as crime and punishment, are clearly defined.

All these processes—from the reconceptualization of the victim group in the run-up to genocide and certainly the perpetration of genocide itself, to the denial of genocide post-facto—can only be orchestrated from a position of power. Genocide denial represents a final power play on the part of the perpetrators, in the form of what Elizabeth Jelin has called “legitimacy struggles over memory—who has what rights to determine what should be remembered and how.”⁶⁹ While Stanley Cohen argues that an entire society “can forget, repress or dissociate itself from its discreditable record,”⁷⁰ this article argues that it is remembering, rather than forgetting, that lies at the heart of genocide denial. The construction of historical memory in the aftermath of genocide takes place through a number of social practices. These include the organized destruction of evidence during and after the perpetration of the crimes, as well as initiatives undertaken in the political, educational, and cultural spheres of society to normalize genocide and promulgate revisionist narratives. In this way, societies select and carefully cull the facts which will be committed to collective historical memory.

It is impossible that Mladić saw “Islamic divisions” or “Muslim cutthroats” in Potočari in July 1995. In fact, existing footage shows him talking to women, children and a few old men. This has not stopped Mladić’s descriptions from being preserved in the collective Serbian memory of the Srebrenica genocide. This goes to show that memory is not objective fact, but rather a discursive practice. As human beings, we remember socially. Our memories are the products of intersubjective, discursive processes of constructing past realities. Those in positions of relative power, like Ratko Mladić and other members of the Bosnian Serb establishment who helped construct the revisionist narrative of Bosnian genocide, wield considerable influence in determining which facts are to be remembered and which are to be forgotten. As a result of the destruction of physical evidence as well as the assertion of alternative historical narratives, the

⁶⁹ Elizabeth Jelin, “The Minefields of Memory,” North American Congress on Latin America, 25 September, 2007, Available at <https://nacla.org/article/minefields-memory>

⁷⁰ Cohen, Stanley. “States of Denial: Knowing about Atrocities and Suffering”, Polity Press, 2001, Cambridge-Malden p. 132

perpetrators of the Bosnian genocide are empowered to remember a version of events that emboldens their national self-perception by circumventing all aspects of objective reality.