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**Genocide in the former Yugoslavia
from the 1940s to the 1990s
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*Marko Attila Hoare
Kingston University*

<http://fass.kingston.ac.uk/bamber>

Contact Address

Faculty of Arts and Social Sciences, Kingston University, Penrhyn Road, Kingston-upon-Thames, Surrey, KT1 2EE; M.Hoare@kingston.ac.uk

Author Biography

Marko Attila Hoare is a Senior Research Fellow at the Faculty of Arts and Social Sciences, Kingston University, London. He received his BA from the University of Cambridge in 1994 and his PhD from Yale University in 2000. He has been studying the history and politics of the former Yugoslavia for over twelve years and has lived and worked in Bosnia-Herzegovina, Croatia and Serbia. Hoare's first book, *How Bosnia Armed*, was published by Saqi Books in 2004; his second book, *Genocide and Resistance in Hitler's Bosnia: The Partisans and the Chetniks, 1941-1943*, was published by the British Academy and Oxford University Press in 2006. His third book, *The History of Bosnia: From the Middle Ages to the Present Day*, is due to be published by Saqi Books this year.

Abstract

The International Court of Justice's recent acquittal of Serbia for genocide raises important questions about the meaning of genocide in the former-Yugoslav context. Yugoslavia and its successor states experienced two-episodes of genocidal or similar mass-violence: in the 1940s and in the 1990s. These episodes had their roots in long- and medium-term political and socio-economic fissures as well as in short term political and geopolitical events. Following the Axis invasion of Yugoslavia in 1941, mass violence was inflicted by the Axis powers and their occupiers against the Yugoslav peoples; during and following the break-up of Yugoslavia in the early 1990s, mass violence was carried out entirely on the initiative of and by local actors, yet the two episodes resembled each other in the character and aims of much of the violence. Debates continue to revolve around whether the word 'genocide' can accurately be used in relation to either episode of mass violence; debates that are somewhat scholastic and that tend to miss the forest for the trees.

Genocide in the former Yugoslavia from the 1940s to the 1990s

(Former) Yugoslavia was the scene of genocidal and other crimes of mass murder when under Axis occupation during World War II, 1941-45, and in the period following the break-up of the country, 1991-99. The two episodes are linked both causally and thematically. The conclusions of the International Court of Justice, in the case for genocide brought by Bosnia-Herzegovina vs Serbia, are a good way of opening the discussion about the topic of genocide in the former Yugoslavia in general.

The ICJ judgement

The verdict of the court is ambiguous at a number of levels. It found that Serbia was not guilty of genocide or complicity in genocide, but that Serbia was guilty of violating its obligation under the Genocide Convention to prevent the genocide carried out by Bosnian Serb forces at Srebrenica. It found also that Serbia also violated its obligation through its failure to cooperate with the International Criminal Tribunal for the former Yugoslavia in the Hague, in bringing the perpetrators of genocide to justice.¹

Leaving aside the question of justice, there are a number of intellectual questions that this verdict raises. The judgement accepts that it is established by overwhelming evidence that massive killings in specific areas and detention camps throughout the territory of Bosnia-Herzegovina were perpetrated during the conflict; that the victims were in the great majority Muslims; and that this suggests that Muslims were systematically targeted. These killings took place overwhelmingly in the early months of the war, particularly in the spring of 1992. For part of this period, up until 19 May 1992, Bosnian Serb forces were formally under Serbian control. However, the Court did not feel that it had been conclusively proven that these killings were carried out with the specific intent to destroy the Muslims, in whole or in part.²

The Court likewise ruled that it has been established by fully conclusive evidence that members of the protected group were systematically victims of massive mistreatment, beatings, rape and torture causing serious bodily and mental harm, during the conflict and, in particular, in the detention camps. However, the Court again ruled that it had not been conclusively proven that these atrocities were carried out with the deliberate attempt to destroy the Muslims as a group in whole or in part. The Court found that there was conclusive evidence of the deliberate destruction of the historical, cultural and religious heritage of the protected group. However, it ruled that this did not fall

within the definition of genocide. In general, the Court concluded that ‘Neither the intent, as a matter of policy, to render an area ethnically homogenous, nor the operations that may be carried out to implement such policy’, can as such be designated as genocide.³

The Court did find that in the massacre at Srebrenica in July 1995, Bosnian Serb forces were guilty of genocide. It also found that Serbia, at the time in the form of the Federal Republic of Yugoslavia, was making considerable military and financial support available to the Republika Srpska [i.e. the Bosnian Serb republic] at the time of the Srebrenica massacre, including the payment of the salaries of some Bosnian Serb officers. Since Bosnian Serb forces were not de jure or de facto part of the armed forces of the Federal Republic of Yugoslavia, Serbia could not be guilty of the genocide at Srebrenica. But Serbia was, by dint of its great political and economic influence over the Bosnian Serb republic, guilty of failing to prevent the genocide from taking place.⁴

The Court, in the opinion of some, may have been justified in reaching these conclusions on the basis of the available evidence. But at the intellectual level, the verdict is unsatisfying, because it has created a situation in which genocide is deemed to have occurred only in one locality at one time - Srebrenica in July 1995 - while other massacres of the same victim group carried out by the same perpetrator in the same general period were not genocide. The concept of a purely ‘local genocide’ as part of a wider campaign of systematic mass killings of a targeted group that was not genocidal, is problematic.

Furthermore, the Court has determined that systematic mass killings that target a victim group, and that are accompanied by other acts deliberately causing mental and bodily harm to members of this group, as well as by the systematic destruction of the victim group’s historical and cultural heritage, do not constitute genocide unless the intent to destroy the group in whole or in part can be proved, even if the intent was to create ethnic homogeneity through ‘ethnic cleansing’. Again, this is problematic, as it implies that the crime of genocide cannot be proved solely on the basis of actions and their results, but only on the basis of proof of intent, which is very difficult to find. The most notorious example of this is the absence of a single known document in which Hitler gives the order to exterminate Jews during World War II.

Finally, as a result of this verdict, a situation now exists whereby a state can occupy a large part of its neighbour’s territory, carry out systematic mass killings of a particular ethnic group with the intent to create ethnic homogeneity, then grant formal independence to the local forces under its command while continuing to arm, finance and influence them, and that when these local forces then

go on to commit genocide, the state in question is guilty of nothing more than a failure to prevent. This is not a verdict with which historians can rest content.

Historical background

The problems raised by the ICJ verdict - of precisely what constitutes genocide, what constitutes responsibility, and what the relationship is between crimes at the local level and the plans of the top leadership - are ones that recur when the broader history of genocide in the former Yugoslavia is considered. There are two principal phases when genocidal violence occurred in the former Yugoslavia. The first of these was in the years 1941-1945, when Yugoslavia was under Nazi and Fascist occupation, and under the control also of the local quislings of the occupying powers. Briefly, the instances of genocide or genocide-like crimes included:

- 1) The extermination by the Nazis, aided by their quislings, of the greater part of the Jewish and Gypsy population of Yugoslavia;
- 2) The persecution carried out by the Croat fascists, or Ustashas, of the Serb population of the Croat quisling state, the so-called 'Independent State of Croatia', involving a combination of extermination, expulsion, and forced conversions to Catholicism;
- 3) The persecution carried out by the Serb extreme-nationalist guerrillas, or Chetniks, of the non-Serb populations of parts of Croatia, Bosnia-Herzegovina, the Sanjak and Montenegro, involving a combination of extermination and expulsion; these were at various times encouraged by the Italians, for their own reasons;
- 4) The attempts by Hitler forcibly to assimilate the Slovenes in the parts of Slovenia that were annexed to the Reich, involving the expulsion of the Slovene elite to Croatia and Serbia;
- 5) The atrocities carried out by the smaller occupying powers and their local collaborators - Hungary, Bulgaria and Italian-ruled Albania. The Hungarians and Albanians carried out large-scale atrocities against Serbs; the Bulgarians carried out atrocities against both Serbs and Albanians

This period of genocide was brought to an end by the victory of the Communist-led resistance movement, the Partisans, in 1945. This victory allowed most of the expelled populations to return to

their homes. However, the Partisans carried out atrocities of their own that may have approached genocide: above all the expulsion of the entire ethnic-German population of Vojvodina, involving the incarceration of large numbers of civilians in concentration camps.

The second period of genocidal crime occurred in the 1990s, as Yugoslavia went through its break-up. After failing in its attempts to establish a recentralised Yugoslavia under its domination, the Serbian regime of Slobodan Milosevic embarked on a campaign to break-up Yugoslavia and conquer new borders for the Serbs. The first serious phase of the war was in Croatia in 1991-1992, and involved the conquest by the Serbian-controlled 'Yugoslav People's Army' (JNA) of one third of Croatia and the mass killing and expulsion of Croat civilians. The second phase occurred in Bosnia-Herzegovina in 1992-1995. The initial and largest phase of the Serbian conquest was carried out by the JNA, but parts of this were then established as a separate Bosnian Serb army. The early stage of the war involved the mass killings and expulsions of the Muslim population of the Serb-occupied areas. Only in 1995, however, did Serb crimes occur that have been legally proven to be genocide.

Major atrocities and so-called 'ethnic cleansing' were also carried out by Croatian and Bosnian Croat forces, which joined with the Serb forces to assault Bosnia-Herzegovina and the Muslims. Muslim forces carried out considerable atrocities of their own against both Serb and Croat civilians. Finally, in their final offensives against Serb forces in the summer and autumn of 1995, Croatian forces carried out widespread killings of Serb civilians in both Croatia and Bosnia-Herzegovina.

The third major phase of the Wars of Yugoslav Succession occurred in 1998-1999, involving a campaign by regular Serbian police and military forces against the Albanian population of Kosovo. This was escalated following the intervention in Kosovo by NATO, and ultimately involved the forced expulsion of about 800,000 Albanian civilians. But in contrast to Bosnia, the killings were on a smaller scale, reaching into the thousands rather than tens of thousands. Following the Serbian withdrawal from Kosovo, Albanians carried out large-scale reprisals against Serb and other non-Albanian civilians that assumed the character of a pogrom.

The violence in the former Yugoslavia in both the 1940s and the 1990s has frequently, up until the present day, been portrayed as the expression of ancient ethnic or tribal hatred', for example by the International Herald Tribune.⁵ But this amounts to straightforward racism against South East Europeans, and is not supported by a single academic authority. There is, however, an opposite stereotype that, though less offensive and less grossly inaccurate, nevertheless amounts to an

exaggeration and oversimplification: the myth of centuries of ethnic harmony among the peoples of the former Yugoslavia. In reality, there have been much longer periods of peaceful coexistence than violence among the Yugoslav peoples, but there were nevertheless social and, more recently, ideological fissures between them that made genocidal violence possible, without predetermining it.

The greater part of the former Yugoslavia once formed part of the Ottoman Empire, a state based on Islamic supremacy combined with Christian and Jewish autonomy. In the Balkans, the Ottoman landlord class was Muslim while the peasantry was both Christian and Muslim. In Bosnia, which formed the epicentre for genocidal violence in both of the periods under discussion, during the eighteenth century the Muslim peasantry was mostly freed from its quasi-feudal obligations to the landlords, while the Orthodox peasantry remained mostly enserfed. So a class conflict underlay the division between Muslims and Orthodox, that would become a national division between Muslims and Serbs. This can be compared to the seventeenth-century Polish Ukraine, where the Polish aristocracy governed their Ukrainian serfs through large-scale reliance on Jewish estate-managers. When the Ukrainian peasants rebelled in the great peasant uprising of 1648, their rebellion involved large scale anti-Semitic violence. So it was in Bosnia. The Serb political factions that most radically defended the class interests of the Serb peasantry were the progenitors of the Bosnian Chetnik movement that engaged in the mass extermination of Muslims during World War II.

The Croats are a people standing on the geographic periphery between the former Ottoman and Habsburg worlds. Croatia was the location of the so-called 'Military Frontier', which guarded the Habsburg Empire against the Ottomans. This territory, with its large mixed population of Serbs and Croats, was not integrated into Croatia until the 1870s and 80s. The Serbs of the Military Border therefore had a tradition of separateness vis-à-vis Croatia, one that Croatia's Hungarian overlords played upon, according to a policy of divide-and-rule. The structural divisions between Serbs and Croats in Croatia therefore bear some similarities with the structural division between the ethno-religious groups of the Ottoman lands.

During the nineteenth and twentieth centuries, new nation states emerged from the former Ottoman Empire and its borderlands. In every case - with the sole and interesting exception of the Albanians - these new nation-states were unable to bridge the ethno-religious divide inherited from the Ottoman system. In every case, consequently, the emergence of new nation-states involved the extermination or expulsion of members of the religious other. In Serbia, Greece, Bulgaria and Montenegro, this meant the Muslims and, to an extent, the Jews. In Turkey, however, it meant the Christians - hence the Armenian Genocide of 1915; hence the expulsion of one and a quarter million

Greeks from Anatolia in the 1920s. Echoes of this occurred with the Bulgarian Communist expulsion of ethnic Turks in the 1980s, following failed campaigns of assimilation. It occurred also with the establishment of a fully independent Croatia, finally in 1995 with the recapture of the Krajina region, involving the exodus of 150,000 Serb civilians. The more intense instances of genocidal violence that occurred in the 1940s and 1990s must be seen against this background.

The emergence of modern party politics in the lands of Croatia and Bosnia in the second half of the nineteenth and the first quarter of the twentieth centuries meant that the Serbs, Croats and Muslims were now divided also between different political parties. Efforts to build cross-national parties in this period - with the important exception of the Social Democratic and Communist parties - essentially met with failure. Particularly after the establishment of Yugoslavia in 1918, the competition between these different nationally based parties for control of the state, both at the top and at the local level, became increasingly bitter. Yugoslavia was established on the basis of Serbian hegemony, with the Croats and other non-Serbs denied any autonomy. The campaign of Croat, Muslim and other non-Serb parties for autonomy at the state level gelled with their competition with the Serb parties for control of the spoils of office at the local level. Control of local government meant the ability to provide jobs for one's friends and relatives. Consequently, the question of how to organise the Yugoslav state - whether as a federal or centralised state - with or without self-rule for Croatia, Bosnia and the other individual Yugoslav lands - was for ordinary people a bread-and-butter issue of economic survival and local influence.

The interwar period saw an increasingly bitter political conflict between the Yugoslav nationalities that constantly bordered on civil war. In the 1920s, this was marked by widespread paramilitary violence; the assassination of Stjepan Radić, leader of the principal Croat political party, by a Serb terrorist in 1928, the establishment of a brutal royal dictatorship in 1929; the assassination of Yugoslav King Aleksandar by Croat and Macedonian terrorists in 1934; and a renewed drift toward civil war by the late 1930s and early 1940s. In August 1939, the Yugoslav Regent, Prince Pavle, attempted to defuse Croatian opposition by granting autonomy to a Croatian entity that included a large part of Bosnia. This appeared to presage the territorial carve-up of the country, and the consequent insecurity helped to generate extremism among both Serbs and Croats, and to a lesser extent among Muslims. The extreme nationalist groups, both Serb and Croat, that mobilised against the 1939 agreement between the regime and the mainstream Croatian opposition were the forerunners of those that perpetrated genocide following the Nazi invasion.

World War II

The genocide in former Yugoslavia during World War II was not the pre-ordained result of the prior two decades of political conflict, nor was it the accidental result of Axis occupation. Rather, the invasion and occupation of Yugoslavia by the Axis powers, which took place in April 1941, created the conditions in which the most extreme elements among the Yugoslav nationalities could attempt to resolve their power struggle through collaboration with the occupier. At the same time, the occupiers' genocidal policies provided a catalyst for the genocidal policies of the local actors.

Part of the reason for the high level of genocidal violence in World War II Yugoslavia was, ironically, that German control there was relatively loose - in comparison to places like Poland or the Ukraine. Yugoslavia was not a region of prime strategic importance for Germany. The Germans were most interested in Serbia, where they established a relatively tight, exclusive control. Croatia and Bosnia-Herzegovina, however, were a strategic backwater for Germany, so German control there was looser. The best part of these territories were established as the so-called 'Independent State of Croatia' under the Ustashes, as an Italo-German condominium or buffer state. And it was precisely here that the worst violence took place.

The Ustashes, as a fringe group of extremists installed in power by the Germans and Italians, inherited a country gripped by the long-standing power-struggle between Croats, Serbs and Muslims. Their genocidal policy was not in any way 'provoked' by Serb resistance, as Ustasha apologists sometimes claimed. Yet the Ustashes took power in the face of opposition from remnants of the Yugoslav Army and local Serbs, and their genocide was catalysed by this continuing power struggle. The Ustashes were hoping to take advantage of the Axis occupation to resolve the power struggle in Croatia's favour. Eugen Dido Kvaternik, the Croatian Himmler, privately admitted during the war that he thought Britain would win in the end, but said that by that time there would be no Serbs left in Croatia, and the victors would have to accept the result.⁶

What makes the Ustasha and Chetnik genocides in World War II, and the Serb genocide of the 1990s, more similar to the Rwandan and Armenian genocides, and less similar to the Holocaust, is that they arose in the context of genuine power struggles between nationalities. Except for the Jews and Gypsies themselves, none of the victim groups targeted in the Yugoslav genocides were members of essentially passive, unresisting nationalities, as were the Jews in the Holocaust. Nor did the Ustashes and Chetniks define their victims in a racial manner. Nor did either the Ustashes or the Chetniks aim at the total extermination of their victim groups (except for the Jews and Gypsies, in the

case of the Ustasas). Nevertheless, the Nazi Holocaust was structurally linked to these genocides. Hitler encouraged the Ustasha leader Ante Pavelić to adopt a hard-line policy toward the Serbs. The Ustasas issued various orders to deport Jews and Serbs to concentration camps, treating the two groups as a single category for the purposes of administering genocide.⁷ The Ustasha death camp of Jasenovac was a killing centre for both Serbs and Jews, as well as anti-fascist Croats and others. Furthermore, Ustasha attempts to deport part of their Serb population to Serbia were coordinated with, and prompted by, Nazi efforts to deport ethnic Slovenes to Croatia.⁸

So far as the Chetniks are concerned, Chetnik propaganda targeted Jews as the supposed carriers of Communism. Chetnik leaders in Bosnia and Croatia were often closely allied with the Nazi-puppet regime in Serbia, which was itself directly involved in the destruction of the Serbian Jewish population. Chetniks frequently killed Jews or handed them over to the Nazis. During roughly the first two years of the war, the Chetniks in Croatia and Bosnia acted as auxiliaries to the Italians, who played a game of divide-and-rule, encouraging the Chetniks against Croats and Muslims. Chetnik massacres of Croat and Muslim civilians occurred under the Italian military umbrella. The Chetniks also acted as auxiliaries of the Serbian Nazi-quisling regime of Milan Nedic, who hoped to use them to extend his power into Bosnia, with the aim of eventually establishing a Great Serbian state under the Nazi umbrella.⁹

The Ustasha and Chetnik genocides were structurally linked to one another. Ustasha extermination of Serbs provided a catalyst for Chetnik massacres of Croat and Muslim civilians; indeed, local Serb rebel bands carried out such massacres even before they gelled into the actual Chetnik movement. Yet it is untrue, as apologists for the Chetniks claim, that Chetnik massacres were simply retaliation for prior Ustasha massacres. For one thing, the weight of Ustasha genocide occurred in Croatia proper and in West Bosnia, whereas the largest Chetnik massacres occurred in East Bosnia and the Sanjak region - the latter was not even under Ustasha rule or touched by the Ustasha genocide. The Chetnik officer Pavle Đurišić reported to Chetnik leader Draža Mihailović in 1943 the results of his actions in East Bosnia and the Sanjak: 'All Muslim villages in the three mentioned districts were totally burned so that not a single home remained in one piece. All property was destroyed except cattle, corn and senna'. He continued: 'During the operation the total destruction of the Muslim inhabitants was carried out regardless of sex and age'. In this operation 'our total losses were 22 dead, of which 2 through accidents, and 32 wounded. Among the Muslims, around 1,200 fighters and up to 8,000 other victims: women, old people and children'.¹⁰

The Ustasha and Chetnik genocides were not equivalent to the Nazi Holocaust of the Jews

and Gypsies. World War II claimed the lives of nearly 17% of Bosnian Serbs, 13% of Bosnian Croats and 9% of Bosnian Muslims. This includes military losses, as well as civilians killed outside of the genocide. This can be compared to the loss of approximately 80% of Yugoslav Jews and over 30% of Yugoslav Gypsies.¹¹ In terms of relative death tolls, the Ustasha and Chetnik genocides were similar in scale to the Nazi genocide of the Polish Christians. Both the Ustasha persecution of the Serbs and Chetnik persecution of the Muslims and Croats, in the opinion of the present author, amounted to genocide, as they each involved an attempt to destroy a nationality, or nationalities, in whole or in part. There is, however, some controversy over the matter, to which we shall return following an examination of Serb and Croat perceptions of genocide after World War II.

The orthodox line in Titoist Yugoslavia portrayed the Ustashas and Chetniks essentially as genocidal movements. That the Ustashas carried out genocide against the Serbs was not controversial under Titoism; when Mihailović was tried under Titoist Yugoslavia as a war-criminal in 1946, the indictment claimed he ‘undertook the extermination of Croats and Muslims’ and ‘issued orders to his commanders to annihilate the Moslems (whom he called Turks) and the Croats (whom he identified with the Ustashas)’, and this charge was upheld by the court.¹²

Two leading Titoist historians of World War II genocide, the Serb Dedijer and the Croat Antun Miletić, were typical in their equation of the Ustasha and Chetnik genocides. Dedijer compiled a book about the Vatican and the Ustasha genocide called *The Yugoslav Auschwitz and the Vatican*.¹³ Miletić edited a three-volume collection of documents about the Ustasha death-camp of Jasenovac, in which he argued: ‘Hitler gave Pavelić a green light also for his Serbophobia. He deemed that genocide - expulsions, killings, imprisonment in camps and forced baptisms of Serbs - was the condition for the survival of the NDH’.¹⁴ The two then produced a jointly edited volume entitled *Genocide of the Muslims*, which assembled documents detailing Chetnik persecution of the Muslims. In the introduction, Dedijer claims that the Chetniks’ genocidal policies were inspired by Hitler: ‘Hitler accelerated this process of destroying the Slavic people. His methods, proclaimed publicly in *Mein Kampf*, undoubtedly influenced also the concept of genocide in the movement of Draža Mihailović’.¹⁵

Historians’ understanding of these crimes is nevertheless blurred by the almost complete absence of any genuine historical analyses of either genocide. Titoist historians were content basically to catalogue and describe crimes, rather than to interpret them. Historians in the West largely ignored the Ustashas, and while some excellent monographs were written about the Chetniks, these focussed almost exclusively on Chetnik relations with the Axis and Allies, rather than on atrocities. This has

only begun to change in the last couple of years. This failure to interpret the genocides led directly to Serb and Croat nationalist revisionism and genocide denial. This was made worse by the fact that not all aspects of the Titoist line were given equal emphasis in Communist education and propaganda, so not all aspects equally entered popular awareness.

In 2006, the Serbian historian Olivera Milosavljević brought out a study of collaboration with the Nazis in Serbia, which emphasised the fact that the Serbian Nazi quisling regime under Milan Nedić had not been merely collaborationist, but was a fully fledged fascist regime, with a Nazi-style ideology that claimed that Serbs were members of the Aryan race, and that was fanatically anti-Semitic.¹⁶ Milosavljević confirms what the present author's own research has suggested to him: that official Titoist statements about World War II emphasised the Nazi-collaborationist character of the Chetniks and the Nedić regime, but not their genocidal or fascist character. This made it easier for the Serb-nationalist propaganda in the 1980s and 90s to claim that it had only been Croats, Muslims and Albanians, but not Serbs, who had been genocidal or pro-fascist in World War II, and to deny Serb collaborationist killings of Jews, Muslims and Croats. Titoist propaganda had instead emphasised the Serbs' domination of the interwar Yugoslav kingdom and their oppression of other nationalities, and many Serb intellectuals felt they were continually being made to feel guilty about this.

Conversely, Titoist propaganda strongly emphasised the Ustasha genocide. Just as many Serbs felt they were being made to feel guilty about the interwar Kingdom, so many Croat intellectuals felt Croats were continuously made to feel guilty about the Ustashas. Croat nationalist revisionism therefore did not focus on denial, as was the case with the Serbs, so much as on minimisation and relativisation. The best known Croat revisionist historian is, of course, the late Franjo Tuđman, who subsequently became Croatian President. Tuđman's revisionism largely focussed on the Serb death-toll in the Ustasha genocide and particularly at the Jasenovac death-camp, which he rightly claimed had been exaggerated by Titoist historians - and this conclusion of Tuđman's is supported by the Holocaust Memorial Museum in Washington and by the most authoritative demographic studies. However, Tuđman went to the other extreme, and minimised the death-toll at Jasenovac.¹⁷ He also went on to suggest that the figure of six million Jewish dead in the Holocaust was unreliable. And he relativised Jewish suffering, comparing Israel's treatment of the Palestinians with the Holocaust, and claiming that Jewish inmates had held a privileged position at the Jasenovac camp.¹⁸ In essence, Tuđman claimed that what the Ustashas had done was no different from innumerable other acts of mass violence since biblical times, therefore not a big deal.

By the late 1980s and early 1990s, there was an almost complete unawareness among Serbs

of any Serb genocide or fascism during World War II, while mainstream Croat-nationalist opinion no longer cared about the Ustashas; and some were ready to embrace a more positive reinterpretation of them, including genocide denial. This all contributed to an atmosphere that made new atrocities possible.

The War of Yugoslav Succession

The genocide and atrocities that took place in the 1990s, like those in the 1940s, had their roots in the power struggle between the nationalities during the previous decades. The key difference was that this time, the crimes were linked to a conflict between states, not merely nationalities. Furthermore, the perpetrators worked through official Yugoslav state bodies, and there was no foreign occupation. The genocide had its roots in a Serbian nationalist rebellion against the Titoist system. A few words of explanation are necessary.

The Communist-led Partisans under Tito were a predominantly West Yugoslav movement - Croatian, Bosnian and Slovenian, with strong support among the Croatian and Bosnian Serbs, but much weaker support in Serbia. Furthermore, the Yugoslav Communists' understanding of the national question had been shaped in the interwar period, when they campaigned for the national freedom of the Croats, Macedonians and others, against the Serbian-dominated kingdom. Consequently, the victory for the Partisans marked a heavy defeat for traditional Serbian national politics. Serbia lost Montenegro, Macedonia and all of Bosnia, and had to accept the establishment of Vojvodina and Kosovo as autonomous entities within Serbia.

On the other hand, for the first two decades of the Communist regime, Serbia enjoyed a position of first among equals in the centralised Yugoslav Federation. Mainstream Serbian national politics had traditionally involved support for one of two options: either a Great Serbia; or integral Yugoslav nationalism in which Serbia would play the leading role. The Titoist system initially seemed to chime with the first of these. From the second half of the 1960s, however, Tito inflicted two heavy defeats on the Serbian Communists, and Serbia's position became much weaker. Both Yugoslavia and Serbia were decentralised, and the autonomous provinces of Vojvodina and Kosovo gained virtual independence from Serbia as de facto republics directly under the Federal centre..

Under Milošević, after Tito's death, Serbia rebelled against this system, attempting first to restore Serbian control over Kosovo and Vojvodina, and then to restore a centralised Yugoslav

Federation under Serbian leadership. When the second of these goals had definitely failed by the spring of 1990, Milošević reverted to support for a Great Serbia. He therefore switched to a policy of attempting to break-up Yugoslavia and carve out new Serbian borders. This policy meant dismembering Croatia and destroying the republic of Bosnia-Herzegovina, and was therefore genocidal in its implication. The Milošević regime's map of the projected Great Serbia, which would continue euphemistically to be called 'Yugoslavia', was very similar to those of the Chetniks in World War II.¹⁹

In Bosnia, the Partisan movement had been, in numerical terms, predominantly Serb, and Serbs had dominated the organs of the Bosnian republic for the first two decades of Titoism. But in Bosnia, as in Yugoslavia as a whole, power had shifted away from the Serbs from the late 1960s onward. The Muslims increasingly replaced the Serbs as the leading nationality within the Bosnian republic during the 1970s and 80s. This culminated in the Bosnian general elections of 1990, which brought to power a coalition of Muslim, Serb and Croat nationalists. The President of the Bosnian Presidency was the Muslim nationalist leader Alija Izetbegović.

Thus, Milošević's attempt to carve out new Serbian borders in Bosnia coincided with a Bosnian Serb nationalist rebellion against the Bosnian republic in which Muslims were increasingly strong. It was the combination of the Republic of Serbia, the Serbian-controlled JNA, and the Bosnian Serb nationalists that produced such a massive Muslim death-toll in Bosnia in the 1990s. But this genocidal campaign did not just involve the killing and expulsion of Muslims and Croats, but also the attempted and largely successful destruction of Bosnia as the common state of Serbs, Croats and Muslims. Nevertheless, the only atrocity that has so far been recognised as genocide by the international courts was the Srebrenica massacre of 8,000 Serb civilians by Bosnian Serb forces, which occurred quite late in the day - in July 1995, a few months before the war ended.

Milošević had a partner in Croatian President Tuđman. The War of Yugoslav Succession is often wrongly portrayed as a contest between rival Serb and Croat nationalisms. In fact, the extreme nationalists among Serbs, Croats and, to an extent, the Muslims were in practice allied against the liberal centre and against the existing borders of the Yugoslav republics. Tuđman was a former Yugoslav general and hard-line Communist who had lived and worked for many years in Belgrade, and his starting point was that Milošević, Serbia and the JNA were not his enemies, and that he should collaborate with them. On just about every issue of significance, Tuđman agreed with Milošević: on the need to break-up Yugoslavia and redraw its borders; on the need to partition Bosnia and prevent its emergence as an independent state; on there being no place for the Serb minority in an independent

Croatia; and even on the need for Croatia to turn over parts of its own territory to Serbia; even to the point of winding down Croatia's military resistance to Serbian occupation. It is on this basis that Croatia's involvement in the Bosnian genocide should be understood. Croatian forces joined in Milošević's assault on Bosnia, engaged in the killings and expulsions of Muslim civilians and helped to bring about Bosnia's collapse as a state. This Croatian policy meant that Croat extreme nationalists had reversed the Ustasha policy of World War II; whereas the Ustashas had attempted to co-opt the Muslims against the Serbs, the Croat extremists of the 1990s attempted to ally with the Serbs against the Muslims.

It is on this basis also that the events should be understood surrounding Operation Storm in August 1995, when the Croatian Army attacked the Serb-occupied area of central Croatia known as the 'Krajina'. Milošević cut his losses; the Serb generals ordered and organised the evacuation of at least 150,000 Serb civilians from the Krajina. Croatian forces killed several hundred Serb civilians, burned many Serb homes and established a reign of terror to ensure that few would want to return. In this instance, the removal of the Croatian Serbs from their homes was carried out by Belgrade assisted by Zagreb. A member of the Krajina Serb general staff, Milisav Sekulić, published his memoirs a few years ago describing these events, appropriately entitled *Knin fell in Belgrade* (Knin being the capital of Krajina).²⁰

The third phase of mass violence following the break-up of Yugoslavia occurred in the late 1990s, with Milošević's attempted expulsion of at least 800,000 Albanians from Kosovo, and the killing of several thousand. In contrast to Bosnia, there was no large population of Serbs in Kosovo that could be mobilised to kill their neighbours. The death toll was much lower, in the thousands rather than the tens of thousands. No Serb official has been indicted for genocide in Kosovo.

Controversies over the 1990s genocide

The genocidal crimes of the 1990s occurred in a very different international atmosphere to those in the 1940s. In the earlier period, the fascists and their collaborators had been entirely defeated both in Yugoslavia and internationally, so those speaking in defence of the perpetrators were limited to small circles of right-wing émigrés. In the 1990s, however, international opinion was bitterly divided over the Yugoslav war. Until the Srebrenica massacre of 1995, at the very earliest, the Western alliance and the UN, if anything, favoured the Serbian side, and Western leaders rejected talk of genocide - in favour of terms such as civil war, ethnic conflict and the like. Furthermore, the Milošević regime was strongly supported by vocal members of the far right and far left of the political spectrum in the West,

who claimed that its atrocities had largely been invented by the Western media.²¹ There was also a racist tendency to portray all violence in the former Yugoslavia as the result of supposed ‘ancient ethnic hatreds’ or ‘tribal conflicts’.

The international climate nevertheless shifted from 1995, as President Clinton succumbed to the pressure of Congressional opposition to take action against Bosnian Serb forces. In the same year, Jacques Chirac replaced the pro-Milošević Francois Mitterand as French President, and reversed France=s position on the conflict. Finally, in 1997, Tony Blair and the Labour Party replaced John Major and the Conservatives in power. As Brendan Simms has demonstrated in his book *Unfinest Hour*, the Conservative government was not only well disposed toward Milošević’s Serbia, but determined to prevent any US action against it.²² Blair and Labour, on the other hand, reversed this policy 180 degrees, as a result of which Britain spearheaded the NATO intervention that ended Milošević’s persecution of the Kosovo Albanians, paving the way for Milošević’s overthrow in October 2000.

An additional factor changing the climate of opinion was the gathering momentum of the International Criminal Tribunal for the former Yugoslavia (ICTY), which had been set up during the Bosnian war. Milošević was indicted for war crimes in Kosovo in 1999, and subsequently for war crimes, including genocide, in Bosnia and Croatia. In 2001, the Bosnian Serb general Radislav Krstić was convicted of genocide at the ICTY, while Milošević was handed over by the new Serbian authorities and put on trial. All these factors changed mainstream opinion, which now tended to uphold the view that genocide had taken place. However, the controversy has continued to rage. The recent decision of the ICJ, which confirmed that genocide had taken place but that Serbia was not guilty of it, can in some sense be seen as a compromise position.

What is genocide ?

Much, of course, depends upon how ‘genocide’ is defined. The ICJ accepted that systematic, large-scale mass killings of Bosnian Muslims had taken place across Bosnia in 1992, but ruled that they could not be considered genocide in the absence of conclusive proof that they had been undertaken with the specific aim of destroying the Bosnian Muslims in whole or in part. On the other hand, the Court ruled that at Srebrenica, it had been satisfactorily established that Serb forces intended to destroy the Bosnian Muslims in whole or in part. This creates a model whereby a systematic campaign of mass killing can amount to genocide in some areas, but not in others.

Interestingly, a similar model for mass killings has been put forward by Tomislav Dulić in a study, published in 2005, of massacres in Bosnia in World War II, entitled *Utopias of Nation: Local Mass Killing in Bosnia and Herzegovina*.²³ This is the first English-language monograph devoted to either the Ustasha or Chetnik mass killings, and Dulić has written a comparative study of crimes carried out by the two movements, based on local case-studies of events in particular areas of Bosnia. This is an excellent book based on serious research, though the present author disagrees with it on some points. Dulić's work confirms that there was considerable local variation in the targeting by the Ustashes and Chetniks of their respective victim groups (It should be remembered that neither movement intended the total extermination of any group, apart from the Jews and Gypsies). Dulić's work suggests that the mass killings in Bosnia during World War II closely resemble those in Bosnia in the 1990s, which confirms the impression of the present author.

Dulić correctly argues that any definite conclusions about the mass killings in Bosnia during World War II will have to await further research and case studies. However, on this basis, Dulić withholds judgement about whether the Serbs, Croats or Muslims were victims of genocide during World War II. Like the ICJ, he distinguishes between genocide - the attempt to destroy a group in whole or in part - with what he calls ethnocide, which he defines as an attempt forcibly to remove a group from an area, using mass killings. 'Ethnocide' broadly corresponds to so-called ethnic cleansing. The distinction is that, with an ethnocide, the killings are intended not so much to destroy the group as an end in itself, but to drive them out of an area.

Dulić's thesis can be criticised at the conceptual level. 'Ethnocide' is an unfortunate choice of words, as etymologically 'ethnocide' means essentially the same as 'genocide' (though the alternative term, ethnic cleansing, is for different reasons equally problematic). More fundamentally, however, distinguishing between 'genocide' and 'ethnocide' creates too rigid a distinction between phenomena that are essentially the same thing, but of varying degrees of intensity, and that resemble each other in practice. The perpetrators of these crimes did not necessarily themselves distinguish between killing as an end in itself, and killing in order to force people to leave an area. And it is still more difficult for the historian to categorise such motives. Such a distinction condemns the analyst to endless dilemmas about whether a given episode of mass killings is genocidal or merely ethnocidal, and encourages what might be called an 'elitist' model of genocide, where plenty of instances of mass killings are considered but only a small number qualify for the award of the term 'genocide'.

This is particularly problematic if you end up with a model, as the ICJ has done for Bosnia in

the 1990s, where in a given mass killing campaign, the killings in some areas are 'genocide' but in other areas are merely 'ethnic cleansing'. A model of genocide that sets the Nazi Holocaust of the Jews as its norm is going to mean that only very few mass killings qualify. Yet even the Nazis definitely embarked on total genocide of Europe's Jews only after ideas of deporting them to Madagascar or to Siberia had ceased to be feasible. Even then, the minutes of the Wannsee conference of January 1942 - the closest thing we have to a blueprint for the Holocaust - continues to use 'evacuation' as a euphemism for 'extermination'. And many reputable Holocaust historians, the so-called 'functionalists', argue the Holocaust was not the result of a conscious plan or intent on the part of the top Nazi leadership, but was rather the result of initiatives taken by middle-ranking Nazi officials against the Jews, in competition with one another, creating a dynamic that generated increasing killing and that culminated in Auschwitz and the death camps.

Therefore, to define genocide too narrowly; to make too great a distinction between mass killings intending to destroy and mass killings intended to drive out; to lay too great a stress on intent, and too great an insistence that genocide has to be established for each locality separately, could logically lead even to the status of the Holocaust - or at least some parts of it - as genocide being questioned. It is more reasonable for genocide to continue to be defined as the intent to destroy a group in whole or in part, but there is no reason why this has to mean actually destroying the individual members of a group, as opposed to destroying a group in a given area, through a combination of killings, expulsions and other means. The mass killings of national, religious or social groups are not exceptions or aberrations in history, but unfortunately form an all too central part of the formation of the modern world order. To attempt to separate the most extreme cases as belonging to an entirely different category would be to insert a legal distinction between historical phenomena that are essentially related. It would also tend to legitimise the less extreme cases - if 'less extreme' is an appropriate term in the context - as somehow 'normal'. And if that happens, then the term 'genocide' may have been coined in vain.

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 2. Ibid., pp. 97-98
 3. Ibid., pp. 71, 115, 124
 4. Ibid., p. 87.
 5. 'Kosovo moves toward a messy independence', International Herald Tribune, 28 October 2005.
 6. Eugen Dido Kvaternik, *Sjećanja i zapaženja 1925-1945* ed. Jere Jareb, Prilozi za hrvatsku povijest, Zagreb, 1995.
 7. Petar Kačavenda and Nikola Živković, *Srbi u Nezavisnoj Državi Hrvatskoj: Izabrani dokumenta*, Institut za Savremenu Istoriju, Belgrade, 1998, pp. 166-167, 235-236.
 8. Rafael Brčić, *AO iseljavanju Slovenaca u Bosni 1941. godine*, Prilozi, 1973, no. 9/1, pp. 303-309
 9. Marko Attila Hoare, *Genocide and Resistance in Hitler's Bosnia: The Partisans and the Chetniks, 1941-1943*, Oxford University Press, London, 2006, pp. 143-159.
 10. *Zbornik dokumenata i podataka o narodnooslobodilačkom ratu jugoslovenskih naroda*, Vojnoistorijski institut Jugoslovenske narodne armije, Belgrade, pt 14, vol. 2, doc. 34, 1973, pp. 182-185.
 11. Vladimir Ćerjavić, *Gubici stanovništva Jugoslavije u drugom svjetskom ratu*, Jugoslavensko viktimološko društvo, Zagreb, 1989, pp. 61, 75; Bogoljub Kočović, *Žrtve drugog svetskog rata u Jugoslaviji*, Veritas Foundation Press, London, 1985, pp. 70, 126.
 12. *The trial of Dragoljub-Draža Mihailović*, Union of the Journalists' Associations of the Federative People's Republic of Yugoslavia, Belgrade, 1946, 54, 61-62, 550.
 13. Vladimir Dedijer, *The Yugoslav Auschwitz and the Vatican*, Ahriman-Verlag, Freiburg, 1988
 14. Antun Miletić, *Koncentracioni logor Jasenovac 1941-1945: dokumenti*, vol. 1, Narodna knjiga, Belgrade, 1986, p. 8.
 15. Vladimir Dedijer and Antun Miletić (eds), *Genocid nad Muslimanima, 1941-1945: Zbornik dokumenata i svjedočenja*, Svjetlost, Sarajevo, 1990, p. xxii.
 16. Olivera Milosavljević, *Potisnuta istina: kolaboracija u Srbiji 1941-1944*, Helsinški odbor za ljudska prava u Srbiji, Belgrade, 2006
 17. The death-toll at Jasenovac was estimated by official Yugoslav bodies following World War II at 5-600,000. Tuđman's estimate was 30-40,000, while that of the Holocaust Memorial Museum in Washington is 56-97,000.

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18. Franjo Tuđman, *Bespuća povijesne zbiljnosti: rasprava o povijesti i filozofija zločinja*, Matica Hrvatska, Zagreb, 1989, pp. 156-160, 316-317.
 19. Epoha, 22 October 1991; Hoare, *Genocide and Resistance in Hitler's Bosnia*, p. 144.
 20. Milisav Sekulić, *Knin je pao u Beogradu*, 2nd ed., Nidda Verlag, Bad Vilbel, 2001, pp. 178-179.
 21. A Genocide in the former Yugoslavia: A critique of left revisionism's denial, *Journal of Genocide Research*, vol. 5, no. 4, December 2003, pp. 543-563
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 23. Tomislav Dulić, *Utopias of nation: Local mass killing in Bosnia and Herzegovina, 1941-42*, Uppsala University Library, Uppsala, 2005.