WAR OF WORDS AND WORDS FOR WAR
Nationalism and masculinity in the field
of Serbian literature in the 1970s and the 1980s

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Abstract

This thesis identifies and critically analyzes the prevailing patterns of the cultural self-understanding of the Serbian society, and its members (that is, individuals who identify themselves as Serbs), in the last decades of the twentieth century. It focuses on value systems, symbols, memories, myths, and traditions that have been articulated within the field of Serbian literature, in order to answer the following question: How come that the Serbian political elite responded to the "national question," raised by disintegration of the Yugoslav federal state, in a manner that was thoroughly permeated by utterly ethnicized discourse with a strong notion of self-victimhood?

Although it rejects a direct causal link between culture and politics, this thesis demonstrates that both national literature and its history at the same time produce and legitimize certain traditions as a possible subject of attachment and identification. Therefore, within my thesis, a field of literature is treated as an arena in which identity politics compete against each other. This competition is characterized as war of words; accordingly, works of literature and literary criticism are seen as arsenals of images, symbols, and concepts of belonging, which are used in a rivalry for political domination.

The thesis approaches the late twentieth-century Serbian literature from the perspective of the collapse of socialist Yugoslavia and armed conflicts that proceeded it, claiming that the grave wrongdoings of the Serbian side in these wars give enough reasons to designate Serbian culture as a culture of accomplices. Therefore, although the thesis circulates across disciplines and uses various concepts tied to different fields and theories, the concept of transitional justice, with its specific cultural aspect, overarches the research.

Categories of gender and ethnicity are used in depicting particular elements of collective self-understandings discerned in the works of Serbian narrative literature, literary criticism and historiography. The particular ethical dimension of these elements, that is, their inclusive and exclusive mechanisms, delineate Serbian culture and ethnicity as the objects of research in this work.

In the first part of the thesis, I establish an analytical framework for interpretations presented in the second part. Feminists' discussions on transitional justice and analysis of the Yugoslav Truth and Reconciliation Commission case offer arguments that put forward cultural constraints in implementation of transitional justice's measures. Keeping this in mind, I suggest alternative conceptualization of context-specific categories of culture and identity that is more compatible with transitional justice's demands.

In the second part of the thesis, I use these categories of culture and identity in analyzing particular works of Serbian literature and historiography, attempting to explain how Serbian identity, with its 'substantial', 'inevitable', and 'constraining' qualities, was formed, and how it has been maintained in the last quarter of the twentieth century. These analyses may be seen as an inventory of identity patterns produced, reproduced, and sustained within the field of Serbian literature.

For the knowledge and the unconditional support that they were giving to me while I was working on this thesis, I express my gratitude to Professor Jasmina Lukić and to Professor Nenad Dimitrijević.

INTRODUCTION

This thesis aims at identifying and critically analyzing the prevailing patterns of the cultural self-understanding of the Serbian society, and its members (individuals who identify themselves as Serbs), in the last decades of the twentieth century. My focus is on the presence/articulations of value systems, symbols, memories, myths, and traditions in the Serbian narrative literature, literary criticism and historiography from this period. As I will argue in the following chapters, these patterns of self-understanding are not everlasting, although they are represented as such. In fact, not only they are subjects of the continuous reinterpretation, but they also contest and replace each other over time.

By exploring Serbian narrative fiction, literary criticism and historiography of the 1970s and the 1980s, I am also trying to provide a partial explanation of how protagonists of the aggressive and expansionist Serbian nationalism from the late 1980s onwards managed to legitimize violent acts and mass crimes perpetrated by Serbian military and paramilitary forces, that is, to justify their wrongdoings to the members of Serbian community. In other words, hoping to contribute to the already existing accounts, I attempt to answer the following question: How come that the Serbian political elite responded to the "national question," raised by disintegration of the Yugoslav federal state, in a manner that was thoroughly permeated by utterly ethnicized discourse with a strong notion of self-victimhood?

The ethnic turn explicit within the Serbian national policy in the late 1980s has been typically interpreted as a response to the current constitutional, political, social and inter-ethnic tensions in the socialist Yugoslavia.[1] The roots of tension originate from the late 1960s and the large students' protests, when the League of Yugoslav Communists faced its first grave crisis of legitimacy.[2] In the early 1970s, the head of the federal state had to get rid of the Croatian and Serbian republic leaderships respectively, under the claim that they undermined achievements of the post-war socialist politics.[3] A series of changes of the federal constitution from the first half of the 1970s may be understood as an endeavor to strengthen legitimacy, undertaken by the leadership of the League of Yugoslav Communists.[4] This reinforcement put forward national questions.[5] New Yugoslav Constitution, from 1974, established a kind of confederal state structure, leaving the federal government with weak capacities and authorities.[6] This constitution also conferred a high level of autonomy onto two Serbian provinces, Vojvodina and Kosovo. This was an institutional frame within which the "Serbian national question" was raised.

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[1] See Siniša Malšević, *Ideology, Legitimacy and the New State. Yugoslavia, Serbia and Croatia* (London and Portland: Frank Cass, 2002); Jasna Dragović-Soso, *"Saviours of the Nation." Serbia's Intellectual Opposition and the Revival of Nationalism* (London: Hurst and Company, 2002).

[2] See Žarko Puhovski, *Socijalistička konstrukcija zbilje* [Socialist construction of reality] (Zagreb: Školska knjiga, 1990); Tatjana Đurić, "From National Economics to Nationalist Hysteria – Consequences for Women," in Helma Lutz, Ann Phoenix and Nira Yuval-Davis (eds.), *Crossfires. Nationalism, Racism and Gender in Europe* (London: Pluto Press, 1995).

[3] See Dejan Jović, "Reassessing Socialist Yugoslavia, 1945–90: The case of Croatia," in Dejan Djokić and James Ker-Lindsay (eds.), *New Perspectives on Yugoslavia. Key Issues and Controversies* (London and New York: Routledge, 2010), pp. 117–142; Latinka Perović, "Teško breme odgovornosti" ["Heavy weight of responsibility"], *Reč* no. 62, 2001, pp. 85–90.

[4] See Žarko Puhovski, *Socijalistička konstrukcija zbilje;* Sabrina P. Ramet, *Nationalism and Federalism in Yugoslavia, 1962–1991* (Bloomington and Indianapolis: Indiana University Press, 1992).

[5] See Nenad Dimitrijević, *Slučaj Jugoslavija* [The case of Yugoslavia] (Beograd: Edicija Reč, 2001); Dejan Jović, *Jugoslavija – država koja je odumrla* [Yugoslavia – the state that passed away] (Beograd: Edicija Reč, 2003); Dennison Rusinow, "The Yugoslav Peoples," in Peter F. Sugar (ed.), *Eastern European Nationalism in the Twentieth Century* (Washington DC: The American University Press, 1995).

[6] See Robert M. Hayden, *Blueprints for a House Divided. The Constitutional Logic of the Yugoslav Conflicts* (Ann Arbor: Michigan University Press, 2000).

Yet, this context cannot help us understand why the response was so brutal. It is hardly possible to interpret the Memorandum of Serbian Academy of Arts and Sciences, which is considered to be the main programmatic document of the Serbian nationalism,[7] referring solely to the constitutional settlements. The Memorandum's authors were looking for justification beyond the allegedly unfair federal arrangements; also, the solution was neither in returning to previous arrangements nor in improving existing ones. They simply claimed new nation-state, at any cost, in the name of collective past sufferings. The discourse they used was thoroughly ethnicized and immediately well understood by large parts of political and intellectual elites. How did this happen, after decades of the so-called socialist ideological "indoctrination"?

Indeed, it is not at all obvious how the analysis of the field of literature can contribute to answering the outlined question. The justification of this research question becomes even more challenging given that I reject the argument of straightforward causal link between culture and politics.[8] To answer it, the thesis circulates across disciplines and uses various concepts tied to different fields and theories. The concept of transitional justice, with its specific, although not so noticeable, cultural aspect, overarches the research. Categories of gender and ethnicity are used in depicting particular elements of collective self-understandings discerned in the works of Serbian narrative literature, literary criticism and historiography. The

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[7] See Olivera Milosavljević, "Zloupotreba autoriteta nauke" ["Misuse of scientific authority"], in Nebojša Popov (ed.), *Srpska strana rata* [Serbian road to war] (Beograd: Samizdat B92, ²2002), pp. 340–374.

[8] The utterly opposite argument was elaborated in Andrew Baruch Wachtel, *Making a Nation. Breaking a Nation. Literature and Cultural Politics in Yugoslavia* (Stanford: Stanford University Press, 1998). Wachtel bravely claims that the sequence of general cultural paradigms (such as romanticism, realism, modernism, and postmodernism), that went much beyond state borders, determined the fate of both interwar Yugoslavia and socialist Yugoslavia. To put aside the idea that it is possible to reach any consensus about the meaning of these terms for periods and types in cultural histories; here, it is important to stress that Wachtel's argument relies heavily on some kind of cultural determinism, which is the concept I am criticizing and rejecting in chapter 4 of this work.

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particular ethical dimension of these elements, that is, their inclusive and exclusive mechanisms, delineate Serbian culture and ethnicity as the objects of research in this work. Gender perspective provides conceptual tools for explaining processes of establishment and maintenance of cultural and ethnical borders that lead to the national identity formation understood as instituting a set of notions through which community understands itself.

A thorough study of Serbian narrative fiction from the 1970s and the 1980s in terms of the "nationalistic" argument has not been done yet. The only existing history of Serbian literature stops at 1950. In the latest, updated edition of this history,[9] Serbian literature and literary criticism from the second half of the twentieth century have been covered on five pages, in a form of an appendix. At the same time, Serbian contemporary literary criticism has consistently avoided to research its subject within such a framework. In this work I will show that patterns, which eventually legitimized the Serbian war venture, were produced, reproduced, and sustained within the field of literature simultaneously with the dramatic political twists in the second half of the twentieth century.

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In chapter 1, I establish a framework for my analyses. This framework consists of concepts developed within the domain of transitional justice. I argue that the main goal of transitional justice is to change societal foundations that proved to be flawed. As I will demonstrate, the context-specific features seem to constrain effective implementation of transitional justice measures. Furthermore, not only that these measures do not contribute significantly to political and social changes, it seems that

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[9] Jovan Deretić, *Istorija srpske književnosti* [History of Serbian literature] (Beograd: Prosveta, 2003).

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they also reinforce existing societal arrangements, whose change has been requested. Therefore, I am suggesting that the transitional justice's tool kit has to include measures of an appropriate cultural policy. I believe that the character of Serbian predicament requires resorting to moral universalism. However, contextual constraints loom heavily, they even seem to preclude the very possibility of thinking and acting in universalist terms. This is the problem I depict in chapter 1.

Rather than making a simple conclusive evaluative judgment, it may be more appropriate to try to deconstruct main features of the context, to see if they indeed determine the choice of the available paths. In this thesis, I am focusing on two closely related context-specific categories: identity and culture. In chapters 2 and 3, I will explore how these arguments work, by addressing *a)* gender and transitional justice, and *b)* the Yugoslav Truth and Reconciliation Commission, respectively. On different levels, both discussions have to demonstrate an apparent combined force of identity- and culture-related arguments. Then, I will proceed to chapter 4, to present my own understanding of the categories of culture and identity, and their relationship to moral universals.

Conceptualization of collective responsibility for grave atrocities presented in chapter 4 moves discussions on transitional justice from legal to cultural realm. Transitional justice's demands in the aftermath of mass crimes are in fact demands for changing cultural basis of a society marked by wrongdoings. Transitional justice's mechanisms seek a way to impose new patterns of self-understanding, substantially different from the previous ones that have been interiorized by members of the society. A strong concept of identity, firmly grounded in a sense of belonging to an involuntary group, seems necessary for establishment of collective responsibility. Collective responsibility makes coming to terms with the evil past compulsory.

Coming to terms with the evil past implies formation of a new identity. Thus, it appears that although transitional justice is centered on the strong concept of identity, it also assumes a collective agent with a changeable identity. This is an impasse into which transitional justice is led by strong concepts of culture and identity that are seemingly inevitable in conceptualizing collective responsibility. In chapter 4, I am suggesting different concepts of culture and identity, more compatible with demands of transitional justice.

In the second part of chapter 4, national literature and national literary history are understood as sources of legitimacy of a tradition to which people belong. More precisely, it is argued that national literature and its history at the same time produce and legitimize a set of values, myths, shared historical memories, elements of common culture as a subject of attachment and identification. Therefore, the field of literature may be seen as an arena of competing identity politics, while the competition itself may be understood as war of words. In this war, works of literature and literary histories are arsenals of images, symbols, and concepts of belonging, that is, arsenals of symbolic weapons that are used in a rivalry for political domination.

Rethinking concepts of culture and identity within the Serbian late-twentieth century context, leads to the following questions: How was the Serbian identity, with its 'substantial', 'inevitable', and 'constraining' qualities, formed, and how has it been maintained as such until today? In the 1970s and the 1980s, a thoroughly ethnicized collective identity was just one possibility. Over time, collective as well as individual agents chose or accepted it as the most suitable for designing strategies of action in a process of the federal state disintegration. This is a crucial point: by *choosing* a set of ethno-nationalist values, symbols, memories, myths, and traditions, citizens who understood themselves as Serbs in this particular way, assigned to their identity

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features of substantiality and inevitability. In chapters 5, 6, and 7, I am offering an inventory of identity patterns produced, reproduced, and sustained within the field of Serbian literature. Taken together, these patterns have formed an ethnic set of myths of common origins, shared historical memories, elements of common culture, and a measure of ethnic solidarity.

In chapter 5, I am exposing an understanding of communal continuity, continuity that goes back to the common origins from the ancient past through an incessant sequence of great men and their dead bodies. Chapter 6 deals with a notion that literary histories by and through creating imagery of continuity confer legitimacy. It argues that patterns of legitimacy consist of establishing analogies and constructing continuity: if a nation is the same as its literature, then literary continuity testifies to the continuity of a nation. Specific national goals, such as formation of a nation-state, are thus legitimized by referring to continuity of a nation, which is established through analogy with its literature, that is, its literary history. Chapter 7 puts forward patterns of creation of ethnic unity and solidarity through images of collective sufferings.

By and through reevaluation of the existing traditions I am at the same time seeking and establishing the normative standpoint. This normative standpoint is partly articulated through interpretations of identified cultural patterns and their role in justifying or denying committed crimes, and partly defined by projection of needed results of societal changes. An all-encompassing cultural work, which is assumed here, cannot be done simultaneously within all social, cultural and political arenas. In fact, what is needed is a number of disciplinary researches, whose individual impacts are necessarily limited, but at the same time crucial for the successful transition. This work aims to represent such a research in the field of Serbian literature.

Chapter 1
TRANSITIONAL JUSTICE BETWEEN A ROCK AND A HARD PLACE:
MORAL UNIVERSALISM, IDENTITY, AND CULTURE

The aim of this chapter is to offer a conceptual framework for thinking about Serbian culture, and in particular about Serbian literature in the last quarter of the twentieth century. This period was marked by the processes that led to the collapse of federal state socialist Yugoslavia, and by armed conflicts through which successor nation-states were formed. Due to the wrongdoings of the Serbian side in these processes, and especially because of the mass crimes committed during post-Yugoslav wars, there may be good reasons to designate this culture as a "culture of accomplices."[10] Therefore, it is possible to argue that concepts established within the domain of transitional justice provide an appropriate framework for examining Serbian culture, and in particular its literature, from this period.[11] However, implementation of transitional justice's tools (such as the International Criminal Tribunal for the Former Yugoslavia, that is ICTFY or the Hague Tribunal; domestic trials and appointment of the special prosecutor for war crimes in Serbia in 2003; the new Constitution from 2006; the Truth and Reconciliation Commission, 2001–2003)

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[10] About the "culture of accomplices" see Larry May, "Metaphysical Guilt and Moral Taint," in L. May and S. Hoffman (eds.), *Collective Responsibility. Five Decades of Debate in Theoretical and Applied Ethics* (Lanham: Rowman and Littlefield, 1991), pp. 240, 246; Nenad Dimitrijević, "Zločinački režim, njegovi podanici i masovni zločin" ["A criminal regime, its subjects, and mass crime"], *Reč* no. 79, 2009, pp. 133–162. I discuss more at length conceptual relations between mass crimes, collective responsibility, and shared cultures in chapter 4.

[11] This claim is articulated with the reference to Jürgen Habermas' contribution to the dispute known as *Historikerstreit,* and particularly to his concept of "post-conventional identities," as Jan Werner Müller briefly explained it: "According to Habermas, post-conventional, 'reflexive' identities were most likely to emerge where national traditions had been put decisively into question and where citizens felt acutely ambivalent about affirming historical continuities" *(Constitutional Patriotism* [Princeton and Oxford: Princeton University Press, 2007], p. 30).

in the 2000s did not yield expected results (political, social and cultural changes) in Serbia.

It is tempting to claim that due to Serbian peculiarities, processes of transitional justice are doomed to fail. But, this argument may be turned upside down: the underlying concepts of transitional justice, such as culture and identity, constrain effective implementation of the transitional justice "tool kit." In this part of my thesis I am offering arguments for the latter claim. I will conclude that transitional justice's mechanisms should be implemented together with an adequate cultural policy in order to bring needed changes. First, I will briefly list and describe some measures that have been implemented in seeking justice in Serbia.

1.1. Coming to terms with the evil past

Instead of helping to understand the nature of the post-Yugoslav wars, the Hague Tribunal's trials and verdicts have not had a significant impact on the way 1990s are predominantly being seen in Serbia; on the contrary, the awareness about war crimes committed by Serbian side has decreased over years.[12] Entirely in accordance with some of the basic principles of transitional justice, the Hague Tribunal has undertaken to establish – besides the promotion of accountability and the rule of law – a kind of *common* historical truth about Yugoslavia's collapse and post-Yugoslav wars, with an aim to lessen tensions among newly formed successors states.[13] But, it looks like the Tribunal has only reinforced positions from which post-

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[12] See Igor Bandović (ed.), *The Activity of ICTY and National War Crimes Judiciary* (Beograd: Belgrade Centre for Human Rights, 2005).

[13] "By bringing perpetrators to trial, the ICTY aims to deter future crimes and render justice to thousands of victims and their families, thus contributing to a lasting peace in the former Yugoslavia" (http://www.icty.org/sections/AbouttheICTY). "Justice is an indispensable ingredient of the process of national reconciliation. It is essential to the restoration of peaceful and normal relations between people who have lived under a reign of terror. It breaks the cycle of violence, hatred and extra-judicial retribution. Thus peace and justice go hand in hand." These are the words of Antonio Cassese, former ICTY President, taken as a motto on the ICTY's official web page
http://www.icty.org/sections/AbouttheICTY

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Yugoslav nations entered the conflicts.[14] The Hague Tribunal clearly demonstrates that the transitional justice's "tool kit" is inadequate and ineffective when it is used within the cultural context that openly rejects – or does not have a disposition – to find reasons for embracing transformation, or, to put it differently, within the culture whose members view transitional justice as something imposed on them from the outside, something that endangers intrinsic qualities of their collective and authentic group identity. The same ineffectiveness could be found in the work of the Yugoslav Truth and Reconciliation Commission.[15]

Even more interesting is the case of constitutional changes in Serbia in the 2006. Although there was a clear consensus that new Serbia's Constitution, due to all circumstances, ought to be *transitional*,[16] this Constitution is far from channeling social changes into liberalization of political institutions and procedures.[17] There is no single paragraph in this Constitution that would suggest that recent Serbian history has been in any way problematic; instead, the Constitution's preamble regarding

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[14] After three years of annual public surveys commissioned by Belgrade Centre for Human Rights, in 2005 Igor Bandović made the folowing conclusion: "Worst of all, the national public does not have doubts only about the matter tried in the 'national' court – whether the defendant really committed the crime he has been charged with. No! The very norms that are to be applied in an international court, i.e. whether the act is prohibited, are disputed. National heros may be heros precisely because they had committed such acts, i.e. cleansed territories of disloyal elements, tortured the hated enemy, etc." *(The Activity of ICTY and National War Crimes Judiciary,* pp. 85–86).

[15] See the chapter on the Yugoslav Truth and Reconciliation Commission in this work.

[16] See Nenad Dimitrijević, *Ustavna demokratija shvaćena kontekstualno* [Constitutional democracy contextualized] (Beograd: Fabrika knjiga, 2007); Aleksandar Molnar, *Oproštaj od prosvetiteljske ideje ustavotvorne skupštine* [Giving up the enlightenment idea of constitutional assembly] (Beograd: Fabrika knjiga, 2008).

[17] See Venice Commission, "Opinion on the Constitution Of Serbia, adopted by the Commission at its 70th plenary session (Venice, 17–18 March 2007)," available at
http://www.venice.coe.int/docs/2007/CDL-AD(2007)004-e.asp
Particularly interesting are paragraphs 103, 105, and 106 of the Conclusion. For instance, paragraph 106 states: "The main concerns with respect to the Constitution relate, on the one hand, to the fact that individual members of parliament are made subservient by Art. 102.2 to party leaderships and, on the other, to the excessive role of parliament in judicial appointments. Judicial independence is a fundamental prerequisite of a democratic constitutionalism and is also wholly necessary to ensure that the constitution is not merely a paper exercise but will be enforced in practice. Yet the National Assembly elects, directly or indirectly, all members of the High Judicial Council proposing judges for appointment and in addition elects the judges. Combined with the general reappointent of all judges following the entry into force of the Constitution provided for in the Constitutional Law on Implementation of the Constitution, this creates a real threat of a control of the judicial system by political parties."

Kosovo[18] unequivocally establishes *continuity* with the previous period, in spite of the fact that – following theories of transitional justice – *discontinuity* ought to be one of the main reasons for passing a new constitution. But, what this continuity refers to? Let us put aside the Kosovo myth,[19] a stable element of all justifications of war endeavors and war crimes committed by Serbian side. What is less obvious is the fact that this Constitution actually undermines the rule of law rather than establishing it, although according to transitional theories establishment of the rule of law should have been its another main purpose.

Because of this "undermining," more than anything else, the current Constitution of Serbia maintains continuity with the previous period. Under the guise of defending Kosovo as well as Serbia's territorial integrity in general, this recently passed Constitution introduces violation of constitutional norms into the core of legal system. Since the preamble is in deep collision with reality, or, to put it more precisely, since Serbian authorities do not have resources to change the existing geo-political reality and to secure state sovereignty over the territory specified in the preamble,[20] Serbian citizens participate every day in violation of the Serbian Constitution. In other words, they live in the country whose constitution cannot be implemented.

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[18] "Referring to the state tradition of Serbian people and to equality of all citizens and ethnic communities in Serbia, referring also to the fact that the Kosovo and Metohija Region is a constitutive part of Serbia's territory, that it has a status of pristine autonomy within the framework of Serbia's state sovereignty, and that such a status implies constitutional duties that all state bodies advocate and defend Serbia's state interests in the Kosovo and Metohija Region in all internal and foreign affairs, citizens of Serbia issue the Constitution of Republic of Serbia..." [my translation]. ["Polazeći od državne tradicije srpskog naroda i ravnopravnosti svih građana i etničkih zajednica u Srbiji, polazeći i od toga da je Pokrajina Kosovo i Metohija sastavni deo teritorije Srbije, da ima položaj suštinske autonomije u okviru suverene države Srbije i da iz takvog položaja Pokrajine Kosovo i Metohija slede ustavne obaveze svih državnih organa da zastupaju i štite državne interese Srbije na Kosovu i Metohiji u svim unutrašnjim i spoljnim političkim odnosima, građani Srbije donose Ustav Republike Srbije..."]

[19] For an informative overall account on the myth of Kosovo as a 'national' myth in the nineteenth– and the twentieth-century Serbia, see Dejan Đokić, "Whose Myth? Which Nation? The Serbian Kosovo Myth Revisited," in Wilhelm Fink (ed.), *Uses and Abuses of the Middle Ages: 19th-21st Century* (München: Mittelalter Studien, 2009), pp. 215–233.

[20] See Nenad Dimitrijević, "Epilog: Rodoljupci pišu ustav" ["Epilogue: patriots write constitution"] in *Ustavna demokratija shvaćena kontekstualno,* p. 398–406.

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That said, it is possible to argue that the preamble's purpose is not to guarantee state territorial integrity. In fact, the Constitution's introductory paragraph may be understood as a constitutional ground for disregard of the constitutional norms. If this interpretation of new Serbia's Constitution gets a bit radicalized, it might be even said that Constitution's main purpose is to prevent the rule of law. The preamble occupies a privileged position in a structure of the Constitution: it precedes everything that is said in constitution and thus presents a framework for understanding its content. Due to this privileged position it gets the power to institutionalize violation of the constitution and provide violators with institutionalized justifications that are based on given circumstances. Thus, it might be said that the Serbia's Constitution promotes an understanding that nothing needs to be determined by constitutional framework in Serbia. On the contrary, everything can be a matter of negotiation and power relations. Such conditions are established and legitimized by the state's "necessity" to defend Kosovo.

It is possible to argue that due to specific circumstances in Serbia, principles and tools of transitional justice simply have to be ineffective. However, I am inclined to claim that this ineffectiveness is not a result of Serbian peculiarities. In fact, I doubt that there are such peculiarities. The conceptualization of transitional justice, in my opinion, relies – explicitly or implicitly – on hard concepts of culture and identity, which I will try to elaborate in the first part of this chapter. These hard concepts of culture and identity limit the possibilities for thinking about their potential change. Therefore, the transitional justice's "tool kit" may prove to be inevitably ineffective both on the level of theoretical analysis and on the level of practical implementation. Not only that this "tool kit" does not contribute to political and social changes, it also reinforces existing identity patterns, whose change has been requested. Bearing all

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this in mind, in the fourth part of this thesis, I suggest an alternative view on culture, more compatible with purposes of transitional justice. I claim that instruments of transitional justice may be effective only within an appropriate cultural context, one that cannot be provided by transitional justice's measures solely. These measures should be implemented together with measures derived from an appropriate cultural policy.

1.2. Transitional justice: introductory notes

Prominence of transitional justice is closely related to political changes from the second half of the twentieth century – its last two decades in particular – when societies across the world, in Latin America, South-East Europe, and, finally, Central and Eastern Europe, got rid of military dictatorships and totalitarian regimes and opted for freedom and democracy. Transitional justice is a specific conceptualization of justice, applicable to societies that are going through periods of political changes. It focuses on legal measures shaped to deal with wrongdoings of the predecessor criminal regime.[21] However, prosecuting wrongdoers of the previous regime and preventing their further impact on political and social life[22] is not the only thing that transitional justice needs to deal with in the aftermath of a criminal regime's fall. After the period of repressive rule, new regimes are expected to undertake substantial liberalizing change.

According to transitional theories, to construct a normative shift, the one that is supposed to change the understanding of what is fair and just, may employ various legal and political means. For example, identifications of past wrongdoings occur

[21] Ruti G. Teitel, "Transitional Justice Genealogy," *Harvard Human Rights Journal* Vol. 16, 2004, p. 69.
[22] Jon Elster, *Closing the Books. Transitional Justice in Historical Perspective* (Cambridge: Cambridge University Press, 2004), p. ix.

through judicial, administrative, and historical investigations; practical and symbolic recognition of victims' status is achieved by and through reparations that aim to compensate, at least to some extent, for victims' suffering; constitutional changes followed by adequate legal measures should contribute to renovation or formation of political order whose liberalizing objectives need to be clearly distinguished from the objectives of the previous regime.[23] This means that transitional justice actually implies that a whole society is engaged in its own political, social and cultural reconstruction. The necessity for such a reconstruction derives from acknowledgment that former illiberal rule has ruined social capacity for decency and disposition to make civilized political and social arrangements.[24] To put it simply, processes of transitional justice are aimed at: *a)* "moral, political and legal distancing from crimes of the previous regime," *b)* "establishing and stabilizing new democratic legitimacy," *c)* "establishing basis for civil normality and just society after the period of brutality."[25]

1.3. "Realists" vs. "idealists"

Despite clarity of general goals of transitional justice, there is no agreement about two important set of questions: first concerns the choice of mechanisms of transitional justice which would be deemed appropriate to a particular context; second area of disagreement relates to the assessment of practical accomplishments that would indicate that a transition is completed. If formal elements such as political

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[23] Ruti G. Teitel, *Transitional Justice* (New York: Oxford University Press, 2000), p. 7.
[24] As Elster nicely puts it, "society has to *rebuild itself in the open sea,* using the materials at hand, however flawed they may be" *(Closing the Books,* p. 75). Yet, although the metaphor is catchy due to its simplicity and transparency, it raises a number of serious questions. For example, what happens if the material at hand is too flawed for construction of the needed normative shift?
[25] Nenad Dimitrijević, "Suočavanje s lošom prošlošću: treba li Srbiji i Crnoj Gori komisija za istinu" ["Facing the evil past: does Serbia and Montenegro need a truth commission"], *Reč* 71, p. 66 [my translation].

procedures and bodies as well as legal documents are put forward, then it is possible to argue that the transition is completed when free and fair elections, together with institutionalized procedures that guarantee fairness, are organized and new constitution is passed. On the other hand, although the transition has its economic and social aspects, it may be argued that its legal aspect is completed when all political agents accept the rule of law. Taking into consideration important similarities with liberalizing tendencies of democratic transitions in West Germany, Italy, Austria, France, Japan, Spain, Portugal, and Greece, it is after all possible to claim that transition needs to be understood simply as a process which entails "a normative component in the move from less to more democratic regimes."[26]

Prior to evaluation of how various judicial and political measures contribute to accomplishment of transitional justice goals, it is necessary to understand how these transitional justice goals are set. Normative ideas about how political and judicial practices ought to influence liberalization of polity can be broadly divided into two categories: realistic and idealistic.[27]

Realists are inclined to argue that seeking justice in the times of political change should not be of primary importance; the most important, they explain, is to establish democratic procedures and the rule of law. Furthermore, these goals have to be realized cautiously, taking into account an existing power balance.[28] Instead of justice, realists consider institutional and procedural changes to be a necessary condition for setting up the rule of law.

Deliberating about justice after social and political transition, and particularly about ways of facing the evil past of a previous oppressive regime in transitional period, Luc Huyse distinguishes four possible approaches: *a)* massive prosecutions of

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[26] Teitel, *Transitional Justice,* p. 5.
[27] Ibid., p. 3.
[28] Ibid.

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all those who collaborated with the old regime and participated in abuses, *b)* lustration or disqualification of former elite and its associates, *c)* amnesty for all, and *d)* amnesty, but the one which includes remembering of what was done. Each of these approaches deals in its own way with two basic issues of transitional justice: *a)* "the issue of acknowledgment," that is if evil past is to be remembered or forgotten; and *b)* "the issue of accountability," that is whether perpetrators should be faced with judicial or some other consequences for what they did. Which approach is to be implemented then becomes a matter of an assessment of social and political circumstances, that is, of the existing power relations.

Taking this into account, Huyse argues that in cases of stable political and social environment, ensured by consensual support to transition within which new regimes feel strong enough, either *a)* prosecution – i.e. full responsibility and full acknowledgment, or *b)* lustration – i.e. partial responsibility and full acknowledgment is to be considered. In cases in which transition is a result of negotiating processes between former and new elites, and in which the power balance is fragile and consensual support to transition uncertain, the other two approaches seem to be more applicable and effective, that is, either *c)* amnesty – i.e. no responsibility, no acknowledgment, or *d)* amnesty which includes full acknowledgment of the past wrongdoings.[29]

On the other side, idealists consider certain judicial steps aimed at achievement of justice as necessary for successful political transition. Relying on the universalist conception of justice, they also put forward retributive and corrective justice for past crimes as a crucial prerequisite for liberal change. Since I am talking here about culture in the context of transitional justice, for the purposes of my

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[29] Luc Huyse, "Justice After Transition: On the Choices Successor Elites Make in Dealing with the Past," in Neil J. Kritz (ed.), *Transitional Justice. How Emerging Democracies Reckon with Former Regimes*, Vol. I (Washington D.C.: United States Institute of Peace Press, 1995), pp. 337–349.

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argument there is no need to examine in details aspects of transitional justice in terms of the realist/idealist dispute. In regard to this dimension of transitional justice, it suffices here to refer to Ruti Teitel's response to the above-mentioned dispute:

> ... the conception of justice in periods of political change is extraordinary and constructivist: It is alternately constituted by, and constitutive of, the transition. The conception of justice that emerges is contextualized and partial: What is deemed just is contingent and informed by prior injustice. [...] For, contrary to the prevailing idealist accounts, law here is shaped by the political circumstances, but, also, challenging the prevailing realists accounts, law here is not mere product but itself structures the transition.[30]

It is evident that Teitel's concept of law in periods of political change goes beyond legal framework. According to her, transitional jurisprudence has to focus on paradigmatic use of law in normative construction of a new political regime, which is beyond the common perception of judiciary's purposes. The interaction needed between law and political change, explains Teitel, gives an extraordinary role to law, which is the reason why the accomplishment of fair elections, institutional stability, and economic strength is not enough to assert that transition is completed and new democracy successfully established: "Legal responses are both performative and symbolic of transition."[31]

By concluding that the law has to lay ground for an overall moral transformation of society, Teitel puts forward ethical, and, after all, cultural dimension of transitional justice. It is rather clear that establishment of just and fair society in the aftermath of mass crimes, which, among other things, implies a kind of fragile balance between forgetting and remembering, depends on various factors, many of which cannot be categorized in terms of usual judicial and political categories: we are talking here about cultural strategies, moral questions, ways of

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[30] Teitel, *Transitional Justice,* p. 6.
[31] Ibid., p. 9.

remembering and establishing narrative patterns, and, eventually, ways in which societies define their attitude towards the past.[32] Teitel is, indeed, aware that transition is dependent on cultural conditions, and that it has cultural implications. Therefore she asserts that for the accomplishment of justice it is also important how transitional society constructs its shared truths.

Assuming that construction and interpretation of these shared truths depend on threshold shared understandings, that is, on epistemic consensus achieved and maintained by mechanisms of cultural transmissions, Teitel rightly asks what happens when this consensus has been violated or destroyed by the criminal regime.[33] In other words, she asks: Where is the epistemic authority in transition? However, although Teitel has posed an exceptionally important and complex question, she offers too simple an answer:

> In transition, the oft-shared frameworks – political, religious, social – are threatened; so it is the law, its framework, and processes that in great part shape collective memory. In transitions, the pivotal role in shaping social memory is played by the law.[34]

By formulating a constructivist legal framework, which has to meet normative expectations expressed by both realists and idealists, Teitel assigns judiciary with a role that it simply cannot perform. Societal shift in norms, or their renewal, is a matter of mechanisms of cultural transmissions, as she rightly points out, and there is no

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[32] Béatrice Pouligny, "The forgotten dimensions of 'justice' programs: Cultural meanings and imperatives for survivors of violent conflicts", manuscript, 2005, available at http://www.ceri-sciences-po.org/cherlist/pouligny.htm

[33] Teitel, *Transitional Justice,* p. 71. Further in the text we will see that this question has its counterpart: namely, what happens if a consensus is achieved about immoral principles?

[34] Ibid. See also Mark Osiel, *Mass Atrocity, Collective Memory, and the Law* (New Brunswick, New Jersey: Transaction Publishers, 2000). Drawing on experiences of the bearers of Argentina's transition, Osiel seriously suggests that directed, theatrically designed, public trials against those accused for mass crimes, which ought to be broadcasted in episodes like soap operas, have to induce a needed societal normative shift, establish an appropriate collective memory of past events, and strengthen attachments to liberal morality, embodied in criminal law. However, in my opinion, Osiel's suggestions look as a caricature of Teitel's reasonably and modestly formulated proposals. It is also possible that my understanding of Osiel is completely distorted by my experience of watching broadcasted trials from Hague.

guarantee that judicial measures are able to fulfill the same task. Furthermore, law itself derives its justification from threshold shared understandings. Thus it is not clear how the law alone can reestablish its own grounds, ruined by the previous regime. Although it may be assumed that the law will be created and implemented by benevolent and just judiciary, the question of whether this law can take on an epistemic authority, renew or establish consensus or shared truths and activate cultural mechanisms for their transmission remains open. It is possible to try to impose a needed version of societal memory or truth by legal means, but there is no guarantee that this imposition will be successful in practice; on the contrary, without the societal epistemic consensus, it will certainly fail. Teitel is unrealistic when she assumes that in the situation in which oft-shared frameworks, ones which used to underpin the law, are destroyed, the law itself can fulfill both legal and cultural task, that is, that the law can be grounded in itself. Furthermore, she wrongly assumes that in transitional societies all oft-shared frameworks get to be destroyed. It is not necessarily so: in some cases certain institutionalized cultural mechanisms that used to transmit oft-shared frameworks which inspired and justified wrongdoings might be still effective, undermining transitional judicial efforts.[35] In other words, although Teitel rightly assumes that in times of societal collapses the law has some capacities to go "against

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[35] In Zagreb, Croatia, in the late 1990s, Dinko Šakić, "the slayer from Jasenovac," was prosecuted for mass crimes he committed as a commander of the concentration camp, during the World War Second. Writing about this trail, Viktor Ivančić asked whether this process had any sense:

> In these circumstances, what is supposed to be our attitude towards something that has to be – using old-fashioned vocabulary – societal impact of one sentence? Does punishing of war criminals have any sense – no matter whether domestic or international law will be implemented – if those who inspired the crimes – i.e. ideologists and political leaders, and particularly systems that turned crimes into their fundamental strategies, receive completely different treatment, if values of these systems are publicly honored and written in gold letters into redesigned historical textbooks?

In an outstanding analysis of the social ambient in which the trail took place, Ivančić offered a clear picture of institutional elements and normative patterns that undermined the effect of, otherwise, "significant and valuable sentence passed by the judge Dražen Tripalo." Šakić was sentenced to maximum 20 years, which provided him with the label of "a national martyr." See Viktor Ivančić, *Točka na U. Slučaj Šakić: Anatomija jednog skandala* [The Šakić case: anatomy of a scandal] (Split: Feral Tribune, 2000); here pp. 17–18, 293.

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the grain" and delegitimize cultural traditions to some extent,[36] it does not mean that the law has an independent constructivist capacity. Eventually, it is important to stress here that behind the realist/idealist dispute a kind of cultural challenge to transitional justice with serious ethical implications can be recognized.

1.4. Looking back or reaching forward

Normative dispute between realists and idealists opens two perspectives in understanding and evaluating changes in transitional societies. That is, this dispute may be seen as a disagreement about the question of whether bearers of transition have to be oriented towards future or they should deal with the evil past. Realists, who argue for the forward-looking conceptions, claim that meaning of transitional justice is delineated by specific contexts and dependent on particular transitional goals.[37] For the sake of the argument, let us take for granted that agents of transition aim to come

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[36] En example would be German constitutional patriotism. See Müller, *Constitutional Patriotism.*

[37] In his analytical study of transitional cases that range from the ancient Greek society to date, Elster offers an overview of possible approaches to transition from the standpoints of its agents. Instead of setting a normative theoretical framework for his analysis, he draws conclusions from his interpretations of the transitional agents' intentions and deeds. This is a logical consequence of his method, based on a belief that there is no a large picture, that is, a general theory of transitional justice, or justice itself *(Closing the Books,* p. xii); there are only people who act in accordance with their emotions and interests (Ibid., p. 81). Therefore, Elster may claim that the task is not to define the meaning, but to "spell out the role of 'justice' in transitional justice" (Ibid., p. 79). So, he eschews prescribing what is to be done, and limits himself to identifying conceptions of justices and fairness held by the agents and shaped by their emotions and interests. Furthermore, he rightly warns that subjective conceptions of justice may matter little when it comes to concrete behavior (Ibid., p. 81). It is possible to say that transitional justice for Elster may simply represent a term that refers to any transition from one type of a society to another, under a condition that agents of this transition view the preceded type as autocratic and unjust (which is almost always the case when substantial social change takes place). However, in his transitional accounts, Elster does not take into consideration examples such as the Soviet Revolution from 1917. This practically means that, in spite of what he explicitly states, Elster implicitly relies on some normative framework. Therefore, it is rather unclear why Elster does not specify the criteria he uses in choosing transitional cases worth analyzing. Transitional expectations may vary. They do not depend solely on normative conceptions of justice held by agents, conceptions that are, after all, shaped by agents' emotions and interests, according to Elster. In the best case, besides justice, agents of transition may seek for peace and civic normalcy. We can term this – transition with hopes for better future. Yet, the question, which Elster tries to avoid by making it insignificant, remains: What is to be accomplished as better future, and whatever it may be, is it possible to be provided by using only "materials at hand"?

Unlike Elster, Teitel views transitional justice in terms of liberal-democratic values. For her, transitional justice is a shift from an illiberal society to a more liberal one. Although she may be criticized for implicitly imposing particular values of the West liberal-democratic societies under the guise of universal norms, her normative approach is far more defined and coherent than Elster's.

to terms with the bad past by setting new values and norms, by establishing

institutions, and by implementing strategies and measures for consolidation of new

political, legal, and social arrangements. Their attitude to illiberal or criminal legacies

of the previous regime is expressed by construction of just and democratic society.

Taking into account a fragile power balance, realists suspect that dealing with the

previous regime's wrongdoers would only jeopardize democratic prospects.[38]

Therefore, they are eager to close the book of past as soon as possible, and to reopen

it only in case in which it would be considered necessary for protecting democracy.

They believe that the prevention of future wrongdoings lays in strengthening the

newly established or reestablished institutions, developing just procedures, and

reinforcing economy. Drawing on the post-war West German case as well as on the

specific circumstances in Spain in the 1970s, Jon Elster advocates for reaching

forward:

> After the transition, leaders and agents of the old regime are still part of the
> fabric of society. Whether directly, by their access to means of violence or to
> the voting booth, or indirectly, by their importance for economic
> reconstruction and development, they may be able to influence the treatment
> that is meted out them. In a metaphor that I have also used to describe the
> processes of constitution making in new democracies, society has to *rebuild
> itself in the open sea,* using the materials at hand, however flawed they may

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[38] Trading justice, and even truth, for peace marked transitions in Argentina and South Africa. As far as the South African case is concerned, Alex Boraine, one of the designers of the South African Truth and Reconciliation Commission, wrote that "it was a tragedy that Botha did not enter the witness box to respond to the allegations made against him." Boraine, together with hundreds and thousands of people who suffered under apartheid, wanted Botha "to be thrown into jail." Fulfillment of this wish was prevented by very principles that define the Commission's work and purposes; in other words, a compromise was made in which justice was sacrificed for the sake of peace. Boraine was disappointed because people were not given an opportunity to learn the truth: "All we want is that he should come before the Commission and we would deal with him with sensitivity and respect." Yet, in spite of guaranteed "sensitivity and respect," Botha refused to come before the Commission. He was not even sentenced for this act, although there was a sanctioned sentence for those who refuse to testify before the Commission. That was another compromise, only this time truth was sacrificed for the sake of peace. What follows might explain twists in the Botha *vs.* the Commission case: "Botha was strongly supported by a number of former generals, including Magnus Malan, former Minister of Defence and former head of the South African Defence Force. Others who supported him [...] included [...] Constand Viljoen, former head of the Defence Force [...] Johan van der Merwe, former police chief, and other retired military generals" (Alex Boraine, *A Country Unmasked* [Oxford and New York: Oxford University Press, 2000], pp. 216, 204, 203). For Argentina, see An Americas Watch Report, *Truth and Partial Justice in Argentina. An Update* (Human Rights Watch, 1991).

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be. Even when judges, for instance, were deeply involved with the predemocratic regime, there may be no practical alternative to using them, or the least compromised among them, to judge that regime itself.[39]

Idealists, who advocate backward-looking conceptions, argue that it is necessary to prosecute wrongdoers of the previous regime, since that is the only way – although it is almost impossible to fully realize it – to lay grounds for a just society and the rule of law, where one of the main premises is accountability. Using all the feasible means in coming to terms with the bad past is the only way a society in transition can distance itself from its evil predecessor. And only the clear, unambiguous disruption of the continuity with illiberal legacies would guarantee transition into liberalizing direction.[40] To put on trial the preceding regime's wrongdoers is the most efficacious way to block their influence in the future.

Proponents of the backward-looking conceptions explain that institutional optimism of the forward-looking advocates is groundless. According to the backward-looking advocates, instituting new norms and procedures and creating just social arrangements need to be grounded in the oft-shared political, religious, and social frameworks. These frameworks have been corrupted by the previous regime. Therefore, they insist that prior to anything else, threshold shared understandings have to be established in accordance with universalist normative principles.

> There is really no way to predict the future behavior of relevant actors. For example, it is impossible to know whether torturers will be deterred from torturing anew as a result of a policy of leniency or, conversely, by a policy of punishment. For this reason, a policy of letting bygones be bygones is not wrong primarily because its view of stability looks suspiciously like yielding to thuggery and blackmail. Rather, I would argue that it is morally wrong because it fails to recognize the worth and dignity of each victim. It is also

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[39] Elster, *Closing the Books,* p. 75.
[40] "In fact, the pursuit of retrospective justice is an urgent task of democratization, as it highlights the fundamental character of the new order to be established, an order based on the rule of law and on respect for the dignity and worth of each human person" (Juan E. Méndez, "In Defense of Transitional Justice," in A. J. McAdams (ed.), *Transitional Justice and the Rule of Law in the New Democracies* [Notre Dame: University of Notre Dame Press, 1995], p. 1).

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politically wrong because it sets the new political order on the weak foundation of privilege and the denial of the rule of law.[41]

In the core of the backward-looking conception of transitional justice, beneath apparently practical-political reasons, it is possible to clearly delineate ethical, and, eventually, cultural arguments, although its proponents, like Teitel, believe that the foundational request could be accomplished solely by legal means. In fact, it may be argued that idealists are far more realistic than their realist opponents in realizing how important it is to establish and reinforce a normative standpoint, one that would have capacity to distinguish evil legacies and provide solid basis for current efforts of reestablishing decent society.

Yet, if we ask ourselves a simple question – *where does the urge to reestablish decency come from?* – a cultural paradox of transitional justice emerges in all of its complexity. Numerous debates, which oscillate between universalist and relativist conceptions of culture, originate from this simple, seemingly rhetorical question. If transitions imply periods of historical discontinuity,[42] why are these discontinuities needed and what they refer to?

There may be at least two significant discontinuities in the transitional justice narrative. The obvious one is between the society's illiberal legacies and its current efforts towards liberalization and democratization. Another one, which is usually less in focus, preceded the establishment of dictatorships and totalitarian regimes,[43] and it

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[41] Ibid., pp. 3–4.
[42] Teitel, *Transitional Justice,* p. 69.
[43] The question of discontinuity was raised in a profound way in the second half of the 1980s in West Germany. In the debate known as *Historikerstreit,* German academics discussed whether it is possible to normalize the Nazi heritage by explaining and including it in the course of German history, one which would be contextualized within broader twentieth century European history of totalitarian regimes, or it should stay outside of it in its singularity, as a striking discontinuity incompatible with newly formed, postwar German identity. See Peter Baldwin, "The *Historikerstreit* in Context", in Peter Baldwin (ed.), *Reworking the Past. Hitler, the Holocaust, and the Historians' Debate* (Boston: Beacon Press, 1990); E. Piper (ed.), *Forever in the Shadow of Hitler. Original Documents of the Historikerstreit* (New Jersey: Humanities Press, 1993).

points to a period in which political, moral, and cultural foundations for illiberal rule were set and accepted. In other words, this second discontinuity points to a period in which legitimizing patterns for wrongdoings were created. Therefore, the central question of transitional justice is how to change societal foundations. To this question, Teitel, among others, replies – by transitional justice mechanisms, among which the law has a pivotal role. However, these mechanisms, particularly the law, need some ground as well, and their effectiveness depend on a particular context. Eventually, these concerns allow us to reformulate the central question of transitional justice: How society can be rebuild on flawed foundations? How to reconstruct foundations?

All these dilemmas of transitional justice may be seen as looming over the character of predicament that requires resorting to moral universalism. Contextual constraints intimidate heavily, they even seem to preclude the very possibility of thinking and acting in universalist terms. This is the problem I am dealing with in the first half of this work. Rather than making a simple conclusive evaluative judgment, it may be more appropriate to try to deconstruct main features of the context, to see if it indeed determines the choice of the available paths. In this thesis, I will focus on two closely related context-specific categories: identity and culture. In the next two chapters I will explore how these arguments about contextual constraints work, by addressing: 1) gender and transitional justice, and 2) the Yugoslav Truth and Reconciliation Commission. On different levels, both cases demonstrate an apparent combined force of identity and culture arguments, that is, contextual constraints that narrow prospects of societal moral transformation. Then, I will proceed to chapter 4, to present my own understanding of the categories of culture and identity, and their relationship to moral universals.

Chapter 2
GENDER AND TRANSITIONAL JUSTICE

Feminist approaches to the issues of transitional justice make it rather obvious how processes of societal moral transformation depend heavily on existing cultural patterns. These close ties between transitional justice and social contexts make feminists skeptical towards the prospects of transitional justice. It is better to stick with practical gains for women, they suggest, than to engage in general debates on whether it is possible to combine transitional justice with a feminist notion on justice. At the end of this section, I argue that feminist dilemma about transitional justice is an aspect of a general problem I delineated in the previous section.

While acknowledging suffering and victimhood of women throughout the history of mass crimes, in this section I focus on the feminist theoretical treatment of gender and transitional justice in the context of the post-Yugoslav armed conflicts. Organized massive crimes and systematic violations of humanitarian laws and customs of war have distinctively marked these conflicts. Therefore, they provoked the thorough rethinking of basic concepts of transitional justice from gender and feminist perspectives.[44] Massive rapes of women and large-scale felonies against civilians triggered unfortunate but powerful impulse for posing various questions, ranging from *where are women in transitional justice,* to *where is gender in*

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[44] See Julie Mertus, *Women's Participation in the International Criminal Tribunal for the Former Yugoslavia (ICTY): Transitional Justice for Bosnia and Herzegovina* (Women Waging Peace Program, Hunt Alternatives Fund, 2004).

transitional justice, to *where is feminism in transitional justice.*[45] Procedural elements

of transitional justice mechanisms, particular laws, broader frameworks of various

transitional justice aspects, and, finally, the very idea of transitional justice were

opened for feminist and engendering re-conceptualizations and re-articulations. As

Katherine M. Franke puts it:

> Of course, sexual violence against women during times of war and social upheaval is an old story, but until quite recently the masculinity of international humanitarian law was unable to appreciate how atrocities committed against women *because* they are women might amount to a violation of international humanitarian legal norms.[46]

For analytical purposes only, transitional justice processes may be divided into

several parts. First, there is a negotiation phase, in which main protagonists and

chosen representatives define transitional goals and design particular justice needed

for successful transition. In the second stage various protagonists – institutions,

individuals, including those from both official and non-governmental sectors –

identify committed crimes, their victims and their perpetrators. Then, there is a stage

of retribution, reparation, and eventually societal restoration. Throughout all these

stages, each aspect of transitional justice is being evaluated: what has been achieved;

whether defined goals serve to establishment of civil normalcy; who are appropriate

protagonists able to deliver or contribute to expected changes.

In their brief account of feminist approaches to transitional justice, Bell and

O'Rourke have summarized the variety of diverse feminist positions. They

convincingly exposed that from all of these positions it is argued that in each of these

stages, procedures, processes or aspects of transitional justice, "women have been

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[45] Christine Bell and Catherine O'Rourke, "Does Feminism Need a Theory of Transitional Justice? An Introductory Essay," *The international Journal of Transitional Justice,* Vol. 1, 2007, pp. 23–44; here, p. 23.
[46] Katherine M. Franke, "Gendered Subjects of Transitional Justice," *Columbia Journal of Gender an Law,* Vol. 15:3, 2006, pp. 813–828; here, p. 816.

largely absent."[47] Not only that participants in conflict and post-conflict negotiations are predominantly male, but the issues put forward are those mainly concerned with ceasefires and allocation of and control over the power and resources among divided groups, which all has little to do with particular women's sufferings, needs, and interests. Accordingly, participants in conflict and post-conflict negotiations simply keep on neglecting "underlying issues of discrimination, domination and improvement of physical, social and legal security, particularly with regard to gender."[48]

Furthermore, it took a lot of investigation, analysis and advocacy to make courts begin to recognize "women's experiences of gender-based violence in armed conflicts as amongst the most serious crimes of war."[49] This recognition implies necessity to "bridge the gap between legal standards and their enforcement by securing prosecutions for these war crimes."[50] Finally, all listed points lead to demanding "reforms in courtroom procedures in order to ensure that victims of sexual violence were not re-victimized by the adversarial legal processes."[51]

Indeed, at first sight all above-mentioned issues may appear to represent a set of problems that can be dealt with within a general framework of transitional justice, framework which, seemingly, does not need to be questioned. However, once societal restoration and civil normalcy are broadly accepted as transitional goals, feminist and gender analyses may shed a light on a set of general conceptual problems concerning transitional justice. From a gender or feminist perspective restoration is a highly problematic process, one which needs to take into account two things: first, it must

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[47] Bell and O'Rourke, "Does Feminism Need a Theory of Transitional Justice?" p. 23.
[48] Ibid., p. 25.
[49] Ibid., p. 26.
[50] Ibid.
[51] Ibid. See also Mertus, *Women's Participation in the International Criminal Tribunal for the Former Yugoslavia (ICTY)*.

not be taken for granted that what is to be restored is valid in itself; second, civil normalcy is not at all something unquestionable in itself. That is, *civil normalcy* has to be precisely defined – what is *normal* and whom it is *normal* for. It is much more likely that a society should engage in an open-ended process, which demands thorough analysis and critique of the previous societal arrangements than in a process of *restoration*.

2.1. Recognition or redistribution?

Following Nancy Fraser, Katherine M. Franke sums up all dilemmas of justice projects into the question – "whether they should be fundamentally committed to redistribution or recognition."[52] She explains:

> Justice as distribution is a familiar concept entailing the reordering of material and symbolic resources based upon a particular account of culpability, desert, accountability, injury, and fairness. These transitional justice projects could be primarily committed to redistributing money or land (in the form of reparations), but they could also redistribute shame (from the injured to the injurer) or power – resources that might be best understood as symbolic or cultural. By contrast, justice projects that emphasize recognition seek the establishment of official bodies, be they courts, tribunals, officially appointed commissions, or boards of inquest, whose task is to find facts, and, more importantly, recognize, acknowledge, or call up the identities of the parties and acts that are brought to their official attention.[53]

Although she is aware that recognition and redistribution cannot be clearly separated and treated independently, in fact, the same official bodies may recognize and redistribute at the same time, Franke claims that recognition has prevailed so far over redistribution in transitional contexts. In other words, she argues that existing contexts of transitional justice have not yet delivered much of redistributive justice,

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[52] Franke, "Gendered Subjects of Transitional Justice," p. 814.
[53] Ibid.

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which she considers to be, as far as women are concerned, more important than recognition.[54]

Franke offers various explanations why she opts for redistribution, yet I find one of her explanations particularly important for the purposes of my analysis. Namely, "war crimes tribunals, truth and reconciliation commissions, and other public mechanisms of transitional justice," explicates Franke, "have complex objectives"; however, she points to one: "reshaping post-conflict national identity":

> These institutions serve to lay down a baseline; they mark out a past the society hopes neither to forget nor to return to. The first stages of transition are typically highly dynamic, characterized by a "representational gap" where different narratives of the recent past battle to be dominant. Often women's stories, women's memories, and women's experiences are appropriated in the service of this rebuilding project. [...] For instance, their sexual violation can come to stand for the violation of the nation as a whole. So too, the fact that the nation's men were unable to protect "their" women from the violence of the recent past can be rendered as a metaphor for the emasculinization of the culture more broadly.[55]

This means that recognition, if it is not followed by thoroughly elaborated redistribution, may be used to add another layer on the top of already existing ones, covering discrimination and domination within the group that was exposed to massive and systematic violations. It may also turn out that putting forward issues concerning groups' inner patterns of distribution of power and resources is not in the interest of those who negotiate in the name of these groups.

Furthermore, it is important here to distinguish between processes of transitional justice related to changes in regimes that committed crimes against its own citizens and processes of transitional justices that refer to states that committed crimes against people outside their state borders. For the latter I use the term *community of accomplices,* in analogy with the phrase *culture of accomplices.* It may

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[54] Ibid., p. 814–815.
[55] Ibid., p. 823.

be expected, for the reasons I will explain at length in chapter 4, that communities of accomplices will strongly resist reshaping or redefining their national identities, and, accordingly, resist changing or abolishing inner patterns of discrimination and domination. On the other side, if victims are not part of the communities of accomplices, it is less clear why redistribution should be so important for these communities (here I put aside reparations arranged between the states that were in conflict). Yet, I will argue that redistribution of power, and material and symbolic resources is of utmost importance for these communities too. Furthermore, I will argue that redistribution cannot be realized without recognition: these two processes must follow each other.

2.2. Three types of transitional justice

Indeed, Franke is not alone in her appreciation of redistribution. Bell and O'Rourke hold the same position. They do not hesitate to state explicitly: "We suggest that feminist theory should focus on how transitional justice debates help or hinder broader projects of securing material gains for women through transition, rather than try to fit a feminist notion of justice within transitional justice frameworks."[56] They distinguish three possible types of transitional justice: transitional justice as ordinary justice, transitional justice as liberalizing justice, and transitional justice as restorative justice. Each type has been thoroughly criticized, since none is able to offer an acceptable answer to a simple question posed by feminists: "what exactly transitional justice is transiting 'from' and 'to'."[57]

Understanding transitional justice as ordinary justice assumes that in extraordinary circumstances it is not possible to pursue ordinary justice fully.

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[56] Bell and O'Rourke, "Does Feminism Need a Theory of Transitional Justice?" p. 23.
[57] Ibid., p. 35.

Therefore, transitional justice is a kind of a weak form of ordinary justices adjusted to cases in which thorough prosecution and retribution of each person involved in massive criminal acts is impossible. In such cases it is more important to have symbolic representations of doing justice, which distinguish between the right and wrong. Thus, besides prosecutions of main perpetrators of massive crimes, which symbolically represent doing justice on a general level, there is a sequence of symbolic tradeoffs such as truth for amnesty, or forgiveness for punishment, that in fact compensate for societal inability to pursue justice. However, Bell and O'Rourke make a good point referring to ordinary justice rather than to transitional justice: "In particular, given the extensive feminist critique of domestic criminal justice processes, it would seem somewhat strange for women to point uncritically to a need for traditional forms of accountability such as punishment."[58] To put it differently, from a feminist perspective it is not clear what makes ordinary justice a desirable model for transitional justice.

There has been a lot of talk about viewing transitional justice as liberalizing justice in the previous parts of this work. Arguments given by Ruti Teitel are considered here as representative for this type of conceptualizing transitional justice. Therefore, there is no need to repeat what has been already said. There is also no need to go into details in explaining feminist critique of liberalism.[59] It suffices here to

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[58] Ibid., p. 36–37.

[59] Liberalism as a kind of universalist approach in dealing with philosophical, social, cultural, political or issues of justice may be treated as an either overt or hidden projection of a set of norms and values formed and developed in a particular social and cultural context onto diverse backgrounds and cultures through time and space. It is further argued that the outlined process is inevitably associated with power-relations, meaning that within a community certain social groups could be identified as imposing their particular values as universal, hence binding for members of all other groups. This might lead to domination of men over women, or of an ethnic majority over a minority ethnic group, etc. Among others, feminist authors who criticized liberalism in this sense are Wendy Brown ("Wounded Attachments," *State of Injury. Power and Freedom in Late Modernity* [Princeton University Press]); Catherine MacKinnon ("Legal Perspectives on Sexual Difference," in Deborah L. Rhode [ed.], *Theoretical Perspectives on Sexual Difference* [Yale University Press, 1990]); Deborah L. Rhode ("Definitions of Difference," in Deborah L. Rhode [ed.], *Theoretical Perspectives on Sexual*

repeat after Bell and O'Rourke, summarizing their critique of the second type of transitional justice: what we need is a more detailed examination of "when and how liberalism has operated positively to empower – and negatively to disempower – vulnerable groups. This could be useful in decisions over when and how women should engage with liberalizing projects."[60]

Finally, it is rather predictable what may be said about transitional justice as restorative justice. In a line with arguments against transitional justice as ordinary justice, Bell and O'Rourke claim: "As feminist critiques of restorative justice in domestic law settings have addressed, the notion of 'restoring' that lies at the heart of this concept of justice speaks of a return to a set of relationships that for women may have been fundamentally unjust."[61]

After all, Franke, and Bell and O'Rourke alike conclude that in transitional processes feminists should focus on securing material gains for women and put aside

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Difference [Yale University Press, 1990]); Iris Marion Young *(Justice and the Politics of Difference* [Princeton University Press, 1990]); Ann Stoler ("Sexual Affronts and Racial Frontiers: European Identities and the Cultural Politics of Exclusion in Colonial Southeast Asia," *Comparative Studies in Society and History* 34 [1992]); Nevedita Menon *(Recovering Subversion. Feminist Politics Beyond the Law* [University of Illinois Press, 2004]). It would be too easy, but also enough, just to mention Carole Pateman. In her *Sex & Social Justice* (Oxford University Press, 1999), Martha C. Nussbaum distinguishes three categories of objections against universalism that underline: *a)* "neglect of historical and cultural differences", *b)* "neglect of autonomy", and *c)* "prejudicial application" (pp. 38–39). However, taking into account how Nussbaum clarifies each of these categories, it seems to me that categories *a)* and *c)* overlap, and that both can be understood as cases of the "interpretative fallacy." Namely, argument of neglect of historical and cultural differences points at the fact, she explains, that people "understand human life and humanness in widely different ways, and any attempt to produce a list of the most fundamental properties and functions of human beings is bound to enshrine certain understandings of the human and to demote others. Usually, the objection continues, this takes the form of enshrining the understanding of a dominant group at the expense of minority understandings" (Ibid., p. 38); furthermore, this leads to formation of certain normative patterns for distinguishing what beings are fully human and what beings are not, and that is the focal point of the Nussbaum's third type of criticism (Ibid., p. 39). The categories I proposed in my article "Tri propusta univerzalizma i politički liberalizam" ([Three fallacies of universalism and political liberalism], *Reč* no. 77/23, 2008, pp. 89–112) refer to actors who define their goals and implement certain discursive political practices in accordance with their understanding of justice and law, trying and, according to critics, eventually failing to legitimate their acts as being universalist. I distinguish three fallacies of universalism that critiques point at: *a)* "historical fallacy" – referring to a spatio-temporal aspect of justice and law, both depending on ever-changing political discursive practices; *b)* "interpretative fallacy" – referring to an interpretative aspect of justice and law; and *c)* "particularistic fallacy" – arguing for a multiplicity of equally worth, though maybe conflicting sets of principles and values instead of a universal creed. I believe that certain types of political liberalism can successfully answer these critiques.
[60] Bell and O'Rourke, "Does Feminism Need a Theory of Transitional Justice?" p. 39.
[61] Ibid., p. 41.

adjusting transitional justice frameworks to feminist notion of justice. I believe that this conclusion may be seen as a result of an unnecessary overlapping that occurs in Franke, as well as in Bell and O'Rourke's writings. Namely, asking what exactly transitional justice is transiting 'from' and 'to', these authors somehow managed to tie 'to' and 'from' together so strongly that they almost equate these two elements. In all three types of transitional justice, as they have been presented by Bell and O'Rourke, it seems that the only option for transition is to establish some form of previous societal order. This is the main reason why Bell and O'Rourke, together with Franke, are reluctant to engage seriously in adjusting transitional justice frameworks to a feminist notion of justice. However, this does not have to be the case: it is indeed possible to distinguish clearly between 'from' and 'to'. As it was said, transitional justice may be viewed as an important element of an open-ended transitional process, which demands thorough analysis and critique of the previous societal arrangements. Therefore, processes of recognition, acknowledgement, and identification of the parties and acts that are subjects of transitional justice are some kind of the preconditions for new patterns of redistribution. Unlike Franke, Bell and O'Rourke, I will argue that 'from' and 'to' should be completely different. While 'from' has to be thoroughly analyzed and acknowledged, it is in fact necessary to leave 'to' partly undefined. Eventually, acknowledgment can be ultimately confirmed only by new patterns of redistribution. As Franke puts it, "transitional justice should be viewed as a critical practice and an ongoing experiment in which future applications of its methodologies should benefit from the lessons learned from our previous efforts."[62]

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[62] Franke, "Gendered Subjects of Transitional Justice," p. 825. Franke also offers a good example of relatedness between recognition and redistribution. The Truth and Reconciliation Commission in Sierra Leone "made strong recommendations with respect to legal, political, educational, and economic reforms that would strengthen the position of women in Sierra Leonean society and would render them less vulnerable to future victimization. It urged the repeal or reform of all statutory and customary laws that discriminated against women, the passage of new laws requiring all political parties to ensure that

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2.3. Twofold transition

The key point to be taken from the previous discussion on feminist approaches to transitional justice is that from the feminist perspectives all societies are or should be in transition. Transition is an inevitable demand that comes from thorough analyses and critiques of existing societal arrangements. Therefore, 'from' has always been in the focus of feminist thinking about society. And, it is rather logical that it cannot stand in the place of 'to'. Yet, this 'to' should result from the criticism of 'from'. Together with Ruti Teitel, I am inclined to argue that basic standpoint for such a criticism may be framed by the set of universalist values of political liberalism.[63] Together with feminist critics of transitional justice, I am skeptical towards all previous societal arrangements as appropriate models for 'to'. Therefore, it seems to me that from the feminist perspectives, post-conflict or post-totalitarian societies are going through twofold transition. On one side, these societies have to deal with causes, consequences, perpetrators, and victims of massive crimes; on the other, they have to build a new social order that will not repeat arrangements which install

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at least thirty percent of their candidates for all national and local elections be women, and recommended that Sierra Leone ratify the Protocol of the African Charter on the Rights of Women" (Ibid., p. 827).

[63] I have discussed this question more at length in "Tri propusta univerzalizma i politički liberalizam" [Three fallacies of universalism and political liberalism]. This is what I believe a universalist liberal answer to the critiques may be: On a more general level, political liberalism, embedded in the concepts of distributive justice and equal recognition, is able to cope, at least on the theoretical level, with the three types of critiques against universalism. Historical, interpretative and particularistic fallacies can be successfully addressed within the liberal framework that keeps political field open for institutionalized negotiating procedures for settling tensions between conflicting forms of life. It is possible to distinguish two theoretical moves in development of liberalism as a universal political framework. The first is related to the argument that human beings as such are equally worth, in virtue of their basic capacities for choice and reasoning. The second then has to explain what this 'virtue of basic capacities for choice and reasoning' exactly means. Problems occur precisely in defining human capacities as a condition of being fully recognized as a human being, that is, a political subject as a bearer of rights. Therefore, an interpretative aspect can be distinguished in the core of the three analyzed fallacies. The political struggle for recognition and fair distribution of resources thus can be viewed as a struggle over interpretation. In these terms, political liberalism can be understood as a framework or a set of rules that provide equal recognition for different, and sometimes conflicting interpretations. On the other hand, these interpretations can be understood as a kind of discursive appropriation of legitimizing procedures offered within the framework.

domination and discrimination of particular social groups, known from previous social orders. Yet, these two transitions cannot be separated, that is, massive crimes and previous social arrangements are thoroughly interwoven. To illustrate this, I am referring to Kirsten Campbell's theoretical effort to suggest a new approach to sexual violence in conflicts and different strategies for international prosecutions of sexual violence.

In her article "The Gender of Transitional Justice: Law, Sexual Violence and the International Criminal Tribunal for the Former Yugoslavia," Campbell analyzes the existing approach to sexual violence as a criminal harm under international law, and how this model is implemented in legal practice in international criminal prosecutions. She concludes that gender patterns that occur throughout this implementation "instantiate and reiterate, rather than transform, existing hierarchical gender relations."[64] Here, there is no need to go into details of Campbell's thorough analysis of the relationship between gender and the prohibition upon sexual violence in armed conflicts constructed by international law, firmly based on the cases of the International Criminal Tribunal for the Former Yugoslavia.

Campbell's main idea, confirmed by her analysis, can be summarized as follows. Sexual violence, as a criminal violation of international humanitarian law, can be prosecuted as a war crime, genocide or as a crime against humanity. Although it seems that humanitarian law defines sexual violence as a gender-neutral term, it becomes much clearer in practice that this model mirrors masculine model of sexuality "as it defines the harm by the sexual intent of the perpetrator rather than the experience of the victim, and understands the sexual act in terms of an active

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[64] Kirsten Campbell, "The Gender of Transitional Justice: Law, Sexual Violence and the International Criminal Tribunal for the Former Yugoslavia," *The International Journal of Transitional Justice,* Vol. 1, 2007, pp. 411–432; here p. 411.

masculine body that penetrates a passive feminine body."[65] This is not unexpected since "the notion of 'sexual violence' relies upon certain models of sexual acts, organs and bodies," and "those models in turn draw upon ideas of masculine and feminine acts, organs and bodies."[66]

> Furthermore:

> A crucial gap is that sexual violence in its own right is not accorded the status of an international crime. Rather, it is only when sexual violence has a nexus to armed conflict, the intended destruction of a national, ethnic, racial or religious group, or an attack upon a civilian population, that the conduct becomes an international crime. Accordingly, sexual violence is a subsidiary act, which is recognised as an international crime only when framed by other forms of illegality. This model characterises the conduct as significant only where it is understood in terms of a crime against a victim's community or nation, which solidifies those very boundaries of ethnicity, community and nation that are so often themselves at stake in armed conflicts.[67]

Therefore, "to identify the specific harms of sexual violence in particular conflicts it is [...] necessary to identify how notions of sexual difference are given meaning in that social context."[68] These meanings exactly are subjects to contestation in conflict.[69]

Campbell convincingly draws our attention to one significant paradox of prosecuting sexual violence. On one side, implementations of legal norms that sanction sexual violence depend on recognition, that is, understanding and interpretation of the specific context within which this violence occurred, and particularly on recognition of gender roles this context consists of. But, on the other side, Campbell claims that legal norms and practices do not transform existing gender relations; instead, they instantiate and reiterate these relations. Thus, this particular examination brings us back to the above mentioned general observation articulated by

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[65] Ibid., p. 418.
[66] Ibid., p. 417.
[67] Ibid., p. 419.
[68] Ibid., p. 429.
[69] Ibid.

feminist criticism of transitional justice: mechanisms of transitional justice tend to equate "from" and "to" rather than to transform existing societal arrangements into some new order.

And this is exactly the paradox which I am trying to pinpoint as a key problem of transitional justice, especially when this issue is approached from the side of the community of perpetrators. Campbell suggests that the existing model of sexual violence as defined by humanitarian law has to be replaced by a new one, suggested in her article. However, and here I repeat my main argument, a possibility to apply any new legislative model is entirely dependent on the existing social contexts. Therefore, the replacement of some particular model is not only insufficient, but it is also impossible if the context itself has not been changed. This is why I suggest that transitional justice has to be viewed as a kind of general cultural policy, if it is expected to yield needed results.

Chapter 3
THE YUGOSLAV TRUTH AND RECONCILIATION COMMISSION

I have already mentioned the brilliant study on contextual constraints, institutional as well as cultural, that undermined effects of the Šakić case. In Zagreb, in the late 1990s, Šakić stood trial for mass crimes he committed as a commander of the concentration camp, during the World War Second. At the end of the process, he was sentenced to maximum 20 years, which only provided him with the label of "a national martyr."[70] The case of the Yugoslav Truth and Reconciliation Commission is of the same kind. In spite of declarative goals, formulated in the Commission's official documents, the only result it yielded was a mere confirmation of the legitimizing patterns which justified Serbian war endeavors. My intention in this section is to demonstrate that this failure was not result of contextual circumstances only. On the contrary, the concept of truth and reconciliation commission offered to Serbian protagonists contributed to the ineffectiveness of this Commission as well.

I believe that an extensive description of the Commission political and social environment is necessary for a thorough understanding of its work. Therefore, in the opening paragraphs of this section I am offering an elaborated account of various contexts that frame the Commission work.

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[70] See footnote 24.

3.1. A historical prelude

Among the questions that are still put forward in an attempt to understand and explain the political scene in Serbia of the 1990s, the following two are very frequent: *a)* how come that the regime, which was blown away just in eight hours, between noon and 8 p.m. on October 5, 2000, managed to stay in power the whole of the previous decade; and, as an aspect of it, *b)* why did the huge protests from several years before 2000 fail to achieve the same success?

The end of 1996 and beginning of 1997 in Serbia were marked by large civil protests against the regime of the Socialist Party of Serbia and its leader Slobodan Milošević. Citizens poured into the streets and squares throughout Serbia, protesting against Milošević's attempt to annul the results of the local elections, held at the end of the autumn 1996, in which opposition parties had claimed a clear victory. In the last days of December 1996 and first days of January 1997, citizens' expectations went much beyond the claim for recognition of the local election results. Encouraged by a big number of protestors that were persistent and quite well organized, they endured for more than 100 days, amongst a shared belief that the end of Milošević's power was about to come. However, Milošević found a surprisingly easy way out: he just accepted the results, and the whole story was over. Months after the end of the protests, in the vacuum of political depression, political analysts tried to explain why opposition political parties and protestors had not come a long way. The shared feeling was that, in spite of making the regime recognize the opposition parties' victory on the local elections, the protests failed, since the main, although vaguely articulated goal – removing Milošević from power – was not achieved.

A year after the end of the protests, in February 1998, Drinka Gojković[71] offered her rather unexpected view on the failure of the protests: she pointed out that the protests could not meet the most important expectations since they did not raise the issue of responsibility for war crimes committed in the ethnic conflicts that proceeded the fall of Yugoslavia. She explained that it had been clear that the political coalition that led the protests ought to have a firm point of integration, which could help suppressing tensions embedded in an intrinsic coalition heterogeneity. She suggested that this point ought to have been a kind of a shared political aim that had to go beyond the claim for the recognition of election results as a reason for and coming together as a technique of removing Milošević from power. "It would have been not only logical," she continues, "but also necessary if that aim had been grounded in clarifying a thick fog of nationalism and wars"; eventually, "this starting point would have meant at least – putting aside everything else – a clear and convincing distancing from the regime that was sought to be removed."[72] Without such an integrative point, she concluded, the protests were doomed to fail.

Towards the end of her analysis, Drinka Gojković also tried to explain the coalition partners' inability to focus on clarifying the "nationalistic fog." She introduced the concept of "cognitive block" to point to a mental closure against a world beyond a narrow nationalistic framework made from obsessive national phantasms, which led her to a quite pessimistic conclusion: the protest leaders, as well as the regime, were unable to face the reality of Serbian responsibility for the Yugoslav collapse and the conflicts that proceeded it. This inability precluded the

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[71] Drinka Gojković, "Za početak, skica" [A draft, to begin with], *Reč* no. 42, 1998, pp. 135–141 [my translation]; also available at http://host.sezampro.yu/rec/9802/REC98024.htm.
[72] Ibid., p. 137.

opposition parties to bring about democratic changes in Serbia, since democracy is decisively embedded in principles of accountability.[73]

However, from the standpoint of the October 5 events, it appears that Drinka Gojković was deeply wrong, since the October protest, viewed by some as a revolution, was successful although, again, no one raised the issue of responsibility for the war crimes or pointed at the Serbian key role in massive abuses and violations of human rights in the post-Yugoslav conflicts. Yet, on the other hand, taking into account that the state Truth and Reconciliation Commission was formed by the decree of the newly elected federal president as early as March 2001, only several months after the change of power, it could be argued that bearers of democratic changes in Serbia were fully aware how much the issues of truth and responsibility related to massive human rights violations were actually important. In that view, establishment of the Commission can be understood as a deliberate attempt of transcending the "cognitive block," which ought to enable political actors as well as citizens of Serbia in general to really engage in democratizing processes.

Unfortunately, even a quick look at the results of the Commission's work over a period of three-years – by establishment of the State Union Serbia and Montenegro, which succeeded Yugoslavia in February 2003, the Commission faded away without leaving nearly any document or evidence either about its activities or events that it was meant to examine – is sufficient to conclude that the attempt of transcending the "cognitive block" failed and that, in Gojković's terms, national phantasms prevailed once more. Furthermore, taking into account events that occurred in the period from 2001 to 2003, that almost fully overlapped with the time of the Commission's work – for instance, the assassination of the Serbian Prime Minister Zoran Đinđic in March

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[73] Ibid., p. 140.

2003, and the parliamentary elections in December 2003 that demonstrated a significant strength of a radical right-wing political option – one is inclined to conclude that Gojković's analysis of the events from 1996/1997 is still applicable and sound. Her insights about a kind of mental closure within a framework of nationalistic phantasms, that precluded democratic transition in Serbia in 1996/1997, seem to provide a suitable ground for understanding an unstable political situation and uncertain democratic prospects in Serbia today. Furthermore, this train of thought might lead to the conclusion that Milošević himself was a smaller obstacle for democratic transition in Serbia than the nationalistic "mental closure" evident in political discourses of both sides – the regime as well as the opposition. The Truth and Reconciliation Commission's work can serve as an instance of such a current.

The objective of this chapter is to depict the formation and the three-year work of the Yugoslav Truth and Reconciliation Commission, formed on March 30, 2001, as well as to analyze its failure to achieve what it was aiming to do, that is, to outline the reasons why the Commission neither got closer to any truth nor achieved any reconciliation. However, taking into account the way it was formed and the conditions under which it worked, I am inclined to argue that the Commission was doomed to fail not only because of the national phantasms, that is, the narrow-minded nationalistic framework. There is at least one more reason to be added to this. The Commission had an inappropriate role model to draw on – the South African Truth and Reconciliation Commission. More generally, this means that the Yugoslav Commission was formed and worked under the strong influence of at least two different but interrelated tendencies, which eventually led to an impasse. These tendencies are closely related to two discourses: *a)* the discourse of "national phantasms," and *b)* the human rights discourse in its particular version related to

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transitional justice and truth and reconciliation commissions. I will give an account of these discourses and their interactions, stressing that both of them, although in opposite ways, aimed to help in transcending the "cognitive block."

3.2. "Cognitive block"

The "cognitive block," as Drinka Gojković used the term, refers to a complete detachment from reality, that is, to an inability to understand real problems and deal with them, which causes a lack of accountability. In the case of understanding post-Yugoslav conflicts, this term refers to a persistent unwillingness of Serbian politicians and citizens in general to accept what happened and their responsibility for it. The unwillingness is ranging from biased interpretation of what actually happened to partial denials that something really happened. In the second half of April 2001, Svetlana Logar and Srđan Bogosavljević led the public opinion research on the sample of 2,173 interviewees from Belgrade, Vojvodina and Central Serbia,[74] whose results outline the perception of the 1990s in Serbia.

To start with the beginnings of the wars: in their comments on the results, Logar and Bogosavljević stress the incredible breadth of answers that people give to the question when the conflicts started:[75] interviewees placed the beginning of the conflict in Slovenia between October 1989 and March 1993 which is amazing considering the fact that the whole conflict lasted 10 days, in June/July 1991; according to interviewees, the war in Croatia started between January 1990 and June 1993, yet, it was finished by the Vance peace proposal from January 15, 1992, eight months after it began; war in Bosnia and Herzegovina, according to the answers,

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[74] Svetlana Logar and Srđan Bogosavljević, "Viđenje istine u Srbiji" [Perception of truth in Serbia], *Reč* 62, 2001, pp. 7–34 [my translation]; here p. 7; also available at http://www.b92.net/casopis_rec/arhiva/arhiva.html.
[75] Ibid., p. 33.

broke out in January 1990 and lasted until March 1998, nearly three years after it actually ended, however, more than half of the interviewees, 53.2 percent of them, placed the beginning of this war correctly in April 1992; the beginning of the Kosovo conflict erupted according to 61.9 percent of the interviewees, with the beginning of the NATO air campaign in March 1999, notwithstanding the bigger conflicts between regular police, military forces and armed Albanian groups that broke out in February 1998.[76] Logar and Bogosavljević conclude that, although it is true that there is no clear consensus about the beginning of these wars, "it is still surprising that half of the interviewees put forward dates that are far from any date that can be reasonably discussed."[77]

The chronological confusion about the beginnings of the conflicts is just one element of the blurred public perception of the 1990s. The temporal disorientation is accompanied with the lack of knowledge about the conflicts' consequences. Some 70 percent of interviewees did not know or did not want to answer how many people were removed from their home towns in Bosnia and Herzegovina, how many people got killed in Sarajevo, or how many people got killed in Srebrenica.[78] One is inclined to think that people felt uncomfortable to speak about casualties of violations perpetrated by the Serbian side, yet the high percentage of interviewees, 49 percent, 57.1 percent, and 49.1 percent, did not know how many Serbs were expelled from Croatia, Bosnia and Herzegovina, and Kosovo, respectively.[79] Explanation that people were simply not informed ought to be set aside. For, 91.5 percent heard that people were killed in Sarajevo by snipers, only 54.7 percent of them believed it; 80.7 percent heard that Serbs shelled Markale market in Sarajevo, 11.2 percent believed it;

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[76] Ibid., pp. 24–25.
[77] Ibid., p. 33.
[78] Ibid., p. 27.
[79] Ibid., p. 26.

80.7 percent heard that the Albanian civil population was killed in the village of Račak, 22.8 percent believed it.[80]

At first sight, it seems that the Srebrenica case is an exception from the rule: 78.6 percent heard that a huge number of Bosnians were killed in Srebrenica and 60.8 percent of them believed it.[81] Yet, it seems that these 60.8 percent were willing neither to ask who was responsible for the Srebrenica massacre nor to draw any conclusion about it, for when interviewees were asked who did most for the Serbian cause, Mladić, Karadžić, Arkan and Milošević were listed as national heroes.[82] Logar and Bogosavljević crossed the data on Sreberenica and Serbian heroes and this is what they got:

> It turned out that 61 percent of those who believed in what happened in Sreberenica viewed Mladić (25 percent), Karadžić (17 percent), Arkan (14 percent) and Milošević (6 percent) as protectors of the Serbian nation. [...] Thus, it is hard to conclude what these people really believed in, since it is to assume that heroes do not perpetrate war crimes.[83]

Indeed, the analyzed results make room for yet another conclusion. Namely, it is possible to state that these data reveal a kind of tacit approval of massacres, as they were perpetrated for the sake of the nation. Until today no one has explicitly stated that those who killed people in Srebrenica did it for the sake of Serbian nation. However, this does not exclude the possibility that there are people who think in that way and justify the Srebrenica massacre. Such a possibility raises a question whether moral values in Serbian public discourses are going beyond the limit of ethnic belonging.[84]

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[80] Ibid., p. 22.
[81] Ibid.
[82] Ibid., p. 21.
[83] Ibid., p. 9
[84] See also Bandović, *The Activity of ICTY and National War Crimes Judiciary*. Bandović explains: "Memory and familiarity with events related to wars in the former SFRY (1992–1995) is very selective, and attitude to these events is very biased, depending on who was the perpetrator and who the

The ambiguous image of a war crime perpetrator and, at the same time, a national hero makes possible to sketch contours of the "cognitive block" consisting of national phantasms. It is not enough to say that a kind of mental closure makes people blind to facts; in this case it should be added that if we are faced with such a blindness it is to be assumed that a kind of national phantasm prevails over evidence. Therefore, regardless of the evidence, a number of interviewees who believed in what they learnt about crimes committed against Serbs is significantly higher than a number of those ready to believe in what they learn about crimes committed by Serbs against other ethnic groups.[85] Furthermore, the majority of interviewees was able to list three crimes committed against Serbs, where they hardly could recall one crime committed by Serbs.[86] An image of a national hero prevails over the reality of a war criminal. Regardless of the evidence, they said they did not know: interviewees were inclined to state that the fall of Yugoslavia and the wars that proceeded it were caused by Croatian nationalism (77.8 percent), interests of the United States (73.5 percent), NATO interests (72.3 percent), Muslim separatism (68.9 percent), and, finally, Serbian nationalism (41.2 percent),[87] which means that more than half of Serbian citizens were ready to look for causes on the other side, implicitly excluding the possibility that Serbs are also to be blamed. The strength of the "cognitive block," that is, national phantasms was ultimately demonstrated when interviewees were asked whether the knowledge of new evidence changed their view about the sides involved

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victim of the given event. A significantly larger percentage of citizens is familiar with events and believe them to be trut if the victims were Serbs and the perpetrators belonged to a different ethinc group. These events are described as war crimes. 85% have heard that the Croats killed a lot of civilians during operations "Storm" and "Flash", 82% believe that the events were true and 75% believe that these were war crimes, but only slightly more than half of the population has heard that the paramilitary troops and Yugoslav Army killed civilians in Vukovar, 24% believe that this really happened, and only 18% of citizens believe that these were true events and consider them war crimes" (p. 64).
[85] Logar and Bogosavljević, "Viđenje istine u Srbiji," p. 34.
[86] Ibid., pp. 18–19.
[87] Ibid., p. 12.

in wars: the answers of 85.5 percent of them were negative, that is, only 14.5 percent were willing and able to adjust their opinion in accordance with the new evidence.[88]

So, what is to be done when people are willing neither to accept evidence nor to change their already established opinions when they happen to come across new evidence? Is it possible to forge democracy within a community that persistently neglects evidence and avoids responsibility? Is there any way of transcending this "cognitive block"? A truth and reconciliation commission was suggested as a solution.

3.3. Truth and reconciliation commissions: general frameworks

To repeat once again: in his deliberation about justice after social and political transition, and particularly about facing an evil past of a previous regime in an attempt to establish a just and democratic one, Luc Huyse distinguishes four possible approaches: *a)* massive prosecutions of all those who collaborated with the old regime and participated in abuses, *b)* lustration or disqualification of former elite and its associates, *c)* amnesty for all, and *d)* amnesty, but not forgetting what was done. Each of these approaches in its own way deals with two basic issues of transitional justice: *a)* is evil past to be remembered or forgotten – "the issue of acknowledgment"; and *b)* whether perpetrators should be faced with juridical or some other consequences for what they did – "the issue of accountability."[89] Although these approaches are not necessarily mutually exclusive, it seems that Huyse implies that in a society in transition only one of them can be implemented coherently and successfully. Which one is to be implemented is then the matter of an assessment of social and political circumstances, that is, existing power relations. Taking this into account, it is possible to argue that in cases of stable political and social environment, ensured by

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[88] Ibid., p. 30.
[89] Huyse, "Justice After Transition," p. 337.

consensual support to transition, within which new regimes feel strong enough, either

a) "prosecution" – full responsibility and full acknowledgment, or *b)* "lustration" –

partial responsibility and full acknowledgment, type of approach is to be considered.

In cases of transition as a result of negotiating processes between old and new elites,

in which the power balance is quite fragile, and consensual support to transition

uncertain, the other two approaches seem to be more applicable and effective, that is,

either *c)* amnesty – no responsibility, no acknowledgment, or *d)* amnesty

accompanied with full acknowledgment. A form of the last approach, according to

Huyse, is a truth and reconciliation commission.[90]

Drawing on her extensive account of truth and reconciliation commissions

from 21 countries that experienced transitional processes and had to deal with

transitional justices, Priscilla B. Hayner listed the commissions' main purposes:

> Though presented with varying degrees of emphasis, a truth commission may
> have any or all of the following five basic aims: to discover, clarify, and
> formally acknowledge past abuses; to respond to specific needs of victims; to
> contribute to justice and accountability; to outline institutional responsibility
> and recommend reforms; and to promote reconciliation and reduce conflict
> over the past.[91]

Beyond these purposes there might be various reasons for setting up a truth

commission, some of which are: distancing new government's policies from the

former regime and highlighting a new rights-respecting era, or closing the book on the

past, or achieving national reconciliation.[92] I think that the last one is, in an inverted

way, extremely important in analyzing the Serbian case. It points to an aspect that is

often mentioned but rarely discussed in studies on transitional justice and truth

commissions. Before more is said about it in relation to the Yugoslav Truth and

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[90] Ibid., p. 338.
[91] Priscilla B. Hayner, *Unspeakable Truths. Confronting State Terror and Atrocity*, Routledge (New York and London, 2001), p. 24.
[92] Ibid.

Reconciliation Commission, we are to see which of these aims and reasons were pointed at in domestic discussions about a truth commission.

Among authors in Serbia, Drinka Gojković,[93] Nenad Dimitrijević[94] and Vojin Dimitrijević[95] gave most coherent and convincing arguments in favor of establishing a truth commission. The following is a brief account of their contributions to the debate.[96] As far as aims of a truth commission are concerned, Gojković stresses the importance of collecting documents, evidences, testimonies, and all other various materials that can demonstrate abuses, mistreatments and human rights violations;[97] she terms such a work a "persistent facing the facts of our wars" and puts it out against the "complete confusion" of perverted facts of an "official truth" that prevails in Serbia.[98] Knowledge that is created in this way ought to be public, officially sanctioned and in a particular way binding for the community, that is, the community has to behave through its institutions in accordance with this knowledge.[99] Like Gojković, Nenad Dimitrijević puts forward that a commission ought to examine particular cases of violation of human rights and of the law and customs of war

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[93] See Drinka Gojković's articles: "Za početak, skica" ["A draft, to begin with"]; "Kuda dalje" ["What do we do now"], *Reč* no. 55, 1999; "Budućnost u trouglu: o krivici, istini i promeni" ["The future in a triangle: on guilt, truth and change"], *Reč* no. 57, 2000, pp. 17–24; "Politika prošlosti" ["The politics of past"], *Reč* no. 65, 2002, pp. 45–57.

[94] See Nenad Dimitrijević's articles: "Kojim ćemo jezikom govoriti kada bombe prestanu da padaju" ["What language will we be speaking after the bombs stop falling"], *Reč* no. 55, 1999; "Prošlost, odgovornost, budućnost" ["The past, responsibility, and the future"], *Reč* no. 57, 2000, pp. 5–16; "Srbija kao nedovršena država" ["Serbia as an unfinished state"], *Reč* no. 69, 2003, pp. 5–20; "Suočavanje s lošom prošlošću: treba li Srbiji i Crnoj Gori komisija za istinu" ["Facing the evil past: does Serbia and Montenegro need a truth commission"], *Reč* no. 71, 2003, pp. 65–83.

[95] See Vojin Dimitrijević, "Izgledi za utvrđivanje istine i postizanje pomirenja u Srbiji" ["Prospects of establishing truth and achieving reconciliation in Serbia"], *Reč* no. 62, 2001, pp. 69–74.

[96] Two conferences devoted to the issues of truth, responsibility and reconciliation, with a particular focus on truth commission's – its necessity and purposes – were held in Serbia and Montenegro. The first conference, "Truths, Responsibilities and Reconciliations," was held on March 17–18, 2000, in Ulcinj (see *Reč* no. 57 and *Reč* no. 58). The other one, "In Search for Truth and Responsibility – Toward Democratic Future," was held in May 2001, in Belgrade (see *Reč* no. 62). The latter conference was opened by Mr Koštunica, at that time President of Federal Yugoslavia, and Mr Đinđic, the late Prime Minister of Serbia, participated. The results of Bogosavljević and Logar public opinion research were presented at the conference. These two conferences provided a kind of framework for discussing war crimes and issues of truth and responsibility.

[97] Gojković, "Za početak, skica."

[98] Gojković, "Budućnost u trouglu," pp. 20, 23.

[99] Ibid., p. 23.

committed during the post-Yugoslav wars, yet, he added, it ought to examine only those abuses perpetrated by the Serbian side.[100] Emphasizing specific characteristics of the Yugoslav case – a Yugoslav commission has to deal with events that, being initially interethnic, eventually turned out to be international, meaning that at the end victims and perpetrators found themselves on opposite sides of newly established states' borders – Vojin Dimitrijević further narrows a possible realm of a commission's competencies: it has to examine only those events that occurred on the territory of Serbia and Montenegro.[101]

As far as reasons for forming a truth commission are concerned, all three authors agree that it has to contribute significantly to: a clear and decisive distancing from the old regime;[102] liberation from mental patterns of the repressive, arbitrary politics veiled in privileging collective over individual interests;[103] avoiding further abuses;[104] promoting democratic principles and values;[105] autonomy of individual citizens;[106] strengthening accountability as a necessary condition of democracy; strengthening democratic and legal institutions.[107] Nenad Dimitrijević summarizes these reasons in three points:

> *1)* moral, political and legal distancing from crimes of the previous regime, *2)* establishing and stabilizing new democratic legitimacy, *3)* establishing basis for civil normality and just society after the period of brutality.[108]

3.4. The Commission's short prehistory

Although there were other cases – not necessarily the cases of dealing with evil past through truth commissions – to draw on,[109] the South African Truth and

[100] N. Dimitrijević, "Suočavanje s lošom prošlosću," p. 80.

[101] V. Dimitrijević, "Izgledi za utvrđivanje istine i postizanje pomirenja u Srbiji," p. 73.

[102] Gojković, "Za početak, skica," p. 137.

[103] Gojković, "Budućnost u trouglu," p. 19.

[104] V. Dimitrijević, "Izgledi za utvrđivanje istine i postizanje pomirenja u Srbiji," p. 69.

[105] Gojković, "Za početak, skica," p. 138.

[106] N. Dimitrijević, "Prošlost, odgovornost, budućnost," p. 14.

[107] Gojković, "Za početak, skica," p. 138.

[108] N. Dimitrijević, "Suočavanje s lošom prošlosću," p. 66.

Reconciliation Commission turned out to be a relevant model for the Yugoslav one. Different reasons might cause this. The South African case of dealing with the evil past is probably the world's best-known one. Although its success has often been questioned – for instance, it failed to make the key perpetrator P.W. Botha testify in front of the Commission – it is somehow taken for granted that it was actually effective in contributing to democratic changes and stabilization of state institutions in South Africa. As such, it could serve as an example to its Yugoslav counterpart.

Some other reasons can be added to this. The Open Society Institute chaired by one of the most prominent human rights activists, Aryeh Neier, considered the South African case as relevant for the Yugoslav situation, although a number of differences between the two can be easily listed.[110] Since everything else differs, it is to be assumed that the relevance was established in respect to similarities of massive violations of human rights and other unlawful acts committed by the state in both countries. By no means do I intend to claim that similarities of drastic mistreatments of people in these countries are to be set aside due to different contexts in which they occurred; still, I want to emphasize that if we are to deal with them, we have to do it differently due to different conditions, if any success is to be achieved. Notwithstanding this, through the network of its regional branches and NGOs that work under their auspices, in 1999 the Open Society Institute arranged a meeting between Alex Boraine,[111] one of the main architects of the South African Commission, and people from Kosovo, Serbia and Macedonia. The president of the Soros Foundation in Belgrade, Sonja Liht, attended the meeting. She invited Boraine

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[109] Arie Nadler presented the Israeli/Palestinian experience in overcoming past and present conflicts at the Ulcinj conference. Many participants viewed his presentation as quite enlightening and helpful for the Serbian/Albanian case. See Arie Nadler, "From Tel Aviv to Ulcinj: Can We Learn from Each Other about Reconciliation and Peace-Building," *Reč* no. 58, 2000, pp. 33–39.
[110] See Boraine, *A Country Unmasked,* p. 401. Describing his conversation with Sonja Liht, President of the Soros Foundation in Belgrade, Boraine said that: "I immediately stressed the difference between South Africa and Serbia," and added, "but outlined what we had attempted to do here."
[111] About Boraine's visit to Serbia see Ibid., pp. 401–404.

to visit Belgrade. Boraine visited Serbia several times; the first time in October 1999, when he met with "a wide range of people representing alternative academic organizations, students, NGOs, independent media, and representatives of the Orthodox Church."[112] In April 2000, he was not given a visa to enter the country, which prevented him to participate in the first Yugoslav conference devoted to the issues of truth and responsibility, held in Ulcinj.[113] However, he participated in the second one, held in Belgrade in May 2001. At that time, Boraine already became the special consultant for the matters of truth and reconciliation of both Vojislav Koštunica, at that time the President of Federal Yugoslavia, and the Commission, formed by Koštunica's decree.

If we take into account that those who were in a position to decide and who actually decided about the formation of the Yugoslav Commission and its aims were poorly informed about the South African Commission, its work and influence it has had on the South African society, it is to be assumed that the involvement of both Open Society Institute and Boraine personally was more decisive in choosing the South African Commission as a relevant model than the knowledge of their Serbian partners. On the other hand, a kind of neglect or lack of knowledge when the situation in Serbia is concerned is likely to be found on the other side, represented by Boraine. All of these led to pointing at an example inappropriate to be a relevant model. Before I show why the South African Commission was not a good choice, I will give a brief account of the Commission's establishment, aims and work, compare these with the suggestions made by D. Gojković, V. Dimtrijević, and N. Dimitrijević, describe the Commission's stance toward reconciliation and "international community," and outline certain aspects of the South African Commission's aims.

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[112] Ibid., p. 402.
[113] Dejan Ilić and Veran Matić (eds.), *Truths, Responsibilities, Reconciliations: The Example of Serbia* (Beograd: B92, 2000), presents English translations of the speeches given at the conference.

3.5. Chronology

March 29/30, 2001, beginning

The Truth and Reconciliation Commission, which is the official name of the Yugoslav truth commission, was formed by the decree of Vojislav Koštunica, the President of Federal Republic Yugoslavia, from March 29, 2001. Vojislav Koštunica issued the decree due to the initiative of Goran Svilanović, the Yugoslav Minister of Foreign Affairs, and the president of the Civic Alliance of Serbia.[114]

> The Decree
> Of Establishing the Truth and Reconciliation Commission
>
> The task of the Commission is:
>
> * to organize researches and reveal evidences about social, interethnic and political conflicts which led to war and shed light on causal links between these events;
> * to inform domestic and international audience about its work and results;
> * to establish cooperation with similar commissions and bodies in neighboring countries and abroad, in order to exchange working experiences.
>
> By this decree I appoint the following persons as members of the Commission: Radovan Bigović, Mirjana Vasović, Tibor Varadi, Svetlana Velmar-Janković, Mihajlo Vojvodić, Đorđije Vuković, bishop Sava (Vuković), Vojin Dimitrijević, Ljubodrag Dimić, Slavoljub Đukić, Aleksandar Lojpur, Boško Mijatović, Radmila Nakarada, Predrag Palavestra, Latinka Perović, Zoran Stanković, Svetozar Stojanović, Darko Tanasković and Sulejman Hrnjica.
>
> I allow the Commission to issue an appropriate program and organizational document in order to start its work.[115]

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[114] See at http://arhiva.glas-javnosti.co.yu/arhiva/2001/04/04/srpski/D01040302.shtml.

[115] Available at http://www.komisija.org/osnovna.html [my translation]. I cannot help commenting this decree right now and here. Which war is this decree about? What is the time framework, how far should the commission go into the past, and into who's past? What is the difference between social, interethnic and political conflicts? What does causality mean in this context? Not to mention the phrase "to shed a light." Are cognitive and informative aims the only reasons for the entire process? Are there any other consequences or purposes to it? Why to inform the international audience? What are the similar commissions and bodies in neighboring countries? Which neighboring countries? Romania, Bulgaria, Hungary? What is the difference between neighboring countries and countries abroad? At the time of the establishment of the commission there were no similar commissions and bodies in the neighboring countries, meaning Croatia and Bosnia and Herzegovina. If we, for the argument's sake assume that there were such bodies, then, why to exchange "working experiences" and not for example pieces of information and evidences? Out of its 19 members I have never heard of six of them, and I am inclined to think of myself as being a very well informed Serbian citizen. After all, no single word about abuses, mistreatments, massive human rights violations, and war crimes. Reading this decree out of the specific Serbian context in the first half of 2001, one can easily be confused: why the commission is formed, where it is situated, temporally as well as spatially, and, eventually, who is to

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no. 1/2–03–0004/2001–1
March 29, 2001
Belgrade

President of Federal Republic Yugoslavia
Vojislav Koštunica

By publishing the decree in the *Official Gazette* from March 30, 2001, the Commission was officially established and began to work. Well, as a matter of fact, not exactly to work.

April 15, 2001, two weeks later

Vojin Dimitrijević withdrew from the Commission. He explained[116] the decision to step out by listing basic objections against the aims and purposes proclaimed by an internal Commission document. Dimitrijević states that, "in respect to the Decree and materials for the meeting scheduled for April 17," the Commission's competencies "are very narrowly defined." The Commission "will focus on the period before the fall of SFR Yugoslavia," tending to produce a historical account of it. However, there are people "who lived and worked in that Yugoslavia and do not live and work in this Yugoslavia," therefore, this Commission, being made only of the citizens of the latter Yugoslavia, "will not be viewed as an impartial one when judging about events occurred on territories that are outside its borders." Furthermore, tasks assigned to the Commission, continues Dimitrijević, are so huge that it can hardly cope with them. He exemplifies that the Commission has to deal with "terrifying images forged about Serbs and Serbia," or to examine "the nation's demographic situation," and concludes, "I am not sure that the Commission can do it." Eventually,

reconcile with whom, and for what reasons. It is absolutely astonishing that someone was able to write such a piece. And further questions arise, one of them being whether this decree resulted from consultations with Alex Boraine. The other might recall the "cognitive block."

[116] Available at http://www.komisija.org/osnovna.html [my translation].

"there are many reasons and causes of wars, but there is only one international humanitarian law that ought to be respected by both aggressors and defenders, being a lawyer," and here Dimitrijević makes his ultimate point,

> I am mostly interested, as it is to be expected, in brutalities of our wars. I am afraid of big truths and explanations: in the name of these truths severe violence was done. The reconciliation might start with more modest aims and goals. It is not the matter of who was right and who was wrong, but who behaved as a human being and who did not.[117]

On the same day, Latinka Perović also left the Commission.

April 17/December 10, 2001, nine months later

In an official document, it is said that the Commission defined the basic principles of its work on the meetings held on April 17 and December 20, 2001.[118] It is not clear why it took them so long to define these principles, mainly about the internal procedures, stamp, reimbursement, as well as what was going on in the meanwhile. However, they termed "tasks" from the initial decree "way of work" and slightly modified them, making them more logical, and formulated two additional points termed "goals":

> – "By facing the truth about conflicts in SFR Yugoslavia and its successors states, which caused crimes against peace, violations of human rights and the humanitarian law, the Truth and Reconciliation Commission aims at contributing to general reconciliation within SR Yugoslavia and with neighboring nations."

> – "The Commission's aim is to thoroughly examine and establish causes and developments of conflicts, which caused disintegration of the former state and war, accompanied with terrifying suffering and destruction during the last decade."

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[117] ["Razni su uzroci rata a jedna su pravila humanitarnog prava, koja u oružanom sukobu moraju da poštuju i napadač i napadnuti. Kao što se moglo pretpostaviti, bestijalnost u našim ratovima me kao pravnika najviše zanima. Međutim, očekuje se da Komisija ustanovljava velike istine: ja se bojim Velikih Istina jer se u njihovo ime i radi njihovog širenja primenjivalo surovo nasilje. Pomirenje može da započne mnogo skromnijim sredstvima. Tu nisu važne namere, ni ko je bio u pravu, a ko ne, niti čije se ponašanje može objasniti i razumeti (i možda opravdati), već ko je bio čovek a ko nečovek."]

[118] Available at http://www.komisija.org/osnovna.html [my translation].

January 15, 2002, ten months later

The Commission issued the Basic Program Document.[119] These are its main

points:

> – "The Commission is to encourage and organize researches of: a) principal
> causes of political, economic, social and moral declination of SFR Yugoslavia;
> b) wars and other conflicts in the region of former Yugoslavia, which caused
> huge human casualties, ethnic cleansings, refugee flood, camps, economic
> destruction, destroying and ruining cultural monuments, emergence of
> dictatorships, isolation of the country, criminalizing society; c) human rights
> violations and violations of the international humanitarian law.
> By establishing the truth, the Commission intends to get rid of various
> misunderstandings and their causes and thus reconcile social and ethnic
> groups."
>
> – "The Commission views its dialogue with the international community, its
> bodies and institutions (including the Tribunal in Hag), as its basic need and
> one of its main tasks."
>
> – Among others, the Commission will form groups for investigating: *a*)
> "crucial historical events in the period 1980–2000," *b*) "human rights
> violations and violations of the humanitarian law," and *c*) "impacts of foreign
> factors."

The second and the third point of the document are particularly interesting. In

the third point, out of three areas that were to be investigated, two were related to

reasons and causes of wars. As it was mentioned in the previous paragraph, nine

months before this document was issued, explaining why he left the Commission,

Vojin Dimitrijević wrote to its members, "there are many reasons and causes of wars,

but there is only one international humanitarian law that ought to be respected by both

aggressors and defenders." However, the Commission's members were resolute, as

Radmila Nakarada put it, "to explore our tragedy on two levels – on the level of

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[119] Available at http://www.komisija.org/osnovna.html [my translation].

victims, and on the level of causes and protagonists."[120] Not only that complete and ultimate historical research of causes and reasons of the post-Yugoslav conflicts cannot be done by one commission within the limited time, but also even if we accept that the Commission cannot but say something about the causes and reasons, it is still striking that its members took the aspect of causes and reasons as being much more important for their work than establishing the facts about the war crimes. Setting the date from which historical investigation has to begin at 1980, more than ten years before the wars started, and including "foreign factors" in the researching areas were immediately understood by human rights activists as the Commission's way of "looking for excuse."[121] The second point then shows to whom the excuse was to be addressed: to "international community, its bodies and institutions."

May 28, 2002, fourteen months later

The Commission organized a round table named "A Year After."[122] The round table, according to the statements of the Commission's members, was an opportunity to present the Commission's plans to wider audience. At the round table the Commission's members faced the criticisms for their inactivity and avoidance to explore the massive violations of human rights perpetrated by Serbian forces.[123]

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[120] Available at http://www.b92.net/trr/2001/diskusija/index.php?lang=srpski&nav_id=51229 [my translation]. It is interesting that Nakarada used the term "protagonists" instead of, for instance, "perpetrators."

[121] Biljana Kovačević Vučo, available at http://www.svetlost.co.yu/arhiva/2001/296/296-1.htm [my translation]. See also Vera Ranković at http://www.yurope.com/zines/republika/arhiva/2002/288-289/288-289_14.html.

[122] After what? Some fourteen months passed since the decree was issued. In respect to the "working experiences" of other truth commissions, two months is too much time to be so easily neglected.

[123] Available at http://www.komisija.org/PDF/6.PDF.

November 28, 2002, twenty months later

The Commission suggested to the President Koštunica to replace four of its members – in the meanwhile Tibor Varadi withdrew and bishop Sava died – by new ones. On November 28, 2002, 19 months and two weeks after the withdrawal of Vojin Dimitrijević and Latinka Perović, the president Koštunica responded by naming 9 new members: Mira Bleham, Đorđe Vukadinović, Miomir Dašić, Mustafa Jusufspahić, Andrija Kopilović, Emir Kusturica, Ljubiša Lazarević, Slobodan Reljić, Ljiljana Smajlović.[124]

May 2003, twenty-six months later

The Commission issued the Draft Program of the Truth and Reconciliation Commission.[125] The Draft was to be discussed in June 2003. The Draft is a detailed description of things that were to be done, with the precise timeline and who was to do them. For instance, under the title "1. Facing the Past," reporting on massive human rights abuses in conflicts in former Yugoslavia in 1990s was listed as a first task. Dubrovnik, Vukovar, Sarajevo, Bijeljina, Srebrenica, Štrpci were mentioned as sites of war crimes committed by Serbian forces, followed by Croatian forces and their crimes in Croatia and Bosnia and Herzegovina. The stress on human rights violations, brutalities and destruction from the 1990s is much stronger than in previous documents, probably, among other reasons, due to the critics addressed to the Commission at the round table. However, in an attempt to "secure the excuse" or to keep the "balance" between "causes and reasons" on one side, and committed crimes on the other, what follows under the title "2. Report: Causes of West Balkan Wars in the 1990s" is the description of historical analyses to be done in order to

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[124] Available at http://www.komisija.org/osnovna.html. Out of these nine, I have never heard about four of them.
[125] Available in English at http://www.komisija.org/osnovna.html.

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explain causes of wars. The time span that these analyses have to encompass is amazing: among others, the Commission seeks an explanation of "historic background of creation of Kingdom of Serbs, Croats and Slavs [*sic!*]," that is, "Yugoslav or South Slavic movement in Serbia, Croatia, Slovenia in 19th century." Then follows: I World War (!), "assassination of King Alexander" in 1929 (!), "assassination of Croat MP Radić" (!), "raise of totalitarian ideologies in Europe" (!), II World War (!), "system of socialist self-management" (!), and so on.

Month – unknown, year – 2003, many months later

The Commission faded away. When it was just about to start to work, the Commission stopped to exist without any official announcement.

3.6. Four aspects of the Commission's endeavor

From the initial decree to the very end of its existence, the Commission in its statements and the Commission's members in their public appearances emphasized the need for interpretation, that is, explanation of what happened. It seems that the issues of serious abuses, mistreatments and massive violations of human rights were of secondary importance throughout its "work"; the main concern of its members, what they really wanted to figure out and point at, were "causes and reasons." Being a member of the Commission, Radmila Nakarada phrased its main aim as follows: "It is important to explore the roots of the conflicts in order to point at dangerous erroneous believes, unwanted consequences, and, above all, that there is always another solution. Thus, we will make space for peaceful conflict resolutions in the

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region..."[126] However, she did not specify what she meant by "dangerous erroneous believes" and "unwanted consequences," to put aside "another"/"peaceful" solutions. Svetozar Stojanović, her colleague from the Commission, was more "precise": "The main issue is relation between elements of the whole on one side and the truth on the other. [...] I do not see how anyone can reveal a partial truth of any element, if that truth is not placed within some totality."[127] Stojanović explained that the totality of the post-Yugoslav conflicts went beyond the former Yugoslavia's border and had to encompass "international actors." Establishing such a "totality" is the first task of the Commission. Its second task Stojanović saw in revealing truth about all crimes, "not only war crimes, because there were other crimes as well." Yet, Stojanović did not see the Commission capable to fulfill the second task, because it lacked the competence to do it.[128] Therefore, Stojanović simply concluded that the Commission had to deal with the "totality" or the "total truth," leaving the war crimes to the Hague Tribunal or to the domestic courts of law.[129] Yet another member of the Commission, Mira Beham, perceived the "totality" of the post-Yugoslav conflicts in her own way: she saw the conflicts from the 1990s as continuation of the conflicts from the II World War.[130] Eventually, the Commission shifting the date from which historical investigation has to begin from 1980 back to the mid-nineteenth century also demonstrates how strong the "explanatory" tendency was. It is possible to understand the enormous enlargement of a time span that was to be encompassed by the

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[126] Available at http://www.b92.net/trr/2001/diskusija/index.php?lang=srpski&nav_id=51229 [my translation].

[127] Available at http://www.b92.net/trr/2001/diskusija/index.php?lang=srpski&nav_id=51239 [my translation].

[128] This was exactly the reason why Vojin Dimitrijević left the commission. Stojanović obviously did not mind this lack of competence.

[129] Available at http://www.b92.net/trr/2001/diskusija/index.php?lang=srpski&nav_id=51239 [my translation].

[130] Available at http://www.politika.co.yu/2003/0122/01_26.htm.

explanation in a direct relation to increasing awareness of the size of crime that the Commission had to deal with.

On the other side, none of the domestic authors mentioned in this chapter saw any reason to go back beyond 1991 in dealing with the war crimes committed in the 1990s. As I briefly described, all three of them stated that the Commission's field of research had to be precisely delineated in temporal and spatial terms, that is, the Commission has to deal exclusively with the events that occurred in the 1990s in the region of former Yugoslavia. Furthermore, they stressed the importance of establishment and description of concrete data and particularities of the events, thus putting forward the issues of mistreatments, abuses and human rights violations and setting aside possible causes and explanations.

The other aspect of the Commission's interpretative "distortion" can be revealed in its repeatedly stressed need to inform the foreign audience about the results of investigations, or to be in a constant dialogue with the "international community, its bodies and institutions (including the Hague Tribunal)." None of D. Gojković, V. Dimitrijević, and N. Dimitrijević mentioned a word about informing anyone outside the country. For them, it is assumed that all pieces of information about abuses, mistreatments and violations of customs of war are aimed at Serbian citizens and have to contribute to normalization of domestic affairs, and particularly to establishing accountability.

Third interesting "explanatory" aspect, not mentioned, indeed, by D. Gojković, V. Dimitrijević, and N. Dimitrijević, is investigation of "foreign impacts." It is beyond doubt that other countries interfered in Yugoslav and post-Yugoslav affairs and conflicts. However, it is hard to believe that their interference can justify or be excuse for breaking the laws and customs of war, that is, for massive violations of human

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rights. It is also hard to see how data about international involvement can change

evidence about war crimes and their perpetrators.

Forth aspect follows directly from the previous three. In order to outline it, I

will quote parts of Đorđije Vuković's discussion from the round table. Vuković, also a

member of the Commission, present to other participants of the round table his

opinion of literature about the Yugoslav collapse and the subsequent conflicts:[131]

> These books, and many others, they use concepts that are, at least, wrongly defined. It is hard to understand these concepts in terms of their definitions. Neither the concept of war crime, nor ethnic cleansing, nor genocide, nor guilt, various concepts of guilt, is clear; and we can ask what the authors meant by them. I have recently read some philosophical works, and there I found that it is not clear at all what is a war crime, and what is an ordinary crime being perpetrated in all wars. [...] When we are talking about explanations of a war, we all know from the books about wars that there are many causes of wars, and it is not easy to define them. When we are talking about Yugoslavia, there is a tendency to reduce various causes of the wars to one cause. Then this cause has been replaced by a concept of guilt. Then this guilt is personalized, assigned to certain actors. And thus we get a very simple pattern, convenient to be used in propaganda, but useless for a serious exploration of causes of wars. Therefore we also had to deal with such biased notions.[132]

At the same round table, Slobodan Samardžić, the president's domestic advisor

for the issues of truth and responsibility, supported Vuković's discussion: he

emphasized that the partial truth "is not acceptable any more"; the truth has to be

reconstructed in order to make it possible "to determine the guilt of all sides involved

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[131] These are mainly books written by foreign authors, since there is not more than couple of books on the same topics written by domestic authors.

[132] Available at http://www.komisija.org/PDF/6.PDF. ["Naime, kroz ove knjige, kao i kroz mnoge druge, provlače se neki pojmovi koji su, u najmanju ruku, loše definisani. Obično su oni shvaćeni na jedan način koji je teško razumeti. Ni pojam ratnog zločina, ni pojam etničkog čišćenja, ni pojam genocida, ni krivice, ni jedne ni druge ni treće krivice, nije tu u mnogim slučajevima jasan i mi se pitamo šta autor pod nekim od tih pojmova razume. Ja sam nedavno u nekim radovima filozofskim pročitao, recimo, sledeću stvar: naime, kaže se da nije uopšte jasno šta je ratni zločin, a šta su uobičajeni zločini koji se čine u svim ratovima [...]. Reč je o objašnjenju rata, to jest, kad kažem objašnjenje mislim na utvrđivanje uzroka rata. Svi znamo, iz knjiga o ranijim ratovima, da su oni na više načina prouzrokovani, to jest da su uzroci rata obično mnogostruki, da se ne daju uvek lako odrediti. Kada je reč o Jugoslaviji poslednjih desetak godina, postoji jedna težnja, opet kažem, nije to svojstveno svim autorima koji se time bave, ali jednom broju njih jeste – jedna težnja koju bih ja ovako opisao. Prvo, realna mnogostrukost uzroka rata svodi se na jedan uzrok – glavni i dominantni – pa se onda pojam uzroka zameni pojmom krivice, pa se onda ta krivica personalizuje, i tako dobijamo jednu jednostavnu shemu koja je vrlo pogodna za stripove, za jednu propagandnu upotrebu, ali koja ni u jednom ozbiljnom razmatranju uzroka rata ne može ništa mnogo da nam koristi."]

in the conflicts."[133] These discussions make it possible to conclude that the members of Commission "revealed" a "cognitive block" on the "international" side. In accordance with such a finding, they understood their mission, at least partly, as breaking through this "block" and promoting the "total truth." Their focus was on enlightening international audience, not the domestic one. Therefore extended historical investigations, explanations, and interpretations; therefore dialogue; therefore stressing the "involvement of international factors" in domestic affairs.

3.7. Reconciliation as a foundational narrative

As it was mentioned above, Priscilla Hayner listed achieving national reconciliation among the reasons for setting up a truth commission. Reconciliation can be understood in various ways. In this paragraph I will explore and outline the specific understanding of the "reconciliation" purpose that can be revealed beneath the Commission's documents and its members' statements.

In his letter to the Commission, Vojin Dimitrijević referred to the material for the meeting scheduled for April 17, 2001, in which it was stated that the Commission had to deal with "terrifying images forged about Serbs and Serbia," or to examine "the nation demographic situation." In the Commission's official documents I did not find these phrases. However, from the statements of some of its members (e.g. Stojanović and Vuković) it is possible to infer that their main concerns actually were terrifying images forged about Serbs and Serbia. Yet, the part about "the nation demographic situation" from Dimitrijević's letter is even more interesting and revealing. It is an almost direct reference to the "Memorandum of the Serbian Academy of Science and

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[133] Available at http://www.yurope.com/zines/republika/arhiva/2002/288-289/288-289_14.html.

Arts" from 1986.[134] If it was really in the Commission's early material, and I do not see any reason to question Dimitrijević's letter as a reliable source of information, it is possible to closely relate the Commission's documents with the prime document of Serbian nationalism,[135] that is, it is possible to understand and interpret these documents within the context of the Serbian nationalistic discourse. What follows is the presentation of the nation's demographic situation taken from the "Memorandum":

> According to the 1981 census, 24 percent of all Serbs live outside the territory of the Socialist Republic of Serbia – that is, 1,958,000 people, which is a greater number than the number of Slovenians, Albanians, and Macedonians in Yugoslavia respectively, and almost as many people as there are Muslims in Yugoslavia. Outside the region of Serbia proper, there are 3,285,000 Serbs, or 40.3 percent of the total number of Serbs. In the general disintegrative process that is affecting all of Yugoslavia, the Serbs are more affected than anyone else.[136]

In relation to Kosovo, these are the findings about demographic situation offered by the "Memorandum":

> In the course of the last war, over 60,000 Serbian colonists and natives were exiled, but after the war this wave of emigration really reached its crest: in the last 20 or so years, 200,000 Serbs left Kosovo and Metohija. The remaining Serbian people are not only leaving their land at an undiminished pace, but, being persecuted by oppression and physical, moral and psychological terror, they are preparing for the final exodus, according to all sources of information.[137]

It is possible to assume that Nakarada, Stojanović, Vuković, and Samardžić had in mind these data when they were stressing importance of investigating causes and reasons, that is, "roots," in overcoming "simple explanatory patterns" and "partial truths."

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[134] English translation available in Rusinow, "The Yugoslav Peoples," pp. 332–346. All quotations are taken from this translation.
[135] About the status and importance of "Memorandum" in reinforcing Serbian nationalism see Milosavljević, "Zloupotreba autoriteta nauke"; Dragović-Soso, *"Saviours of the Nation";* Dimitrijević, *Slučaj Jugoslavija;* Jović, *Jugoslavija – država koja je odumrla.*
[136] Rusinow, "The Yugoslav Peoples," p. 341.
[137] Ibid., p. 339.

Furthermore, Svetozar Stojanović was a special advisor of Dobrica Ćosić in 1992/1993, when Ćosić was a president of FR Yugoslavia (and when the war in Bosnia broke out).[138] Another member of the Commission, Slavoljub Đukić, is Dobrica Ćosić's close friend. In 2001 he published a book of autobiographical conversations with Ćosić. The tone of these conversations reflects the relation of long-lasting and respectful friendship between the two.[139] This is particularly important, since Dobrica Ćosić, "widely regarded as Serbia's outstanding living writer," drafted the "Memorandum" with others from the Serbian Academy in the spring of 1986.[140] Therefore, it is not surprising that the Commission's historical approach outlined in the Draft Program under the title "2. Report: Causes of West Balkan Wars in the 1990s" is structured in the same way as the historical argument of Serbian sacrifices for Yugoslavia and Serbs impoverishment and deprivation of the statehood in SFR Yugoslavia was structured in the "Memorandum."[141] The biases of the "Memorandum" views on the Serbian demographic situation and historical sufferings were thoroughly discussed, and therefore there is no need to investigate them here. The important question for my argument is: How come that Stojanović, Nakarada, Đukić, Vuković became members of the Yugoslav Truth Commission?

To repeat, the Commission was established by the decree of the president Koštunica, due to the initiative of Goran Svilanović, at the time Minister of Foreign Affairs and president of the Civic Alliance of Serbia. In 2001, regarding the issues of war crimes and responsibility, Koštunica and Svilanović occupied opposite positions within the ruling coalition in Serbia. As high official in the Civic Alliance of Serbia, and member of the Commission, Vojin Dimitrijević promoted the policy of exploring

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[138] Stojanović's biography is available at http://www.komisija.org/osnovna.html.
[139] Slavoljub Đukić, *Lovljenje vetra* [Hunting Wind] (Beograd: B92, 2001).
[140] Rusinow, "The Yugoslav Peoples," p. 403.
[141] Ibid.

and establishing facts about war crimes, prosecution of perpetrators, and cooperation with the Hag Tribunal, the same one that was, within the realm of foreign affairs, endorsed by Goran Svilanović.[142] Koštunica and his party, the Democratic Party of Serbia, were, and still are much closer to the authors of the "Memorandum," which is, for instance, evident from public appearances of Koštunica's domestic special advisor for the issues of truth and responsibility, Slobodan Samardžić. From the documents issued by the Commission, it was obvious that there were two main concerns that its members wanted to address: as Radmila Nakarada put it − one is to be find on the level of victims, and the other on the level of causes and protagonists. While the former was obviously in relation to the "cognitive block," the latter was about dealing with "terrifying images forged about Serbs and Serbia." When Vojin Dimitrijević and Latinka Perović[143] left the Commission, it was to be expected that the latter would prevail. As a matter of fact, the prevalence of the latter was already the reason why Dimitrijević left the Commission, as it is evident from his letter. By Dimitrijević's withdrawal, Svilanović's initiative failed.

What was Koštunica's reason for establishing the Commission? At the time of the Commission's establishment, Serbia was exposed to a huge international pressure aimed to make Serbian government to cooperate with the Hague Tribunal and to arrest persons suspected for war crimes. One of the reasons for establishing the Commission, from the Koštunica's standpoint, could be demonstration of willingness to deal with the evil past, which had to contribute to decrease of the international pressure. Furthermore, Koštunica and his advisors could see the Commission as an instrument of spreading the Serbian side of the truth about the Yugoslav collapse and subsequent conflicts. This reason was explicitly formulated in the Commission

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[142] See at http://www.vreme.com/arhiva_html/516/11.html.
[143] Latinka Perović has been closely related to the Helsinki Committee for Human Rights; she prepared and edited several publications for this NGO.

documents and statements of its members. Eventually, from their being close to the authors of the "Memorandum," and from their acceptance of the "Memorandum" standpoints, it is possible to assume that the Commission members saw its work as an opportunity for reinforcing the nationalistic foundational narrative and justifying the aggressive, expansionist and exclusionary policy of an emerging nation-state, especially in relation to "international factors." It has to be taken into account that this state has been formed as recently as in 1991, from the scratches of the previous state, and, as a matter of fact, it is still in a process of formation. Metaphorically speaking, Koštunica and the Commission's members appointed by him (i.e. Svetozar Stojanović,[144] Radmila Nakrada,[145] Slavoljub Đukić) aimed to reconcile the newly formed state with the international community, simultaneously trying to deny, relativize, and justify war crimes perpetrated by Serbian forces by underlying the long history of Serbian suffering.[146] From this perspective, there is no significant difference between the perceptions of the 1990s events outlined by the public opinion research from 2001 and standpoints expressed in the Commission documents. Therefore, Serbian citizens were not the Commission main addressees; the Commission shaped its message for the "international community, its bodies and institutions."

However, by using the Commission for the purposes of strengthening and spreading the nationalistic foundational narrative of the new state, its members actually did not misuse it. That is, I am claiming that truth commissions have already been used for constituting and reinforcing foundational narratives, although this aspect of their purposes has not often been explicitly reflected on.

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[144] In the 1970s and the 1980s Stojanović worked together with Koštunica at the Institute for Philosophy and Social Sciences.

[145] Nakarada and Samardžić are collegues from the Institute for European Studies.

[146] About the strategies of denying, relativizing and justifying massive state violations of human rights see Stanley Cohen, *States of Denial* (Oxford: Polity Press, 2001).

"National reconciliation," "uniting a nation," "the healing of the nation"; or "the wounds of the past must be confronted," "the wounds of the past could not heal unless..."[147] – what these phrases point at? On one level, which has been explicated so far in this paper, their meaning is clear. However, what else does it mean when past abuses, mistreatments, unlawful acts, human rights violations are termed "the wounds of the past"? What else does it mean when instead of saying to "consolidate a government whose legitimacy is founded on democratic participation, justice and respect for human rights," one is saying to "heal the nation"? "That South Africa as a nation needs healing is not in dispute. The nature, extent and method required may be debated by the different sides of the historic conflict, but few would question the need for healing and reconciliation," states Boraine.[148]

Such metaphors usually point at particular conceptualization of nation – an organicistic one. They reveal the concept of the nation as a body unified within and bounded by the borders of the state. Citizens are limbs of this body, and if something harms some of them, it hurts the whole body. This analogy between the state and the body is indeed an old one, and can be traced back to Plato's *Republic*. And it does not necessarily imply negative connotations, although usually it does. Yet, something else is important here. These organicistic metaphors reveal an endeavor of reorganizing the symbolic order framed by the existing foundational narrative of a nation. They reveal the idea that not only the rule of law which implies the application of universal criteria and is based on the principle that all citizens are equal before the law is to be established, but also the new narrative is to be constructed in order to help consolidating the restructured state institutions.

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[147] These phrases are taken from Alex Boraine and Janet Levy (eds.), *The Healing of a Nation* (Cape Town: Justice in Transition, 1995). They have been used by the authors whose texts are collected in the book.
[148] Ibid., p. xiv.

Regardless of presenting themselves as universal or natural, that is, applicable to all human beings, foundational narratives often serve as the measure for deciding who will be acknowledged as a fully-fledged citizen: that is, as a tool of political and legal exclusion.[149] In South Africa, under the racist regime of apartheid, the foundational narrative that operated on the symbolic level legitimized segregation, and veiled that any state violation of human rights was actually occurring.[150] This narrative referred to natural and absolute difference between races, as well as to right of peoples of different race to "separate developments." At the same time it tacitly preserved the existing power relations that in fact produce the difference.[151] On the opposite side, the counter-narrative formed by oppressed was getting stronger over time. These two narratives were mutually exclusive. Apart from contributing to promotion of democratic values and stabilization of democratic institutions, the South African Truth and Reconciliation Commission was also effective in negotiating these narratives on the symbolic level.

Discussing the possibilities of identity formation in a post-apartheid society, Aletta J. Norval asks: "what are the implications of recognising that the identity of the other is constitutive of the self, in a situation where apartheid will have become something of the past?" And she offers the answer:

> ... a post-apartheid society will then only be radically beyond apartheid in so far as apartheid itself is present in it as its other. Instead of being effaced once and for all, 'apartheid' itself would have to play the role of the element keeping

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[149] For instance, see Uday S. Mehta, "Liberal Strategies of Exclusion," in: Frederic Cooper and Ann Laura Stoler (eds.), *Tensions of Empire. Colonial Cultures in a Bourgeois World* (University of California Press 1997), pp. 59–86; Mehta analyzes how Locke theorized the concept of universal and natural capacity to reason, the ultimate ground of equality, and concludes that in Locke's terms this concept is not at all natural but rather highly artificial and actually used for establishing inequality among human beings.

[150] See Cohen, *States of Denial*.

[151] Ernesto Laclau, "Universalism, Particularism and the Question of Identity," in John Rajchman (ed.), *The Identity in Question* (New York and London: Routledge, 1995), pp. 93–108.

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open the relation to the other, of serving as watchward against any discourse claiming to be able to create a final unity.[152]

Like Boraine with his organicistic metaphors, Norval is trying in her own way to construct new, all-encompassing and ever-open identity pattern for members of a newly formed post-apartheid society.

What is common for both Boraine and Norval, is their insistence that new foundational narrative, either in terms of the nation-as-a-unified-body metaphor or in terms of the post-apartheid identity with "apartheid" as its other, has to encompass all members of the South African society on equal terms. It is possible to argue that the South African Truth and Reconciliation Commission provided the ground for and actually constructed this narrative. The new South African government was not strong enough to bring perpetrators to justice, although it had a kind of consensual support to undertake democratic transition. Since judicial tools were out of reach, only the truth and reconciliation commission, in the name of the state, could do the work of acknowledging past sufferings and recomposing the symbolic field. The Commission expanded the narratives of both sides: by acknowledging the sufferings of the oppressed, the South African Truth and Reconciliation Commission publicly acknowledged victims' capacity to be harmed as human beings, that is, as fully-fledged citizen. This recognition was, indeed, retroactive, since at the time of oppression a victim was lacking such a status due to the legal measures and dominant narrative. It can be viewed as a kind of trade off forced by a balance of power on both sides – amnesty for acknowledgment. Thus, the Commission has drawn the line between the previous regime and the new one; it enacts the rule of law against the arbitrary/particularistic rule; it marks the point from which on "all" citizens will be

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[152] Aletta J. Norval, "Letter to Ernesto," in Ernesto Laclau, *New Reflections on the Revolution of our Time* (London: 1990), p. 157.

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treated as equal before the law. Therefore in the South African case the stress was more on reconciliation than on truth. Or, in other words, truth was in service of reconciliation, it gained its importance through reconciliation, and by no means it was treated as a value in itself. Former South African president P.W. Botha's case demonstrates that the Commission was ready to give up from truth for the sake of reconciliation.[153] Only in this way, I am inclined to argue, the Commission was able to contribute to consolidation of the government whose legitimacy was founded on democratic participation, justice and respect for human rights under the conditions of fragile power balance.

3.8. Choosing identities?

If the main purpose of the South African Commission was reconciliation rather than revealing truth, and if the reconciliation was sought to recompose foundational narrative of a post-apartheid society, the following can be said about the South African Commission and its Yugoslav counterpart.

The South African Truth and Reconciliation Commission sought to unite two previously segregated social groups into one nation; the Yugoslav Commission had to face the consequences of disintegration of at least two kinds: national, in terms of state, and ethnic. The South African Commission had to negotiate two confronted constitutive fables and merge them into one foundational narrative; the Yugoslav

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[153] Boraine wrote: "It was a tragedy that Botha did not enter the witness box to respond to the allegations made against him" *(A Country Unmasked,* p. 216). However, it was not a tragedy because Boraine and hundreds and thousands of people who suffered under apartheid wanted "him to be thrown into jail": "All we want is that he should come before the Commission and we would deal with him with sensitivity and respect" (Ibid., p. 204). Yet, in spite of promised "sensitivity and respect," Botha refused to come before the Commission. He was not even sentenced for it (Ibid., p. 216). And what follows is a possible explanation of turns in the Botha *vs.* Commission case: "Botha was strongly supported by a number of former generals, including Magnus Malan, former Minister of Defence and former head of the South African Defence Force. Others who supported him [...] included [...] Constand Viljoen, former head of the Defence Force [...] Johan van der Merwe, former police chief, and other retired military generals" (Ibid., p. 203).

Commission sought to somehow explain and justify disintegration and ethnic separation. The South African Commission had to contribute in establishing and stabilizing multicultural and multiethnic society; the Yugoslav Commission was not faced with such a problem. After NATO intervened in Kosovo, and practically made it independent from Serbia, according to the latest census nearly 85 percent of Serbian citizens are ethnic Serbs. The South African Commission had to provide the ground for victims and perpetrators to live together; the Yugoslav Commission did not have to do it: victims and perpetrators mostly found themselves on the different sides of newly established borders. And, as far as Serbs are concerned, as Vojin Dimitrijević puts it, they "already reconciled between themselves."[154] By acknowledging human rights violations and unlawful acts, the South African Commission contributed to legitimization of reformed legal and democratic institutions; by acknowledging crimes and abuses committed by Serbian forces, the Yugoslav Commission would inevitable contribute to formation of constitutive fables and thus legitimization of institutions of the former Yugoslavia's successor states. It is hard to imagine that these 24 members of the Commission would be ready to do something of this kind. In conclusion, the South African Commission was meant to work within the framework of one state; it does not make much sense if any truth commission formed by Serbian side deal only with abuses and crimes committed on the territory of Serbia, although Vojin Dimitrijević rightly pointed out that it would be the only coherent solution.

It is hard to say whether these insights can be rephrased in more general conclusions. Probably it is possible to argue that a truth commission can be effective if it works exclusively within a framework of one state. Furthermore, probably it is possible to state that a truth commission is needed when it turned out that a state is in

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[154] V. Dimitrijević, "Izgledi za utvrđivanje istine i postizanje pomirenja u Srbiji," p. 74.

crisis: that it has to reconceptualize its basic premises. As far as I know, the Yugoslav case is the first one in which a truth and reconciliation commission had to cross the state border. Yet, regardless of whether this need revealed the limitations of truth commissions in general, or it is just an individual case insufficient for making any general remarks, it is important to pay attention to this problem. Eventually, it is possible to conclude that if we put all other purposes aside, it seems that as far as reconciling purpose is concerned – the crucial one in the South African case – the Yugoslav Commission could not do anything else but to fail.

Therefore, the South African Commission could not serve as a relevant model for the Yugoslav one. It is evident from his statements about the necessity of either forming a regional truth and reconciliation commission or establishing regional cooperation between truth and reconciliation commissions, that Alex Boraine, acting as advisor, was trapped by the "reconciliation" logic in discussing the Yugoslav case:[155]

> It is necessary to rebuild bridges destroyed by crimes, hatred, and propaganda, and not only those bridges made of stone and iron, but also bridges between people hearts and minds... it is necessary to heal the wounds, to establish regional and national unity within deeply divided communities. Therefore, our approach has to be holistic, it is necessary to devote ourselves – in an all-encompassing way – to justice, truth, reconciliation and institutional reforms.[156]

If Koštunica, Svilanović, Boraine and others had paid more attention, they would have opted for some other model. It was not enough to point at similarities of massive violations of human rights and to similar need to establish the rule of law; the other aspects had had to be taken into account as well. For instance, one had to think

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[155] See at http://www.danas.org/programi/interview/2001/11/20011120064249.asp;
also at http://www.b92.net/trr/2001/diskusija/index.php?lang=srpski&nav_id=42424.
[156] Borane, at http://www.b92.net/trr/2001/diskusija/index.php?lang=srpski&nav_id=42424.

what kind of trade off was possible in Serbia considering the fragile power balance and lack of consensual support to transitional processes.

Something can be learnt from the failure of the Yugoslav Commission: the way it chose obviously leads to an impasse. Reconciliation is one of truth commissions' possible purposes, and exactly the one that is less important than others as far as the Serbian case is concerned. People who participated in the post-Yugoslav conflicts, aggressors as well as defenders, mainly do not leave in the same states any longer. Bosnia and Herzegovina is in a way an exception of this rule, but it suffices here to say – the exception that, by its federal organization and volatile relations between two federal units, confirms the rule.

Is there any other way? There is, indeed, and it has been already sketched. However, contextual constraints, as we could see, loom heavily over the possibility of establishing an effective truth commission whose members would think and act in universalist terms. Therefore it seems inevitable to analyze main features of this context, and see if it indeed determines the choice of the available paths, or it is possible to deconstruct the imposed perception of this context, that is, the self-representation it constructs. This is a crucial point: by *choosing* to identify themselves in ethno-nationalist terms, large group of Yugoslav citizens understood themselves as Serbs in this particular way, and assigned to their own identity features of substantiality and inevitability. It is possible to construe the main characteristics of this identity from the statements of the Commission's members. Among others, these features are: unquestionable ethno-national continuity that stretches at least to the early nineteenth century; the long sequence of suffering and constant threat to biological continuation of the ethno-national group; continuous sacrifices for mutual/inter-ethnic/Yugoslav goals; continuous disloyalty on the side of other

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Yugoslav ethno-national groups; exposure to the constant threat of "international factors"; finally, the unsolved "national question," meaning a large number of the ethnic group's members outside the (ethno)national-state border. If nothing else, the Commission members were right in one thing: these features make "Serbs" completely compatible with neighboring as well as with majority of other European nations.

In the next section I am going to lay theoretical grounds for a claim that such an identity is a matter of choice. I will do it by presenting an alternative understanding of the categories of culture and identity, and their relationship to moral universals.

Chapter 4
CULTURE AND IDENTITY: FIELDS OF CONTINUOUS CHANGE

4.1. General framework

4.1.1. Hard concepts of culture and identity

Đorđe Pavićević criticizes arguments offered by those who believe that communities should accept responsibility for their evil past.[157] He puts forward two possible arguments that make coming to terms with the evil past seem necessary. According to the first, people would inevitably remember the past wrongdoings since the community memory is autonomous and it imposes a duty of remembering on its members, regardless of whether they would deliberately accept it or not. This approach views individuals as always and already members of an involuntary group, which makes their lives comprehensible, but at the same time puts burdens on them, limiting their moral choices. The second approach considers remembering to be a key condition for an appropriate moral behavior and re-establishment of civil normalcy after atrocities. Therefore, the committed crimes should be remembered in order to prevent something similar to happen in future.

Pavićević regards both approaches as incoherent: "In both cases memory and duty to remember are introduced as constituents of identity; that is, individuals and groups are obliged to remember in order to preserve continuity and sameness of the moral and political agent."[158] However, none of these approaches explains how it was possible for a community to commit a crime in the first place, and, furthermore, why

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[157] Đorđe Pavićević, "Političko pamćenje: normalni slučaj i patologije" ["Political memory: a normal case and pathologies"] *Reč* no. 77, 2008, pp. 69–88.
[158] Ibid., p.

this community would accept its deeds as morally wrong.[159] Both approaches take for granted that members of a community are aware of their own wrongdoings and therefore must do something about it. Yet, if we assume that legitimizing ground for criminal acting had been provided before crimes were committed,[160] then it is unclear how these same members of community could have retrospectively evaluate their own acts as morally wrong; and that is the key condition for thinking about their own responsibility and moral renovation, or, to put it differently, about reestablishing their community on new moral ground.[161]

Pavićević does not offer a way out from this impasse: he simply claims that remembering should be understood as "an important cognitive capacity that enables us to learn and question values and principles which we accept; yet, it does not define who we are."[162] Neither has he explained from which standpoints members of community question their past, values and principles. Nonetheless, by trying to draw a clear line between the question of memory and the question of identity, Pavićević focuses on the central issues of transitional justice.

If this discussion about identity, memory, and coming to terms with evil past, is placed within the broader context that takes into account relationships between culture and collective identity, it might be possible to avoid the above described

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[159] Avishai Margalit, one of the authors to whom Pavićević refers, offers an argument that oscillates between universal moral norms and particular community's values, such as care and loyalty. Margalit holds that universal norms or shared humanity can operate only through the web of communal relationships of care and loyalty. The thin layer of humanity spread over the thick fabric of communal values is suppose to suffice in cases of "striking examples of radical evil and crimes against humanity, such as enslavement, deportations of civilian populations, and mass exterminations." Hence, society should remember such atrocities, although radical evil consists of "acts that undermine the very foundation of morality itself." Here, contradiction is inevitable: If a mass crime is "a direct onslaught on the very idea of shared humanity," where can the thick fabric of communal values derive the capacity from in order to respond? (Avishai Margalit, *The Ethics of Memory* [Cambridge, MA.: Harvard University Press, 2002]; here pp. 78, 79).

[160] See Cohen, *States of Denial*.

[161] This question is particularly important in cases in which a community of victims, being entirely expelled or exterminated, is not part of the society any more (both postwar Germanys; Serbia after the Yugoslav collapse).

[162] Pavićević, "Političko pamćenje: normalni slučaj i patologije," p. 86.

impasse. Pavićević criticizes conceptualizations of collective responsibility that view culture as a central formative element of a group (as well as individual) identity, instead of simply seeing it as a general way of life of a certain group. In fact, according to these conceptualizations, culture and identity fully overlap: culture consists of normative patterns that shape emotions, thoughts and behaviors, and thus initially determines the content of self-conception. This means that "a substantial portion of anyone's self-conception is powerfully influenced by social and cultural experience."[163] Eventually, every culture develops its own particular patterns of normative expectations that structure formative experiences of its members, shape their needs and goals, and thus direct their behavior in a certain way.[164]

If we assume that cultures are closed, strictly separated, self-sufficient, substantially unchangeable, homogenous and coherent systems, which determine collective and individual self-conceptions in a way described above, then it is only possible to conclude that all members of a certain group are supposed to act in accordance with patterns of normative expectations intrinsic to their own culture. Furthermore, within such a conceptualization of culture, agency of individual members appears to be impossible. Eventually, collective wrongdoings come to be seen as inevitable consequences of principles and values established by a particular culture. Those same principles and values also substantially determine individual and collective identities of members of a given group.

It is likely that collective deeds will be seen as morally wrong only from the standpoints which are outside of the given culture. Therefore, demands to accept collective responsibility that come from these standpoints may not be obligatory for members of the group that committed the crimes. After all, if all described

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[163] Michele M. Moody-Adams, *Fieldwork in Familiar Places. Morality, Culture, and Philosophy* (Cambridge, Mass.: Harvard University Press, [2]2002), pp. 138–139.
[164] Ibid., p. 83.

presumptions are valid, then criticizing cultural practices and deeds of some group indicates not only a critique of a certain set of beliefs, customs and behaviors, but also a critique of the very identity of a given group, together with individual identities of its members, since these beliefs, customs and behaviors overlap with these identities. And, once we start to criticize identity of a given group, we also begin to endanger its very existence. By defending its right to existence, that is, its authentic, substantial identity, the group rejects any moral enquire[165] of its cultural practices, and thus avoids acceptance of the responsibility for committed crimes.

Thus, it turns out that Pavićević criticizes concepts that are incoherent in themselves. These concepts leave no room for individual agency or conceptualization of responsibility; yet, they articulate demands for responsible behavior. In order to make their demands obligatory, these concepts undermine basic principles they claim to promote. On one side, they claim that people are members of involuntary groups and therefore responsible; on the other, this claim may be used as a justification for committed crimes: since people are members of involuntary groups, they do not have choice, but to follow normative expectations set by their group, even in cases when it means to commit a mass crime.

4.1.2. Untangling culture and identity

Narrative of transitional justice implies discontinuities at least on two levels: level of societal arrangements and level of collective identity. It seems that without some sort of hard concept of collective identity, transitional justice would be unable to conceptualize responsibility, that is, to identify a collective agent who is to be held responsible. When dealing with autocratic regimes which massively violated human

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[165] Ibid., p. 215.

rights of their citizens, and which may not always fit into patterns of collective identity, issues of collective identity and responsibility are not discussed with regard to their ultimate cultural complexity, since transitional justice in such cases focuses on the regime that came in power by using violence and repression, and remained in power without broad support of its citizens. Such regimes, while they seek some legitimizing ground, in fact destroy collective identity by violating the threshold shared understandings and questioning epistemic authorities in society. Yet, they rarely manage to construct new pervasive identity, one that would be able to confront transitional measures in the aftermath.

But, when a crime has been committed in the name of one group by a large number of members of that group, and against members of another group, both concept of collective responsibility and concept of collective identity become necessary in conceptualizing transitional justice,[166] revealing all aspects of their cultural complexity. Among such crimes, genocide – committed against a whole group by a state or another organized group – turns to be paradigmatic: it is a crime that relies on general cooperation and participation of many, if not majority of members of a community. In a case of genocide, community is so much engaged in wrongdoings that it might happen that almost all of its members contribute to criminal behavior.[167]

In such cases, collective responsibility derives from conceptualization of a particular kind of group identity. It is not enough that "people share membership in various groups that shape who these people are, and that each person is at least somewhat implicated in what any member of the group does"; collective

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[166] Linda Radzik, "Collective Responsibility and Duties to Respond," *Social Theory and Practice* Vol. 27, No. 3, 2001, p. 456.
[167] Larry May, *Crimes Against Humanity. A Normative Account* (Cambridge: Cambridge University Press, 2005), p. 157.

responsibility applies to those groups that develop their own culture, since "cultures bind the members of a group together by providing common experiences and viewpoints."[168] In cases of mass crimes, these binding cultures may be designated as *cultures of accomplices.*

Although he enters discussions about collective responsibility from the standpoint clearly delineated by liberal principles that coherently prevent submission of individual agents to collective categories, Nenad Dimitrijević develops his concept of collective responsibility by referring to shared set of values, or, to put it differently, to shared culture:

> ... mass atrocities can be identified as the collective crime provided three conditions are met. First, crime unfolds as a coordinated intentional action of a multitude of individuals. Second, crime is ideologically, legally and politically institutionalized and 'normalized': the political arrangements, legal norms and the system of values, beliefs and attitudes, are all shaped in a manner that allows, justifies, and makes routine inflicting suffering on those who are arbitrarily proclaimed as enemies. Third, the majority of the regime's subjects interiorize the perverted value system, which is then expressed in their support for the regime, its ideology and actions, including the killing.[169]

Conceptualization of collective responsibility for mass atrocities moves discussions of transitional justice from legal to cultural realm, within which judiciary is only a segment. Identity formation, articulation of values, beliefs and attitudes – all these are cultural activities. Patterns of group and individual self-understandings may be sanctioned by constitution or transmitted by other legal means insofar as constitution and legal means are compatible with and grounded in beliefs, values and attitudes that constitute threshold shared understandings. This is why implementation

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[168] Larry May, "Metaphysical Guilt and Moral Taint," in L. May and S. Hoffman (eds.), *Collective Responsibility. Five Decades of Debate in Theoretical and Applied Ethics* (Lanham: Rowman and Littlefield, 1991), pp. 240, 246.
[169] Nenad Dimitrijević, "Moralna odgovornost za kolektivni zločin" ["Moral Responsibility for Collective Crime"], in Obrad Savić and Ana Miljanić (eds.), *Zajednica sećanja* [Community of memories] (Beograd: Beogradski krug, 2006).

of transitional justice is so painful and uncertain process when it focuses on mass atrocities, as in cases of postwar Germany, and Serbia in the 2000s, for instance.

Transitional justice's demands in the aftermath of mass crimes are in fact demands for changing cultural basis of a society marked by wrongdoings. Transitional justice seeks a way to impose new patterns of self-understanding, substantially different from the previous perverted value system, which has been interiorized by members of a given society. Expected contradiction occurs: hard concept of identity, derived from strong sense of belonging to an involuntary group, is necessary for establishment of collective responsibility; collective responsibility provides a ground to establish a duty of coming to terms with the evil past; coming to terms with the evil past implies formation of a new identity. Thus, it appears that although transitional justice is centered on the hard concept of identity, it assumes an agent with a changeable identity as well. After all, strategies of transitional justice may be understood as identity formation strategies, although it seems that a kind of strong communal identity is prerequisite for transitional justice.

However, this contradiction may be seen as a mere paradox. Transitional justice is in fact a simple tripartite narrative, filled with biblical connotations, which tells the story about a society that fell under the threshold of decency and civic normalcy, and strives to rise back. Thus, the narrative necessarily assumes that one change of identity had already happened when criminal regime's subjects accepted *political arrangements, legal norms and a system of values, beliefs and attitudes, shaped in a manner that allows, justifies, and makes routine inflicting suffering on those who are arbitrarily proclaimed as enemies.*

This allows us to shift the focus of discussion from the strong conceptualization of identity to the processes of identity formation in terms of

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transitional justice. Attitudes and values that a self-conception contains are produced, reinforced, and rejected incessantly within a field of culture. Which ones would prevail depends on a dynamic grid of power relations that is also shaped by cultural patterns. The societal fall under the humanity threshold is a striking evidence of such a change. Yet, it is also an evidence that change is possible.

4.1.3. Culture's causal significance

The term 'culture' refers here to the set of meanings that have been shaped and elaborated through the long lasting discussion in which one stream was decisively marked by Clifford Geertz's interpretative turn in the field of anthropology. From his semiotic perspective, Geertz has conceptualized culture as a web of publicly available symbolic forms, through which people experience and express meaning.[170] By expanding this semiotic model a bit, it is eventually possible to understand 'culture' as "a system of rules and principles for 'proper' behaviour, analogous to the grammar of a language, which sets the standard for 'proper' speaking"; therefore, culture does not only and before all implies cultural products or artefacts, "it is 'not behaviour itself', rather it 'contains the standards for behaviour'."[171]

This train of thoughts moves the emphasis from interpretative questions of meaning to questions of action: "how culture is an instrument for social action becomes a more important issue than what a particular cultural text or performance means."[172] However, once the set of interpretative questions of meaning has been displaced by the set of explanatory questions of action, new problems emerge. One

[170] Clifford Geertz, "Thick description: Toward an Interpretative Theory of Culture," *The Interpretation of Cultures* (London: Fontana Press, 1993 [1973]), pp. 3–30.
[171] Ruth Wodak, Rudolf de Cillia, Martin Reisigl and Karin Liebhart, *The Discursive Construction of National Identity,* translated by Angelika Hirsch and Richard Mitten (Edinburgh: Edinburgh University Press, 1999), pp. 20–21.
[172] Katherine Verdery, *National Ideology under Socialism. Identity and Cultural Politics in Ceausescu's Romania* (Berkeley/Los Angeles/London: University of California Press, 1995), p. 19.

aspect of these problems is related to identifying causal relationship between culture and action. This search for a cultural cause might remind us of "an experimental science in search of law," which is exactly what Geertz tried to avoid by establishing an interpretative cultural theory that underlies a thick description "in search of meaning."[173] But, by avoiding casual questions, proponents of descriptive approach do not offer an alternative formulation of culture's causal (in)significance. On the contrary, as Ann Swidler warns, they tacitly stick to the values paradigm,[174] or, to put it differently, they continue to view values as "the major link between culture and action." According to the values paradigm, "culture shapes action by supplying ultimate ends or values toward which action is directed, thus making values the central causal element of culture."[175]

Yet, this "reigning model" in understanding culture's effects on action, argues Swidler, is "fundamentally misleading."[176] It inevitably leads to deterministic impasse, and thus limits theoretical capacities for proper conceptualization of human agency in circumstances of major societal changes.[177] Although she agrees that

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[173] Geertz, "Thick description," p. 5. Culture, argues Geertz, "is not a power, something to which social events, behaviors, institutions, or processes can be causally attributed; it is a context, something within which they can be intelligibly – that is, thickly – described" (Ibid., p. 14).

[174] See Clifford Geertz, "The Growth of culture and the Evolution of mind," *The Interpretation of Cultures*. Geertz's assertions that "the human brain is thoroughly dependant upon cultural resources for its very operation; and those resources are, consequently, not adjuncts to, but constituents of, mental activity," or that "the human nervous system relies, inescapably, on the accessibility of public symbolic structures to build up its own autonomous, ongoing pattern of activity" (Ibid., pp. 76, 83), may be understood as examples of such a tacit appropriation, if they are construed as Michele M. Moody-Adams suggested:

> Every culture develops intricate patterns of normative expectations about emotion, thought, and action – expectations that not only help structure each person's formative experiences but also help shape many of the fundamental desires and purposes that influence action. *(Fieldwork in Familiar Places,* p. 83)

[175] Ann Swidler, "Culture in Action: Symbols and Strategies," *American Sociological Review*, Vol. 51, 1986, p. 273.

[176] Ibid., p. 273.

[177] Even more, asserting that thoughts of Max Weber and Talcott Parsons are fundamental for conceptualization of culture's causal importance in terms of the values paradigm, Swidler undertakes to demonstrate that Weber's notion of 'world images' that, "like switchmen," have determined "the tracks along which action has been pushed," as well as Parsons' 'values', "as essences around which societies

cultural normative patterns structure people's formative experiences and shape fundamental desires and purposes that affect action, Michele M. Moody-Adams, like Swidler, warns that "no culture of a functioning society can be perpetuated over time without some modification of cultural patterns,"[178] and this modification cannot be accounted for in terms of values paradigm. The value paradigm is a one-way explanatory model: it may explain cultural effects on action, but does not provide a ground for explaining what causes transformations of culture. Questioning this model, however, does not mean to deny that agency is thoroughly shaped by attitudes and values shared among members of a community, and that our behavior may make sense only within the context of shared cultural practices.[179] The question is whether it is possible to conceptualize culture in a way that avoids determinism, accounts for its casual significance, preserves agency, and leaves space for explaining transformations – both small-scale and large-scale changes – of culture.

Reworking Geertz's model, Swidler suggests alternative, tripartite conceptualization of culture:

> First, it offers an image of culture as a "tool kit" of symbols, stories, rituals, and world-views, which people may use in varying configurations to solve different kinds of problems. Second, to analyze culture's causal effects, it focuses on "strategies of action," persistent ways of ordering action through time. Third, it sees culture's causal significance not in defining ends of action, but in providing cultural components that are used to construct strategies of action.[180]

Swidler explains that no action is undertaken independently, driven by particular interests or goals. Furthermore, people are incapable of undertaking a

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are constituted," that normatively regulate means and ends of action, cannot account for "continuity in the style or ethos of action, even when ideas (and the ends of action they advocate) change" (Ibid., pp. 274–276).

[178] Moody-Adams, *Fieldwork in Familiar Places,* p. 83.

[179] Michele M. Moody-Adams, "Culture, Responsibility, and Affected Ignorance," *Ethics*, Vol. 104, No. 2. (1994), p. 291.

[180] Swidler, "Culture in Action," p. 273.

sequence of actions, working simultaneously on each of them, striving to achieve a maximal supposed outcome with each individual act. On the contrary, each action is inevitably a part of a larger arrangement that Swidler calls "strategy of action."[181] Causal relation between culture and action is then established on the level of organizing individual actions in a larger sequence of acting: culture "shapes the capacities from which such strategies of action are constructed." Swidler assumes that a sequence of actions cannot be arranged out of nothing: one cannot choose actions one by one, so to achieve particular goals by each individual action. It is necessary to establish a chain of actions by using already established links between them. Culture effects actions, concludes Swidler, "through the shape and organization of those links, not by determining the ends to which they are put."[182]

This alternative model also takes into account that cultures in general consist of variety of often conflicting sets of symbols, customs, stories, and guides for action, which goes against a deterministic conceptualization of culture as a unified system that consistently orders actions in one direction. As it has been pointed out, Swidler tends to see culture rather as a kind of a storage from which people can choose various elements for creating sequences of actions, ones which are most suitable for their chosen or given purposes.

To demonstrate applicability of her concept, Swidler distinguishes between two aspects of cultural influence. While in the case of "settled lives" it is rather difficult to specify culture's causal role, since it thoroughly integrates with action, in the case of "unsettled lives"[183] it is evident that "established cultural ends are

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[181] Ibid., p. 276.
[182] Ibid., p. 277.
[183] The phrase 'unsettled lives' denotes periods "when competing ways of organizing action are developing or contending for dominance." The occurrence of intense ideological activism is typical for such periods (Ibid., p. 279).

jettisoned with apparent ease, and yet explicitly articulated cultural models, such as ideologies, play a powerful role in organizing social life."[184] Therefore the values paradigm, argues Swidler, cannot explain the cultural mechanisms in the case of unsettled lives. In these periods of discontinuity, contesting ideologies – explicit, highly organized systems of meaning (e.g. political or religious) – compete in imposing new styles or strategies of action. Various doctrines, symbols or rites directly influence behavior. In such circumstances, people learn how to use new patterns of organizing both individual and collective action, and practice them until they become ordinary: "Assumed here is a continuum from *ideology* to *tradition* to *common sense.*"[185]

Describing culture as a 'storage' of various symbolic vehicles of meaning, such as beliefs, ceremonies, art forms, instead of seeing it as a unified symbolic system, Swidler escapes a deterministic trap of the values paradigm, and leaves an open conceptual space for explaining complex dynamics between differing cultural patterns, ever changing grid of power relations, and particular interests and goals of both individual and collective actors. Furthermore, she provides room for posing the question of responsibility of individual and collective actors, the question that can hardly be formulated in terms of ultimate goals and values defined and imposed by culture. Eventually, Swidler's term 'strategies of action' is flexible enough to encompass a complex web of designing, justifying, and realizing action that might be directed to several different goals. Accordingly, people may be responsible for chosen strategies as well as for goals they seek to achieve.

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[184] Ibid., p. 278. However: "Even when they lead settled lives, people do active cultural work to maintain or refine their cultural capacities. Conversely, even the most fanatical ideological movement, which seeks to remake completely the cultural capacities of its members, will inevitable draw on many tacit assumptions from the existing culture" (Ibid.).
[185] Ibid., pp. 278–279.

4.1.4. Culture and morality: descriptive cultural relativism

In his search for meaning, Geertz persistently insists on importance of details that ought to be described as thickly as possible. He stresses that the aim is to "draw large conclusions from small, but very densely textured facts; to support broad assertions about the role of culture in the construction of collective life by engaging them with complex specifics."[186] The train of thoughts he suggests starts from understanding particular social actions and leads to conclusions about a particular society, and, eventually, about societal life as such. Yet, it is rather interesting that by suggesting this way of establishing knowledge about certain society and social life in general, Geertz actually implies that it is possible to step out from hermeneutic circle. It looks like he supposes that it is possible to set down "the meaning particular social actions have for the actors whose actions they are," although knowing nothing about broader "webs of significance" in which actors are suspended, and which, in fact, they themselves have spun.[187] However, as his interpretations clearly demonstrate,[188] Geertz is, indeed, fully aware that it is also necessary to establish a frame of interpretation – that is, a structure of signification – in order to understand particular actions.[189] Here we face another problematic aspect of the descriptive approach to culture. Particular social actions acquire meaning only within a certain structure of significance; this structure at the same time sets a frame of interpretation within which these actions may be properly understood. As far as descriptions are concerned, nothing seems troublesome; problems emerge if one is to judge ethics of certain actions.

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[186] Geertz, "Thick description," p. 28.
[187] Ibid., p. 27.
[188] One of them being the interpretation of "the little drama" from Morocco, elaborated as an example of descriptive approach in "Thick description."
[189] Geertz, "Thick description," p. 9.

It is wrong, Geertz states resolutely, to place morality beyond culture.[190] One of the implications of this stance may be that it is impossible to evaluate moral practices of a certain group or society from an outsider's perspective, since these practices can be properly understood and judged only within the cultural context, that is, the structure of meaning they belong to. Therefore it is possible to argue that "differences in the moral practices of diverse social groups generate 'ultimate' or 'fundamental' moral disputes, disputes that are neither reducible to non-moral disagreement nor susceptible of rational resolution – disputes, that is, that are in principle irresolvable."[191]

This kind of relativism – Moody-Adams calls it *descriptive cultural relativism*[192] – is fundamentally dependent on the following assumptions: "that cultures are internally integrated wholes, that cultures are fundamentally self-contained and isolable sets of practices and beliefs, and that cultural influence on belief and action must be understood deterministically."[193] The idea that seemingly disparate elements that participate in the way of life of any group may be eventually understood as constituent parts of a coherent whole, and the notion that culture's casual role should be understood in deterministic terms, were both discussed and questioned in the previous section. However, showing that cultures are not unified systems that push actions in a consistent direction, does not undermine the notion that cultures are fundamentally autonomous and isolable sets of practices and beliefs, even if incoherent. Consequently, it does not provide a ground for an outsider's judgment about moral practices of a given culture. Yet, it is particularly important to set

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[190] Clifford Geertz, "Anti Anti-Relativism," *American Anthropologist,* Vol. 86 (2), June, 1984, pp. 263–278; see p. 276.
[191] Moody-Adams, *Fieldwork in Familiar Places,* p. 15.
[192] Ibid.
[193] Ibid., p. 21.

conceptual space free from the claim that seemingly occupies it and according to which it is impossible to understand and evaluate some belief or practice outside the cultural context in which it is found. Moody-Adams uses the heaviest reason to stress the importance of such a theoretical endeavor:

> When the defining principles of one culture prescribe the forceful elimination of another – such as by means of forced expatriation or mass killing – the readiness to withhold judgment will, at the very least, aid and abet the destruction of cultures.[194]

As it was said in the previous parts, once it accepts descriptive cultural relativism, transitional justice will inevitably find itself in a logical impasse. On the other hand, it is clear in what way some elements of descriptive cultural relativism apparently support the transitional justice's prime demand for major societal changes in the aftermath of the collective mass crimes. This demand rests on the notion of collective responsibility, which is usually conceptualized through the notion of culturally constituted substantial collective identity. While this substantial collective identity may bear the idea of collective responsibility, it resists any changes at the same time: to change substantial collective identity, one which is derived from the deterministic understanding of culture, is something that simply cannot be conceptualized within the same theoretical framework. To elaborate Moody-Adams' drastic example: even if we judge the defining principles of one culture as morally unacceptable, because they prescribe the forceful elimination of another culture, it is impossible to persuade the perpetrators to accept our judgment, and make them aware of the necessity of their own moral transformation. In terms of descriptive cultural relativism, this dispute should remain irresolvable. Here we face a notion of "moral blindness," induced by culture, which makes individual members of a given society

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[194] Ibid., p. 25.

unable to recognize what is wrong in morality they practice and prevents them from behaving in accordance with a different morality and accepting alternative social and cultural arrangements.[195]

What makes this picture even bleaker is that descriptive cultural relativism allows one to reject the position from which the judgment of "moral blindness" is formulated, presuming that judgments are applicable to practices only if both judgments and practices belong to the same cultural context. Discussing Richard Arneson's argument,[196] Nenad Dimitrijević stresses disturbing implications of such an approach:

> Suppose the agent – due to the limitations of the personal cognitive capacities or due to the effective social imposition of moral ignorance – erroneously infers that killing people who belong to an ethnic group is morally permissible, and he or she indeed goes to realize this conviction by committing murder. We see the agent acting wrongly, but we also see the agent doing so because of the mistaken belief that wrong is right. How to judge the agent? In answering this question, Arneson departs from the claim that "doing what one thinks is right is noble and admirable even if one's conscience is a broken thermometer." It is so because "the capacity to do what is right can be factored into two components, the ability to decide what is right and the ability to dispose oneself to do what one thinks is right. One might hold that the latter capacity is the true locus of human dignity and worth." [...] Think of Hitler along Arneson's lines. When Hitler reflects on the German history and the present condition, when he deduces that Jews are at fault for what he sees as the plight of the Germans, and that therefore they deserve to be killed, he is committing a terrible moral error. Perhaps his capacity of rationally distinguishing between right and wrong is very limited – perhaps he only marginally qualifies for personhood. But realizing that he is only a 'near-person' is not the reason for excusing him for responsibility for his actions. He does not need an excuse at all: when he inspires and leads the Holocaust, he is acting 'admirably', because his action is true to his reflection, regardless of how distorted that reflection is. In acting on reflection, he has demonstrated the 'valued capacity' to act conscientiously, and this is why he would have to be exempted from the negative moral judgment and from retrospective responsibility for what he did.[197]

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[195] Ibid., p. 86.

[196] See Richard Arneson, "What, If Anything, Renders All Humans Morally Equal?" in Dale Jamieson (ed.), *Peter Singer and His Critics* (Oxford: Blackwell Publishers, 1999).

[197] Nenad Dimitrijević, "Moral knowledge and mass crime. A critical reading of moral relativism," *Philosophy and Social Criticism,* vol. 36 no. 32, 2010, pp. 131–156; here p. 143.

4.1.5. Right to interpret and judge

The notion of importance of cultural boundaries has been formulated and thoroughly elaborated within the anthropological researches and theories. In fact, it seems almost impossible to conceptualize culture without clearly established borders. Based on data she obtained during her fieldwork on pollution, Mary Douglas demonstrated that "ideas about separating, purifying, demarcating and punishing transgressions have as their main function to impose system."[198] According to her insights, order is dependent upon exaggerated differences that are being transformed into strong hierarchical oppositions. These oppositions establish boundaries throughout a community; by establishing strong hierarchical oppositions, culture is produced and maintained: "the ideal order of society is guarded by dangers which threaten transgressors."[199] Whatever manages to escape patterns of oppositions violates the order and needs to be seen as a matter out of place, that is – dirt. Yet, the notion of dirt implies a system of defined relations, which means that dirt is also its element. Douglas defined it simply: "Where there is dirt there is system."[200] There are two formative steps here: first, the general opposition between order and disorder is established; second, disorder – i.e. dirt, has to be ritually excluded from a system, though it is constitutive of it. Eventually, boundaries turn out to be in the core – the very center – of a cultural structure of meaning.[201]

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[198] Mary Douglas, *Purity and Danger. An Analysis of the Concepts of Pollution and Taboo* (London and New York: Routledge, 1988 [1966]), p. 4.

[199] Ibid., p. 2.

[200] Ibid., p. 36.

[201] Julia Kristeva has taken Douglas' theoretical narrative and directed it in a predictable way, to construe dependence of formation of human body and, ultimately, identity on social structure. Kristeva noticed that something is missing in Douglas' examination of rituals of purity and impurity. According to her, Douglas saw human body as ultimate cause of the socio-economic causality. However, Douglas did not explain how disposition to respond to purity and impurity – i.e. disgust – is created. Why does the notion of impurity consist of something dangerous and threatening, which makes it suitable in prevention of transgression? Why are we afraid of chaos of shifting impressions and strive to surround ourselves with a stable system of binary oppositions, in which objects have recognizable shapes, are located in depth, and have permanence? To fill the gap, Kristeva shifted Douglas' work on pollution

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More than two decades after it had been published, Douglas reflected on her famous work and concluded that she accomplished the task of vindicating "the so-called primitives from the charge of having a different logic or method of thinking":[202] "In *Purity and Danger* the rational behaviour of primitives is vindicated: taboo turns out not to be incomprehensible but an intelligible concern to protect society from behaviour that will wreck it."[203] However, she regretted completing "the book without making any link between taboo-thinking, which uses natural dangers to uphold community values, and our modern approach."[204] So, she decided to do it twenty years later, emphasizing that there is a basic similarity between so-called primitive societies and civilized societies, i.e. a common ground for understanding social behavior in both societies: in both types of societies the 'rational behavior' has to uphold community values, maintain boundaries, and thus prevent community from falling apart.

For Douglas, primitive and civilized societies both follow the same formative patterns, overemphasizing differences and transforming them into hierarchical oppositions, ones that constitute the structure of meaning. Therefore, the system may be ultimately seen as a general binary opposition, in which one element is order and another − disorder; the latter serves as a threat that helps maintaining the former.

from "a sociological and anthropological into a psychological and subjective register" (Elizabeth Grosz, *Volatile Bodies. Toward a Corporeal Feminism* [Bloomington and Indianapolis: Indiana University Press, 1994], p. 193). As she explained, Douglas naively rejected Freudian premises when there was a need "to integrate Freudian data as semantic values connected with the psychosomatic functioning of the speaking subject." Therefore, Kristeva introduced the premise that "a social (symbolic) system *corresponds* to a specific structuration of the speaking subject in the *symbolic order."* Thus, following Kristeva, it is possible to conclude that the symbolic system and the speaking subject are structured in a same way. Furthermore, formation of human body as a web of psychosomatic functions does not parallel formation of order, rather, both are produced at the same time (Julia Kristeva, *Powers of Horror. An Essay on Abjection* [New York: Columbia University Press,1982], pp. 65, 66). See also Judith Butler's *Gender Trouble. Feminism and Subversion of Identity* (New York and London: Routledge, 1990) and *Bodies that Matter. On the Discursive Limits of "Sex"* (New York: Routledge, 1993).

[202] Mary Douglas, *Risk and Blame. Essays in Cultural History* (London and New York: Routledge, 1992), p. 3.

[203] Ibid., p. 4.

[204] Ibid.

Thinking about boundaries in these terms allows us to realize that the distinction between 'within' and 'out' is being performed on elements that are eventually all 'within'. This means that what is apparently 'out' in fact defines what is 'within', and, acting as a threat, keeps it 'within'. Accordingly, on a general level everything is within, since what is 'out' and what is 'within' can acquire some meaning only within a system, e.g. a meaning of a threat.

If we apply this structural logic on moral values, it may be concluded that any set of moral norms, viewed as substantial for some cultural identity, is practically founded on constant denial of legitimacy to alternative sets of moral norms. But, all these sets are mutually dependant and belong to the same structure of meaning. Viewed from this angle, it is easy to imagine that any moral position, which apparently does not belong to a culture in question and thus is considered illegitimate as a standing point for judging moral practices intrinsic to it, is in fact a position within this culture; its legitimacy is denied in order to establish the set of dominant moral practices. Eventually, all moral positions are in some way embraced or can be embraced by any cultural context. This allows one to criticize any set of dominant moral practices from any moral position. If there really was "ultimate" or "fundamental" moral disagreement, then it would be impossible to recognize different stances as moral and to claim that there is a moral disagreement.[205]

Although the previous line of argumentation may seem as a mere theoretical trick of the deconstructionist provenience,[206] it entails in fact a simple conclusion based on empirical insights. These arguments were also used by Moody-Adams in her dispute with the descriptive cultural relativists. She asserts that there is no society with only one coherent set of moral practices. When one examines moral practices

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[205] Moody-Adams, *Fieldwork in Familiar Places,* p. 16.
[206] Feminist and queer theorists often use this line of argumentation to legitimize their own standpoints. For example, see Judith Butler's *Bodies that Matter* and *Gender Trouble.*

that belong to some culture, she has to be aware of characteristics of her sources of information, that is, she has to ask herself whether her informant is reliable, competent and representative for creation of an appropriate image of a given community's set of values. Moody-Adams refers to examples of cultures in which women, for instance, provide quite opposite pieces of information about important moral practices to those provided by men.[207] And there is no some general level on which these contradictory versions will merge into one coherent whole. Even this fact is a reason good enough to always evaluate moral practices in spite of objections formulated from the standpoint of descriptive moral relativism.

However, Moody-Adams goes one step further to make a point that boundaries of cultures and historical periods are not impenetrable, particularly if they are related to matters of moral significance. Although it is true that the object of moral examination is "the complex web of belief, judgment, sentiment, and action that constitute the structure of moral experience," it is wrong to assume that cultures create moral practices as "fully individuable, integrated 'moralities' or 'moral systems'," whose diversity has to be explained by the nature of impenetrable cultural boundaries.[208] Even if the number of cultures that developed and endured without any contact or mutual influence with other cultures has been significant, it would be rather absurd to view modern states as instances of such cultures.

4.1.6. (Ethno)national identity

It is important here to understand culture as a concept broader than the concept of collective identity. Collective identities have been formed within culture, using available cultural elements, which do not constitute an isolated, homogenous and

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[207] Moody-Adams, *Fieldwork in Familiar Places,* p. 47.
[208] Ibid., pp. 151–152.

coherent whole.[209] Collective identities are being continuously established, reinforced, or changed: ethnic and national identities are only two possible ways of realizing collective identities. Therefore, the central question is how substantiality of collective identity is formed, kept, and reinforced. Conflicts within the region of Yugoslavia from the 1990s put forward ethnic identities. There are scholars who argue that ethnic identities of post-Yugoslav nations have been formed during the armed conflicts in the 1990s, and it is therefore appropriate to name these conflicts ethnic wars. In other words, these wars were not ethnic because they were waged by an already established, clearly defined ethnic groups; they can be called ethnic because they have produced ethnic identities – or, these identities have been shaped by and through them – that have provided ground for the post-Yugoslav nations.[210]

Thus, in the case of Serbia from the late twentieth century and in the early twenty first century, the general question that opens this section may be reformulated and narrowed: namely, how the substance of ethnic, or national, or – in this case, the most appropriate term – ethno-national identities has been formed, transferred, kept, and reinforced?[211] Furthermore, how do these identities marginalize and decrease importance of differences between worldviews that members of the same ethno-

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[209] In my opinion, there is a clear analogy between what I am arguing here and concepts developed in Maria Todorova, "Šta je istorijski region? Premeravanje prostora u Evropi" [What is a historical region? Measuring space in Europe"], *Reč* no. 73, 2005, pp. 81–117. My distinction between identity and culture is parallel to Todorova's conceptualization of tradition and heritage. She distinguishes tradition from heritage as follows: while tradition is created by evaluating, choosing, appropriating, and marginalizing, or denying; heritage cannot be a matter of deliberate choice, and it encompasses everything that last, no matter whether we like it or not. Therefore, unlike tradition, we cannot shape heritage (p. 88). Todorova discusses concepts of tradition and heritage in relation to the concept of region in an attempt to put forward processes of continuous change in (self-)understanding of regional identities.

[210] See Dubravka Žarkov, *The Body of War* (Durham and London: Duke University Press, 2007).

[211] According to Walker Connor, terms "nationalism" and "ethnonationalism" may be used interchangeably. As he explained, if it is "used in its pristine sense," nationalism "connotes identification with and loyalty to one's nation," where nation connotes a self-differentiating ethnic group, that is, a group of people who believe they are ancestrally related. Therefore, Connor concludes, nationalism and ethnonationalism can be treated as synonyms (Walker Connor, *Ethnonationalism. The Quest for Understanding* [Princeton and Oxford: Princeton University Press, 1994], pp. 42, xi. See also Katherine Verdery, *What Was Socialism, and What Comes Next?* (Princeton: Princeton University Press, 1996), p. 63.

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national group hold in relation to many other aspects of their self-conceptions? Finally, how do these identities frame attitudes towards and relationships with other groups? And, the other way round, how did the existing power grids in post-Yugoslav as well as in Yugoslav society contribute to constitution of these identities? Clearly, these questions could not be posed within the framework which operates with an essentialist concept of ethnicity or nationality, in spite of the fact that such a conception, when we think about the role of Serbian side in the 1990s, would make it easier to establish ties between the collective agent and committed crimes. Yet, as it has been already shown, this approach would lessen the possibilities to conceptualize demands derived from the concept of collective responsibility.

Therefore, by establishing framework of transitional justice and by rethinking concepts of culture and collective identity – these concepts serve as a ground for establishing collective responsibility within this framework – the following question is put forward: How was the Serbian identity, with its 'substantial,' 'inevitable,' and 'constraining' qualities, formed, and how has it been maintained as such until today? In the 1970s and the 1980s, the nationalist symbolic "tool kit" was produced as just one among "tool kits" available in the Serbian cultural "storage." Over time, individual and collective actors chose it or accepted it as the most suitable symbolic tool kit for designing strategies of action in circumstances in which the federal state was falling apart. This is a crucial point: by *choosing* ethno-nationalist symbolic tool kit, citizens who understood themselves as Serbs in this particular way, assigned to their own identity features of substantiality and inevitability.

Rogers Brubaker defines this point as a difference between "category" and "group." If we decide to talk about groups, explains Brubaker, then we ask: What do groups want or claim, that is, what are their intentions? How do they think about

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themselves and others? How do they behave towards other groups? This is essentialist discourse, which assumes that a group has some clear and stable identity, and that this group acts in accordance with its coherent interests and will. On the other hand, Brubaker stresses that categories of identity draw our attention to processes and relationships instead to substances. This pushes us to explore, argues Brubaker, how individual and collective actors use ethnic and national categories, and how these categories in return channel social interactions and shape our knowledge and attitudes.[212] These categories derive the ability to channel interactions and shape knowledge from the fact that they are accepted and legitimized as substantial and inevitable.

Yet, we still have to ask whether it is possible to identify certain general characteristics of ethnic and national categories of identity. In other words, what makes these categories to be *ethnic,* or *national,* categories of *identity?* Discussing the cultural foundations of nations, Anthony D. Smith offers the following definition of the "nation" as an analytic category, and as a historical form of human community as well. Although the latter clearly demonstrates that Smith is closer to substantial understanding of nation, his definition may be useful for the purposes of this work. Namely, Smith considers a nation each

> *named and self-defined human community whose members cultivate shared myths, memories, symbols, values, and traditions, reside in and identify with a historical homeland, create and disseminate a distinctive public culture, and observe shared customs and common laws.*[213]

Following this train of thoughts, Smith further defines "national identity" as

the continuous reproduction and reinterpretation of the pattern of values, symbols,

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[212] Rogers Brubaker, Margit Freischmidt, Jon Fox, Liana Grancea, *Nationalist Politics and Everyday Ethnicity in a Transylvanian Town* (Princeton and Oxford: Princeton University Press, 2006), p. 11.
[213] Anthony D. Smith, *The Cultural Foundations of Nations. Hierarchy, Covenant, and Republic* (Oxford: Blackwell Publishing, 2008), p. 19.

memories, myths, and traditions that compose the distinctive heritage of nations, on

the one hand, and as *the identification of individuals with that pattern and heritage,*

on the other.[214] Clearly, Smith does not think that this *single* pattern might contain

incoherent and heterogeneous values, memories, myths and traditions. He also

assumes that the distinctive heritage of nation and its single stable identity pattern

entirely overlap. Nonetheless, once he establishes conceptual relationships between

nation and ethnicity, Smith provides room for critical application of his definitions.

Namely, Smith argues that from a certain standpoint it is possible to view

nationhood as a kind of developed ethnicity. Accordingly, it is possible to view nation

as "territorialized and politicized developments" of ethnic communities, which Smith

defines as *named and self-defined human populations with myths of common origins,*

shared historical memories, elements of common culture, and a measure of ethnic

solidarity.[215] Close reading[216] of Smith's definitions allows us to understand ethnic

communities as a kind of retrospective, apparently historical establishment of

legitimizing ground for nation-state. Stuart Hall, who dealt with unifying features of

national cultures, has explained this legitimizing logic:

> One way of unifying them has been to represent them as the expression of the
> underlying culture of "one people." Ethnicity is the term we give to cultural
> features – language, religion, custom, traditions, feeling for "place" – which

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[214] Ibid.

[215] Ibid., p. 31.

[216] Here I follow Butler's deconstructionist reading of oppositions in which she demonstrates that they are established within a certain discursive framework and cannot exist outside of it. Every binary opposition, Butler claims, is a hierarchical one, meaning that one part of an opposition is in some way submitted to the other. The point is, as Judith Butler successfully demonstrates, that there are no two parts in a binary opposition, but only one, which dominates the hierarchical structure. The other part is produced by the discourse as a kind of ontological, metaphysical, essential ground that justifies the existence of the first one. Therefore, it is possible to reduce binary oppositions to one element. Examples of such oppositions are culture and nature, gender and sex, acculturated subject and natural subject. For example, Butler explains that in the sex/gender distinction sex is referred to as something that precedes gender, while it is actually a construction offered within language, "as that which is prior to language, prior to construction" *(Bodies that matter,* p. 5).

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are shared by a people. It is therefore tempting to try to use ethnicity in this "foundational" way.[217]

However, instead of undermining legitimizing logic of the hierarchical couple nation/ethnic group, it is more important here to stress the significance of the pattern of values, symbols, memories, myths, and traditions that compose the distinctive heritage of nation. In fact, the entire heritage becomes reduced to this distinctive heritage, which then stands for the whole culture. It is this 'culture' that individuals are supposed to identify with. The question is how and why certain values, symbols, memories and traditions, which compose the pattern and marginalize other symbolic elements from the actual heritage, have been chosen. Furthermore, since this identity pattern has been changing over time, what causes these changes and determines their directions?

Among myths that constitute the pattern, the most significant is the one about common origins. By using an analogy with family ties the common origins myth provides ground for ethnic solidarity and guarantees that the collective identity is an ethnic category. Identity then may be viewed as the establishment and preservation of continuity with the mythical common origins. Hall explains that establishing and maintaining continuity is a matter of cultural representations, thereby suggesting that nation is a system of cultural representations, one which consists of: the *narrative of the nation,* which is forged in national histories, literatures, media, and popular culture; establishing *origins, continuity, tradition and timelessness;* the invention of tradition; a foundational myth; the notion of a *pure, original people or "folk."*[218] Hall was criticized because the elements of nation as a system of cultural representation

[217] Stuart Hall, "The Question of Cultural Identity," in Stuart Hall, David Held, Don Hubert, and Kenneth Thompson (ed.), *Modernity. An Introduction to Modern Societies* (Oxford: Blackwell Publishers, 1996), p. 617.
[218] Ibid., pp. 612–615.

which he suggested can hardly be distinguished one from another. Furthermore, all elements may be seen as parts of the first one. However, there is an awareness that such conceptualization of a nation makes room for analysis of the discursive construction of national identity.[219] All of these elements are used to mark beginning and ending of a community, that is, to draw the boundaries which enable distinguishing between communities.[220]

It is important to stress again that all these elements are articulated and available within the field of culture. Once formed and accepted, the identity pattern, consisted of chosen elements, is maintained and challenged in accordance with power relations, which are, in return, regulated by the same pattern. The set of elements offered by culture, that is heritage, is much larger than the set of elements that compose certain identity patterns. Furthermore, this broader set is neither homogeneous nor coherent, in spite of the fact that the hegemonic pattern intends to represent it as such. It is neither isolated, nor self-sustaining. It is exposed to influences from other cultures and it has some impact on these cultures as well. Therefore, it is not only possible to criticize the hegemonic pattern, but to change it as well.

While the elements of the current Serbian ethnic identity have been articulated in the 1970s and the 1980s, the pattern was finally established through the armed conflicts and mass crimes in the 1990s. The myth of common origins was once again found in the myth of Kosovo, and especially in the Kosovo oath that established the

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[219] See Wodak, et al., *The Discursive Construction of National Identity,* p. 30. In analyzing aspects of one particular national identity, Ruth Wodak and her associates have distinguished the following thematic aspects: "1) the linguistic construction of the *homo Austriacus;* 2) the narration and confabulation of a common political past; 3) the linguistic construction of a common culture; 4) the linguistic construction of a common political present and future; 5) the linguistic construction of a 'national body'" (p. 30).
[220] See Anthony P. Cohen, *The Symbolic Construction of Community* (London and New York: Routledge, 1995 [1985]).

nation. A historic period that preceded the battle between Ottoman and Serbian feudal armies represents a mythical paradise lost of Serbian nation. Due to the King Lazar's choice, nation became "Serbian," indeed retrospectively, that is, in a sense in which we use this word today. This choice is the most important distinct feature of the Serbian collective. As such, i.e. ahistoric, it gained the right to eternity. The Kosovo myth seems to have universal aspects; therefore, it might serve as a foundation for various collective identity patterns. It is not surprising that the Kingdom of Serbs, Croats and Slovenes legitimized its existence using the same myth, identifying within this myth its common origins.[221] However, when the issue of continuity is in question, Serbian ethno-national identity patterns suppress universalist – when it comes to the identity, to a large extent inclusive – aspects of the Kosovo myth, and make this myth appear to be predominantly particular. It may be said that exactly the patterns that establish continuity produce a kind of rigid and aggressive core of the Serbian collective identity.[222] This identity negates rights and neglects interests of individuals in the name of rights and interests of the collective, which is embodied in the (ethno)nation-state.[223] By doing this, such an identity socially and politically homogenizes an ethno-national group. Eventually, this kind of self-conception is expressed in acknowledging suffering of only one's own ethnic group and privileging

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[221] See Andrew Baruch Wachtel, *Making a Nation. Breaking a Nation. Literature and Cultural Politics in Yugoslavia* (Stanford: Stanford University Press, 1998); Dejan Đokić, "Whose Myth? Which Nation? The Serbian Kosovo Myth Revisited."

[222] See the chapter "Ministry of pain: unauthorized identities in a represive culture" in this work.

[223] In the case of Serbian nationalism it is of no use otherwise very useful distinction between "nationalism" and "patriotism." Walker Connor distinguished nationalism from patriotism, by defining nationalism as loyalty to the ethnic group, while he understood patriotism as loyalty to the state. He emphasized that these loyalties "are not naturally harmonious." In order to demonstrate a possible dissonance, in an essay published already in 1972, Connor explains: "one need only [...] contemplate the single most important challenge to the political survival of [...] Yugoslavia" *(Ethnonationalism,* p. 30). Connor obviously chose an example of the state where complex ethnic/national relations allowed distinguishing between "nationalism" and "patriotism." There is no need here to discuss validity of Connor's insights into political and national conditions of socialist Yugoslavia. Although it seems that history confirmed his critical remarks, it is still an open question whether he was right. However, here it is important to say that at the end of the twentieth century, it was possible to formulate Serbian patriotism within the framework of Serbian nationalism exclusively. This was the result of a complete equation between state and nation, that is, ethnic group.

its rights, while refusing to acknowledge the injustice that has been done to both individual members of its own group and to members of other nations/ethnic groups and guarantee the exact same rights to them.

Due to these same factors, it turns out that applying methodological principles that Brubaker suggests for analysis of nationalism is in fact rather comforting when one thinks about and deals with Serbian ethno-national identity pattern. First: "Nationalism is not engendered by nations. It is produced – or better, it is induced – by *political fields* of particular kinds. Its dynamics are governed by the properties of political fields, not by the properties of collectives."[224] Second: "We should not ask 'what is a nation' but rather: how is nationhood as a political and cultural form institutionalized within and among states? How does nation work as practical category, as classificatory scheme, as cognitive frame?"[225]

Crimes committed by the Serbian side in the post-Yugoslav conflicts give a good reason for questioning the hegemonic collective identity pattern, which has provided legitimacy for these crimes. On one side, we may ask: Who and how did decide which elements would compose the thematic aspects of the cultural representation of Serbdom and what did influence this decision? On the other, it is important to identify what are the resources of Serbian cultural heritage, which are necessary for moral reform and change of dominant patterns. At the same time, it is crucial to avoid legitimizing logic according to which only those elements that are taken from the heritage and that guarantee continuity may be legitimately used. Revealing hidden continuities, activity so dear to those who strive to renovate or reform nations, is in fact part of nationalist symbolic tool kit. Therefore, instead of searching for "lost" traditions, it may be much more useful to look for normative

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[224] Rogers Brubeker, *Nationalism reframed. Nationhood and the national question in the New Europe* (Cambridge: Cambridge University Press, 1996), p. 17.
[225] Ibid., p. 16.

standpoints from which these traditions might be evaluated and new ones formed. In other words, if it turns out that an acceptable moral standpoint, one which can be articulated within Serbian cultural space, does not have respectable or any tradition for that matter, this fact must not be a reason for rejection of this standpoint.

"Inventorying" the heritage in a search for normative standpoints, that is, for valid moral positions is a twofold process. By and through reevaluation of the existing traditions we are at the same time seeking and establishing the normative standpoint. To put it differently, the normative standpoint is partly articulated through interpretations of dominant cultural patterns and their role in justifying or denying committed crimes, and partly defined by projection of needed results of societal changes. An overall cultural work, which is assumed here, cannot be done simultaneously within all social, cultural and political arenas. In fact, what is needed is a sequence of disciplinary researches, whose individual impacts are necessarily limited, but at the same time crucial for the successful transition. What follows in this work represents such a research in the field of Serbian literature.

4.2. Literary criticism and historiography as elements of transitional cultural policy

4.2.1. Conceptualizing a context

Doing literary history could be considered a privileged work. Reading and interpreting works of literature, establishing connections, tracing influences, explicating changes of values and hierarchies, identifying poetic and narrative devices, forms and genres, asking questions about reception and horizons of expectations, describing social conditions and their impact on literary production, explaining how literary production in turn shapes its social environment – all these activities appear to be a safe intellectual enterprise, undertaken out of a pure academic

curiosity, without serious consequences on any of the following sides: a side of historians, a side of writers, a side of readers, or a side of society in general.

Even if one engages in an attempt of resolving the question of literary "evolution," it is still an effort that does not have to cause too much of intellectual pain and risk, although the issue is closely related to other important aspects of literary history, almost predetermining them: establishing literary periods and their sequence, classifying literary works, and, eventually, evaluating them. It revolves around the question of how to define a standpoint from which it would be possible to present a coherent sequence of interrelated works of literature. Such a standpoint ought to enable one to explain and understand, among other issues, changes in literary hierarchies: What did cause them, and what did they cause in return?

It is possible to claim that every new generation of literary theorists and every new theoretical trend have tried to find its own ultimate standpoint. From the nineteenth century French positivists who directly associated literature to its social surroundings and German romanticists from the same period who saw literature as closely related to the spirit of time and nation, which enabled both French and German literary historiographers to understand literary changes, i.e. literary "development," as mirroring social and "spiritual" changes and developments;[226] to Russian formalists and Prague School from the first half of the twentieth century, who tried to establish a theoretical model of literary history by introducing concepts of "system of systems" and literary "center and periphery";[227] to Anglo-American new criticism from the same period, which dealt with literary history through the

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[226] Rene Wellek, *A History of modern Criticism*, Volume 3 (Cambridge: Cambridge University Press, 1981).

[227] Vladislava Ribnikar Perišić, *Ruski formalizam i književna istorija* [Russian formalism and literary history] (Beograd: Posebno izdanje časopisa *Ideje*, 1976); Ann Jefferson, "Russian Formalism," in Ann Jefferson and David Robey (eds.), *Modern Literary Theory* (London: B. T. Batsford Ltd., 1991), pp. 24–45; Feliks Vodička, *Problemi književne istorije* [Problems of literary history], translated from Check into Serbian by Aleksandar Ilić (Novi Sad: Književna zajednica Novog Sada, 1987).

seemingly ahistorical concept of "tradition";[228] to proponents of reception or reader-response theories from the mid-twentieth century who tried to explain the chain of literary periods through the concept of "horizon of expectation"[229] – literary historians have been attempting to elucidate changes in literature by referring to developments outside literature and to preserve a relative autonomy of the literary field at the same time. Taking as its object of research literature of a given period and society, literary history sought to provide an appropriate methodology that would enable it to fulfill its task of establishing continuity-in-change.[230]

However, in spite of the long and fruitful tradition, it is possible to argue together with Pierre Bourdieu, who, some fifteen years after Jauss, repeated that history of literature has been for too long a history of authors and works instead of a history of a given period and society.[231] That is, it sets itself a task that "it never completely performs, because it fails to take it on explicitly, even when it does break out of the routine of monographs which, however interminable, are necessarily inadequate," for "the essential explanation of each work lies outside each of them."[232]

The aim of this section is to outline important aspects of an appropriate framework for a possible history of the Serbian literature in the last decades of the twentieth century. The only existing overall history of Serbian literature ends with reviews of the works published in the first half of the twentieth century. In the appendix of the latest edition of this history, its author Jovan Deretić dedicated few

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[228] T. S. Eliot, "Tradition and the Individual Talent," in *Selected Essays* (London: 1972); Rene Wellek and Austin Warren, "History of Literature," in *Theory of Literature* (New York: Harcourt, Brace & World, Inc., 1956); David Robey, "Anglo-American New Criticism," in Ann Jefferson and David Robey (eds.), *Modern Literary Theory,* pp. 73–91.

[229] Hans Robert Jauss, "Literaturgeschichte als Provokation der Literaturwissenschaft," translated from German into Serbian by Drinka Gojković, in *Estetika recepcije* (Beograd: Nolit, 1978).

[230] M. H. Abrams, "Rationality and Imagination in Cultural History," in *Doing Things with Texts* (New York and London: W.W. Norton & Company, 1991), pp. 113–134.

[231] Jauss, "Predgovor za jugoslovensko izdanje" ["Introduction to the Yugoslav edition"], *Estetika recepcije*, p. 29.

[232] Pierre Bourdieu, *The Field of Cultural Production. Essays on Art and Literature*, edited by Randal Johnson (Cambridge: Polity Press, 1993), pp. 29–30.

pages to a draft of Serbian literary production in the second half of the twentieth century.[233] From everything that has been said so far, it follows that Serbian literature from the second half of the twentieth century ought to be viewed from the perspective of the 1990s: the collapse of the federal state, armed conflicts, mass crimes, building of the Serbian nation-state. But, Deretić's history, with its appendix, did not even start this enormous and serious work. I am inclined to believe that once this work is approached seriously, it will turn out that to deal carefully with the Serbian literary criticism and Serbian literary historiography is even more important than to (re)read the literary works once and again. Therefore, contours of a work that I suggest here are more relevant for establishing a history of domestic literary criticism and historiography. Such a history, eventually, may provide more appropriate ground for interpretating and evaluating works of literature, and delineating main characteristics of literary life in the late twentieth-century Serbia.

4.2.2. Trauma: an origin of a nation

During a long and widespread academic debate that focused on methodological paradigms which could be employed for rethinking literary historiography at the end of twentieth century, some of its participants have optimistically assumed that writing of a literary history is a privileged academic job, without any serious practical risks. Interestingly enough, the fact that designing literary histories is closely tied to particular political interests has not influenced their optimism.[234]

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[233] Jovan Deretić, *Istorija srpske književnosti* [History of Serbian literature] (Beograd: Prosveta, 2003). About the "overall" character of this history, and about its other aspects, see the chapter "Turkey and Toscana," in this work.

[234] Linda Hutcheon and Mario J. Valdés (eds.), *Rethinking Literary History. A Dialogue on Theory* (New York: Oxford University Press, 2002).

Linda Hutcheon, one of the debaters, did not hesitate to claim – and she indeed had a good reason – that any version of a story about the past is inevitably told from the present perspective. It is also always related to cultural establishment and thus to political interests that are legitimized by some kind of "identity politics." Accordingly, Hutcheon is positive that "literary history inevitably serves political interests," and adds that these interests are usually those of the nation-state.[235] Since "literature is signifier of national identity," explains Hutcheon, it can easily "be used to nationalist ends."[236] However, Hutcheon thinks that some aspects of literary history may avoid nationalist – though they cannot avoid identity building – purposes. Her optimism considering literary history comes from the knowledge she has of a deeper structure of a national model of literary history. For Hutcheon, the fact that national model of literary history relies on ethnic and linguistic purity[237] and thus excludes marginalized groups is less important; the fact that a narrative framework of a national history and nation itself is represented as natural and uninterrupted development is of a greater importance. Therefore, the model itself can be used in utopian or interventionist purposes. Namely, the developmental narrative structure of national model of literary history provides an imagery of progress. Such imagery is necessary for underpinning and realizing goals that interventionist politics advocate and wish to deliver into a human history.[238]

This logical twist made by Hutcheon is rather interesting. Since the national model of literary history relies on the developmental – teleological – narrative, it directly relates literature to "specific 'end' or *telos* of cultural legitimation."[239] This

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[235] Linda Hutcheon, "Rethinking the National Model," in Hutcheon and Valdés (eds.), *Rethinking Literary History,* p. 6.
[236] Ibid., p. 14.
[237] Ibid., p. 3.
[238] Ibid., p. 7.
[239] Ibid., p. 5.

legitimation is a twofold process. First: it consists of established analogies between development of national literary history and nation itself – like some national literature that develops over a time and increases in quality, becoming more and more complex and gaining authority, a nation itself matures "from its founding moments to the *telos* of its political apotheosis,"[240] that is, rather often, creation of a nation-state. Second: although she is fully aware that "the *telos* of political apotheosis" is to be achieved on the expense of the marginalized groups, Hutcheon believes that it is more important to stress that literary histories through creating imagery of continuity confer its legitimacy.[241] Thus, the legitimation pattern consists of establishing analogies and constructing continuity: if a nation is the same as its literature, then literary continuity testifies to the continuity of a nation. Specific national ends, such as formation of a nation-state, are legitimized by referring to continuity of a nation, which is established through analogy with its literature, that is, its literary history.[242] Both aspects enable Hutcheon to make a logical leap: the developmental narrative model, together with an identity analogy it implies, meet needs of historians who belong to marginalized groups and seek

> ... to recover and document a cultural heritage, as well as to contribute to it and its future: through the very structure of this kind of literary history, they can embody the progressivist intentions of their political agenda. Their scholarly work is designed to identify, reevaluate and then institutionalize a usable past – usable, that is, for the future, for interventionist rather than purely conservationist (or, for that matter, conservative) purposes.[243]

Here, it is possible to infer that legitimacy, derived from the identity analogy and the narrative, teleological construction of continuity with some hidden and then

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[240] Ibid., p. 7.

[241] Ibid., p. 7. How this logic of confering legitimacy operates in Dimitrija Bogdanović's historical studies on Serbian medieval literature see the chapter "Ministry of pain: unauthorized identities in a represive culture"; on legitimizing patterns produced by histories of Serbian literature see the chapter "Turkey and Toscana."

[243] L. Hutcheon, "Rethinking the National Model," p. 11.

revealed heritage, is necessary for creating a disposition for ideological consensus about utopian projection into the future and interventionist goals, as it was necessary before to justify creating of a nation-state. Therefore, literary historians of feminist, ethnic, African-American, and gay, lesbian, or queer provenience have recently appropriated such a narrative, initially provided by the national model of literary history.

The whole theoretical operation undertaken by Hutcheon with the clear goal to explain methodological choice which literary historians from marginalized groups made – they have purloined the model responsible for their own marginalization, hoping that it would be possible to adjust it and use it for their utopian and interventionists purposes – remains, however, fragile and open to criticism. Indeed, Hutcheon is too good literary critic to be unconscious of problems that emerge from her analysis:

> Adapting such a legitimating national(ist) model to the different, if related, ends of identity politics is not without serious dangers. The most obvious involves the basic decision of how a group defines itself. How does it determine its boundaries? For determine them, it appears, it must. To establish its identity, a group must be inclusive (to assert community) but also exclusive (to assert its difference from others), and therein lies the problem.[244]

Furthermore, the legitimizing aspects of the developmental, teleological narrative of a national model of literary history are not endangered only by the problem of establishing boundaries. In fact, the central question is whether Hutcheon was able – or whether it is at all possible – to suggest another legitimizing pattern. If we stay within the framework of (Serbian) literary historiography, the question is whether literary historians are allowed to neglect requests posed by identity politics, especially in those societies in which these politics are expressed in a particularly

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[244] Ibid., p. 10.

aggressive manner. Is it possible to create a valid literary history that works against establishment of ideological consensus and challenges legitimacy of projections of an existing national identity? Is it possible to conceive a historical narrative different from those that tend to establish 'pure' – linguistic, ethnic, whatever – continuity with 'origins'? These questions become particularly important when origins or ends are traumatic.

Hutcheon demonstrates her firm optimism regarding possibilities of literary historiography when she speaks precisely about traumatic origins of postcolonial nations. Unlike other nations, postcolonial nations – at least when it comes to literary historiography – do not ground themselves in memories of heroic deeds and glorious beginnings; on the contrary, they are marked by experienced and remembered trauma of imperial rule and their own reaction to this experience. Although she is fully aware that trauma "has an impact upon its perpetrators and collaborators, on bystanders and resisters," Hutcheon is mainly interested in effects which trauma has on victims.[245] She is therefore able to speak about "continuing power of those teleological narratives of literary history," explaining that strength of those narratives may be in their capacity to be "re-read as a necessary form of 'testimonial resolution' of witnessing trauma or even as collective, enabling recovery narratives."[246]

It is rather clear by now that in the case of marginalized groups or postcolonial nations Hutcheon conceptualizes literary histories as mainly future-oriented enterprises which are aimed at justifying utopian or progressivist intentions, recovery being one of these intentions. These histories are modeled upon national histories that were used to legitimize nation formation (i.e. the very process that produced and harmed marginalized and colonized groups). Legitimacy supposes establishment of continuity with revealed/chosen/imagined/imposed origins. Even in cases of apparent

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[245] Ibid., p. 20.
[246] Ibid., p. 23.

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interruptions of continuity – clearly, social trauma of colonization or ethnic cleansing is such a case – instead of talking about damaged communities, Hutcheon chooses to talk about creation of new communities, implying continuity through responsibility of remembering. Yet, to view trauma as a new beginning and, moreover, to view it as such only from the standpoint of victims who work on their recovery is not the only option.

The question at stake is: What does trauma look like from the perspective of perpetrators? In other words, what is an appropriate trauma-related narrative model for literary historiography within the culture of accomplices? Furthermore, what is a legitimazing significance of continuity within such a culture? And, eventually, how to conceptualize history of literature that precedes trauma, that is, mass crime? In the light of the methodological paradigm of national model of literary history, it may be argued that existing works of Serbian literary historiography ought to be read as legitimizing instruments for achieving an ideological consensus in realization of *telos* of Serbian "political apotheosis," which at the end turned out to be traumatic for both its protagonists/perpetrators and victims. If we are drawing upon premises intrinsic to the methodological paradigm of national model of literary history, we should meet two demands: such a history must put forward patterns of literary historiography that were used to legitimize processes whose results turned to be traumatic; such a history must question and reevaluate these patterns and consequently make room for establishing new ones.

4.2.3. *What is on the horizon?*

Unlike benevolent Hutcheon, Mario J. Valdés warns that literary histories provide "ample evidence that identity politics is a war of words"; in this war, literary histories in fact serve as arsenals of images, symbols, and concepts of belonging, that

is, symbolic tools that are used in a rivalry for political and economic domination.[247]

In other words, in terms of the function for their users, literary histories are sources of legitimacy of a tradition to which users belong: these histories at the same time produce and legitimize such a heritage as a subject of attachment and identification.[248] Valdés claims that this war of words cannot be avoided, and this is why it is important for historians of literature to keep in mind that they actively participate in it. Therefore, a sound literary history ought to offer an effective account of processes of creation, movement, and reception of symbolic goods, since it is through these processes that cultural identities are being established and maintained. To put it differently, transactions of symbolic goods determine who belongs to which heritage, and what this heritage consists of.[249]

Valdés advocates for a kind of hermeneutic approach to literary history. If such an approach is coherently applied, a resulting history may transgress limits of a methodological paradigm of national model of literary history. While traditional models of literary history constrain, repeat and institutionalize writing about the past, an effective literary history informs us about works of literature from previous periods and puts them within a context of a given literary culture.[250] Although Valdés does not refer to Bourdieu at all, he finds a hermeneutic way out from constraints of a national paradigm following an idea very similar to Bourdieu's conceptualization of field of literature.[251] A historian of literature, Valdés explains, has to explicate

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[247] Mario J. Valdés, "Rethinking the History of Literary History," in Hutcheon and Valdés (eds.), *Rethinking Literary History,* p. 66.
[248] Ibid., p. 65.
[249] Ibid., p. 73.
[250] Ibid., p. 68.
[251] Let me repeat it once again, Bourdieu argues that history of literature has been for too long a history of authors and works instead of a history of a given period and society. That is, it has set itself a task that "it never completely performs, because it fails to take it on explicitly, even when it does break out of the routine of monographs which, however interminable, are necessarily inadequate," for "the essential explanation of each work lies outside each of them" *(The Field of Cultural Production,* pp. 29–30).

relations between an author's explicit intentions and realizations of these intentions in a work of literature, in its intentionality as a cultural artifact. However, these intentions are also realized within a context of an author's community. This context consists of material and institutional conditions of literary life, which Valdés terms literary culture. Therefore, for Valdés, "literary historical truth lies neither in an accurate representation of the author and author's intentions, nor in a detailed analysis of the author's work, but rather in the movement between the one and the other fully accounted for in the context of the author's community."[252] Thus literary history inevitably becomes a history of literary historiography and criticism as well.

Based on what was previously discussed, one should expect new histories of Serbian literature to tell a story about the continuity of a collective. However, the purpose of such a story must not be to confirm once again an already established legitimizing pattern. It should rather demonstrate how this continuity was constructed, in the name of what values and norms, and for what purposes. It is also important to explicate what was rejected through the process of identity formation as unworthy constructive material, what was ruined and who was damaged by chosen materials.

In chapters 5, 6, and 7, I am describing and discussing an inventory of identity patterns produced, reproduced, and sustained within the field of Serbian literature. These patterns served as a basis for formation of an ethnic set of myths of common origins, shared historical memories, elements of common culture, and a measure of ethnic solidarity. In chapter 5, an understanding of communal continuity, continuity that goes back to the common origins from the ancient past through an incessant sequence of great men and their dead bodies, is put forth by the analysis. Chapter 6 works with a notion that literary histories confer legitimacy by creating imagery of

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[252] Valdés, "Rethinking the History of Literary History," p. 64.

continuity. Chapter 7 looks at patterns of ethnic unity and solidarity, which are created through images of collective sufferings.

Chapter 5
MINISTRY OF PAIN: UNAUTHORIZED IDENTITIES IN A REPRESSIVE CULTURE

Is there a relationship between prevailing cultural patterns in Yugoslavia and Serbia in the last decades of the twentieth century and sexual torture of male prisoners in detention camps in Croatia and Bosnia and Herzegovina in the 1990s? What is this relationship about? This question came across my mind while I was reading Dubravka Ugrešić's novel *Ministry of Pain*. My question is formulated in the rhetoric specific to studies that explore and analyze to some extent similar crimes, that is, the abuse of women in armed conflicts. I am referring in particular to planned, mass rapes of women of one ethnic belonging done by members of another ethnic group, which is what happened within detention camps after the collapse of the Yugoslav federal state.

Central to these studies is the argument that systematic sexual abuse against women is used to treat them as *ethnic female bodies*.[253] A specific conceptual framework within which woman is viewed as a possible site of pollution of ethnic group defined in patrilineal terms, that is, a point of entrance of 'foreign' blood, is what makes possible to treat woman's body as ethnic female body. Accordingly, women's bodies, especially in terms of their sexuality, procreation, and marriage,

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[253] See, for example, Dubravka Žarkov, "Gender, Orientalism and the History of Ethnic Hatred in the Former Yugoslavia," in Helma Lutz, Ann Phoenix and Nira Yuval-Davis (eds.), *Crossfires. Nationalism, Racism and Gender in Europe* (London: Pluto Press, 1995, pp. 105–141): "In the political practice of the 'ethnic war', the female body physically present and, consequently, dealt with in bodily, if not mortal, terms. Thus, rape is a 'natural' element of an 'ethnic war'. It is a 'natural' element of male power to define the boundaries of its own 'ethnic group' by defining women of the 'Other' through rape, and thus defining the female body as the *ethnic female body"* (p. 113).

must be strictly controlled. By the same token, women from "other" groups become targets in armed conflicts. All these things give reason to argue that women embody boundaries of patrilineal ethnic community.[254] By doing mass rapes of women from "other" community, perpetrators symbolically deny rights over a certain territory to the "other" group. Moreover, community of perpetrators tries to endanger progeny of "other" group. Mass rapes are used to overtake another group's territory and progeny.

Systematic sexual torture of men imprisoned in detention camps throughout Croatia and Bosnia and Herzegovina was significantly less present in media than mass rapes of women in post-Yugoslav wars. Scholars did not pay much attention to this issue either. Yet, there is a significant amount of academic literature which establishes and explores relations between male body, sexuality, and self-understanding of a nation.[255] However, this knowledge has not been used to its full potential in analysis of the sexual abuse of male war prisoners in the post-Yugoslav conflicts.[256]

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[254] See, for example, Nira Yuval-Davis, *Gender & nation* (London: Sage Publications, 1997): "A variety of cultural, legal and political discourses are used in constructing boundaries of nations [...] these boundaries are constructed in order to sort people into 'us' and 'them' and stretch from generation to generation. [...] The central importance of women's reproductive roles in ethnic and national discourses becomes apparent when one considers that, given the central role that the myth (or reality) of 'common origins' plays in the construction of most ethnic and national collectivities, one usually joins the collectivity by being born into it. [...] It is not incidental, therefore, that those who are preoccupied with the 'purity' of the race would also be preoccupied with the sexual relationships between members of different collectivities" (pp. 26–27).

[255] See, for example, George L. Mosse, *Nationalism and Sexuality. Respectability and Abnormal Sexuality in Modern Europe* (New York: Howard Fertig, 1985); Klaus Theweleit, *Male Fantasies,* translated by Stephen Conway, Erica Carter and Chris Turner (Minneapolis: University of Minnesota Press, 1987).

[256] However, this does not apply to researches and studies done by Dubravka Žarkov. For years now, she has been trying to draw scholars' attention to cases of sexual abuse of men during armed conflicts in the Yugoslav region in the 1990s. She herself dealt seriously with this issue in a number of academic articles. Although Žarkov's articles present reliable sources (which is the reason why I refer to her work quite often), she sometimes fails to explain some important aspects of planned sexual torture of male prisoners in Croatia and Bosnia and Herzegovina. It seems to me that this failure might be caused by Žarkov's neglect of specific cultural patterns of ethnic self-understanding. These patterns were constitutive elements of socio-cultural context at the time, a context within which crimes were committed. Žarkov's neglect is partly a result of an analytical framework she chose for her research. I would say that some of her theses and conclusions have limited validity, especially those which assume that sexual torture of male prisoners was not in the focus of general discussion because it has always been easier to cope with humiliation of women than with humiliation of men. Put differently, "in cast of gender roles, man cannot be Victim of Rape." See Dubravka Žarkov, "Silovanje tokom rata u Bosni," *Temida,* May 1998; also see an English version of the same text, in which the theoretical framework for the analysis of sexual abuse of men in the former Yugoslavia is more elaborated, but

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It has been already noticed that various reports offer accounts of male sexual violence, suggesting at the same time that in terms of numbers, these cases are incomparable with the widespread and systematic rape of women. However, "the high number of male sexual violence prosecutions by the ICTY does not reflect these differential patterns and scales of sexual assault":[257]

> There have been 17 cases of sexual violence out of a total of 35 completed cases heard by the ICTY. [...]
> Seven cases include counts of sexual violence solely against female victims, three against male victims and four involving both male and female victims. The second notable aspect is that over 40 percent (7 out of 17) of the total number of these cases include charges in which men are the victims of sexual violence.
> [...] Of a total of 476 counts, 108 involve sexual violence counts, that is, approximately 20 percent of all counts. Of these sexual violence counts, 64 involve offences against women; 31 against men; 5 against both men and women; with 8 unspecified.[258]

These data go against common expectations that are grounded in "generally agreed predominance of sexual violence against female victims in the conflict" as well as in "the general lack of visibility of male sexual assault in the Yugoslavian conflict; both in terms of media coverage and in comparison to the institutional and legal focus upon sexual violence against women."[259] Yet, according to other resources, this differential scale of gendered assaults provided by the ICTY data is not surprising. Some researchers operate with the number of 4,000 cases of sexual violence against men in Serbian detention camps.[260] There are also evidences for sexual torture of men in Croatian detention camps.[261]

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still, in my opinion, inadequate: "The Body of the Other Man," *The Body of War* (Durham and London: Duke University Press, 2007), pp. 155–169.

[257] Campbell, "The Gender of Transitional Justice: Law, Sexual Violence and the International Criminal Tribunal for the Former Yugoslavia," p. 423.

[258] Ibid., p. 422.

[259] Ibid., p. 423.

[260] On December 9, 2004, *Feral Tribune* published an interview with Mladen Lončar from Medical center for people rights, an expert of the Hague Tribunal. The interview was about the mass sexual abuse of male war prisoners in Croatia and Bosnia and Herzegovina – "the biggest secret of the past war." During seven years of research, Lončar found evidence for 4,000 cases of sexual torture of men,

This chapter is an attempt to answer the following question: bearing in mind an analogy with mass rapes of women, what can systematic sexual abuse of men tell us about the culture of the community of perpetrators?[262] I have rarely encountered attempts to formulate and answer this question in either academic literature or narrative art that deals with the collapse of Yugoslavia and conflicts that proceeded it. In this respect, Dubravka Ugrešić's novel might be considered an exception.

5.1. Father and son

One of the episodes of *Ministry of Pain* has been located in the courtroom of the Hague Tribunal. A professor of "Serbo-Croat" literature at the department of Slavic languages at the University of Amsterdam, who is, at the same time, the main character in the novel and the I-narrator, went to Hague to see a father of one of her students, a student who recently committed suicide. The student's father was accused for mistreatment of prisoners in a Bosnian detention camp:

> A long and boring list of details, which does not make any sense to us, had to prove that Uroš's father, in his spare time, together with other two men, went to nearby barracks, where his neighbors, Muslims, were imprisoned. He forced them to have sex with each other. He particularly liked to watch "father to son" and "son to father" intercourses. When he had it enough, he would beat them to death.[263]

that is, Croats prisoners in Serbian detention camps. The analysis of these crimes gave him good reasons to believe that sexual abuse was an inseparable part of the torturing plan.

[261] In the military barracks of the former Yugoslav People's Army in Split, members of Croatian military forces sexually abused imprisoned Serbs.

[262] Here it is useful to bear in mind suggestions thoroughly elaborated in Kirsten Campbell's article "The Gender of Transitional Justice: Law, Sexual Violence and the International Criminal Tribunal for the Former Yugoslavia." The acts of systematic mass sexual violence, explains Campbell, are closely tied "with imaginary content in relation to specific social contexts – in this society, this is what it is to be a man, and this is what it is to be a woman – and the content of these is itself subject to contestation in conflict." "To identify the specific harms of sexual violence in particular conflicts", she continues, "it is therefore necessary to identify how notions of sexual difference are given meaning in that social context" (p. 429).

[263] Dubravka Ugrešić, *Ministarstvo boli* [Ministry of pain] (Beograd: Fabrika knjiga, 2004), p. 151 [my translation].

Ugrešić's narrator creates a direct causal link between Uroš's suicide and the story about his father: Uroš was too ashamed of his father and he simply could not stand the embarrassment.[264] However, as the novel approaches to its end, the narrator introduces another possible motive for suicide: Uroš had had a homosexual experience several days before he committed suicide.[265]

Homosexuality, that is almost a leitmotif in the novel, is introduced in the first half of the story. The theme of homosexuality is elaborated through and by an ironic description of Serbian and Croatian love poetry: "Furthermore, they [our poets] like very much to devote their poems to one another. They sing to each other. I don't even want to comment on this. It's clear what it means."[266] Also: "Our poets can write about women only if those women are already dead. It is as if they hardly waited for a girl to die so that they can make some verses about her."[267]

Sexual abuse of prisoners for which Uroš's father was accused, Uroš's homosexual experience followed by the suicide, and highlighted homoerotic features in domestic love poetry all belong to different levels of narration and meaning in the novel. Love poetry is an object of ridicule in the schoolwork of one student, who says that viewpoints in his essay come from one of his friends. This double distancing

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[264] Ibid., p. 136
[265] Ibid., p. 288.
[266] Ibid., p. 81. George Mosse considered homoeroticism to be "a principal agent of national renewal," when he spoke about a circle of male followers formed by German poet Stefan George. Mosse, however, stressed that in this case homoeroticism ought to be clearly distinguished from homosexuality. George's poetic ecstasies, according to Mosse, might be interpreted as the sublimation of sexual desire. However, there still is a central relationship that George saw between a beautiful male body and a beautiful male soul – the former is a mirror image of the latter. Furthermore, George never forgave his male followers who got married. Mosse concluded: "Curiously enough, almost all of those who have written about Stefan George and his circle have downplayed its stark homoeroticism and concentrated instead upon George's poetry and his love of Greece, itself an interesting example of how to treat the homoerotic male as a national hero" *(Nationalism and sexuality,* p. 60). Ties between beautiful male souls, which can be also termed masculine homosocial bonding, and sublimated homosexuality are equally important for my analysis.
[267] Ugrešić, *Ministry of Pain,* p. 83.

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from the narrator may be interpreted as the author's intention to lessen the significance of mockery.[268]

Above mentioned four narrative elements do not succeed each other, neither in terms of *sujet* (sequence of events in the story) nor in terms of the cause-effect relations. In fact, the causal relation between the prosecution of Uroš's father and Uroš's suicide is established after the both events had already taken place. But, the significance of this relation is undermined by the episode about Uroš's homosexual experience. It is impossible to link a school essay on homoerotic motifs in Serbian and Croatian poetry to other events the narrator tells about – this essay does not have any influence on the story. This said, it is reasonable to raise the following questions: Why does Dubravka Ugrešić need the ironic analysis of Serbian and Croatian poetry? What is the role of homoeroticism in the novel? How does this homoeroticism relate to the torture of war prisoners and, also, to Uroš's homosexual experience and suicide? Put differently: What is the function of the inserted essay about domestic poetry and the repetition of complex homosexual images in establishing the meaning of the novel?

Basically, there are two possible interpretations. Either these narrative segments contribute to the overall narrative meaning, or the fragmentary novel falls apart into unrelated pieces. I believe that mentioned narrative segments constitute a narrative thread that delineates a broader context. The novel's characters act within this context and they are partly shaped by it. Furthermore, the short essay on domestic

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[268] On the other hand, this schoolwork was written by Igor, the brightest student, with whom the teacher has a love affair. Also, Igor and the teacher went together to the Hague Tribunal. That Igor occupies a privileged position within the narrative structure is beyond question. The schoolwork is written as a part of the teacher's and students' joint attempt to revive the past that ideologist of new, post-Yugoslav states have been trying to erase. Thus, Igor's essay functions as an important element in putting together a puzzle of former everyday life, that is, its destroyed frame. In this light, the effect of double distancing may be seen as a narrative strategy that suggests detachment, that is, neutrality of presented views.

poetry may be read as a narrative indication of an overarching pattern, which encompasses all other homoerotic narrative elements. Although in a perverted and extreme way, among these elements is also a sexual abuse of prisoners. 'A guy singing to another guy' is a concise, sharp and ironic formula that implies a specific form of nationalism. This form links reproduction of national spirit to a culture produced mainly by men. At the same time, the formula represents ironic distancing from such a culture.

Privileging of masculine homosocial bonding within the field of cultural production usually indicates a community obsessed with maintaining its own purity. A compulsory request for purity is normative in the case of patrilineal biological reproduction of a community. Heterosexual male is authorized, but also forced, to fulfill a demand for pure biological reproduction of a group. Thus, both female and male sexuality is the object of strict control. A 'guy' can and should 'sing to another guy', because this is a way to sanction and reinforce male power within the realm of culture; yet, he should not have an intercourse with another guy, because pure biological reproduction of a community would not benefit from a homosexual act. Nevertheless, a membrane which divides masculine homosocial bonding from homosexuality, noble male souls from beautiful male bodies, is very porous and it needs to be protected at any cost.[269] Within such a cultural configuration, shame caused by father's abuse of prisoners, on the one hand, and homosexual experience, on the other, are reasons strong enough to make someone to commit suicide.

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[269] See Eve Kosofsky Sedgwick, *Between Men. English Literature and Male Homosocial Desire* (New York: Columbia University Press, 1985). Sedgwick detected a clearly drawn line between various forms of male homosociality and homosexuality in English culture in the period between the mid-eighteenth and the mid-nineteenth century. Therefore, she rejects apparent universal and timeless nature of explanations according to which "compulsory heterosexuality" within patriarchal structures is intrinsic to kinships dominated by male members. For the same reason, she rejects the idea that homophobia is an inevitable result of patriarchal institutions, e.g. heterosexual marriage. However, she does not deny validity of these explanations in the case of contemporary European societies. Yet, Sedgwick claims that there is no clear disruption of a continuum between homosocial and homosexual in contemporary European societies.

5.2. Images from hell

As it was already stressed, stories of Bosnian Muslim women, who were systematically raped by members of Serbian military and paramilitary forces in the 1990s, have been thoroughly documented and discussed. On the other hand, to repeat it as well, systematic sexual abuse of men, which occurred throughout Croatia and Bosnia and Herzegovina at the same time, was not given equal attention. In fact, there was almost no attention paid to such cases. Even a well informed reader of the *Ministry of Pain* might think that Dubravka Ugrešić simply made up the story about Uroš's father, a former officer in the Yugoslav People's Army (JNA). In other words, the reader may think that Ugrešić constructed the story by using imagined possible events of sexual abuse of men in one of the Bosnian detention camps, in order to offer a convincing suicide case to the reader. Unfortunately, it is more likely that the author used actual testimonies given in the courtroom of the Hague Tribunal to create the narrative episode in the novel. What follows is the excerpt from one of the testimonies from the Tribunal. It refers to crimes committed in the Cultural center in Čelopek, small town on the Bosnian side of river Drina:

> We have quite a number of witnesses, but I would mention the example of one witness who speaks of a serial rape of men, sexual abuse of men. He describes that it was horrific. There were about 170 detainees there. There were uniformed men who called out eight of the detainees, fathers and sons. Our witness was not with his father, so they took his uncle. And they forced them to climb onto the stage and to strip. Then they forced them to do sexual abuse of various kinds. Afterwards, the detainees were forced to bite off each other's penises, and all this was under the control of men in uniform on the stage. And when they found that three detainees did not fulfill their assignment, they were sentenced to death.[270]

Unlike systematic mass rapes of women, these "visions of hell, where the only boundary to the torture inflicted on the prisoners was the limit of their captors'

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[270] www.icty.org/x/cases/slobodan_milosevic/trans/en/030310ED.htm (last accessed January 26th 2010)

imagination"[271] were not in the focus of media attention or analytical exploration. Is it possible that systematic sexual abuse of men could not alarm the public, trigger moral panic, make people upset, and eventually make them do something? Were these violent acts less accessible from theoretical standpoints mentioned in the beginning of this chapter than sexual abuse of women? One incident that occurred in 1985 and its consequences give us enough reasons to believe differently. In other words, possible answers to the previously posed questions need to be negative.

On the May 1, 1985, Đorđe Martinović, a lower officer of the Yugoslav People's Army, who worked in the Army's Cultural Center in Gnjilane, was accepted to the local hospital with severe internal injures. It turned out that these injures were caused by the brutal insertion of a glass bottle into his rectum. Martinović explained that while he was working in the field, two masked men, speaking Albanian, attacked him. A week later, however, the provincial authorities issued an official statement: Martinović had hurt himself in an act of masturbation. Yet, majority of Serbian population was convinced that Kosovo's authorities invented the story of self-mutilation in order to hide from the public the grave circumstances in which Kosovo Serbs lived. Eventually, "Martinović's case, which combined potent images of Serbian suffering under the Turks and of violated Serbian masculinity by the primitive, brutal and oversexed Albanian became the central symbol of the Kosovo question."[272]

It did not take long for people to stop thinking what really happened to Đorđe Martinović on the May 1, 1985. People generally considered one of two offered versions to be true and they usually did so in accordance with their personal attitude to the Serbian-Albanian question. Martinović died in September 2001. On the occasion of his death, newspapers in Belgrade recapitulated the entire case. It was

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[271] www.un.org/icty/transe3940/021218IT.htm

[272] Dragović-Soso, *"Saviours of the Nation,"* p. 132–133.

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said that Martinović worked in the Army's Cultural Center in Gnjilane. It was repeated that Albanians attacked and hurt him. It was once again stressed that provincial, military and federal authorities tried to cover up the case by accusing Martinović of self-harming. And it was underlined that Martinović became a metaphor of Serbian suffering from the very beginning.[273]

In 1986, a Belgrade branch of Slovenian publishing house Partizanska knjiga [Partisan's Book], from Ljubljana, printed 50 000 copies of the monograph *Slučaj Martinović* [The Martinović Case] in Belgrade's printing house BIGZ.[274] In the year 1989, "the most compelling image of Martinović as a Serbian martyr was provided by artist Mića Popović." As soon as he received a full membership in the Serbian Academy of Arts and Sciences [SANU], Popović showed to his fellow colleagues a monumental painting entitled "1 May 1985":

> This painting was not only the largest he had ever painted, but also one of the largest of Yugoslav post-war art. Inspired by Jose de Ribera's 17th-century depiction of 'The Martyrdom of St. Bartholomew', it showed Martinović being raised on the cross by Albanians (recognizable by their skullcaps), a bottle pointing towards him ominously. The collusion of the regime is represented by the image of a policeman watching the crucifixion of the Serbian Christ.[275]

For many months Popović's painting was exhibited in the window of a gallery in a Belgrade's downtown shopping street. Similar to Popović, Serbian poets depicted Martinović as a "martyr with a crown of thorns," or devoted their poems to "Đorđe Martinović's bottle."[276]

The case of Martinović clearly demonstrates that it is possible to use sexual torture of men to create images and opinions. In this particular case, the story about

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[273] http://www.glaskim.co.yu/glasnik/brojevi/broj23.htm
[274] Both the publishing house and the printing house were owned by state and run by state officials.
[275] Dragović-Soso, *"Saviours of the Nation,"* pp. 133–134.
[276] Ibid., p. 133. These are excerpts from Stevan Raičković's poems "Krvava brazda" ["Bloody Furrow"] (1986) and "Kapija Šumadije" ["Šumadija's Gate"] (1988), from the collection *Suvišna pesma* [A Redundant Poem] (Beograd: Srpska književna zadruga, 1991); and Milan Komnenić's collection of poetry *Izgon* [Expulsion] (Beograd: BIGZ, 1986).

Martinović provided compelling images of the 'suffering Serbian nation'. These images participated in creation of powerful impression of Serbs as victims. Martinović's case was mythologized and transformed into an effective symbol of maltreatment of Serbian community in Kosovo. Furthermore, Martinović's wounds inevitably brought to mind, due to educational system all students in Serbia had to go through, the brutal practice of impaling used by Ottoman rulers against local Serbian population and, consequently, the five centuries long torment of Serbs within Ottoman Empire.[277] Therefore, it is possible to ask: Why were not serial rapes and mass sexual tortures of war prisoners in ethnic conflicts in Croatia and Bosnia and Herzegovina used to create similar images of victimized nation? To put it differently: Why were not they used to create new images of suffering, ones which would strengthen the already existing image of the "victim" in national self-perception, securing even stronger support for war endeavors? For example, why were not horrific stories about sexual abuse of imprisoned Serbs used to motivate more people in Serbia to join Serbian military and paramilitary forces?[278]

Circumstances in the second half of the 1980s, that made possible to transform one incident into a metaphor of 'the suffering nation', were quite different from circumstances in the early 1990s, when no one talked about mass and systematic sexual torture of male prisoners. However, the change of circumstances does not mean that prevailing cultural patterns have also changed. The question is whether it is

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[277] The fact that a historical "other" has changed – i.e. now, the "others" are Albanians instead of Turks, does not undermine effectiveness of symbolism evoked by the "cross against moon" battle. "This means that original rhetoric that referred to Turks as 'others' is still valid, and that symbolic invocation of cross or moon enables articulation of an attitude toward current circumstances in a seemingly familiar way, which results in, to use Bakhtin's phrase, 'ignoring what is really present in present and what was there in the past'" (Milica Bakić-Hayden, *Varijacije na temu Balkan* [Variations on the Balkans] [Beograd: Institut za filozofiju i društvenu teoriju/"Filip Višnjić", 2006], str. 126).

[278] As it was said, in the military barracks of the former Yugoslav People's Army in Split, members of Croatian military forces sexually abused imprisoned Serbs. However, I did not come across a single attempt to compare victims of this abuse to Đorđe Martinović, nor the prisoners were presented as martyrs who symbolically embody the suffering nation.

possible to identify patterns that are applicable to both periods and, by doing it, set the ground for better understanding of the public behavior.

5.3. Homoeroticism as patriotism

When he talks about masculine domination, Pierre Bourdieu points out that "penetration, especially when performed on a man, is one of the affirmations of the *libido dominandi* that is never entirely absent from the masculine libido." Once he established a relationship between sexuality and power, Bourdieu concludes that "the worst humiliation for a man is to be turned into a woman" by penetration.[279] This notion of "the worst humiliation" has a key role in explaining why Martinović's case was almost immediately transformed into a metaphor of "the worst humiliation" that Serbs in Kosovo experienced. He was physically injured both as a man and as a Serb. And he was injured in a specific way that implied "the worst humiliation." All this initiated and, also, permitted a metonymical move towards the entire nation: Kosovo Serbs suffered a lot and experienced the worst humiliation, because Kosovo Albanians' claims to "Serbian" territory represented penetration into the Serbian ethnic *male* body.

In the second half of the 1980s Serbian media often reported about Serbian women who were raped by Kosovo Albanians. However, while those women kept their status of unnamed victims in the news, Đorđe Martinović kept his personal name in the process of mytholization. So, although the processes were similar, the treatment of women and men differed. When there was a talk about raped Serbian women, to those women was referred only in plural, without using names. They were completely depersonalized. From the perspective of endangered nation, relationship between

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[279] Pierre Bourdieu, *Masculine Domination,* translated by Richard Nice (Cambridge: Polity Press, 2001), pp. 21–22.

sexuality and power does not give enough material to explain differences between *ethnic male body,* which can take on both collective and personal identity, and nameless *ethnic female body,* which can obtain only collective identity.[280] It is the particular type of culture that makes possible that the entire nation/ethnic group identifies with one man.

The culture in question is shaped by the specific notion of tradition. This tradition is believed to represent a direct link to the "ancient" past times. More precisely, this tradition assumes a continuous production and maintenance of various cultural contents created by noble male souls. Within such a culture, national spirit is reproduced and reinforced by remembering names and preserving works of great men. 'Great' works of 'great' men also include personal suffering and unbearable pain, almost one's "creative death." Indeed, there is one important condition that needs to be fulfilled beforehand: a suffering person, one who is in pain, and sometimes dies, must be a male. Only then is possible to remember this great person by his name.

An illustrative example of such an understanding of national culture and spirit (an understanding which still prevails in the region of former Yugoslavia, and especially in Serbia) is found in *Istorija stare srpske književnosti* [History of Old Serbian Literature] by Dimitrije Bogdanović. Bogdanović uses the image of a book that functions as semen to explain – and also establish – synchronic and diachronic unity of Serbian nation:

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[280] Here I am following arguments made by Katherine Verdery, who analyzed Romanian nationalism. She explained that George Mosse's claim that "much nationalism rests on homosocial masculine bonding" is not sufficient to fully understand specific character of Romanian nationalism. This nationalism suggests "a peculiar kind of lineage [...] one that reproduces itself without recourse to females or even to sex." Thus, the stress is "primarily on the national spirit and its reproduction through culture (created by men) or through men's creative death – that is, women may create life in this world, but more fundamental to the nation's continuity is its life eternal, ensured through culture, heroic deeds, and qualities of the spirit: the realm of men" (Katherine Verdery, "From Parent-State to Family Patriarchs: Gender and Nation in Contemporary Eastern Europe," *What Was Socialism and What Comes Next?* [Princeton: Princeton University Press, 1996], pp. 61–82; here p. 73). See also footnote 272.

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... [a book] connects and binds separated pieces of the nation and sustains its spiritual unity and its historic consciousness. [...]

Like dispersed semen, [books] carried with them a seed of vivid, rejuvenated consciousness, true testimony about the past, authentic contents of medieval culture. Every old book in XVIII and XIX century was for good reason called "book on old customs" or "ancient book" among Serbian people. Knowledges about times of freedom and glory, even if vague ones, but still firm, were read from those books.[281]

For Bogdanović, "to be conscious of fatherland" [svest o 'otačastvu'] or "to love fatherland" [otačastvoljublje][282] is something that brings one nation together within "lasting cultural community." The consciousness and love (that is, patriotism) have their most powerful expressions precisely in literature.[283] According to Bogdanović, historic and patriotic consciousness of Serbian people have been naturally developed and sustained by "developing and preserving cults of Serbian rulers and archbishops from Nemanjić's family, and following the tradition established by St. Sava." Since we are discussing spiritual qualities – i.e. semen stored in books, physical death is not a threat to "lasting cultural community," that is, to the identity of the nation.[284] Quite the opposite, Serbian monasteries may be considered

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[281] "... [knjiga] povezuje i objedinjava razdvojene delove naroda i održava njegovo duhovno jedinstvo i njegovu istorijsku svest. [...] Kao rastureno seme, nosile su [knjige] sa sobom klicu žive, podmlađene svesti, verno predanje o prošlosti, autentičan sadržaj srednjovekovne kulture. Nije se bez razloga svaka stara knjiga u srpskom narodu XVIII i XIX veka nazivala 'starostavnikom', 'knjigom starostavnom', iz koje su se iščitavala znanja, makar i maglovita, ali nesumnjiva, o vremenima slobode i sjaja" (Dimitrije Bogdanović, *Istorija stare srpske književnosti* [History of old Serbian literature] [Beograd: Srpska književna zadruga, 1991], pp. 45, 47).

[282] These are outdated words. Their usage in contemporary Serbian language is supposed to suggest their ever lasting validity that is rooted in ancient times of pride and glory.

[283] Ibid., p. 92.

[284] However, death is not the only obstacle that needs to be overcome within described self-understanding of ethnic community. The exclusion of women is also required within such national self-understanding, at least within its highest [national] domains. "The basic principle of (male) nationalism as the exclusion of the Other thus means the *negation of the origin in and with the other(s)*. It is a claim for purity and monism, both national and sexual" (Rada Iveković, *Captive Gender. Ethnic Stereotypes & Cultural Boundaries* [New Delhi: Women Unlimited, 2005], p. 18). By his birth, man is related to the other sex, "he is born of the *other* sex." Many psychoanalytic theses come from interpretation of this simple fact: "male fantasy" is preoccupied by imagining how dangerous for man, for his masculinity, and for a community as a whole, may be to cross the boundary that divides him from the Other (Ibid., pp. 10–11). All previously said points to the concept of *vagina dentata* and, at the same time, suggests that pure and eternal reproduction is only possible through male cultural production, in which books are semen and seed of national consciousness. In other words, the presence of women should be avoided in 'serious national matters' since they represent possible sites of pollution.

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to be "schools of Christian and national tradition" because there is a "dead body of some member from the holy dynasty [Nemanjić] or of some leader of people's church"[285] in almost each one of them. This sanctified dead male body is a guarantor of an authenticity of spiritual heritage.

About fifty years before Bogdanović, Vladimir Velmar-Janković thought about spiritual unity and permanence of Serbian community in the same terms, which indicates a certain continuity of the specific ethnic self-understanding. However, roots of this understanding cannot be traced to some ancient past times. In fact, its origins are found in the nineteenth century.[286] Like Bogdanović, Velmar-Janković appreciated more spiritual reproduction than mere biological reproduction of a community. He did not speak at all about the latter, since he was completely focused on explaining "self-creation of Serbian renewal movement" [*samotvornost srpskog obnovnog pokreta*] and its "self-revival" [*samooživotvoravanje*].[287] For Velmar-Janković, "a relationship of pride and glory," based on "resurrection of respect for predecessors,"[288] had almost the same meaning and significance as "blood ties". He identified a source of "spiritual unity of Serbian spiritual, national, state and social community" in the exact same foundations "that saved Serbhood of Nemanjić's and other Serbian states and preserved it throughout centuries, until today."[289] Those foundations contain the stories about "old Serbian state, about deeds of the kings and heroes, about the state's founding fathers who led people, about spiritual leaders of

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[285] Bogdanović, *Istorija stare srpske književnosti,* p. 96.
[286] As far as evocation, that is, invention of medieval imaginary of pride and glory in the nineteen-century Europe, is concerned, George Mosse claimed that it was formation and imposition of a set of values and norms of behavior on men, i.e. male citizens of newly established, or still in the process of formation, national states. He defined it as a new standard of respectability, through which citizens ought to be disciplined. See G. L. Mosse, *Nationalism and sexuality.*
[287] Vladimir Velmar-Janković, *Pogled s Kalemegdana. Ogled o beogradskom čoveku* [View from Kalemegdan. An Essay on Belgrade's Man] (Beograd: Prosveta, 1992; first edition – 1938), p. 47.
[288] Ibid., p. 67.
[289] Ibid., p. 57.

people."[290] Unsurprisingly, within these stories one often comes across "sanctified dead bodies of rulers" that always remained with people or "they wondered in exile, together with their people, sharing with them merciless fate that follows tragic migrations and escapes."[291]

It is important here to say that in their conceptualization of an ethnic continuity, both Bogdanović and Velmar-Janković relied on a particular tradition of legitimizing patterns characteristic of medieval European states, firmly grounded in Christianity. This tradition was embedded itself in cults of holly kings that were produced by intellectual and political elites of the time. Here we talk about an interesting overlapping: beliefs that Christian martyrs' dead bodies, or parts of their dead bodies, had supernatural powers were projected to the bodies of the late rulers. The incessant succession of holly kings sharing the same blood that stretched to the present conferred legitimacy to current rulers. In the contemporary version of Serbian historians, over time this succession acquired "trans-dynastic and trans-epochal" features that pervaded embodiment of a national community.[292] Lack of holly kings was compensated by their dead bodies, and holly books,[293] indeed. However, it is rather odd that this medieval pattern has been brought back, into the late twentieth-

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[290] Ibid., p. 67.

[291] Ibid., pp. 67–68. Indeed, there are some differences between Vladimir Velmar-Janković's and Dimitrije Bogdanović's conceptualizations of nation. Velmar-Janković said that before Kosovo, Serbs, within their own state, "did not always know what to do with themselves and their freedom. Kings, feudal gentry, and sometimes even the subjugated people, all made mistakes due to their feudal selfishness, working against their self-discipline." It was only when they lost their freedom that they became aware of its importance. And the idea of freedom was taken away from kings and gentry by ordinary villagers and farmers, by "Serbian men who belonged to tribal, blood-community" *(Pogled s Kalemegdana,* p. 63). Unlike Velmar-Janković, Bogdanović did not have any reservations about times of *glory and freedom* before Kosovo. It may be argued that some traces of Vuk Karadžić's democratic and populist impetus are implicit in Velmar-Janković's writings, whereas Bogdanović has been completely devoted to some sort of eternal ethnic quasi-feudal elitism.

[292] Smilja Marjanović-Dušanić, *Sveti kralj* [Holly king] (Beograd: Balkanološki institut SANU/Klio, 2007), p. 98. There is something peculiar in a way in which Marjanović-Dušanić repeats after Dimitri Obolenski that Serbs developed the cult of holly king more than any other European nation; there was no dynasty in Eastern Europe that was respected as much as monarchs from Nemanjić's family were respected by their subjects.

[293] That is, *books on old customs* or *ancient books.*

century discussions on national issues.[294] Furthermore, Bogdanović did not make any reference to the origins of his conceptualization of an ethnic continuity. Not only that there is no distance towards the medieval concepts; they were also taken for granted as a guarantee of ethnic continuity and purity, which confer historical rights over territories and nationhood.[295]

If a spiritual essence of a nation is built on patrilineal and male homosocial bonding, one that also guarantees nation's purity of blood, then a specific pattern might be produced. This pattern – in its most perverted sense though – is what makes it possible for soldiers of one ethnic group to pick imprisoned fathers and sons and force them to perform different acts of sexual abuse. In this way, the logic of eternal sequence, which serves to preserve and transmit the core identity of "other" ethnic group, would be disrupted. Consequently, the chain of symbolic transfer from father to son would end.[296] It is bitterly ironic that both cases, Martinović's injuries and sexual abuse of prisoners in Čelopek, somehow relate to cultural centers. In the case of prisoners in Čelopek, torturing was performed on the stage in cultural center.

5.4. The worst humiliation

First half of the 1990s was marked by armed conflicts. Ethnic groups, Serbs particularly, entered those conflicts already perceiving themselves as victims.[297]

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[294] Among rather peculiar realizations of this pattern, one may mention processions with the holly body of Tsar Lazar, in the late 1980s, which delineated borders of the projected new Serbian nation-state. See Katherine Verdery, *The Political Lives of Dead Bodies* (New York: Columbia University Press, 1999).

[295] I discuss these issues at length in the next section.

[296] Similar, perverted logic may be identified in attacks that served to interrupt and stop funerals of civil victims. See Keith Doubt, "Etička obaveza sahranjivanja i njeno kršenje tokom rata u Bosni i Hercegovini" ["Ethical duty of burial and its violation during the war in Bosnia and Herzegovina"], translated by Milena Marić, in *Sociologija nakon Bosne* [Sociology after Bosnia] (Sarajevo: Buybook, 2003), pp. 27–39.

[297] Wendy Bracewell analyzed Martinović's case within the context of Serbian preparations for war endeavor. In my opinion, her, otherwise adequate, analysis lacks acknowledgment of larger cultural context within which preparations were undertaken. Bracewell is focused on general concept of

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Images of new martyrs, created according to mythical transformation of Đorđe Martinović, may have unwanted effects in war circumstances:[298] if the worst humiliation is experienced in the war, it would probably produce frustration. Yet, to humiliate enemies, to make them frustrated, seems to be a valid war goal, especially if one takes into account all the humiliation "we" have already experienced.[299]

Post-Yugoslav wars were characterized as ethnic wars. They were justified as such among conflicted groups. This produced a pressing need to divide communities in conflict, using ethnic belonging as a dividing criterion. Two distinct gender roles were put forward by the "partition" demand: feminized, passive role of victim, which could be seen as a metaphor of the suffering nation; masculinized, active role of safe-guard and defender of the nation. These gendered patterns partly served to regulate behavior of members of "our" community; yet, in a perverted way, they were also applicable to members of other groups in conflict. So, not only it was possible to use described gendered logic to homogenize and control men who belong to one national/ethnic group, but it was also possible to use it against the men who belong to other ethnic groups. Masculinity of men from another ethnic group was denied by a

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masculinity found within a dichotomy of two gender roles, i.e. protectors and victims, and she does not go beyond it. It is unquestionable that this dichotomy operated in the 1990s. Yet, using only this dichotomy, one cannot sufficiently explain relationship between Martinović's case from the 1980s and specific sexual abuse of male prisoners in the early 1990s. See Wendy Bracewell, "Rape in Kosovo: masculinity and Serbian nationalism," *Nations and Nationalism,* Vol. 6 (4), 2000, p. 563–590.

[298] Differences between circumstances from the late 1980s and the early 1990s are also reflected in different masculinity patterns that prevail in the public domain in these periods. The image of crucified Đorđe Martinović was followed by the image of Željko Ražnatović, produced in accordance with the character of a negative hero from the period of romanticism. Željko Ražnatović was a fugitive and warrior, who existed beyond good and bad, in the sphere where only national interests count, while universal ethical norms do not. If one takes into account 'self-creation' and 'self-revival', together with a request for compulsory purity, this self-expulsion from the universal ethical order is quite expected. Radomir Konstantinović ironically named it "redemptive self-expulsion of Serbian world from the rest of the world" [spasonosnim izuzimanjem srpskog sveta iz čitavog ostalog sveta], while Ivan Čolović articulated that same idea as "being estranged from the world" [otpadanjem od sveta]. See Ivan Čolović, *Politika simbola* [Politics of symbols] (Beograd: Radio B92, 1997), especially "Srpski politički etnomit" ["Serbian Political Ethno-Myth"], pp. 9–79; here p. 66.

[299] "Construction of masculinity through heterosexuality and power is, therefore, of such importance for men that it in itself presents a weapon in war. When man is not defined solely in terms of gender and sexuality (as heterosexual, that is a 'real' man), but also in terms of ethnic belonging – as Muslim, Croat, or Serb – de-masculinization is symbolic in numerous ways" (Žarkov, "Silovanje tokom rata u Bosni," p. 7).

sexual abuse. Planned sexual torture of male members of other groups was supposed to humiliate them and deny them their status of defenders of the community, guarantors of its purity, and bearers and transmitters of its culture, which are all seen as essential elements for the community's survival. It was precisely the logic of "the worst humiliation" that prevented victims from making their suffering and pain known to public.

However, the logic of the worst humiliation relies on homosocial and homoerotic premises of the perpetrators' culture, on the one side, and its patrilineal premises, on the other. It is the same logic that operated in Martinović's case, systematic rapes of women, and systematic sexual torture of imprisoned men. And, let me say it again, it is this same logic that caused the silence that surrounded the latter. Systematic sexual torture of men and their humiliation are possible within cultures that regard male spiritual bonding as ultimate value. Viktor Ivančić describes this normative pattern as an embrace of the Great Writer and the Great Ruler:

> Despite the fact that in this region it is just a well-tattered literary cliché, I have to admit that I am every time fascinated by the image of unconstrained male love, by the sweaty embrace of Great Writer and Great Ruler, by the interaction full of sparkling emotions, river of tears, and cracking bones, and if in this transaction of masculine passion one hears moaning and shrieking, then one should be sure that "people", that is, "Croat people" are moaning and shrieking, stuck somewhere in between two Great Men's groins. The people are stuck in the place which promises them "persistence, happiness, and self-consciousness."[300]

5.5. Ministry of pain

I do not claim that perpetrators committed their crimes in the name of any particular ideology or worldview. In fact, it is more likely that there was no

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[300] "Priznajem da me, bez obzira što se na ovim prostorima već radi o pohabanom književnom klišeju, uvijek iznova fascinira taj prizor nesuzdržane muške ljubavi, taj znojni zagrljaj između Velikoga pisca i Velikoga vođe, sraz u kojemu pršte emocije, lipte suze i krckaju kosti, a ako se u toj razmjeni mužjačke strasti još i začuje kakvo stenjanje i cvilenje, onda to zacijelo stenje i cvili sam 'narod', tj. 'hrvatski narod', stiješnjen negdje u predjelu karlica dvaju velikana. Tamo gdje mu se jamči 'opstanak, sreća i samosvijest'" (Viktor Ivančić, *Animal Croatica* [Beograd: Fabrika knjiga, 2007]), p. 137.

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ideological deliberation. They did not need ideology to motivate their violent acts. Indeed, it would be comforting to say (if only it was possible) that they were not thinking at all. There is at least one case that proves that people suffering from "mental disorder" committed some of the war crimes.

According to the report published in Belgrade's weekly "NIN" on July 12, 2001, Duško Vučković was put on trial and accused for the crimes he committed in Čelopek. Vojin Vučković, his brother, was the commander of the unit of volunteers, whose member Duško was. During the investigation, Vojin made clear that he was furious because his brother committed such crimes. His testimony confirmed that there was a large number of killed Muslims (70 in only one incident). Vojin also testified that "they [Muslim prisoners] were forced to engage in mutual sexual acts and were even impaled on sticks." Furthermore, although "Vučković was very specific in listing the names of individuals who committed these crimes, as well as the location and time of each crime," *none of the mentioned cases was further investigated.* As far as Duško Vučković is concerned, he said that he joined the SRS [Serbian Radical Party] because "no one else would have taken me because of my mental problems." He was treated in the mental institution "Laza Lazarević" and similar institutions in Kovin, Vršac and Banja Luka. Court expert doctor Svetislav Jokić concluded that Vučković was actually "a severe psychopath with signs of heavy chronic alcoholism." Together with his party colleagues Zoran Dražilović, Ljubiša Petković and Zoran Rankić he made a plan to go to the frontline. Duško Vučković passed military training under the supervision of his brother and Rankić. He was arrested by the police after one action in Zvornik and was taken to the prison in Šabac on April 15, 1992. Duško was released from the prison several days later "thanks to

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the president of the Serbian Radical Party in Loznica and a lawyer hired by the party."[301]

To accuse only Duško Vučković for committed crimes would be way too simple and wrong. To say that he committed those crimes because he was insane would be comforting, yet again wrong. The case of Duško Vučković shows that "insane" people were given the opportunity to participate in the activities of structures such as organized political party and military formation, to behave violently within these structures, and to be protected from prosecution by those same structures. However, there is more to this case. Crimes committed by Vučković were not imagined only in his insane mind. Those crimes were also implied by patterns that shape key values of a community and partly influence behavior of individuals and groups within it.[302] Furthermore, the specific cultural context and ideological background enabled someone to intervene in the case of Vučković and release him from prison, regardless his evident responsibility for the crimes. After all, Vučković was not the only perpetrator. Similar crimes were performed by many others on Serbian side. One might say that *the limit of the captors' imagination* that represented *the only boundary to the torture inflicted on the prisoners* was marked out by specific patterns already present in the public space. It was just a matter of time when would the imaginary created by constant repetition of Martinović's case and insistence on

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[301] http://free.freespeech.org/ex-yupress/nin/nin115.html (last accessed on January 29, 2010).

[302] Similar imaginary operates in Serbia in the 2000s as well. One aspect of a public face of Milorad Ulemek (sentenced for organizing assassination of Serbian prime minister Zoran Đinđić) was shaped according to the same pattern that influenced the creation of Željko Ražnatović's image in the public. In a form of song, Bora Đorđević (former deputy of the Serbian minister of culture) sent a peculiar message, almost a plea, to the newly elected president of United States on his inauguration day: "President Obama, turn to us, / Look at us, black man, we are good people. / We Serbs have been fucked, even when it was not necessary. / We were showing off, asking for a cock. / We beg you, for haven's sake, don't fuck us. / You, black men, have long cocks, we won't survive!" [Predsedniče Obama, okreni se ka nama. / Pogledaj nas, garavi, mi smo dobre naravi. / Nas su Srbe jebali i kad nisu trebali. / Mi smo se kuražili, sami k****c tražili. / Molimo te, leba ti, nemoj nas i ti j****i. / Vi ste, crnci, kurati, nećemo izdržati!"] www.pressonline.rs/page/stories/sr.html?id=56972&sectionId=41&view=story)

particular patriotic values provoke real crimes. Also, it is hard not to relate the *imagination* that "discovered" impaling of Muslims on sticks to six year-long promotion of images of the "crucified" Đorđe Martinović.

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Sexual torture of women and men was by no means accidental. These were not occasional crimes imagined and committed by insane people. The fact that sexual abuse was mass and planned leads us to unquestionably conclude that these crimes were important elements of a deliberate war strategy. This strategy aimed at destroying the enemy, in this case another ethnic group, both physically and spiritually.

There are some parallels between crimes committed against imprisoned women and crimes committed against imprisoned men. Male prisoners were castrated, beaten on genitals, forced to have intercourse one with another, but hardly ever publicly raped by guardians. In this way their ability to reproduce their own community, both biologically and symbolically, was taken away. Mass rapes of women served to prevent biological reproduction of the community: by raping women, their progeny was polluted.

Yet, while mass rapes of women were publicly discussed, sexual torture of men was not a subject of such a discussion. Whilst women served as a metaphor of the suffering nation, tortured men did not. In the war circumstances, the image of "our" men as victims was unacceptable.

However, Martinović's case clearly shows that there are certain situations in which presenting publicly a man as a victim is not only possible but also needed, for example, when the legitimizing ground for the war endeavor is being prepared. In this

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case, the argument that "a male victim is not a man any more," since he has been deprived of his masculine power,[303] is invalid. In fact, it is of the utmost importance to represent man as a victim in such cases. If the man is one who suffers, then the suffering, both physical and spiritual, will be the most intensive.

To compare an entire nation to a male victim is possible only in cultures which privilege masculine homosocial bonding, and perceive themselves as a continuous line of 'Great men' and their 'great works'. Within such cultural context, the purity criterion is of an ultimate normative importance when it comes to spiritual and biological reproduction of a community. Patterns of cultural reproduction from which women are excluded ensure the highest degree of purity. It is in accordance with these same patterns that a man who has undergone the worst torture becomes a saint and martyr, a symbolical embodiment of a nation.[304]

Distinct positions that men and women occupy within a community with such a cultural structure determine types of sexual abuse against the members from another community and generate differences in male and female abuse. A woman of another ethnicity is supposed to fulfill her reproductive role. Thus, she will be enforced to accept and carry the perpetrator's seed. A man of another ethnicity is prevented from fulfilling his assumed roles. While a woman of another ethnicity is raped by a man who penetrates into her body, men of another ethnicity are rarely raped in this way.[305] Penetration into a male body was almost always done by some replacement, by some "interposed body,"[306] such as a bottle, stick, or a prisoner forced to penetrate into

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[303] See Žarkov, "Silovanje tokom rata u Bosni," p. 7.

[304] On June 10, 1985, in the article in weekly *Duga,* Brana Crnčević called the attack on Martinović – "Jasenovac for one man," and demanded from the Serbian Orthodox Church to sanctified Martinović as "a saint and martyr" (J. Dragović-Soso, *"Saviours of the Nation,"* p. 132). [Jasenovac, Croatia, was a concentration camp where tens of thousands Serbs were killed during the World War Second.]

[305] If they were raped, a perpetrator usually took care not to be seen. See Žarkov, "The Body of the Other Man."

[306] Claude Lefort introduced the phrase "interposed body" in his essay on Orwell's *1984* in order to explain final transformation of the main character in the novel, from a rebel to an obedient subject of

another prisoner. Among else, all this clearly demonstrates that perpetrators of sexually violent acts against male prisoners tried hard to distance themselves from possible homosexual connotations, and transfer all such associations solely to their victims.[307] All things discussed throughout this chapter point to couple of centuries long anxiety intrinsic to the culture based on male homosocial and homoerotic bonding.[308]

totalitarian state. "Interposed body" is rather an image than a clear concept, in which various, even contradictory meanings have been interwoven. Therefore, it derives its strength from what it connotes, rather than from what it denotes. Among different meanings and allusions that Lefort assigns to it, at least three are significant here. "Inserted body" is what a person cuts off from her or his own body and inserts as a barrier between herself or himself and something to what she or he is being exposed, and what terrifies her or him more than anything else – in an ultimate case, death itself. When the described sexual torture of male prisoners is in question, not only prisoners were terrified (exposed to the most terrifying treat, they sacrificed what was most precious to them), but also, if we had correctly read Lefort's narrative about "inserted body," the perpetrators themselves, who inserted "body" between themselves, their victims, and their own criminal acts, a body which is on a symbolic level supplement to their own body. By destroying "inserted body" and the victim, the perpetrator is getting rid of his own fear and confirms his full obedience to a regime (group, or idea), in the name of which he committed a crime. Furthermore, the regime itself, says Lefort, uses "inserted bodies" – in this case, these are imagined enemies – in order to control sexuality of its subjects and prevent excessive liberation of energy or intense emotions that are able to fragment collective body and evoke in individuals awareness of who she or he is, and what she or he owns as her or his own. See Claude Lefort, "The Interposed Body: George Orwell's *Nineteen Eighty-Four," Writing. The Political Test,* edited and translated by David Ames Curtis (Durham and London: Duke University Press, 2000), pp. 1–19.

[307] "In cases of physical violation, a man who has been raped or tortured by another man is often connected to homosexuality, and thus doubly endangered: concerning both his violated masculinity and his violated sexuality" (Žarkov, "Silovanje tokom rata u Bosni," p. 7).

[308] In the Oscar winning film "Ničija zemlja" [No One's Land], directed by Danis Tanović, an officer, played by Mustafa Nadarević, carries a photo of a naked boy in his wallet. It is just another example of forced division between homosocial and homoerotic. As someone whose homosexuality is suggested to the viewers, the officer could have sexually abused an enemy's solder (played by Filip Šovagović), who is laying helplessly on the ground. He could have embraced his suggested homosexual instinct. However, he did not do it. The officer *only* put a mine (that is, put "inserted body") under the injured soldier.

Chapter 6
TURKEY AND TOSCANA: CONTINUITY IN CHANGE

6.1. An empty core as a guarantee of continuity

> This book attempts to answer what is Serbian literature. The very fact that such a question is posed, indicates the necessity to talk about it.[309]

Various questions might be posed. But, the sole fact that they are posed does not mean anything in itself. There is no obvious reason to look for an answer to all of them. So, it is rather clear that there is no necessary logical link between the first two sentences which open Jovan Deretić's *Put srpske književnosti. Identitet, granice težnje* [The Path of Serbian Literature. Identity, Borders, Tendencies], although the author tries to imply it. We can speculate: either Deretić, astonished by the fact that there is someone ignorant enough to dare asking *what is Serbian literature?,* was determined to give once and forever an answer to this question; or he assumed that there were plenty of justified reasons for asking *what Serbian literature is,* and so he decided to find some acceptable answer. For instance, what is the subject of study of the history of Serbian literature, or what is taught as Serbian literature in schools?

So, what is Serbian literature?

The question evokes a number of general troubles. Before we start to think about all possible answers, it is essential to establish a general framework that will direct study of literature both theoretically and methodologically. This framework should provide a particular understanding of a nation as well. However, Deretić failed

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[309] Jovan Deretić, *Put srpske književnosti. Identitet, granice, težnje* [The path of serbian literature. Identity, borders, tendencies] (Beograd: Srpska književna zadruga, 1996), p. 5.

to do this. He wrote a book as if he exactly knew what literature and nation were. Since, in his view, all these issues were a matter of common sense, Deretić assumed that readers would easily learn what Serbian literature was once he provided them with answers to, as he claimed, "two central questions": first question was about the "borders of Serbian literature"; the second was about "its internal unity and horizontal relatedness."[310] Although it indeed is a matter of common sense that on the synchronic level the borders-related question has the same meaning as the one about "horizontal relatedness," it looks like Deretić claims otherwise, until we turn the page. That is, on the next page he rephrases his second key question as follows: "The second problem that this book deals with, that is, the problem of internal unity and vertical relatedness of temporal segments of Serbian literature, is far from being fully covered by what has been said here."[311]

One thing is sure: whether we are searching for horizontal or vertical ties, whether we are drawing a borderline on synchronic level or confirming unity on diachronic level, either way, we are facing identity issues related to both a (national) literature and a nation itself. What comes to be recognized as the *same* (how we establish a border) within a temporal segment; and what comes to be recognized as a relatedness within a sequence of temporal segments which allows us to claim, despite all the changes that occur over the scope of time, that we indeed deal with the *same* in various periods? Let me repeat two useful remarks that I will not again elaborate in detail here. First, the question of identifying/preserving continuity in change is so common that it has become banal. Instead of searching for an *unchangeable* core, one which resists transformation, an ultimate guarantee of sameness, we could put an emphasis on the *change* by describing *function, range* and *concept* of literature in

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[310] Ibid., p. 6.
[311] Ibid., p. 7.

various periods. The same goes for a nation: "We should not ask 'what is a nation' but rather: how is nationhood as a political and cultural form institutionalized within and among states? How does nation work as practical category, as classificatory scheme, as cognitive frame?"[312]

Second: to solve the conceptual problem of historical permanence by introducing a strong concept of identity – and, it does not even matter whether we talk about literature or about (national) group of people – is wrong and misleading. A strong notion of identity has been displaced from a practical context of everyday life and politics into the field of social analysis without losing its essentialist connotations, ones which in fact can be effective in gathering and mobilizing members of a certain group, but are useless in describing processes of a group formation and group's engagement with these processes.[313]

Jovan Deretić paid no attention to above discussed preparatory considerations; instead, he decided to use the concept of a substantial identity. This prevented him to offer valid answers to the key questions he posed. Had he taken into account only two more questions, his central points might have been equally incorrect, but his thoughts about problems concerning Serbian literary history would have made a better impression on readers, at the least. Unwilling to consider those questions, Deretić deprived himself of a theoretical and methodological ground. But let us not be mistaken: Deretić was aware[314] of the fact that a historian faced with a literature of a small country "whose parts only temporarily enjoyed advantages of more or less independent statehood" has to show understanding for "questions of purpose of

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[312] Brubeker, *Nationalism reframed,* p. 16.

[313] See Rogers Brubaker and Frederick Cooper, "Beyond 'identity'," *Theory and Society,* 29, pp. 1–47. Equally problematic is usage of the concept of identity in its less strong sense: "Whatever its suggestiveness, whatever its indispensability in certain practical contexts, 'identity' is too ambiguous, to torn between 'hard' and 'soft' meanings, essentialist connotations and constructivist qualifiers, to serve well demands of social analysis" (Ibid., p. 2).

[314] See Deretić, *Put srpske književnosti,* p. 185, footnote 1.

literature, its range and definition of its concept."[315] He also knew that in case in which a literature emerged on a territory with "very complex past of particular but also often intertwined national, ethnic, and regional developments," where "history prevented normal development of capitalist society, and natural formation of modern nations [...] was in many ways disturbed," a historian:

> ... has to think about the relationship between the modern conceptualization of national tradition and older concepts of literary unity, as well as about the question of continuity that is achieved by and through sharp linguistic changes, if he is to establish particular national literary tradition...[316]

At the conference "On Histories of Yugoslav Literatures," held in Sarajevo in 1964, all these topics were reasonably and convincingly discussed by Svetozar Petrović. Yet, several decades later, Deretić contemplated: "In the history of a national literature we face three phenomena: literary, historical, and national phenomenon."[317] In addition, the author elaborated: "First of all we may ask ourselves: what is literature? What is history of literature? And then: what is Serbian literature and its history?"[318] He concluded:

> First two questions are only indirectly related to the subject of this book, and therefore we will not deal with them.[319]

Not only it is unexpected but is also absurd of someone who intends to establish the ground for Serbian literary history to firmly claim that general questions such as *what is literature?* and *what is literary history?* only vaguely relate to the problems of the study of Serbian literature and its history. Furthermore, Deretić reminded his readers, most likely assuming that they were rather ignorant: "After all,

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[315] Svetozar Petrović, "Metodološka pitanja specifična za proučavanje naših nacionalnih književnosti" [Methodological issues specific for studies of our national literatures], in S. Petrović, *Priroda kritike* [Nature of criticism] (Zagreb: Liber, 1972), pp. 193–207; here p. 194.
[316] Ibid., p. 195.
[317] Deretić, *Put srpske književnosti,* p. 34.
[318] Ibid., p. 56.
[319] Ibid.

there are answers to these questions, many answers, but there is no need to discuss them here. The nature of literature is a subject of a particular discipline – theory of literature."[320] Yet, if a curious reader, who has just learnt that there is a specific discipline – literary theory, would want to know what answers from this fertile discipline are preferred and utilized by the author, *The Path of Serbian Literature* will not be of any help to her.

And, whilst it is undeniable that certain extent of pragmatism and disregard of theory in doing literary history are needed, it is also important to identify from which standpoint (or standpoints, for that matter), Jovan Deretić studied the history of Serbian literature, since he was ready to

> ... accept some texts as relevant and in many cases very significant works of literature, although they cannot be considered as pieces of literature according to theoretical standards, and to consider them to be more important than those works which are literary in narrow, strictly aesthetic sense.[321]

Only a definition of the standpoint from which the author approaches (works of) literature and plain explanation of purposes of his analysis could clear out this theoretical and methodological mess. What "theoretical standards"? What "literature"? What "strictly aesthetic sense"? All these questions are closely tied to the question of *purpose of literature, its range and definition of its concept.* Nevertheless, the author perceives listed questions as only indirectly and vaguely related to the study of Serbian literature.

Although she realizes that the question of *what is literature* will not be answered, a reader at least hopes that *The Path of Serbian Literature* would provide her with explanation why this unidentified subject – entitled *literature* for reasons unknown – is Serbian. However, Deretić suggests: " National identity of a literature is

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[320] Ibid.
[321] Ibid., pp. 56–57.

a matter of personal experience rather than a matter of a precise description."[322]

Despite the fact that he never told the readers what literature is in his opinion, the author believed that, together with him, they would be able to experience its national identity. In such a case, any description is a success, whether imprecise or not. Let me put aside the question of *how we experience national identities of* foreign *literatures*. My main concern is the following: since the concept of literature is *empty* (any text could be seen as literary) and the question of national identity is placed within a domain of personal experience – i.e. beyond precise description, any answer to "two key questions" is valid.

Deretić discovered internal unity of Serbian literature, a ground for drawing a border and a guarantee of its continuity, in its "deep, unconscious layers":

> Literature was able to simultaneously transform itself and remain its own due to a collective spiritual substance in its foundations, in its deep, unconscious layers; the substance that remained unchanged in its essence.[323]

Although it is rather unclear what an unconscious layer of a literary text might be – not to talk about how upsetting and disappointing an insight about a collective whose spiritual substance does not significantly change over time is – the author did not give up thinking about basic characteristics of Serbian literature:

> Taking this into account, we can point to certain phenomena in Serbian literature that are typically present throughout its duration, manifested in one way or another in all main "segments" it consists of, within all its periods and across all its basic genres.[324]

It is the question of *characteristics* that we are facing here. To Deretić, the main distinctiveness of both old Serbian literature and the eighteenth century Serbian

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[322] Ibid., p. 35.
[323] Ibid., p. 195.
[324] Ibid., p. 196.

literature is its "non-fictionality."[325] This "non-fictionality" is of a particular kind and primarily inherent to historiographic works; therefore, in a system of genres of old literature, "forms such as biography, charter, chronicle, annals, hagiography, genealogy, chronology prevail."[326] The same goes, Deretić claimed, for Serbian modern literature:

> Historicity as a formative principle has an important role in new literature as well, although this literature is relying on systems based on fictionality. This principle emerges in various forms, among which two prevail: first are documentary-artistic genres; second are those literary compositions in which the main topic is history, whether history of whole nation or history of some of its parts.[327]

Such a description of the key feature of *Serbian* literature, one that has not changed in the *past ten centuries,* causes many troubles. To begin with, non-fictionality and historicity are not one and the same. That non-fictionality does not imply historicity and that fictionality is not inevitably opposed to historicity is something that the author was aware of, since he rightly claimed that historicity may play an important role in works of fiction. In the beginning of *The Path of Serbian Literature* Deretić noticed:

> Literary fiction (and, within it, especially novel), previously underestimated, has found its place among the leading genres and, together with poetry and drama, forms the basis of modern literature.[328]

This can be read as a suggestion that poetry and drama are non-fictional genres, and that all works that depict invented events belong to a genre – or, more precisely, an overall class – of literary fiction.[329] It is also possible that the author was

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[325] Ibid., p. 198.
[326] Ibid., p. 199.
[327] Ibid., p. 200.
[328] Ibid., p. 24.
[329] For the difference between *genre* and *overall class,* and for *fiction* as a literary term, see M. H. Abrams, *A Glossary of Literary Terms* (Holt, Rinehart and Winston, INC.: 1988 [5th edition]), p. 72, 62.

misled by the English literary term *fiction.* As a literary term of general denotation, *fiction* includes literary narratives; in this case, the quoted sentence should be read as a correct claim that literary narratives, particularly novels, became equally important as poetry and drama since the nineteenth century. But, unfortunately, Deretić mixed this meaning of a literary term *fiction* with a meaning which *fiction* (something that is not true) has in common, every day language, using the latter as a ground for another of his vague concepts – non-fictionality. Thus, according to one usage, non-fiction may represent everything that is not literary narrative, including poetry and drama; yet, non-fictional may also be any text which describes non-invented events, i.e. text which *does not lie.*

Nonetheless, the confusion regarding fiction/non-fiction problematic becomes almost irrelevant the moment Deretić introduces his central argument: "History as such has emerged as a constituent element within a system, filling the works of literature with some of its features, primarily with thematic orientation towards a nation's collective fate, and then with certain formal qualities, first of all non-fictionality, that is, pretension to factual truth."[330] There is no need to elaborate this third definition of non-fictionality and fictionality as formal literary qualities (honestly, I would not know what to say about it); instead, let us see what Deretić's point is:

> From all said so far, it is clear that Serbian literature all the way through its duration has been strongly focused on a nation as collective. Related to this is its characteristic which we discussed thoroughly when we considered nationality of literature, that is, its consciousness about its own national identity. It [consciousness...] is another of its developing constants, which was effective in all periods of its history. Throughout its autonomous development, since the late twelve century onward, Serbian literature has been produced with a clear consciousness that it is Serbian.[331]

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[330] Deretić, *Put srpske književnosti,* p. 198.
[331] Ibid., p. 208.

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Let us briefly summarize the previous quotes: in "deep, unconscious layers" of Serbian literature "all the way through its duration" there has been a "clear consciousness that it is Serbian." If put slightly differently: there is Serbian literature; it exists because it is Serbian; and its permanent and unchangeable feature is that it is Serbian. If I am to make some meaning out of these tautological claims, I would suggest that Deretić wanted to say that Serbian literature had been always strongly related to and focused on people as collective, which determined its Serbian national identity, since "national" collective was Serbian. Indeed, it is arguable that one can write an interesting history of Serbian literature focused on works which fictionalize historic fate of Serbian nation. This history, for example, may show how writers from different epochs – it is important to note that these epochs, starting from the nineteenth century when the process of formation of Serbian nation started, are not numerous – had been holding different views on Serbian nation and its history, and how these different perspectives were reflected within various literary forms. Yet, due to its specific nature, such a history would leave aside all those literary pieces in which national history is not the dominant theme, or is not at all a theme.

Indeed, there are and there have always been such literary works. In the mid 1970s, Svetozar Petrović drew attention to the nineteenth century Serbian poet Jovan Pačić:[332]

> Although it can be rightly claimed that Pačić was not unsympathetic when it comes to the destiny of his people, he avoided any kind of linking love poetry to national-political themes. He did not use patriotic phrase as an excuse for a love poem; he was not familiar with a utilitarian spirit of a love poetry that tended to strengthen patriotic national voice by using emotional strength of the intimate theme; and, probably, he would not have understood, if it had existed during his formative age, the Slavic love poetry of Petrarchan inspiration in which national theme appeared with an aesthetic reason (to put it simply and,

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[332] Svetozar Petrović, "Studije o Pačićevom kanconijeru (I)" [Studies on Pačić's canzoniere I], *Zbornik Matice srpske za književnost i jezik,* XXIII/1975, 2, pp. 209–248; "Studije o Pačićevom kanconijeru (II)" [Studies on Pačić's canzoniere II], *Zbornik Matice srpske za književnost i jezik,* XXIV/1976, 2, pp. 221–251.

to some extent, simplified, it appeared as an expression of a need to fill in the emptiness within the basic antinomy of a world of Petrarchan poetry, which was caused by the crisis of Christian conception of world, or by the death of God).[333]

Petrović made his point about "the doomed fortune of Pačić's poetry in Serbian literature" as follows:

> It is worth noticing that Pačić was not only an innocent poetic victim of cultural and political changes; he was also a victim, which can always indicate a hero as well, of his own artistic choice.[334]

One may indeed conceive history of Serbian literature in which more space would be given to Pačić[335] and others like him. Foundations for such literary history have been already laid by Petrović's "Studije o Pačićevom kanconijeru" [Studies on Pačić's Canzoniere].

Unfortunately, it is true that Serbian literary criticism very often used a measure of national interests to judge value of literary works. This point may lead us into various directions. For example, it is possible to say that Serbian literary critics have been always more aware of national interests than Serbian writers: critics were able to perceive more clearly what national needs were and they were readier to serve them. It is also true that, due to the nature of their job, majority of Serbian literary critics were more tightly connected to state institutions than did writers. From that perspective, their engagement may be viewed as another form of (implicit) censorship. Deretić was wrong when he stated:

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[333] Petrović, "Studije o Pačićevom kanconijeru (II)," p. 231.

[334] Ibid., p. 232.

[335] In the first edition of his *Istorija srpske književnosti* [History of Serbian literature] (Beograd: Nolit, 1983), only thing Deretić had to say about Pačić is that Pačić was a cavalry officer in Austrian army. In the latest, revised edition (Beograd: Prosveta, ³2002), published after his death, Deretić gave more space to Pačić; still, according to the author, the nineteenth century poet had no "actual resonance in our literature" (p. 536). Clearly, Deretić did not consider elaborated and convincing study on Pačić done by Svetozar Petrović (whose two parts were published in 1975 and 1976) to be a "resonance," although he did take, without providing a reference, Petrović's critical remark according to which Pačić's bitter lines were not patriotic.

In the beginning of all epochs there is the same model of literature: functional literature, literature as history, literature in service of enlightenment, literature as culture. Yet, as we approaching the ending, it turns into the opposite model: literature as art, literature freed from any pragmatic purpose. Tension between these extremes is one of the internal sources of Serbian literature's dynamism; this tension has been visible throughout all periods of its history.[336]

However, Deretić would have been right if he had assigned such oscillating between two concepts of literature – *history* and *aesthetic* – to Serbian literary criticism. Yet, the question remains: Would such self-reflection save him from making cardinal mistakes in his critical judgments? Namely, the major weaknesses of Deretić's historiographical model occur when it comes to judging literary values. If in the final steps of establishing and discussing essential features of Serbian literature Deretić puts forward, alongside Serbian classics Ivo Andrić and Miloš Crnjanski, works of Dobrica Ćosić, which are "absorbed by collective, national fate," that is, "political aspects of existence of Serbdom," considering them to be the embodiment of ultimate values, "the most authentic creative moments" of twenty century Serbian fiction, then there has to be a huge mistake in his reasoning.[337]

Questions that Deretić sought to find answer to are indeed important for studies of Serbian literature. Besides, it is not at all easy to give clear and precise answers to such questions. After all, what is "path" or "development" of some literature? Although interesting and fairly grounded, the idea of closely tied Serbian literature and national history is insufficient for constructing representation of continuity upon it. However, it seems that it was not too important to Deretić what the final result of his discussion would look like. When it comes to continuity of a literature, Deretić completely agreed with Arnold Toynbee: this problem is concerned with "only symbolically conceived background," "against which we can draw our

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[336] Deretić, *Put srpske književnosti,* p. 210.
[337] Ibid., p. 262.

perceptions of discontinuity in their actual diversity and complexity".[338] Thus, the story of national identity of Serbian Literature was for Deretić not more than a mere *fiction*. But, the problem is in the fact that Deretić completely disregarded this methodologically useful and theoretically and empirically well-grounded assumption.

Since he did not offer adequate answers to his "two key questions" about borders and internal unity of Serbian literature, Deretić was not able to solve other problems, more or less tightly related to them. His theses about complex relations within Serbian literature, which cause "disagreements and conflicts when it comes to national categories that writers belong in" (this is particularly the case when one has to deal with those writers who sometimes declared as Serbian, and other times – Croatian), or about the suspicion that arises regarding the status of writers who are "not ethnical Serbs," as well as his claims about, say, continuity (which can be boiled down to the argument that in all times "something has been done with books"), or primary purpose of literature ("national, social, and pragmatic"), would be almost comical if they did not remind us on equally absurd claims about *what is "ours" and what is "theirs,"* which had set a ground for severe armed conflicts in former Yugoslavia.

6.2. Culture as legitimacy

One has to be fair to Professor Deretić, the only literary historian who dared to write an "overall" history of Serbian literature (from its allegedly Serbian medieval origins to the mid twentieth century), admitting that he is not all alone in holding this national-pragmatic view on literature, which was rather successfully promoted in this culture by, for example, the nineteenth-century critic Stojan Novaković, in the pre-

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[338] Ibid., p. 190.

Skerlić time.[339] Yet, while we may show some understanding for Novaković's and Skerlić's ideas in the light of prevailing viewpoints decisively marked by "discovery" of nations in Europe and its democratic implications, ideas of literary critics from the second half of the twentieth century leave us confused.

In the mid twentieth century, Milan Kašanin was thinking about medieval "Serbian" literature in the following manner:

> If it is true that the beauty of our medieval literature lies in its magnificent narration, it is also true that its power is in its ideas, its essence in its religious enthusiasm, its originality in its national affirmation, its attractiveness in mirroring the time and society.
> [...]
> Without playing with words or entertaining themselves with narration, they have concrete and clearly formulated thoughts – state-related, religious, social, moral, and literary; they are not only writers, but also ideologists, and they are not only individuals, but also representatives of one world.[340]

The latter claim (outside the context of "national affirmation") is imprecise only to some extent, that is, medieval authors are writers precisely because they are ideologists and representatives of one world. The former claim encompasses all elements that are also central to Deretić's "insights": first of all, undefined and therefore imprecise use of the term "nation" for the pre-nineteenth century collective identities. Even if they had used category of ethnical belonging instead of "nation," historians of Serbian literature would not have solved the problem. If "ethnic" is used to imply attachment to a group whose members share language, territory, and history, and believe that they have common ancestors, than "most South Slavs indicated in our [medieval] sources by specific national-type names were such [group] by political

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[339] About Serbian literary criticism in the nineteenth century, see Dragan M. Jeremić, *Merila ranih merilaca. Estetička shvatanja prvih srpskih književnih kritičara* [Aesthetic concepts of first Serbian literary critics] (Vrnjačka Banja: Zamak kulture, 1974).

[340] Milan Kašanin, *Srpska književnost u srednjem veku* [Serbian literature in the middle ages] (Beograd: Prosveta, [2]1990 [1975]), p. 9.

affiliation; namely, the individuals so labeled served the given state's ruler, and cannot be considered ethnic Croats, Serbs, or whatever."[341]

Kašanin often exaggerated in his value judgments of literary achievements: "From all our history, we have the least knowledge about the unique period when we walked alongside great European nations."[342] However, it is unclear from where this impression of greatness comes, since there is no enough knowledge about that period. Like Kašanin, Pavle Ivić had no reservations about the following: "Having this in mind, it becomes clear how vast was the cultural treasure we lost forever."[343] That we are able to know how vast was the cultural treasure, although it had been lost forever, Ivić concluded on the base of

> ... remnants or echoes of medieval romance that have been more or less accidentally saved; it is known that such entertaining literature was eagerly read among gentry throughout Europe (it is also known that literacy was widely spread among medieval Serbian aristocracy).[344]

There is no need to discuss numbers here (for instance, how many members medieval Serbian aristocracy must have had, so that anything might have been widely spread among them); in fact, it is much more interesting to pose the following question: where does the need to present medieval literature and literacy in terms of national property – not even in ethnical terms, which would also hardly hold water – come from? Furthermore: why is it so important to highly evaluate this literature within both "national" and "international" (European) context?

Formation of Serbian nation started in the first half of the nineteenth century. At the very beginning, the process was symbolically marked by two events: the

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[341] John V. A. Fine, *When Ethnicity Did Not Matter in the Balkans* (Ann Arbor: The University of Michigan Press, 2006), p. 3.
[342] Kašanin, *Srpska književnost u srednjem veku,* p. 6.
[343] Pavle Ivić, *Srpski narod i njegov jezik* [Serbian people and its language] (Beograd: Srpska književna zadruga, [2]1986), p. 119.
[344] Ibid.

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rebellion against the Ottoman Empire, which laid the foundation for a Serbian state, and thus for a nation formation; a linguistic reform of Serbian oral and written language done by Vuk Karadžić.[345] Neither one of these two symbolic markers distinguishes Serbian nation formation from the similar processes that occurred throughout Europe in the nineteenth century. If we make a parallel between Serbian nation formation and personal identity formation – though it might seem improper, I believe it is a quite appropriate comparison for explanatory purposes – then it would be possible to say that in the mid nineteenth century Serbian nation passed through its *mirror stage*. The imagined borders surrounded and also defined territory which was recognized by (until that moment) fragmented nation as its own embodiment. In order to stabilize this newly formed identity, Vuk's linguistic reform provided people with language in which the new nation could tell its own story. It is a kind of "suture" that establishes national identity: a nation understands itself by imagining itself as if it had already existed within its own tradition. And the other way around, by imagining its tradition, a nation stabilizes its identity. The problem arised when it turned out that the suture made by Vuk's revolutionary stitches was no longer acceptable.

Although Vuk's work has been often described as "laying a ground",[346] a view according to which this work was a "turning point" prevailed: "Vuk's type of revolution necessarily causes discontinuity, sacrifice of traditional heritage."[347] In other words:

> Continuous line of development connects language of the first edition of Vuk's *Dictionary* and our contemporary literary language. But, since the victory of Vuk's language represented a revolutionary break, there is no such continuity between the language of Vuk's predecessors and our linguistic times.[348]

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[345] Ivić, *Srpski narod i njegov jezik,* p. 238.
[346] "Vuk's achievement is primarily determined by the fact that he set an optimal ground for our literary language. His language was a much more effective social instrument then the language that previously performed the role of literary language and which he eliminated of this role" (Ibid., p. 239).
[347] Ibid., p. 240.
[348] Ibid., p. 321.

The assessment of Vuk's achievements given by Ivić is not precise enough. Namely, while Vuk did sacrifice one continuity, he at the same time established another; that is, Vuk made a suture using a different tradition. This other tradition – democratic in terms of the nineteenth century, forceful and unconstrained – has found its way to Jovan Skerlić:

> We leave that feudal romanticism behind us, and we do not think that entire greatness of our race is in medieval rulers and knights in shining armors and helmets. This is no longer a childish self-overestimating, a naive belief in "Serbian culture" and absolute supremacy of Serbian people, the chosen people on the earth. [...]
> In spite of all the respect for a people's past, we do not give a damn for "historical rights," and we are deeply convinced that the right of one people to life is not built upon dusty parchments and wedding agreements among rulers.[349]

Yet, half a century later, Kašanin said about the same tradition:

> It is about time to stop seeing our past through the eyes of folk singers and, also, to stop believing that there is no greater poetry than a folk one. Any folk poetry is just a folk literature, and its value and significance do not go beyond folk discoveries. Folk poetry had a central role in our national and literary lives not only because it is so great, but also because, during one period of time, there was no other poetry or we did not know of it.[350]

At the moment when a nation discovered its embodiment by identifying itself with a territory surrounded by projected boundaries of a nation-state, Vuk provided it with a language in which this nation could narrate its own story, make a suture, and establish a continuity with a tradition which it used to imagine itself and, by doing so, stabilize its identity. Given the fact that it was a matter of choice of a cultural-political orientation, a choice made under the influence of social and political circumstances, it is rather clear that the continuity established by Vuk's victory had to be at the same

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[349] Jovan Skerlić, "Obnova naše rodoljubive poezije" [Renewal of our patriotic poetry], in Predrag Palavestra (ed.), *Kritički radovi Jovana Skerlića* [Jovan Skerlić's criticism] (Novi Sad/Beograd: Matica srpska/Institut za književnost i umetnost, 1977), p. 479–489; here p. 488.
[350] Kašanin, *Srpska književnost u srednjem veku,* p. 6.

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time discontinuity with other existing traditions. Thus, the crucial moment of Serbian nation formation is marked by a gap, instead by desired unity, which is something that usually happens when identity patterns are activated. Once they realized that folk poetry was too narrow and insufficient as a cultural ground for a construction of national identity, a number of historians of Serbian literature had tried – and they still do – to bridge the gap caused by Vuk's linguistic turn.[351] Interestingly, in attempting to do this, historians refer to and put forward medieval "Serbian" literature – *a cultural treasure lost forever.* It is plausible to suspect that medieval "Serbian" literature has attracted historians precisely because there are so few documents left. Limited sources allow researchers to construe daring images of the past unknown, and thus more desired:

> At the time when there was a science about our past, Serbian lands and people as well as its history and culture were seen from two apparently different, but in fact identical perspectives: small dukedom Belgrade and great capital of empire – Vienna. Both we and others believed that all Serbian regions, as they looked at the time – without cities and roads, with neglected villages and illiterate people – had never looked differently. Even today, it is hard to imagine that medieval Serbia was more alike Toscana than Turkey.[352]

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[351] One of the most persistent, Dimitrije Bogdanović did not hesitate to make claims as the following: "Arriving to the Balkans and settling down across this wide region, Serbs established a contact with a Mediterranean Greek-Roman civilization and became inheritors of its great cultural tradition" *(Istorija stare srpske književnosti,* p. 90). If we accept Bogdanović's argument about "inheritance," which is quite in accordance with Todorova's concept of region, then other Balkan peoples should also be considered 'inheritors of great cultural tradition'. However, it does not go, say, for Albanians: "Albanians' ancestors, and this is the only thing that is sure, did not represent strong ethnic group or tribe, neither some kind of alliance of tribes able to impose itself as an active historian actor, nor state or people with whom Roman or Byzantine rulers had to fight or make compromises" (Dimitrije Bogdanović, *Knjiga o Kosovu* [The Book on Kosovo] [Beograd: Srpska akademija nauka i umetnosti, ³1986], p. 14). Thus, the *only thing that is sure* about Albanians is the *political and military insignificance* of people who came just to look after their cattle (Ibid.). Unlike Albanians, every South Slav people "appeared as a historic people in utter sense of these words, as soon as they arrived to the Balkans: in touch with an old and developed civilization, they established active relationships with Byzantine Empire and Catholic Rome" (Ibid., p. 17). However, this *active relationship* in which Serbs, as South Slav people, became *historic subject* and *inheritors,* was established by *quick robberies within Balkan provinces of Byzantine Empire* (Ibid.). Todorova argues that her concept of heritage, which determines the region, should stay neutral. However, a couple of decades before Todorova, Bogdanović demonstrated that a nationalistic logic does not leave room for neutrality.

[352] Kašanin, *Srpska književnost u srednjem veku,* p. 6.

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To date, Serbian historians and literary scholars have been mainly taking for granted that culture in general and literature in particular are the domains that provide legitimacy for a state and a nation, as they in fact once did – in the mid nineteenth century. "A completely formed nation" is only a nation that reached "a higher cultural and political integrity."[353] If higher political integrity connotes state, than the *political* part of definition of a "completely formed nation" is plausible to the extent to which the idea of state is free from any assumption about common origin of its citizens. But, what can be said about "higher cultural integrity"? Tendency to see Serbian culture and literature in Toscanian terms rather than Turkish ones, gives some hints where to look for "higher cultural integrity." One should also bear in mind a sort of negative proportion: the less evidence there was, the more impressive Serbian Toscana would look. In this light, the "Serbian" medieval period, with a very few written documents left, provides the most adequate materials for a literary-historical construction of Serbian cultural paradise lost. However, this paradise could be regained only if concepts of nation and literature are emptied; these emptied concepts are used to establish continuity as it was understood and described by Deretić in *The Path of Serbian Literature.* Shift in cultural-political orientation caused by social and political circumstances specific to the European nineteenth century was so great, and discontinuity with certain previous traditions so deep, that any insistence on the continuity with rejected past which assumes hard concepts of national and cultural identity will be successful if this identity applies to everything (or anything). From this standpoint, Deretić's *path* seems as an impasse of Serbian literary historiography.

Instead of implausible attempts to describe essential unity of Serbian literature in periods before and after the mid nineteenth century revolutionary changes, it would

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[353] Bogdanović, *Knjiga o Kosovu,* p. 9.

be more interesting to answer questions such as what "significant social and political reasons caused this new cultural-political orientation to prevail," and what benefit this orientation had precisely from "artistic power of folk poems in Vuk's collections," that is, "the particular set of works of poetry of very specific features and extraordinary artistic power," which – to use brief and quite precise description by Svetozar Petrović – "swooped"[354] on this literature. It would be equally interesting to try to explain how "the path of Serbian literature – to the extent to which, as a literature, it had somewhat autonomous path"[355] – was determined by social and cultural circumstances in decades of socialist construction of new state. Serbian literary historiography that would give up establishing borders of Serbian literature, its internal unity, and vertical relatedness, and start to perceive essentialist concepts of identity as legitimizing ground that cultural-political orientations are struggling for, would be able to understand, or at least describe, the change of Vuk's revolutionary-democratic orientation by pseudo-feudal, ethnic one that occurred in Serbian culture in last decades of the twentieth century, and the role of literature and literary criticism and historiography in the clash of these two orientations. Maybe this attempt would also help us to understand why cultural option which puts individual in the centre and according to which literature, in fact, might have an autonomous path to certain extent, is still strongly suppressed by two conflicting options which dominated over the past two centuries – precisely those two options that Deretić clumsily tried to bring together on his *path of Serbian literature.*

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[354] Petrović, "Studije o Pačićevom kanconijeru (II)," p. 232.
[355] Ibid.

Chapter 7
"FORGOTTEN BLACK MAN"

7.1. Literature as a resource of identity patterns

This chapter consists of two parts. In the first part, I will discuss characteristics of literary pieces that are used to set the criteria for distinguishing "good" literature from the "bad." In the second, I will analyze two Serbian novels in detail. In addition, I will give a short comment on a third one. All three novels won the prestigious literary award for the novel of the year, entitled "The NIN Award." I will follow two lines of argument in my analysis. First line of my argument is concerned with the critical evaluation of the quality of three novels. While I will argue that two novels are complete literary failures, third novel will be assessed as the piece of literature that could have been better. Second line of my argument brings into the light literary criticisms that considered these three novels to be no less than outstanding. I will demonstrate that these novels are far from being excellent by drawing precisely on criteria used by the critics who appraised them so much beyond their true value.

Two distinct approaches to evaluating literary works will be elaborated in the first part of the chapter. Aristotle established the first approach, while the second one was formulated by Plato. Additionally, Plato's and Aristotle's insights into the nature of literature will be important when it comes to the question I will bare in mind all the way through the second part of the chapter, that is, throughout the analysis of the awarded novels: if literature does not have the power to make readers better people, is

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it possible that it has the power to make them worse people? And, what is the role of literary criticism in such a project? But, before going into discussion of the ideas of two philosophers, I will briefly talk about the interview done in the year 1973, in which interviewer and interviewee sought an answer to the question *what is a good book*.

7.1.1. Style that is something else

The mentioned interview from 1973 was published in a literary journal *Književna reč* [Literary word].[356] The interviewer was Vidosav Stevanović, an editor of this journal at the time. Answers were given by Dragoslav Mihailović, an already famous prose writer at the time. Two of them were trying to answer the question *what is a good book*. Certainly worth reading, this interview offers several interesting points of view to a curious reader. For instance, Mihailović claimed that James Joyce, despite the fact that he demonstrated an exceptional writing style, was just a second-rate author. This is what Mihailović had to say about *Ulysses*: "In all world literature, it is hard to find an example that is more beautifully written, more elaborated, more brilliant narrative text, a book full of so many beauties that it takes one's breath away, yet, I cannot help thinking that it is not a good novel." This work, Mihailović went on, "lacks wisdom of gradation of the details, it is terribly overfilled and without fresh air – 'beauty' in art has the strange tendency to cause pollution – and thus it is not far reaching, it does not work in a long run, it only works till the next paragraph." The author contrasted Joyce with Dostoyevsky and Tolstoy. It is beside the point whether we agree with Mihailović or not. What is important is the fact that Mihailović did not limit validity of his judgment to concrete literary works. Instead, he generalized the

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[356] Vidosav Stevanović, "Stil je nešto drugo" ["Style is something else"], an interview with Dragoslav Mihailović, *Književna reč* 12, 1973, pp. 10–11.

previously mentioned viewpoint and claimed that "beauty" is not enough to make a book good; form and style have no value in themselves. The style as such has to be something more than a style:

> Style as a surface which mirrors a whole work, in my opinion, ought to be invisible, like the air we breathe. It is everywhere around us, it embraces us from all sides, but we do not see it. Style is, I would say, something *else.* It is, for sure, something we see, but it is also much more than that – it is different words and sentences, different people and landscapes, different period from the one we see, and, in general, it is a story different from a narrated one. The real style has more meaning and sounds better than the actual sentences we read or have just read.

Mihailović, of course, did not say that content matters. Had he said it, he would have engaged in theoretical discussion about literature in an inappropriate manner at the time. In other words, if he had talked about the importance of content, he would have been severely critiqued for evaluating literature by using an outdated and, at the time, theoretically contested distinction between *form* and *content*. So, this is why he did not mention 'content'. On the one hand, Mihailović talked about 'style' that is, indeed, style. On the other hand, instead of talking about content (and, this is what a reader would expect him to do), he introduced 'style which is something else'. Furthermore, what he first regarded as 'style which is something else', Mihailović termed 'fabula' later in conversation. According to him, fabula is "a transporter or a hauler, a hard worker who does all dirty physical jobs on pure heavens," who "had been unnecessarily put forward for decades," and whom we "unnecessarily again, completely reject" today. Namely:

> A story is the one that plays music, but this forgotten black man – the hard worker, fabula, that is seemingly subjected to literary characters, but, in fact, decisively runs their lives, even if it [fabula] is the "smallest" one – is the one who will carry our piano to basements and into deep holes and push it up the hills and to the sixth floor. Without him, music of narration, in spite of all carefully chosen beautiful words, would soon turn into an empty echo of fine literacy and seemingly interesting language, and fall to pieces down the hill.

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Dragoslav Mihailović talked about many interesting things, among else, about national and "introduced" *(translated)* literatures. Let me make a short note on "introduced" literatures: if one thinks carefully, it turns out that the term "introduced" is rightly chosen, since works taken from foreign literatures are not only translated but also, by and through this translation, introduced into a system of domestic literature, i.e. they become its part. But, let us stick with a distinction between form and content, that is, style and fabula. Mihailović stated: in order to be a valuable work, it is not enough for a literary piece to be "beautiful," that is, to have a fitting form; fabula contributes decisively to the quality of the work. And, it is most likely that, by using term fabula in this context, Mihailović directly referred to content. He referred to 'other story that is being told', because it is indeed possible to express content by using "other words and sentences." In fact, it is the content that might be described as "much more" or "something else" than style. I would try to take Mihailović's point one step further: when he said fabula, Mihailović did not point only to content, but to a *message* of a literary work as well. In fact, if I interpret Mihailović's words a little bit less strictly, a *message* might stand for something that *had been unnecessarily put forward for decades,* and which is, *unnecessarily again, completely rejected* today.

7.1.2. Meaningful narrative formulas

Central to above discussed interview – at least as I understand it[357] – are those elements of literary work which had been already put forward by Plato and Aristotle as important elements of literature.

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[357] Vladislava Ribnikar summed up this interview as follows: "Mihailović made comments on events in contemporary Serbian fiction; he pointed out importance of creative risk and need for challenging of artistic canons and rebuilding of literary language; he spoke about the 'domestic' and the 'foreign' in literature, about conformism and achieving creative freedom, about richness of materials offered by concrete reality of life" (Vladislava Ribnikar, "Monološka forma u prozi Dragoslava Mihailovića" [Monologue in Dragoslav Mihailović's fiction], *Mogućnosti pripovedanja* [Posibilities of narration]

Let us re-fresh our memory about what Aristotle and Plato said about literature. According to Aristotle, good literary work ought to be put together well, since the beauty consists of magnitude and order;[358] among works, more beautiful is one with a complex weave than one with a simple weave;[359] and among works with a complex weave, the most successful are those in which recognition occurs at the same time as a reversal.[360] Speaking about tragedy, Aristotle claimed that imitation of fearful and pitiable things serves to create pity and fear that lead to *katharsis,*[361] which might be understood as an aesthetic accomplishment freed of any non-aesthetic purpose. It is possible to argue that Aristotle did not perceive moral requirements he formulated for modeling characters of tragedy as general condition for tragedy to be moral; what he had in mind when he formulated these requirements was an achievement of a specific tragic effect – i.e. pity and fear.[362] As far as Aristotle's concept of poetic work is concerned, magnitude and order, together with a specific accomplishment of a work, matter more than educational and rearing purposes that could be related to its content.

We may also recall that Plato, when he talked about form, did not hesitate to subject its role to the role of content: an honorable poet (or the "real gentleman," as it has been put in English translation) ought to imitate a good man, "most when he is acting steadily and prudently," whereas someone unworthy should be only narrated

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[Beograd: BIGZ, 1987], pp. 73–108; here p. 73). Yet, above all other things, Ribnikar stressed that Mihailović spoke "about new attitude toward the language": "Mihailović's interview is primarily remembered because of an interesting and unusual contribution to this kind of critical conversations" (p. 74). It follows that what I considered to be most striking in the interview was not important for Ribnikar. Furthermore, it seems as if Ribnikar and I read two different interviews, although the quotations we use overlap.
[358] Aristotle, *On Poetics,* translated by Seth Benardete and Michael Davis (South Bend, Indiana: St. Augustine's Press, 2002), 1450 b30–b35.
[359] Ibid., 1452 b30.
[360] Ibid., 1452 a30.
[361] Ibid., 1449 b25; 1452 b30.
[362] Ibid., 1452 b35.

about.[363] But, content had no value in itself for Plato: his main concern was to examine how content influenced thoughts, emotions and behavior of viewers, listeners and readers. He worried that some literary contents may provoke "rebellion of a part of the soul against the whole";[364] the improper ruling of this rebellious part in the soul could violate the hierarchy[365] within the soul, established through education and rearing. This would inevitably cause a person to become unjust and, consequently, unblessed and unhappy. Such works do not represent proper and morally acceptable patterns of behavior and "more poetic they are, the less should they be heard by boys and men."[366] It is clear that Plato did not deny poetic value to these literary works; but, since they had bad influence on people and made them unhappy, Plato believed that they should not be allowed.

Although it is hard, even impossible, to accept Plato's radical conclusion, his premise according to which literature ought to be judged by taking into account its influence on viewers, listeners, and readers should not be easily dismissed. Aristotle was also aware of the importance of patterns of behavior for literature. According to him, poetry aimed to represent what "falls to a certain sort of man to say or do certain sorts of things according to the likely or the necessary."[367] Represented characters were not just mirror-images of concrete, really existing persons. Poetry spoke about the "general," rather than the "particular."[368] In relation to this, Plato could have added that certain behaviors are more acceptable than others; or, in other words, while some characters are just, others are not. Of course, it does not follow from such claim

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[363] Plato, *The Republic,* translated by Allan Bloom (BasicBooks, 1991 [second edition]), 396c-d.
[364] Ibid., 444b.
[365] Plato says the soul consists of three parts – calculating, spirited, and desiring one (Ibid., 440e-441) – and just person is the one who does not allow none of these three parts to mind business of other parts, that is meddle with each other (Ibid., 443d). This is possible to accomplish by hierachical ordering of parts of the soul, that is, by subjecting spirited and desiring parts to calculating part. For Plato, the just man is happy at the same time (Ibid., 353e-354).
[366] Ibid., 387b.
[367] Aristotle, *On Poetics,* 1451 b5–10.
[368] Ibid., 1451 b5.

that literary works that represent unjust characters should not be allowed. However, Plato could have still insisted that it was necessary for a poetic work to acknowledge and clearly show that represented character was unjust, and that such behavior was morally unacceptable. And, if a poet had failed to do it, then a literary critic had to draw attention to poet's failure to acknowledge it.

Two things are important here. First, literature has an impact on viewers, listeners, and readers, as Plato had already pointed out. Second, as Aristotle emphasized, by presenting types and their typical behavior in certain situations, literature offers to its viewers, listeners, and readers, patterns of behavior and self-understanding.

All the previously said things could have been said differently. There are various kinds of institutionalized knowledge. These different knowledges are articulated and effective through relatively stable linguistic practices, that is, discourses. These knowledges comprise certain sets of principles, norms, values, and identity patterns, according to which one defines her/his place in the world and assigns meaning to her/his experiences. Literature is also a discourse, or part of a discourse. It is possible to say that a work of literature – or literature in general – represents a kind of institutionalized knowledge that comprises certain sets of principles, norms, values, and identity patterns. By reading literature, people also assign meaning to their own experiences, define their place in the world, and put to the test different possibilities of self-understanding. To put it simply, by reading literature, people also build, confirm, question, or change their identities. Instead of Plato and Aristotle, I could have referred to Stuart Hall and his concept of suture.[369]

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[369] Stuart Hall used the term "suture" to describe an intersection, that is, matching between "subject" with "structure of meaning": "I use 'identity' to refer to the meeting point, the point of *suture,* between on the one hand the discourses and practices which attempt to 'interpellate', speak to us or hail us into place as the social subjects of particular discourses, and on the other hand, the processes which produce

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Or, I could have drawn, even more plausibly, on Umberto Eco's ideas. Eco claimed, in the last of his six walks through narrative woods, that people would not give up reading narrative fictions, since they find in them formulas that they use to give meaning to their – our – existence.[370]

7.2. What is on the stock?

Let us now look at the formulas offered by Dragoslav Mihailović in his novel *Čizmaši* [Solders],[371] and Vidosav Stevanović in his novel *Testament* [The Last Will].[372] I aim to identify concrete formulas used to articulate what is considered to be crucial for people's existence within these novels. I believe that my attempt is both important and legitimate, since the interview discussed at the beginning of this chapter has shown that both writers acknowledged the importance of fabula, contents, messages, and formulas conveyed by literary works.

But, before I start the analysis, let me make two, in my opinion, useful notes.

First one is about literary criticism. The purpose of literary criticism is to competently interpret and evaluate literature. Critical judgments of literary criticism ought to be explicit. Therefore, if an organizing of literary scene or field of literature is in question, writers and publishers should not be in the focus of discussion, since their role is less important in this matter; it is rather literary critics who are central to such issues, since literary criticism represents an institutionalized way to regulate literary life.

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subjectivities, which construct us as subjects which can be 'spoken'. Identities are thus points of temporary attachment to the subject positions which discursive practices construct for us" (Stuart Hall, "Introduction: Who Needs 'Identity'," in S. Hall and P. du Gay [ed.], *Questions of Cultural Identity* [London: Sage, 1996], pp. 5–6).

[370] Umberto Eco, *Six Walks in the Fictional Woods* (Harvard University Press, 1998).

[371] Dragoslav Mihailović, *Čizmaši* [Solders] (Beograd: BIGZ/SKZ/Prosveta, [2]1987).

[372] Vidosav Stevanović, *Testament* [The Last Will] (Beograd: SKZ, 1986).

The second note is about Serbian literature in the past thirty years. I am fully aware that my next statement will be harsh and also a bit rough. But, its harshness or roughness is not the problem. The problem is that the following statement is correct. In the early 1990s, Serbian society stopped respecting a set of universal principles, norms, and values. Instead, it embraced a set of particular principles, norms, and values. For example, instead of believing in the universal value of human life, Serbian society subscribed to the principle that a life of "Serb" is more important than a life of a member of another ethnic group.[373] It is against the background of such particularistic principles that legitimizing patterns for the crimes done in the name of Serbian people were produced. Formulas used to describe Serbian people and define its place in the world, formulas according to which lives and interests of members of Serbian people were considered to be more worthy than lives and interests of members of other groups (and in particular neighboring peoples), were not articulated only in a political field, but in a field of Serbian literature of the previous three decades as well.

Although literature should be read carefully, not all readers are expected to be equally careful. The most significant readings belong to those who have institutionalized power over establishing, confirming, and transmitting values. Those are people who create *canons*, make decisions about literary awards, and produce school curriculums. Those are literary critics. This is the reason why I have chosen to analyze Mihailović's *Čizmaši* [Solders] and Stevanović's *Testament* [The Last Will]:

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[373] "Memory and familiarity with events related to wars in the former SFRY (1992–1995) is very selective, and attitude to these events is very biased, depending on who was the perpetrator and who the victim of the given event. A significantly larger percentage of citizens is familiar with events and believe them to be trut if the victims were Serbs and the perpetrators belonged to a different ethinc group. These events are described as war crimes. 85% have heard that the Croats killed a lot of civilians during operations 'Storm' and 'Flash', 82% believe that the events were true and 75% believe that these were war crimes, but only slightly more than half of the population has heard that the paramilitary troops and Yugoslav Army killed civilians in Vukovar, 24% believe that this really happened, and only 18% of citizens believe that these were true events and consider them war crimes" (Bandović, *The Activity of ICTY and National War Crimes Judiciary,* p. 64).

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both novels were assessed as outstanding by prominent literary critics and awarded with the most prestigious literary award in Serbia – the annual NIN's award for the best novel. In addition, tempted by the "continuity" within Serbian policy of awarding literary works, I will mention Miro Vuksanović's novel *Semolj zemlja* [Lend of Semolj], awarded with "NIN" in the year 2005.

It would be easy to ridicule two out of three novels, for a number of literary failures in them. But, I will not do it. My intention is to demonstrate that no literary award has been given accidentally or without deliberation in Serbia. There is a clear ideological pattern according to which literary works have been awarded, with rare exceptions, indeed. Even if one randomly chooses a novel, it is highly probable that picked novel would fit this pattern without problems.[374] Let me start with Stevanović's *Testament* [The Last Will].

7.2.1. Unanimous polyphony

Testament [The Last Will] was published in 1986. In January 1987 its author won NIN's award. What did literary critics say, what arguments did they offer to support their value judgment of *Testament* as a good novel and Stevanović as a good novelist? Unsurprisingly, critics' key argument for their positive judgment was built on the claim that *Testament* offered new perspective on national history. Almost by definition, all literary works that Serbian literary critics consider to be valuable are somehow related to Serbian history,[375] and this relationship is nearly always

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[374] Zanimljivo je da su se Dragoslav Mihailović i Vidosav Stevanović u '90-im našli uslovno govoreći na različitim ideološkim pozicijama. Vidosav Stevanović javno je kritikovao zvaničnu srpsku nacionalističku politiku, dok ju je Dragoslav Mihailović tiho podržao. Iako su mi politički stavovi Stevanovića iz '90-ih bliži, smatram da je Mihailović daleko bolji pisac od njega. Tek, politički angažman oba pisca tokom '90-ih ne može da utiče na razumevanje njihovih romana iz '80-ih.

[375] An illustrative argument was formulated by Jovan Deretić. In his *Put srpske književnosti*, Deretić spoke about "historicity as a formative principle" (p. 200) of Serbian literature: "History as such has emerged as a constituent element within a system, filling the works of literature with some of its features, primarily with thematic orientation towards a nation's collective fate, and then with certain

described using the phrase "new perspective." But, what is *new* in this *perspective* is hard to tell. Is it, say, providing new historical facts? Or new historical interpretations? Either way, we would be allowed to assume that writers and literary critics compete with historians within their own field of research, i.e. history. Mihajlo Pantić, for example, explained:

> ... *Testament* attempts, by using seemingly chaotic shifting of various voices and horrible images [...], to establish a kind of polycentric, boundless reinterpretation of national history.[376]

About the same "reinterpretation," Ljubiša Jeremić said:

> According to a widely accepted notion, narrative art in our epoch, and particularly novel, has become a medium through which existing models of conceptualizing world, embodied in various discourses, are depicted and challenged, and our attitude about usual, "natural" beliefs has been put in question; narrative language discloses the fact that what has been taken as unquestionable truth is just a mere fiction, ideological construction which exposes us to all sorts of manipulation.
>   This perspective provides us with the best possible view on significance of Stevanović's attitude to a language of narrative art: he considers it to be revealing, and in some aspects often very destructive for unrecognized, but constraining mystifications of the past times and tradition...[377]

Thus, at least two meanings are made out of the claim that *Testament* offered *new perspective* in understanding national history. While Mihajlo Pantić points to "boundless reinterpretation," Ljubiša Jeremić states that Stevanović's *new perspective* is "destructive" for "constraining mystifications of the past." What was so new in Stevanović's fiction, considering history? Or, what were common historical notions in 1986, ones that the author of *Testament* tried to destroy and reinterpret?

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formal qualities, first of all non-fictionality, that is, pretension to factual truth" (p. 198); "From all said so far, it is clear that Serbian literature all the way through its duration has been strongly focused on a nation as collective" (p. 208).

[376] Mihajlo Pantić, "Vidosav Stevanović: oksimoronsko pripovedanje" [Vidosav Stevanović: narrating through oxymorons], *Aleksandrijski sindrom 2* (Beograd: SKZ, 1994), p. 124.

[377] Ljubiša Jeremić, "Poetika posredovane pobune: Vidosav Stevanović" [The poetics of indirect rebellion: Vidosav Stevanović], *Glas iz vremena* (Beograd: BIGZ, 1993), pp. 325–326.

One of Stevanović's narrators describes history as follows:

Yet, when it [history] comes, it pops out, destroying and leaving its marks behind itself, turning the world upside down, sparing no one. Sometimes it stays calm and quite, sleeping as a beast in a forest cave for hundreds of years, waking up only to check what time of the year is, and then closes its only squinted[378] eye, merciless and suspicious, able to cast spells.

[Ali, kad je dolazila, banjavala je kad joj se htelo, rušila i ostavljala znake za sobom, prevrtala svet na glavu, nikog nije štedela. Neki put je bila mirna i tiha, spavala je stotinama godina kao zver u šumskoj pećini, budila se tek da pogleda koje je doba napolju i ponovo zatvarala svoje jedino čakarasto oko, urokljivo od ravnodušnosti i sumnje.][379]

We may ask ourselves how time could pass and epochs change, if the history sleeps. But, let us not go into such a discussion. It is clear that the author perceives history – something that is awake and active and thus worth mentioning – as a series of disasters and violent acts. In other words, if the world has not been turned upside down, there is very little, or nothing, to be said or remembered. If there is any new perspective in understanding history as such in the novel, then it may only be found in this trivial understanding, one which reduces history to a banal claim that in some periods awful things happen and significantly change lives of a majority of people. In comparison with standard notions of history, the novelty of this concept might be in implicit belief that periods of peace are not worthy of *testamentary* look of history's *squinted* eye.

Another voice from *Testament* informs us:

We made great sacrifices for Yugoslavia in the first war. Should we do it again? I am ready to be everyone's brother, if that someone wants me to be his brother. The rumor has it that Serbs have been slaughtered everywhere, dead bodies constantly float in Sava. They call it "meat for Belgrade's markets."

[Mi smo za Jugoslaviju dovoljno plaćali u prvom ratu. Zar treba opet? Spreman sam da svakom budem brat, ali ako taj to želi. Priča se da svuda

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[378] Here, "squinted" stands for "čakarasto," a very rare word in contemporary Serbian. The meaning of this word is 'to have eyes of different color' or 'to have eyes that look in different directions from each other'. In any case, a single eye cannot be – čakarasto.

[379] Stevanović, *Testament,* p. 124.

kolju Srbe, da leševi plove Savom neprestano. To zovu "meso za beogradske pijace".][380]

It seems to me that there is nothing new about Serbian national history in this excerpt. There is no literary destruction of historical mystifications in it either. On the contrary, the quoted sentences clearly exemplify something that might be viewed as *topoi* in contemporary Serbian historiography, and in contemporary Serbian literature as well, when it comes to historical evaluation of a joint state of South Slavs: Serbian sacrifices on the altar of Yugoslavia, unreturned brotherly love, floating dead bodies in Sava. Someone to whom *Testament* was not the first book she has ever read could not perceive cited narrator's words as a *new perspective*. She would rather see them as a *testamentary* confirmation of historical mystifications, which culminated in the 1990s. So, although I might not be able to say what was revealing in and what kind of reinterpretation was offered by the novel, I am surely able to say again my starting point: the view on history that *Testament* offered merely repeated and reinforced a number of common places from that period.

Had Pantić claimed that Stevanović convincingly and artistically successfully repeated a well-known truth about Serbian recent history, it would have been another thing altogether. But, the critic insisted on *the boundless reinterpretation of national history*. It seems that Pantić strongly believed that reinterpretation in itself was more worthy than some simple (although artistically successful) repetition of common "truth." And, let me say it again, a statement such as "we made great sacrifices for Yugoslavia" was a kind of commonplace in 1986. This is why it is so interesting that critics never openly said what history was reinterpreted and what "constraining mystifications of the past times" were destroyed. Furthermore, critics did not even try

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[380] Ibid., p. 176.

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to identify from which historical and ideological standpoints Stevanović's narrators spoke, what their historical competencies were, and what historical data they used to construct their reinterpretations. But, since Stevanović, his narrators, and also his critics, all dealt with commonplaces, there was no need to explicitly address the above mentioned issues. Critics simply assumed that readers knew what constraining history meant, from which standpoints that history was destroyed or reinterpreted, and with what purpose. Based on all said, it is possible to conclude that discussed reinterpretation was clearly *bound* by an already established and accepted model of conceptualizing recent Serbian history.

For the sake of argument, let us say that I accept that some things are taken for granted in the reading process, as critics implied in their interpretations. Even if so, I would still argue that awarded novel does not stand for a good literature. To demonstrate this, let me proceed with formal analyses of the novel. "Stevanović's attitude to the language of narrative art," claimed the critic, "derives from depths of the life-giving spring of Serbian narrative art."[381] Furthermore, "the linguistic dynamism" managed to compensate for an "apparently static and slow narration" in *Testament.*[382] Whatever this statement might mean, one may assume that *depths of the life-giving spring of narrative art* and *linguistic dynamism that compensates for something* both signal some positive qualities. This leads me to conclude that both critics wanted to say that Stevanović was good with words. However, I am ready to argue that Stevanović, at least in *Testament,* gave us a reason to question his linguistic abilities. His use of language does not create expected suspension of disbelief in the reader. Instead, the novel is full of descriptions and images that are impossible to imagine and, also, lack meaning:

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[381] Jeremić, "Poetika posredovane pobune," p. 326.
[382] Pantić, "Vidosav Stevanović: oksimoronsko pripovedanje," p. 127.

Carrying my right arm in the left one (this one was also somehow detached from my shoulder), I am on my way back to Kao. I am neither walking nor flying; I am not even sure what I am doing. I am blind on one eye, with other [eye] I can hardly see anything; the light is dark to me, the night blurrily glitters to me. My intestines fell out from my slashed belly and I drag them through the dust. Someone cut off my tongue and this is why I talk to myself. I do not have one leg below the knee; instead of the other [leg] I use a bough I snatched from a tree. [*How did he snatch it? With his right arm that he carries in his left one, detached from his shoulder?*] The one who took out my heart did it well; I cannot hear anything in my chests. Fortunately, I lost my testicles somewhere, and women that I meet do not have any reason to be afraid of me. [*Imagine women – or someone else – attacked by a person who carries his right arm in the left one, almost blind, with his intestines in dust, without one and a half leg. Not to mention a heart. They got really lucky because testicles have been lost, didn't they?*][383]

[Noseći desnu u levoj ruci (i ona mi se nekako odvojila od ramena), vraćam se u Kao. Niti hodam niti letim, ne shvatam šta upravo radim. Na jedno oko sam slep, na drugo jedva nešto nazirem; svetlost mi je tamna, noć mi nejasno svetluca. Creva su mi ispala iz rasporenog trbuha i vuku se po prašini. Neko mi je odsekao jezik i zato pričam sa sobom. Jednu nogu nemam do kolena, drugu mi zamenjuje grana koju sam odlomio sa drveta. Onaj koji mi je izvadio srce uradio je to dobro; ništa ne čujem u svojim grudima. Mošnice sam srećom negde pogubio i žene koje srećem nemaju rašta da me se boje.][384]

Pantić made a following remark: "... 'naturalism' is here, for many reasons, completely inadequate, rather weak term..."[385] And he was right. In fact, there is no literary term that could describe or explain "style" used in either previous or following paragraph.

The villagers of Kao tell (using voices of old men and women to who nobody listens) [*So, is there anyone who has heard the story and passed it?*] that long time ago, when the time was not measured and written down, a seven-headed dragon, a creature completely unlike humans spent a night in the village [*Imagine a seven-headed dragon that looks like a human creature! Where does this idea to describe a "seven-headed dragon" as a "creature completely unlike humans" come from?*]. As soon as he came from the North, he transformed into a muscular, ruthless warrior with a flaming sward; he demanded to bring him all girls and young women; he slept with them and killed others. The story does not say what happened with men... [*Question: Who did the warrior kill? Probably, he did not kill men. He slept with all women that were brought to him. So, who was killed?*]

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[383] [My comments in brackets.]
[384] Stevanović, *Testament,* p. 28.
[385] Pantić, "Vidosav Stevanović: oksimoronsko pripovedanje," p. 124.

> [Kaljani pričaju (glasovima staraca i starica koje niko ne sluša) kako je nekada, dok vreme još nije bilo mereno i zapisivano, sedmoglavi zmaj, neka sasvim neljudska rugoba, zanoćio u Kalu. Čim je stigao sa severa, pretvorio se u koščatog, surovog ratnika sa plamenim mačem u ruci; naredio je da mu se dovedu sve devojke i mlade žene i obležao ih, a ostale pobio. Priča ne pominje šta je bilo sa muškarcima...][386]

It goes without saying that writer may sometimes write a truly bad book. No one would claim differently. The real problem, one that bothers me most, is that there have been (and will always be) critics who would evaluate *Testament* as an outstanding book. *"Testament* proves that Stevanović, when it comes to writing narrative art, knows how to meet high standards in an artistically appropriate way..."[387] Furthermore, *"Testament* also opens new possibilities for experiments within Serbian narrative art..."[388] And, as if all those appraisals were not enough, someone decided to declare that no one wrote better novel than Stevanović in 1986. Yet, excerpts quoted from the novel raise some doubts regarding the *Testament* author's ability to do things with words and create images that make sense. Let us continue:

> Yesterday we saw one of our people (we will not say his name) in front of the barracks; he went out to wash his face, leaned against a barrel and remained in that position – frozen. He didn't move, didn't fall; he was just standing there; his eyes were pieces of ice that mirrored a cloudy sky.

> [Juče smo jednog našeg (nećemo da pišemo ko je) našli pred barakom; pošao da se umije, nagao se nad bure i tako ostao – smrzao se. Niti mrda niti pada, stoji; oči su mu komadići leda u kojima se odslikava mutno nebo.][389]

So, my question is: how could someone's eyes mirror a sky, if he or she is leaning against a barrel? Even if it is possible, it would be only indirectly: if surface of water in a barrel mirrors a sky, then eyes may mirror this reflection. Yet, if

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[386] Stevanović, *Testament,* p. 30.
[387] Pantić, "Vidosav Stevanović: oksimoronsko pripovedanje," p. 128.
[388] Ibid., p. 124.
[389] Stevanović, *Testament,* p. 196.

someone gets immediately frozen, then the water ought to be frozen as well. In that case, surface of frozen water would not mirror anything. However, let us assume that there was some reflection. In such case, we would have to imagine someone who is capable of seeing what was reflected in the eyes of a man who was leaning against a barrel, and inform us about this revelation.

There is a number of similar, artistically rather unsuccessful images in *Testament*. But, it seems that the fact that these were literary failures mattered less to critics than the impression that history was reinterpreted by and through such images. So, what can one possibly say about the reinterpretation constructed by such images? And from which narrative standpoint is this reinterpretation given? Pantić suggests that reinterpretation is "polycentric" and articulated through "novelistic polyphony."[390] Probably this has something to do with Pantić's statement that the novel is comprised of "historical, mythical, fantastic, and oneiric voices."[391] It should follow from previous Pantić's comment that there are various understandings and reinterpretations of history in the novel. But this would be incorrect. The analysis of female voices in *Testament* shows that the polyphony is only apparent in the novel. One and the same voice is doing all the talking.

From the novel's beginning, it looks as if the author particularly carefully constructed the positions of female narrators, within "the system of kinship in Kao, which is linear and with powerful traces of tribal and patriarchal, solid as a petrified animal from the past."[392]

> Although no one from Kao would ever admit it, mothers are more important than fathers; widows rebuild destroyed villages, once in a while women save the world that we put in danger.

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[390] Pantić, "Vidosav Stevanović: oksimoronsko pripovedanje," p. 125.
[391] Ibid., p. 127.
[392] ... "sistema kaljanskih rodbinskih odnosa [koji] je linearan, sa jakim tragovima plemenskog i patrijarhalnog, čvrst poput neke okamine iz prošlosti" (Stevanović, *Testament,* p. 31).

[Mada nijedan Kaljanin to nikada ne bi priznao, majke su bitnije od očeva; udovice obnavljaju satrvena naselja, žene povremeno spasavaju svet koji smo mi ugrozili.][393]

Women – "saviors" – are seemingly opposed to the world of fixed patriarchal relations in which men perceive women as "ill-tongued and always ready to quarrel," communicate with them through "silence and beating," and "make them pregnant only to make them even more busy,"[394] Exposed to men's violence and unpredictable bad temper, those same women ("ill-tongued" from the male perspective) ought to speak using their own voice, if for no other reason, then because narrative suspension of disbelief needs to be kept on. This voice ought to verbalize and stand up for different truth from the dominant, tribal and patriarchal one. Such an expectation is strengthened by the fact that there is no difference in behavior of domestic and foreign males from a female perspective: when they get drunk, "our" men "harass, swear, and beat" their wives, while "their" men "rob, beat, insult, and *ride*" women.[395] However, instead of telling different, redeeming truth, when a female voice appears in *Testament,* it readily and repentantly confirms *rock-solid traces of tribal and patriarchal, traces of the past:*

It was only then that we realized how much we missed our men in fields, in houses, with cattle, and in beds, how robust their bodies were, and, in spite of everything, how tender their strong hands were. [*These are the same hands that beaten them.*]

[Tek tada videsmo koliko nam stvarno muškarci nedostaju na njivi, u kući, kod stoke i u krevetu, koliko su njihova tela bila čvrsta, a ruke jake i (pored svega) nežne.][396]

Furthermore:

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[393] Ibid., p. 30.
[394] Ibid., p. 125.
[395] Ibid., pp. 154–155.
[396] Ibid., p. 155.

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Most important, we reared our sons and taught them to be like our dead men, robust, tough, and ill-tempered. [*Recognition.*] On their weddings, we danced; we led *kolo* instead of heads of our households. [*Complete identification.*]

[Ali smo najviše podizale sinove i vaspitavale ih da budu kao naši pokojni muškarci, čvrsti, grubi i preki. Kad smo ih ženile, mi zaigrasmo na svadbama, povedosmo kola umesto domaćina.][397]

There is no difference between narrative voices: we hear the same voice from all narrative standpoints. There is neither (literary) de(con)struction nor boundless reinterpretation. What remains for us to do at this point is to discover what "I" speaks through all these voices. But the problem is that it is not "I" that speaks. It is "we":

Then, my disturbed "I" hides in wide and warm "we," begging for few poetic images [*This is, probably, the language that derives from depths of the life-giving spring of Serbian narrative art.*], which will lessen my fear, for the moment suppress anxiety; modern man does not know for consolation and does not recognize it, he is bitter and disappointed, always already doomed to fail. [*Redeeming "we" appears in this reinterpretation. But, what does this reinterpretation exactly interpret within the context of Serbian communitarian cultural heritage?*]

[Moje uznemireno "ja" onda se krije u prostranom i toplom "mi", pokušava da isprosjači nekoliko poetskih slika koje će ublažiti strah, privremeno oterati strepnju; moderan čovek ne poznaje i ne priznaje utehu, usamljenik je gorak i unapred poražen.][398]

This is nearly everything that one could say about *new perspective* on, or *reinterpretation* of, Serbian national history that appeared in 1986. Also, there is no need to worry about what happened with the warm "we" of Serbian fiction in the following two decades. The answer is simple: it moved from Kao to Semolj, where it was (once again) found by Mihajlo Pantić. An editor of Miro Vuksanović's *Semolj zemlja* [Land of Semolj],[399] Mihajlo Pantić recommends the novel in a following manner:

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[397] Ibid.
[398] Ibid., pp. 99–100.
[399] Miro Vuksanović, *Semolj zemlja* [Land of Semolj] (Beograd: Filip Višnjić, 2005).

A novel *Land of Semolj* is a result of an extraordinary linguistic endeavor [*The same, unfortunately hopeless, effort is expected from readers of this book as well.*], and of an almost non-comparable novelistic, linguistic concentration; but the meaning of Vuksanović's narration cannot be reduced to these – these are just first steps which lead us through an ancient story of ancient people from ancient lands, *who are like Us,* formed in myth, and then lost somewhere along the way.

[Roman *Semolj zemlja* je rezultat jednog nesvakidašnjeg lingvističkog napora, i gotovo neuporedive romansijerske jezičke koncentracije, ali se smisao Vuksanovićevog pripovedanja nipošto u tome ne iscrpljuje – on samo otuda polazi, u drevnu priču o drevnim ljudima iz drevnih predela, *koji su isti Mi,* u mitu začeti, i negde usput zagubljeni.][400]

It is hard to tell how we (nowadays people) could ever be similar to some ancient people, especially if those people got lost along the way. However, there is a reason to ask ourselves what happened between publication dates of *Testament* and *Land of Semolj*, that is, between the years 1986 and 2005. According to these two novels, the answer would be – nothing. Very similar, almost the same, books have been written and awarded, as if nothing happened over the past two decades. To more careful reader, similarities between Kao and Semolj, and in particular between Kao's and Semolj's "we," seem to be impossible. Still, here they are.

In Semolj:

Many years have passed since we stop to think who was digging hole for whom. Every side has its own truth. [*But, as we have already realized, there are no so many truths; in fact, there are not even two truths, neither in Kao nor in Semolj. One "we"-truth is all there is.*] What happened next?
(Villagers of Semolj posed frequently this question.)
What happened afterwards was the same as before. [*Turning point and reinterpretation?*] Hatred spread out. It multiplied the same way those of impure origins multiply [*Who are "those of impure origins"?*], as weeds was growing in uncultivated field. [*As we can see, "those of impure origins" can be compared to some kind of weeds, if we are to believe the author's "linguistic endeavor."*] Spying put its evening dress on, proceeded with a wide hat [*As far as I know and as far as dictionaries of Serbian language are concerned, this means absolutely nothing in Serbian.*] and settled down in all our houses. [*Clearly, all houses are ours, "we"-houses.*]

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[400] Ibid., note from the back cover of the book, italics are original.

[Prošlo je dosta godina otkako ne znamo kako je bilo i ko je kome jamu kopao. I jedni i drugi imaju svoju istinu. Šta je bilo poslije?

(Pitali su Semoljani, tako i često.)

Poslije je bilo jednako. Mržnja se raskomotila. Umnožila se kao što se nesojčad kote, kao što korov raste u nekosini. Špijanje se obuklo svečano, nastavilo široku kapu i zakonačilo u svakoj nam kući.][401]

In Kao:

All people from Kao consider themselves to be from White Kao; they deeply despise those from Black Kao from the pit of their soul and tell awful stories about them. They despise them so persistently and tell stories so thoroughly as if they were talking about themselves. [*Indeed, since those from White Kao and those from Black Kao are all "we."*]

[Svi Kaljani za sebe misle da su Belokaljani; Crnokaljane preziru svom dušom i pričaju strašne priče o njima. Tako uporno preziru i tako potanko pričaju kao da misle na sebe.][402]

In Semolj, as well as in Kao, we come across "ill-tongued women":

It seemed to me that I saw a black snake coming through a smoke, long as two flasks would be, and twisted, it was running away from a smoke, moving quickly her tongue, the arrow that bites. It seemed to me that I saw through a smoke that from the flame, together with the snake, a woman with a black scarf was flying, upward and quickly, in a black, wide rough cloth which was burning; she was young and beautiful, but she also had a snake's arrow instead of tongue. It seemed to me that I saw a woman and a snake, twisted together, running into a smoke. [*The question for a careful reader is: was this snake running from or into a smoke?*]

[Pričinjelo mi se da kroz dim dolazi crna zmija, dugačka kao dvije tovarije, izverugana, da bježi iz dima, palaca jezikom, streca strijelom koja ujeda. Pričinjelo mi se kroz dim, iz plamena, za zmijom, naviše i brzo, leti žena u crnoj marami, u crnoj širokoj raši koja je gorjela, mlada, lijepa, ali i ona sa zmijskom strijelom, umjesto jezika. Pričinjelo mi se da su se žena i zmija jedna oko druge umotale i zamakle u dim.][403]

Or, it might be that a villager from Semolj got lost in Kao – which people from Semolj call "Kolaković's Valley" – and started to hallucinate.[404] All this is not

[401] Vuksanović, *Semolj zemlja,* p. 7.
[402] Stevanović, *Testament,* p. 25.
[403] Vuksanović, *Semolj zemlja,* p. 320.
[404] Ibid.

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surprising. What else one could expect from narrators from Kao and Semolj, and in particular the latter, who seems to be afraid of "snakes and contemplation." Namely:

> I am afraid of snakes and contemplation. A snake I can kill by a thin and strong stick, bring it up by a bough, and hang it on a thorn. I know that no one will be sorry if he finds it, stinking. But, contemplation I do not know how to kill. I can use neither a stick nor a thorn to do it. I learnt early to prepare a story...
>
> [Plašim se zmije i umovanja. Zmiju umijem ubiti žitkim prutom, dići je tojagom i objesiti da visi na trnu. Znam da niko neće žaliti ako je nađe, smrdljivu. Ali, umovanje ne umijem ubiti. Pri tom mi ni prut ni trn ne mogu pomoći. Rano sam navikao da smočim priču...][405]

It looks as if the unfinished sentence in the text of the novel suggested how a reader was supposed to finish it − *... and thus decrease, or reject, if not kill, contemplation* in order to get reed of the fear. Whether in Kao or in Semolj, *worm* "we" welcomes the killing of contemplation, because such an act would *suspend fear, temporarily suppress anxiety,* so a *modern man* would stop being modern, or *alone and doomed to fail,* to rephrase the already used quote from *Testament.* Those were formulas that give meaning to existence in Kao and Semolj. Those were norms, values, and patterns of self-understanding offered by Stevanović in *Tastament* and Vuksanović in *Land of Semolj*, readily accepted and recommended by critics and awards' committees.

7.2.2. Endangered vitality

In spite of the fact that it was awarded with Nin's award in January 1984 for the best novel published in 1983, and also was the most often read book in 1984 (according to data from Serbian National Library), the novel *Čizmaši* [Solders] does not occupy any special place in Dragoslav Mihailović's oeuvre. Mihailović's novels

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[405] Ibid., p. 9.

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Kad su cvetale tikve [When Melons Blossomed] and, even more, *Petrijin venac* [Petrija's Garland] were recognized by critics as remarkable pieces very soon after their publication dates and already thoroughly analyzed at the time when *Solders* appeared. This might be the reason why Ljubiša Jeremić in 1984 opened his essay on Mihajlović with remark: "Regarding the value and characteristics of Dragoslav Mihailović's narrative art, our literary criticism articulated its affirmative judgment long time ago..."[406] Despite what it may look like in comparison with previous Mihailović's books, I think that *Solders* is a quite good novel. In comparison with narrative worlds of Kao and Semolj, this novel is outstanding. Yet, it seems to me that *Solders* could have been even better, had the author remained faithful to the central narrative line in the novel.

This central narrative line is told as "skaz." Vladislava Ribnikar rightly explains:

> In Dragoslav Mihailović's works there is a "skaz" in its pure form. Mihailović's narrators – unfortunate girl Lilika, Ljuba Šampion [Champion], Petrija, and Žika Kurjak [Woolf] from *Čizmaši* [Solders] – address their accounts to an invisible, but present listener, they use vivid non-literary language, one that suits their origins, education, life experience and psychological constitution.[407]

Žika Kurjak [Woolf] is an uneducated lower officer of Yugoslav army, who entered military service in 1932. He was accused and imprisoned in 1939 because he disregarded military rules of discipline and confronted a higher officer. Žika Kurjak is also a very skillful narrator. As Jeremić rightly points out, he has all good reasons to narrate: driven by existential necessity to tell his story to someone, he hopes to make some order in and sense out of his own life by telling it.[408] Žika Kurjak tries to engage

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[406] Ljubiša Jeremić, "Dragoslav Mihailović, između stradanja i priznanja" [Dragoslav Mihailović, between suffering and recognition], *Glas iz vremena,* p. 316.
[407] Ribnikar, "Monološka forma u prozi Dragoslava Mihailovića," pp. 78–79.
[408] Jeremić, "Dragoslav Mihailović, između stradanja i priznanja," p. 318.

his listeners with his story, so that he could explain it and justify his actions.[409] Mihailović's narrator does not make mistakes which narrators from Kao and Semolj made. Although he is rough and uneducated, he is superior to them. Furthermore, he is able to articulate clearly and precisely his moral beliefs, and to stick consistently to them. A reader can easily identify with Žika Kurjak's character and share a sense of justice with him. Jeremić is right when he says:

> [...] in extremely dangerous and life risking situations, when human nature shows its most awful sides, Mihailović's characters demonstrate a feature that probably constitutes the highest value of his fiction, and certainly is a basic component of its most tragic episodes. Petrija, left alone to decide about life and death of her dearest ones, and Žika Kurjak, faced with an outraged general in his cell, both express outstanding qualities of courage, willingness to defend and argue for their human dignity and sense of justice no matter what, loyalty to themselves [*their own beliefs*] even if their lives are endangered [...][410]

If this was everything there is to be said about the novel, it would be a really good novel. Unfortunately, there is more. Although Ribnikar claimed that story of *Solders* has been told in *pure* "skaz," that is not entirely correct. Besides Žika Kurjak's voice, another narrative voice is heard in the novel, a voice of apparently neutral narrator, who, as it appears, edited the whole text. This line of narration enables us to look at documents from the Archive of Military Historical Institute as well as from the private archive of N. N. These documents give evidence about conditions in Yugoslavia before the World War Second. In fact, these documents are reports about activities of various groups that worked on dismantling Yugoslavia in the prewar period. Members of these groups were Croats,[411] Macedonians,[412] and Hungarians.[413] Members of the communist party are given the role of Serbian inner enemies.[414] But,

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[409] Ibid., p. 319.
[410] Ibid., p. 320.
[411] Mihailović, *Čizmaši,* pp. 11–13; 254–256.
[412] Ibid., pp. 41; 56–59.
[413] Ibid., pp. 199–201.
[414] Ibid., pp. 128–131.

the problem is that these documents do not relate to the main story, one about seemingly ordinary man who becomes extraordinary by uncompromisingly defending his own honor and sense of justice, acting in a way that one (we) could readily accept and defend.

Why did Mihailović insert these archival materials – regardless their (non)authenticity – and violate the novel's narrative logic? It is probable that Mihailović brought in the second narrative voice as a sort of *text arranger*, thinking that Žika Kurjak is not capable of introducing readers with his situation or, in other words, that he is incapable of explaining and justifying his behavior and actions on his own. The arranger suggests to readers that, despite how skillful narrator he is, Žika Kurjak simply has a narrow narrative perspective due to his origins, poor education, life experience, and psychological constitution. Therefore, he cannot provide readers with a general picture within which his life would have an adequate meaning. This is why the arranger tries to help Žika Kurjak, clumsily indeed. Similarly, a critic is helping the arranger:

> [...] among the first in our literature, Mihailović bravely grabbed and pulled out, so to say, key themes of our recent national and political history from the nets of idelogized official interpretations, approaching them in no ideological or political terms, on the contrary; even those sensitive issues such as interethnic conflicts and betrayals, or political conflicts from 1948, were present in Mihailović's work only to the extent to which they were present in everyday life, within the realms of private, family, and even eroticism. And within these realms, fatally violating basic vitality of an individual or a nation [*If one approaches key issues of national history to the extent to which they are present in private sphere, and if one treats them as neither "ideological" nor "political" questions, then there is no room for a nation or a "national vitality."*], they eventually reveal their terrifying face, that is, their actual historical and literary significance.[415]

In order to portray a general picture, against which Žika Kurjak's life would represent just a detail (important and colorful though), Mihailović increased the time

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[415] Jeremić, "Dragoslav Mihailović, između stradanja i priznanja," pp. 319–320.

span between 1932 and 1939, encompassed by a "skaz" from the first two parts of the novel, by introducing documents, so that it covers a period from 1923 to 1941. As it approaches to its end, this period becomes more and more marked by, as it is said in one report, powerful "devastating activities of our enemies."[416] Construction of the additional historical frame creates space for a simple metonymical movement – a colorful detail stands for a whole picture; a fate of an individual becomes a vivid representation of a fate of nation; endangered Žika Kurjak's vitality ought to clearly and undoubtedly testify about endangered vitality of the Serbian nation. True, literature allows for such metonymical shifts. Yet, this does not imply that these shifts of meaning are always successful.[417] They might also be unsuccessful, even in the case in which one member of a metonymical pair is artistically convincingly presented, as it was done in Mihailović's novel.

After all previously said things, I find myself tempted to suggest that if there was no (added) historical frame, one which draws attention to endangered vitality of a nation, *Solders* would have not been awarded. On the other hand, the novel would certainly be better if there was no such frame. Let me put it like this: firstly, historical frame depicted in the novel is too simple and monosemantic; secondly, historical roles within the frame are way too precisely and perfectly distributed. The truth is that neither historical events nor their actors are ever that flat or simple; hence, they cannot be described so accurately.

Furthermore, inserted documents tell nothing about actions and events that influenced a sequence of events in life of the main character. Žika Kurjak's fate is

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[416] Mihailović, *Čizmaši,* p. 86.
[417] Not to mention that they may be, from the historical perspective, completely false. In his *Elusive Compromise. A History of Interwar Yugoslavia* (London: Hurst & Company, 2007), Dejan Đokić gives a convincing picture of numerous attempts of Croats, Serbian, Slovenian, and Moslem politicians, on power as well as in opposition, to achieve an agreement on political arrangements for sharing power. Eventually, these attempts led to a political agreement in 1939, which got no chance to last due to circumstances that went much beyond the borders of the Yugoslav state.

result of his and other characters' deeds, who all act according to the likely or the necessary, that is, according to principles of a "sort of human being" they are. Therefore, a logical end of the novel, completely in line with the novelistic tradition it belongs to,[418] would be a wedding of the main character and Sofija, a woman he fell in love with. The novel could also have ended by conversation between the main character and his lawyer that closes the second part of the novel (conversation suggests that Žika Kurjak will be released from prison):

> We burst out laughing, and, I am telling you, we laughed a lot. We stood against each other, we looked each other in the eye, and we laughed one at another as two fools would. We laughed so much that we almost fallen on the floor. Our bellies hurt from laughter, and we cried, that was how much we laughed.
> Two fools standing, but all they can see is one fool. And their bodies are laughing, like two fools who know that there must be two fools somewhere around, but each of them sees only one.

> [Nasmejasmo se mi, pa se, bogami, i zasmejasmo. Stojimo onde, jedan drugog u oči gledamo i jedan drugome se ko dve budale smejemo. Samo što se ne valjamo, tako se smejemo. Za stomak se držimo, suze nam od smeja na oči udarile.
> Dve budale stoje i pred sebe samo po jednu budalu vide. I smeju se iz sve snage, ko dve budale koje znaju da tu negde moraju biti dve budale, a oni, eto, vide samo po jednu.][419]

Neither Plato nor Aristotle would object to such an ending. However, the author decided to make a narrative leap into the 1970s, and "forced" his main character to speak once again in the third part of the novel, but this time from the asylum. This ending does not follow from the likely or the necessary; it is possible though, especially if individual destinies are in question. It is the ending which makes us think that Žika Kurjak just has not been lucky enough, and that is all there is. But, this is a banal end. The main character's traits could not cause such an end, neither inevitably nor probably. Therefore, it is both unmotivated and unconvincing ending.

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[418] Here I have in mind a genre of picaresque novel.
[419] Mihailović, *Čizmaši,* pp. 264–265.

However, that this end was inevitable becomes clear if we consider two things: first, the bigger picture within which Žika Kurjak's life is just a detail; second, the author's *new perspective* on national and political history. Žika Kurjak is not a victim of his own character, neither likely nor necessary. Žika Kurjak is a victim of his author, who misused him to express and send a message about endangered vitality of his nation. On the other hand, by violating narrative coherence in order to speak about nation, the author actually endangered vitality of his main character.

If Serbian writers provided – and still provide – their readers with such patterns of giving meaning to the people's existence, and if Serbian critics and awards' committees supported them in this endeavor, is there any reason (forget Plato, Aristotle, Stuart Hall, and Umberto Eco) to be surprised by the behavior of Serbian side and its role in dismantling Yugoslavia as well as in armed conflicts that proceeded it?

CONCLUSION

This thesis suggested a conceptual framework for thinking about Serbian culture, and in particular about Serbian literature, in the last quarter of the twentieth century from the perspective of the collapse of socialist Yugoslavia and armed conflicts that proceeded it. The grave wrongdoings of the Serbian side in these armed conflicts give enough reasons to designate its culture as a culture of accomplices. Therefore, I found concepts of transitional justice to be appropriate for examining Serbian culture, and in particular its literature, from this period.

In chapter 1, I established a framework for my analyses. This framework consists of concepts developed within the domain of transitional justice. I argue that the main goal of transitional justice is to change societal flawed foundations. The context-specific features constrain effective implementation of transitional justice measures. Furthermore, these measures in fact reinforce existing societal arrangements, whose change has been requested. Therefore, I argued that the transitional justice's tool kit has to encompass measures of an appropriate cultural policy.

In chapters 2 and 3 the focus is on two closely related context-specific categories: identity and culture. I explored how these categories may be understood by addressing *a)* gender and transitional justice, and *b)* the Yugoslav Truth and Reconciliation Commission, respectively. On different levels, both discussions

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demonstrated an apparent combined force of identity- and culture-related arguments about contextual constraints.

In chapter 4 I undertook to present an alternative understanding of the categories of culture and identity, more compatible with transitional justice's demands for complete societal transformation. In the second part of chapter 4, I argued that national literature and its history at the same time produce and legitimize certain tradition as a subject of attachment and identification. Therefore, the field of literature may be seen as an arena of war of words, that is, identity politics. Accordingly, works of literature and literary criticism may be seen as arsenals of images, symbols, and concepts of belonging, which are used in a rivalry for political domination.

In chapters 5, 6, and 7 I tried to contribute to existing explanations of how Serbian identity, with its 'substantial', 'inevitable', and 'constraining' qualities, was formed, and how it has been maintained as such until today. In the 1970s and the 1980s, I argued, a thoroughly ethnicized collective identity was articulated, and over time accepted as the most suitable for designing strategies of action in circumstances of the federal state disintegration. By *choosing* a set of ethno-nationalist values, symbols, memories, myths, and traditions, citizens who understood themselves as Serbs in this particular way, assigned to their identity features of substantiality and inevitability. Chapters 5, 6, and 7 present an inventory of identity patterns produced, reproduced, and sustained within the field of Serbian literature. These patterns have formed an ethnic set of myths of common origins, shared historical memories, elements of common culture, and a measure of ethnic solidarity.

In chapter 5, I exposed a notion of communal continuity that stretched to the ancient past through an incessant sequence of great men and their dead bodies. Chapter 6 critically analyzed a notion that literary histories through creating imagery

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of continuity confer legitimacy. In chapter 7 I tried to explain the creation of ethnic unity and solidarity through images of collective sufferings.

However, my aim was set beyond critical analysis of prevailing patterns of collective self-understanding. I also sought establishment of the normative standpoint. I believe that Serbian predicament is of a kind that requires acceptance of moral universalism. Yet, as the Yugoslav Truth and Reconciliation Commission case clearly demonstrated, contextual constraints loom heavily over the possibility of thinking and acting in universalist terms. Therefore, I tried to define the normative standpoint through interpretations of identified cultural patterns and their role in justifying or denying committed crimes. As I stressed in introduction, an overall cultural work, which is assumed in this thesis, cannot be done simultaneously within all social, cultural and political arenas. Rather, a sequence of disciplinary researches, with necessarily limited impacts, is, in my opinion, crucial for the successful societal transformation. I hope that this thesis presents, at least to some extent, such a research in the field of Serbian literature.

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