

GENOCIDE PHOBIA IN SERBIA

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MARIO BEZBRADICA

Genocide Phobia in Serbia

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INTRODUCTION

"A shocking crime was committed on the unscrupulous initiative of a few individuals, with the blessing of more and amid the passive acquiescence of all." Tacitus

The International Criminal Tribunal for the former Yugoslavia in The Hague has been dealing for years with the process of bringing the perpetrators of the crime of genocide in Srebrenica, in Bosnia and Herzegovina, 11 July - 19 July 1995, to justice. There were trials and judgments and those convicted serve their sentences. However, the Serbian society refuses to accept factual truths of its deep involvement in the genocide in Srebrenica. Instead, a project of denial of genocide minimizes every effort of recognizing the co-responsibility on the moral - political - metaphysical level. Moreover, one of the principal manufacturers of truth transformation is the newspaper medium. Its daily dosage of denial is a powerful antidote to any self-initiated process of confronting the legacy of genocide.

On these realizations the thesis will argue in relation to: the Serbian denial of genocide and the Serbian print media in the project of reconstruction of genocide in Srebrenica to the point of establishing untruths as factual truths.

However, to understand fully the advanced state of denying of the genocide in Srebrenica found in the Serbian print media one should firstly understand the process of persecution and genocide on a universal level. For that reason the first chapter will deal with the definitions of genocide, the phases of the process of prosecution and genocide, the international law defining genocide in the UN Convention on the Prevention and Punishment of the Crime of Genocide. It will proceed to the chronology of the genocide in Srebrenica describing the formation of the safe area Srebrenica, fall of the safe area and subsequent Serb routine of killing of the Bosniaks. The chapter will continue with the UN and international community role during genocide and finally the perpetrators will be identified.

The second chapter will continue on the issue of the perpetrators highlighted in the Krstic case - the trial, the appeal and the Appeals Chamber judgment with particular emphasis on the Krstic Defense arguments that were dismissed, however, subsequently reiterated as correct in the Serbian newspaper articles. The Krstic trial and judgment will serve as a factual and legal platform to precisely distinguish some forms of the denial of genocide in Serbia whether direct or indirect, derivative, covert or overt.

Proceeding to the third chapter a paradigm of genocide will be displayed in comparing the Armenian genocide and the Srebrenica genocide as to point to the synonymous pattern of the process of persecution and genocide. Denial of the Armenian genocide as one of the most fierce projects of negating, distorting and concealing the truth about state-organized structured mass killings will be presented in the third chapter thus introducing the question of guilt in dealing with the denial what will be elaborated in the fourth chapter.

Karl Jaspers' model of differentiating elements of guilt and their collective and individual properties will be used as prototype for the question of Serbian guilt. Gradually the phases and forms of Srebrenica genocide denial in Serbia will be shown, on the basis of which the Serbian print-media active role in the genocide denial will be analyzed in the fifth chapter. The last, fifth, chapter will attempt to demonstrate how has the newspaper medium used its power and contributed to the creation of the blindfold on the eyes of the Serbian public. It will be done by analyzing the press medium itself and the content and the form of articles. Seven articles of four newspapers will be used eclectically covering the critical period of the years 2003 to 2005 - before and after Krstic Appeal Judgment.

The argumentation applied in this thesis rests on theory, comparison, analysis and other methods using as a source and reference the works of genocide scholars: Bec; Fein; Lemkin; communication theorist McLuhan; and other authors.

GENOCIDE IN SREBRENICA

Genocide as such

Social scientists offer different definitions of genocide. Helen Fein defines genocide as "sustained purposeful action by a perpetrator to physically destroy a collectivity directly or indirectly, through interdiction of the biological and social reproduction of group members, sustained regardless of the surrender or lack of threat offered by the victim."¹ Israel Charny suggests that "genocide in the generic sense is the mass killing of substantial numbers of human beings, when not in the course of military forces of an avowed enemy, under conditions of the essential defenselessness and helplessness of the victims."² Frank Chalk and Kurt Johansson find that "genocide is a form of one-side mass killing in which a state or other authority intends to destroy a group, as that group and membership in it are defined by the perpetrator."³

Although prototypically these definitions converge the differences are found in defining act, intent and context.⁴ However, the definition accepted in international law is considerably derivable from the writings of Raphael Lemkin:

"generally speaking genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killing of all the members of a nation. It is intended rather to signify coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups (...) The objectives of such a plan would be the disintegration of the political and social institutions of culture, language, national belongings to feelings, religion and economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the such groups."⁵

Raphael Lemkin coined the term genocide* in 1943, accepted in 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide.

The crimes of genocide in the twentieth century show that genocide is not separate event, one single act; it is a *process* in space and time. It is an interconnected series of many different acts by a considerable number of interdependent people, acting individually and in organized, collective forms. There are no accidental or unintentional genocidal crimes since the beginning of a genocidal process originates in a decision or set of constituent decisions by the central political leadership of the state/society in question. They decide to start a genocidal policy, though such a policy may take on different forms.⁶ Therefore, Helen Fein concludes that genocide is primarily a crime of state. The highest state authorities are always respon-

sible for what takes place during the genocidal process, because of:

their active involvement in the planning of forceful uprooting, deportations and killing of people

covert and silent complicity;

not acting at all, neglecting the rights and lives of considerable number of citizens, and tacitly approving of the genocidal acts which take place.⁷

The researched cases of genocidal crimes in twentieth century show that there are five phases for the recognition of the process of persecution and genocide:

- 1) target group has to be defined
- 2) possessions of the members of the group have to be expropriated
- 3) they have to be concentrated
- 4) they have to be deported
- 5) significant numbers of them have to be killed⁸

Similar to the phases of the process of persecution and genocide are legally defined acts of genocide in the Convention on the Prevention and Punishment of the Crime of Genocide as follows.

Genocide in international law

Genocide was for the first time legally defined in the Convention on the Prevention and Punishment of the Crime of Genocide adopted by U.N. General Assembly on 9 December 1948, with its entry into force on 12 January 1951. Analyzing articles I-III a

clear and precise definition of the crime of genocide and its perpetrators is unarguable, as follows:

"Article I: The contracting parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish."⁹

Therefore, genocide is a crime, undoubtedly, which is committed regardless of the presence of an armed conflict and it is to be prevented as much as to be punished. Article II of the Convention on the Prevention and Punishment of the Crime of Genocide differentiates between two elements of the crime of genocide: the mental and the physical element. Both of the elements (mental and physical) should be found in the perpetrated crime in order to be called genocide.

"Article II: In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group."¹⁰

The mental element refers to the intent to destroy a national, ethnical, racial or religious group, even part of the group. The intent should not be misrepresented with the motive, since intentional applies to purposeful and deliberate actions. The intent therefore is proven from statements, orders and systematic pattern of coordinated acts.¹¹ The phrase 'in whole or in part' strikes us with the reality that destruction of a part of a group (e.g. its educated members, or a regional subgroup of the group in question) is genocide also. Hence, an individual criminal may be guilty of genocide even if he kills one person, so long as he was cognizant of his participation in a larger plan of destroying the group.¹²

Furthermore, in Article II the physical element includes five acts described in (a) - (e): killing, harming, creating circumstances of conditioning the survival through the inerrability of genocidal intention crystallized even in the birth prevention and forcible transfer of children. In Article III punishable acts are not exclusively limited to the genocide itself since the process of planning, premeditating and abetting is of equal weight, equal importance and equally punishable:

"Article III: The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide."¹³

Consequently, through the provisions of Articles I, II, III of the Convention on the Prevention and Punishment of the Crime of Genocide many conceptual, typological and legal

dilemmas on the characterization and punishment of the crime of genocide dissolve when confronted with a clear definition of the crime displayed in the genocidal acts with the purpose of intention, i.e. in the punishable acts prior and during the genocide as such.

However, this approved legal definition, not creating room for misinterpretation, is not devoid of incompleteness as a number of scholars and lawyers observed.¹⁴ It is precise in the aim it covers, however with omissions in scope, what is noted in the absence of social, economic, political groups among other enumerated groups as targets and victims of genocide.*

Chronology of the Genocide in Srebrenica

Srebrenica as a UN safe area

In the maze of the rampant atrocities systematically being committed in the international armed conflict in Bosnia and Herzegovina (which have two years later reached its climax in the crime of genocide in Srebrenica) the Security Council of the United Nations adopted forty seven resolutions in the period from April, 6 1992 to October, 5 1993, quantity of which being unprecedented.¹⁵ During this ending-hostilities process a concept of safe areas appeared to be a sort of solution for certain zones where a special humanitarian protection was to be maintained. The enclave of Srebrenica where the number of citizens doubled to 50,000 - 60,000 since the citizens of neighboring areas found refuge in Srebrenica town, was by January 1993 under siege by Bosnian Serbs who disconnected water supplies, while food and medicines being scarce.¹⁶ As a result of such an urge the Security Council adopted resolution 819

(1993). The resolution aimed at establishing Srebrenica as a safe area thus demanding that "all parties and others concerned treat Srebrenica and its surroundings as a safe area which should be free from any armed attack or any other hostile act."¹⁷

It also demands "the immediate cessation of armed attacks by Bosnian Serbs paramilitary units against Srebrenica and their immediate withdrawal from the areas surrounding Srebrenica."¹⁸ In addition to demands to treat Srebrenica as a safe area free from hostilities the resolution 819 furthermore demands that "the Federal Republic of Yugoslavia (Serbia and Montenegro) immediately cease the supply of military arms, equipment and services to the Bosnian Serb paramilitary units in the Republic of Bosnia and Herzegovina."¹⁹ The first deployment of UNPROFOR soldiers occurred on April 18, 1993, on a basis of six-month rotation.²⁰ Since the process of realization of newly created safe area by the 819 resolution was developing in a different direction Security Council reinforced its demands and reaffirmed the objectives by adopting resolution 824 where it was called for "full respect by all parties of the rights of the United Nations Protection Force (UNPROFOR)... to free and unimpeded access to all safe areas in the Republic of Bosnia and Herzegovina."²¹

Subsequently, the Security Council's resolution of 4 June 1993 (836) was firstly intended for the extension of the mandate of UNPROFOR and its full authorization with the purpose of implementing the resolution 819 and 824 in the safe area of Srebrenica.²² However, during the evolution of the safe area policy in the safe area of Srebrenica continuing stabilizations and destabilizations of the situation on the ground were present from June 1993 until 6 July 1995 - the fall of Srebrenica culminating in subsequent days of systematic mass execution of 7000 Bosniaks.

The fall of the UN safe area Srebrenica

On July 6, 1995 Republika Srpska army troops began their attack on Srebrenica enclave- United Nations safe area- the main axis of attack was from the south, hitting the enclave to the level of 150 shells.²³ Republika Srpska army troops surrounded Srebrenica town on July 9 and shelled Srebrenica on July 10, while Srebrenica citizens began fleeing to Potocari, where the UN base Serb forces continued the attack by shelling UN positions.²⁴

Following the Security Council's resolution 836: "member states, ..., may take under the authority of the Security Council and subject to close coordination with the Secretary - General and UNPROFOR, all the necessary measures, through the use of air power, in and around the safe areas in the Republic of Bosnia and Herzegovina, to support UNPROFOR in the performance of its mandate"²⁵, the "Dutchbat" Commander issued a formal request to UN Command for Close Air Support which was firstly discouraged, but after the request had been repeated the air strikes were approved. Since this was intended to serve as a warning to Republika Srpska army, the attacks on UN positions were stopped and air support postponed.^{26 27} On July 11 Srebrenica falls. The close air support deployment, i.e. NATO bombardment of Republika Srpska army tanks had to be discontinued due to the threats of killing Dutchbat soldiers, which were held hostage, and threats of shelling UN base at Potocari where thousands of inhabitants gathered.²⁸ That summer afternoon Generals Mladic, Krstic and Zivanovic entered Srebrenica.

The routine of killing

On July 12, an order that general Zivanovic issued demanded that all the buses that belong to Republika Srpska army ought to be available to the Drina Corps. Following that order Defense Department of Republika Srpska issued three additional orders to send buses to Bratunac. In the series of meetings held previous days and on July 12 that were presided by Generals Mladic and Krstic a decision to separate all men between ages 16 and 65 was consolidated. The separation was to be made under the pretext of identifying "war criminals" among this gender and age specified group.²⁹ Between 13:00 and 15:00 hours 40 to 50 vehicles arrived in Potocari, it included buses, vans, trucks and military vehicles. That day prior to the massive process of separation and deportation General Mladic performed a semi-theatrical display of humanitarian intentions, all before TV cameras, handing out bread and water to the refugees, and tossing candy to the children.³⁰

Mladic reinforced his staged kindheartedness induced by the media presence thus sending a message to the entire world watching. It was done through a form of all-around and all-embracing statements, which was recorded by Serbian TV. Well aware of the media power to generate convictions both Mladic and the TV medium itself abused that power to the limits of public's disbelief with the culmination of the process of genocide. Advancing it to the point of mesmerizing all those frightened enough to believe Mladic's words:

"Don't be afraid. Just take it easy. Let women and children go first. Plenty of buses will come. We will transfer you towards Kladanj. From there you will cross to the territory controlled by Alija's forces. Just don't panic. Do not let any of the children get lost. Don't be afraid. Nobody will harm you... Our army does not

want combat activities against civilians, or against the UNPROFOR forces. The aim was not to fight civilian population. We have nothing against the people here or UNPROFOR. We have provided transportation, food, water and medicine for them. During the day we are going to evacuate women and children, elderly persons and all others who are willing to leave this area of combat activities without being forced to do so."³¹

The falsity of Mladic's statements to the media, in front of the TV cameras, materialized in subsequent actions when deportation of 20,000 women, children and elderly began, who were taken from Potocari to the Bosnia and Herzegovina army controlled territory near Tuzla.

Furthermore, men between ages 16 and 65 were instantly being separated, first detained in Potocari, what has come to be known as the "white house", then transported to Bratunac, where they were taken into a hangar.^{32,33} On the night of July 12, the avalanche of routine killing was triggered off. During that night the Republika Srpska army killed 50 men, after hitting them with obtuse objects.³⁴ On the following day of July 13 the mass deportation and evacuation of women, children and the elderly continued along with systematic separation of men taken to Bratunac. By the end of July 13 there were literally no Bosniac men in what used to be 'safe area' of Srebrenica. They could be categorized as:

- 1) those alive trying to find rescue progressing through the woods towards Government-held territory;
- 2) those who were killed during the rescue attempt;
- 3) those who surrendered themselves to the Serbs in Potocari or on the way to Government-held territory; and who had already been killed;

4) those who surrendered themselves to the Serbs in Potocari or on the way to Government-held territory, and who were taken to Bratunac, then relocated to execution and burial sites.³⁵

The routine of killing exercised the previous night showed its intentional aim to destroy starting with executions near the Jadar river, Cerska valley and in the warehouse at Kravica. The killings continued at Tisca on July 13 - 14. The mass killing was turned into a routine of killing on these five (5) locations in the period of four (4) days:

I Orahovac: July 14;

II Petkovacka Dam: 14 to 15 July;

III. Military farm at Banjevo: July 16;

IV. Dom kulture (House of Culture) at Pilici: on or about July 16;

V. Kozluk: on or about July 16 and 17.³⁶

From September to November 1995 Bosnian Serbs were terminating the process of genocide. In that period they were systematically digging up mass graves,³⁷ concealing the mass killings by relocating bodies from the initial primary grave sites to remote secondary ones.³⁸ During the above presented process of genocide seven to eight thousand unarmed Bosniac men and boys were murdered in routine executions which were completed systematically, deliberately and purposefully: with the intent to eliminate group as such.

The role of the UN and international community during genocide

In the continuum of 4 days of carnage and wholesale murder, international community and UN Security Council limited their resources of insight and their power possibilities of stopping the mass murder to the level of concern. No matter how mounting and legitimate the concern might have been it did not save lives of the very ones who virtually entrusted their destinies to the UN Security Council by living "safely" in the UN safe area of Srebrenica. On July 14 The Security Council expressed their concerns "about reports that up to 4,000 men and boys had been forcibly removed by the Bosnian Serb party from the Srebrenica safe area."³⁹ Furthermore, the Security Council demanded that:

"in conformity with internationally recognized standards of conduct and international law the Bosnian Serb party release them immediately, respect fully the rights of civilian population of the Srebrenica safe area and other persons protected under international humanitarian law, and permit access by the International Committee of the Red Cross."⁴⁰

Furthermore, once unleashed the deceptive power of murdering could not be stopped by concerns about reports of deportation and separation and demands on international humanitarian law implementation. Furthermore, the increasing concerns about the separated group of Bosniak men and boys on July 15, resonated in the international community's attempt, i.e. the United Kingdom's Prime Minister call for a major international conference that was to be held in London, on July 21, as to determine a strategy for this crisis.⁴¹

As history testifies, by July 21, 1995 there was nothing to be convened about Srebrenica and nobody left alive in Sre-

brenica whose fate was to be addressed, only the inextricable knot of UN's and international community's failed historical humanitarian duty. The duty and its weight magnifies taking into account the purpose of establishing Srebrenica safe area - in its very essence it was to be a temporary regulation of conflict and the prevention of mass crimes as the Security Council resolution 819 (1993) demanded: "a safe area which should be free from any armed attack or any other hostile act."⁴²

Therefore, it was undoubtedly a duty, if not to prevent, then to stop the process of genocide in its life-devouring culmination as enumerated in Article II of the Convention on the Prevention and Punishment of the Crime of Genocide:

"(a) Killing members of the group;

(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;"⁴³

However, in the climax of the process of 'final solution' carried out by Bosnian Serb forces on seven to eight thousand Bosniaks, who as group represented Bosniaks in general, the international community tried to negotiate with the perpetrators. Some authors assert that international community leaders "by taking part in negotiations with the perpetrators, have concealed massacre that occurred parallel with negotiations in Srebrenica and its surroundings."⁴⁴ In that course agreements were reached, the first one on July 15 when Slobodan Milosevic and Ratko Mladic as the top level Serbian representatives met in Belgrade with the international community's top level representatives, i.e. European Union negotiator - Mr. Bildt, Special Representative of the Secretary General - Mr. Akashi and UNPROFOR Commander.⁴⁵ Several points of agreement were

reached on Srebrenica which General Mladic, unmistakably, did not observe. The points of agreement were as follows:

"Full access to the area for UNHCR and International Committee of the Red Cross (ICRC);

ICRC to have immediate access to 'prisoners of war' to assess their welfare, register, and review procedures at Bosnian Serb reception centers in accordance with the Geneva Conventions;

UNPROFOR requests for resupply of Srebrenica, via Belgrade-Ljubovija-Bratunac, to be submitted on 17 July;

Dutchbat troops in Srebrenica to be free to leave, with their equipment on 21 July or shortly thereafter via Bratunac (both the UNPROFOR Commander and Mladic to observe the move);

UNPROFOR to organize immediate evacuation of injured persons from Potocari and Bratunac, including provision of ambulances; UNPROFOR presence, 'in one form or another' ŠwasĆ agreed for 'key areas';⁴⁶

On the days of 16, 17 and 18 of July panoptic reports of abominable crime, ruthlessness and horror materialized coming from Dutchbat soldiers. On July, 19, following Mladic's conspicuous reluctance to meet the points required, the negotiations were reiterated. The UNPROFOR Commander convened again with General Rarko Mladic in Serb held territory outside Sarajevo and concluded the agreement.⁴⁷ On that meeting, coerced by the UNPROFOR Commander to explain his "military troops behavior after the fall of Srebrenica", Mladic claimed that there were losses in lives on both sides and some "adverse small incidents" took place.⁴⁸ The first point of that agreement: "ICRC access to all 'reception centers' where the men and boys

of Srebrenica were being held, by the next day"⁴⁹ strikes us with the absurdness and brutality of the fact that the 'access to ... by the next day' was a demand for access to the mass grave, to the dead, to the thousands of unarmed men and boys murdered while the negotiations were being held. It was an archetypal access to the audacious Serbian denial of genocide, on which we will focus in the following chapters.

The Perpetrators

At the level of criminal responsibility along with the troops of Republika Srpska army, special state security forces of the state of Serbia known as the "Scorpions" participated in the genocide in Srebrenica.⁵⁰ This leads us to the institutional responsibility meaning that the Serbian state was also involved in the crime, undoubtedly, as the perpetrator of the crime of genocide in Srebrenica.⁵¹

The International Criminal Tribunal for the former Yugoslavia indicted for individual criminal responsibility and/or superior individual criminal responsibility tried and convicted Radislav Krstic (held the rank of general in Republika Srpska Army and Commander of Drina Corps in July 1995)⁵² and Viduje Blagojevic (held the rank of Colonel in the Republika Srpska Army and Commander of Bratunac Brigade in July 1995)⁵³ for complicity in genocide.⁵⁴ Radislav Krstic was the first person to be convicted of genocide at ICTY. Dragan Jokic (held the rank of major in the Republika Srpska Army and Chief of Engineering of the Zvornik Brigade)⁵⁵ was indicted for crimes against humanity.⁵⁶ Momir Nikolic officer in Bratunac Brigade, Dragan Obrenovic officer in Zvornik brigade and soldier Drazen Erdemovic confessed their collaboration in the massacre and have obliged

themselves to cooperate with the tribunal in turn for the reducing of the sentences.⁵⁷ They were convicted of crimes against humanity and punished from five to thirty five years of imprisonment, while Erdemovic has already been released from prison.⁵⁸

The most glaring perpetrators Ratko Mladic and Radovan Karadzic indicted by the ICTY in The Hague for Srebrenica genocide related crimes are still on the run. Slobodan Milosevic was also indicted for the crimes of genocide in Srebrenica.⁵⁹ Therefore, the perpetrators have been and are still being identified, indicted, arrested, tried, and convicted by The International Criminal Tribunal for the former Yugoslavia.

The process of bringing the perpetrators to justice has so far been long and meticulous. However, partially completed since the most prominent ones are still at large, at this point in time, due to the state of Serbia reluctance and/or lack of political will to confront the legacy of genocide and to locate and arrest the principal perpetrators. They by being on the run symbolically redevise and instigate the process of persecution and genocide thus sending a message that it was a successful crime, a legitimate crime. However, these perpetrators are fully aware of their crime. Their hiding serves as their confirmation of the crime, and their successful hiding serves as an affirmation of genocide understood as a ratification of truth that the denial of genocide is vastly state-run project in Serbia.

Notes

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KRSTIC CASE

In order to understand the basis of Serbian denial of Srebrenica genocide we will firstly examine the case of Radoslav Krstic, Commander of Drina Corps in July 1995, focusing on indictment, trial chamber and appeals chamber judgment and particularly on the defense arguments also found and reiterated in the Serbian print-media's well-versed contributions to the denial of genocide in Srebrenica.

The trial

Krstic was indicted on 30 October 1998 for genocide, crimes against humanity and violations of the laws or customs based on his alleged involvement in the crimes committed in UN safe area Srebrenica between 11 July 1995 and 1 November 1995. On 27 October 1999, the final indictment was filed with additional charges of deportation and inhumane acts, all crimes against humanity. On 25 November 1999, Radislav Krstic pleaded "not guilty" to the new counts.¹ Radislav Krstic on the basis of individual criminal responsibility and/or, superior criminal responsibility was charged with:

Genocide; complicity to commit genocide

Extermination; murder; persecutions on political, racial and religious grounds; deportation; inhumane acts (forcible transfer) (crimes against humanity)

Murder (violations of the laws or customs of war)²

Involvement of Drina Corps in the Srebrenica Crimes

The evidence strongly suggested that the genocide instigation was being directed by the Republika Srpska Army Main Staff under the command of General Ratko Mladic, no evidence was found that Drina Corps devised the atrocities. Ratko Mladic was directing events in Potocari, the transport of the women, children and elderly from there and the separation of the men. Mladic was identified as physically observing executions.³ Further evidence suggested the involvement of other individuals of the Main Staff in the criminal activity. The Drina Corps shelled the Srebrenica enclave with the intent to cause the Bosnian Muslim civilians to flee the area. The Drina Corps were fully

aware of the cataclysmic humanitarian situation of the Bosnian Muslim refugees in Potocari.⁴

The Drina Corps were also present in Potocari, supervising the transportation operation, being cognizant of the fact that Bosnian Muslims did not choose to leave the area. The Drina Corps were preoccupied with the transportation operation knowing that the men were being taken prisoner.⁵ The massive scale of atrocities all occurred within the Drina Corps zone of responsibility. In the absence of sufficient personnel and equipment of its own, the Main Staff relied upon resources of the Drina Corps to assist with the executions. The Trial Chamber found that, by the evening of 13 July 1995, the Drina Corps Command must have been cognizant of the plan of execution of thousands of military aged Bosnian Muslim men captured in the area of the former safe area.⁶

The Role of General Radislav Krstic in the Srebrenica Crimes

Radislav Krstic was the Deputy Commander and Chief-of-Staff of the Drina Corps from June 1995 until July 1995. From early July, Radislav Krstic began to assume more and more responsibility within the Drina Corps. On the evening of 13 July 1995, General Ratko Mladic appointed Radislav Krstic as Commander of the Drina Corps thus Radislav Krstic being the Drina Corps Commander. Radislav Krstic ordered the procurement of buses for the forcible transfer of the Bosnian Muslims from Potocari and generally superintended the transportation operation.⁷

As a result of his presence in Potocari on 12 July 2005, Radislav Krstic must have known of the atrocious conditions Bosnian Muslim refugees faced as well as mistreatment. As of

13 July 1995, given his position in the Drina Corps Command, first as Chief-of-Staff and then as Commander, Radislav Krstic must have known about the plan to execute all of the military aged Bosnian Muslim men and, as of 14 July 1995 of the involvement of Drina Corps subordinate units in mass executions.⁸

Moreover, on 15 July, Radislav Krstic took in charge to arrange that the Bratunac Brigade assists with the Branjevo Farm and the Pilica Dom executions. Radislav Krstic was cognizant of the fact that men under his command had participated in the executions of Bosnian Muslim men and failed to punish any of them.⁹

The Trial Chamber found that Radislav Krstic participated in two criminal plans: the plan of ethnic cleansing of the Srebrenica enclave of all Bosniak civilians and the plan of killing the military aged men of Srebrenica. For his participation in these crimes, Radislav Krstic was found guilty of: murder, persecutions and genocide.¹⁰ Krstic's high rank of commander of Drina Corps was considered as an aggravating factor since he used that position for direct participation in genocide.

On 2 August 2001, the Trial Chamber of ICTY rendered the judgment, convicting Krstic to 46 years of imprisonment.¹¹ Therefore, General Krstic was convicted on the basis of factual findings of the crimes he was aware of which were perpetrated under his command arraying from criminal plans of persecution and murder to his unambiguous involvement in genocide.

The Appeal

As our analysis proceeds it is highly valuable to decipher the Defense's arguments in Krstic case as similar challenging, i.e. in the broader context denying, is found in the Serbian print-media coverage of the Krstic case and Srebrenica genocide.

The Defense appealed Radislav Krstic's conviction for genocide committed against Bosnian Muslims in Srebrenica. The Defense argued that the Trial Chamber both misinterpreted the legal definition of genocide and erred in applying the definition of genocide to the circumstances of the Krstic case.¹² The Defense's argument was:

- 1) the Trial Chamber's definition of the part of the national group Krstic was found to have intended to destroy was unacceptably narrow;
- 2) the Trial Chamber inaccurately broadened the term "destroy" by including the geographical displacement of a community.¹³

Since this argument of the Defense is of particular interest for the analysis of genocide denial more detailed account will be presented as follows.

The Definition of the Part of the Group

The first issue in the appeal was if the Trial Chamber defined the relevant part of the Bosnian Muslim group in a manner which is in conformity with the requirements of Article 4 of the Tribunal's Statute, corresponding to Articles 2-3 of Genocide Convention. It was established that where a conviction for genocide depends on the intent to destroy a group "in part," the part must be a substantial part of that group¹⁴.

This finding is reinforced by scholarly opinion emphasizing that the term "in part" contains a substantiality element. Raphael Lemkin, who coined the term genocide, elaborated that "the destruction in part must be of a substantial nature so as to affect the entirety." Another scholar Nehemiah Robinson explained that a perpetrator of genocide must possess the intent to destroy a substantial number of individuals constituting the targeted group. Robinson emphasized, as Lemkin did, "the act must be directed toward the destruction of a *group*".¹⁵

In Krstic case, the protected group being the national group of Bosnian Muslims, the Trial Chamber, and confirmed by the Appeals Chamber, concluded that the part of the group that was targeted by the Republika Srpska Army main staff and Radislav Krstic was the Bosnian Muslims of Srebrenica, or the Bosnian Muslims of Eastern Bosnia. However, the Appeals Chamber found that the importance of the Muslim community of Srebrenica was not represented exclusively by its size.

As the Trial Chamber explained, and Appeals chamber confirmed, Srebrenica region was marked as enormously strategic area for the Bosnian Serb leadership. The envisioned Serb state of Republika Srpska, without Srebrenica, would remain divided into two disconnected parts with its access to Serbia proper obstructed. Through the annihilation of Srebrenica enclave the goal of cleansing the entire region of its Muslim population would be completed.¹⁶

Furthermore, due to Srebrenica's prominence for both the Bosnian Muslims and the international community and the guarantee of protection by UN Security Council resolutions and UN troops the elimination of Bosniak population in Srebrenica would set a powerful example to all Bosniaks - an example of their vulnerability and defenselessness. Therefore, the fate of

Bosnian Muslims in Srebrenica would be *emblematic* of the fate of all Bosnian Muslims.¹⁷

However, the Defense did not argue that the Trial Chamber's characterization of the Bosnian Muslims of Srebrenica as a substantial part of the targeted group conflicts with Article 4 of the Tribunal's Statute. Instead, the Defense contested the substantiality requirement based on the part of the group Krstic intended to destroy - the Bosnian Muslim men of military age of Srebrenica measured against the group of Bosnian Muslims of Srebrenica. The Defense argued that if the correct approach were applied measuring the military age men against the entire group of Bosnian Muslims, the substantiality requirement would not be met.¹⁸

The Appeals chamber found that the Defense misunderstood the Trial Chamber's analysis. The part of the group Radislav Krstic intended to destroy was the *Bosnian Muslim population of Srebrenica*. The Trial Chamber treated the killing of the men of military age as *evidence* to render that Radislav Krstic and some members of the Republika Srpska army had the *intent to destroy all* the Bosnian Muslims of Srebrenica, the only part of the group relevant to the Article 4 of the Tribunal's Statute. The Trial Chamber determination of the substantial part of the group was correct and the Defense's appeal on this issued was dismissed.¹⁹

The Determination of the Intent to Destroy

The Defense argued that the Trial Chamber broadened the definition of genocide by concluding that geographical displacement of a community from its residence suffices to demonstrate that the alleged perpetrator intended to destroy a protected

group. The Defense argued that the Trial Chamber departed from the established meaning of the term genocide in the Genocide Convention since it applies only to instances of physical or biological destruction of a group.²⁰

The Appeals Chamber confirmed findings of the Trial Chamber that explained how forcible transfer could be an additional means of ensuring the physical destruction of the Bosnian Muslim community in Srebrenica. Through the forcible transfer all of the Bosnian Muslims were removed from Srebrenica. The Appeals Chamber found that the Trial Chamber was entitled to conclude that the evidence of the forcible transfer supported its finding that some members of the Republika Srpska Army Main Staff intended to destroy the Bosnian Muslims in Srebrenica. The Appeal Chamber reiterated that the genocidal intent may be inferred, among other facts, from evidence of "other culpable acts systematically directed against the same group."^{21 22}

Furthermore, the Defense argued that there are no statements in the trial records by members of the Republika Srpska Army which would evidence that the killing of the Bosnian Muslims was motivated by genocidal intent to destroy the Bosnian Muslims of Srebrenica. The Appeal's Chamber concluded that the absence of such statements is not determinative since, in the absence of direct evidence of genocidal intent, the intent is still inferred from the factual circumstances of the crime.²³

The Appeals Chamber confirmed that the conclusion of the Trial Chamber that some members of the Republika Srpska Army Main Staff intended to destroy the Bosnian Muslims of Srebrenica did not depart from the legal requirements for genocide. The Defense appeal on this issue was dismissed.

The Appeals Chamber Judgment

The Appeal's Chamber found that Radislav Krstic was aware of the intent to commit genocide on the part of some members of the Republika Srpska army Main Staff. However, the Trial Chamber failed to supply adequate evidence that Radislav Krstic possessed the genocidal intent.²⁴ This, however, has not undermined the finding that Bosnian Serb forces carried out genocide against the Bosnian Muslims.²⁵

Therefore, as the Appeals Chamber concluded Radislav Krstic's responsibility was not of principal perpetrator, rather of an aider and abettor (with partial dissenting opinion of Judge Shahabuddeen). The Appeals Chamber rendered its judgment on 19 April 2004, convicting Radislav Krstic for the crimes committed between 10 and 13 July 1995 in Potocari:

- 1) aiding and abetting genocide;
- 2) aiding and abetting murder (violation of the laws or customs of war);
- 3) extermination and persecution (crimes against humanity) committed between 13 and 19 July 1995;
- 4) murder (violation of the laws or customs of war) and persecution (crimes against humanity) committed between 10 and 13 July 1995 in Potocari.²⁶

The Appeals Chamber unanimously sentenced Radislav Krstic to 35 years' imprisonment.²⁷

Conclusively, the Krstic Case Defense's dismissed arguments (men of military age are not substantial part of the group; the geographical dislocation is not under intent to destroy; no perpetrators' statements of the intent to destroy)

offer an insight in the creation of genocide denial artifacts repeatedly found in the Serbian print media which in one way or another possibly served as an additional platform for the Serbian denial of the genocide in Srebrenica.

Notes

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15 "Appeals Chamber Judgment, Krstic (IT-98-33) Srebrenica." *ICTY Cases and Judgments*. International Criminal Tribunal for the former Yugoslavia. 16. Sept. 2006.
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22 "Judicial Supplement 48 - The Prosecutor v. Radislav Krstic - Case No. IT 98-33-A." *Appeals Chamber*. International Criminal Tribunal for the former Yugoslavia. 16. Sept. 2006.
<<http://www.un.org/icty/Supplement/supp49-e/krstic.htm>>

23 "Judicial Supplement 48 - The Prosecutor v. Radislav Krstic - Case No. IT 98-33-A." *Appeals Chamber*. International Criminal Tribunal for the former Yugoslavia. 16. Sept. 2006.
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25 "Appeals Chamber Judgment, Krstic (IT-98-33) Srebrenica." *ICTY Cases and Judgments*. International Criminal Tribunal for the former Yugoslavia. 16. Sept. 2006.
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26 "Krstic (IT-98-33) Case Information Sheet." International Criminal Tribunal for the former Yugoslavia. 10 Sept. 2006.
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27 "Krstic (IT-98-33) Case Information Sheet." International Criminal Tribunal for the former Yugoslavia. 10 Sept. 2006.
<<http://www.un.org/icty/glance/krstic.htm>>

COMPARING GENOCIDE

To try to comprehend the causation of the process of persecution and genocide and the denial of it, is to try to compare the genocides of the twentieth century. Therefore, to deepen the awareness and understanding of a repetitive pattern of perpetrators' denial of genocide that, undoubtedly, conceals the recognition of Srebrenica genocide to a far reaching extent, we will try to grasp several determining factors that led towards the process of persecution and genocide. The following preconditions leading to genocide are found in genocides of the Armenians in Turkey, the Jews in Nazi Germany and the intelligentsia in Cambodia under the Khmer Rouge.¹

1. The victim group marked as "alien" by the politically dominant group, and thus ousted from legal protection.
2. The rank of the state was diminished by defeat in war or decline of empire, and the status of the traditional political elite questioned.

3. A new elite adapts a new political formula justifying the nation's domination/expansion and glorifying the dominant group.

4. As the perpetrators use the emergency wartime powers the extermination of the victim is carried out more easily since they become less visible and they no longer fear the sanctions.²

The instigation of genocide in Srebrenica, compared to the above preconditions, showed diverse path leading to the persecution and the process of genocide. However, the means of genocide in Srebrenica recall the means of the Armenian genocide to the point of unerring synonymity.

The Armenian genocide and Srebrenica genocide

The Armenian genocide was the first genocide of the 20th century during which almost a nation in its entirety was destroyed. The Armenian people were effectively eliminated from the homeland they had been occupying for almost three thousand years. The indication that the extermination of the Armenians was genocide is indubitably found in the fact that it was premeditated and planned, Armenian genocide being the first in the consecutive genocides of the twentieth century.³

Prior to the genocidal campaign against the Armenians that started in spring 1915, they were collectively declared to form a fatal threat to the security of the Ottoman-Turkish Empire at war. They were accused of:

1. having enriched themselves at the expense of the Turks
2. secret desire to rule over Turkish people

3. forming their own sovereign state on Ottoman territory

4. encouraging the enemies of the Empire⁴

In the spring of 1915 the Turkish government ordered the systematic deportation of the Armenian people, deportation being a disguised extermination. Systematically and unmistakably, the able-bodied Armenian men were separated and killed.⁵ Collaterally, the remaining part of the national group: women, children, and the elderly were, using the international law definition: seriously bodily or mentally harmed and deliberately inflicted the conditions of life calculated to bring about their physical destruction. This genocide counted over one million victims whose extermination favored the conditions of creating homogeneous Turkish state. Factual truths on extermination were turned into falsity thus making it "The Forgotten Genocide."⁶

Therefore, in Armenian genocide we can start to trace the repetitive pattern of premeditating and planning; forcibly transferring the group and systematic separation and execution of Armenian men; and displacement of women, children and the elderly. Thus comparing this process to the process of prosecution and genocide in Srebrenica, unerringly synonymous genocidal pattern is found in Srebrenica genocide.

This paradigm resisted the enormous social, economical, ideological, and political change in the societies, thought systems, power structures and philosophical arrangements manifested from 1915 - the Armenian genocide to 1995 - Srebrenica genocide. This fact leads us to a conclusion that can only serve as a warning that genocide moved through four scores of years of a tremendous social change as an autarchic phenomenon of self-evident intent.

According to Helen Fein certain comparisons of Holocaust to genocide in Bosnia, of those who use Holocaust as a mechanical mode, have been incorrect. Since from 1992 there were forms of concentration camps in Bosnia in which many Bosnian Muslims were killed, and Srebrenica safe area itself was turned into a concentration camp during the siege and after the fall, genocide researchers misinterpreted the similarity of the process of genocide in Bosnia to that of Holocaust.⁷ Instead, in the process of genocide in Srebrenica, as afore explained, the inerrably same pattern was used as in the Armenian genocide of targeting the group on the basis of ethno-religious identity, expulsions, separations and deportations of men leading to death and the displacements of women, children and the elderly.⁸

Additional two major similarities are represented in the perpetrator's geopolitical strategy. Namely, Melson concludes that like the Turks so did the Serbian nationalists envision a large state that would include their peoples and exclude other ethnic and national groups. The Armenians and the Bosnian Muslims, religio-ethnic communities, were cleared out from their land and liquidated in the perpetrators' plan to incorporate their lands and cleanse the areas of their presence,⁹ as well as to erase any memory of their linkage to the land.¹⁰ This historical fact has been reaffirmed in the Krstic Case at the ICTY where the Appeals Chamber found the immense strategic importance of Srebrenica enclave for the Bosnian Serb war agenda. A result that further illustrates it, is the post-war situating of Srebrenica region in one of the two entities within the state of Bosnia and Herzegovina, in the Republika Srpska, as agreed upon in Dayton in November 1995.

Having compared genocides against the Armenians and the Bosnian Muslims a similar pattern, of eight stages is

encountered comparing the Holocaust, the genocide in Rwanda and Cambodia as following¹¹:

1) Classification: Distinguishing between "us" and "them" by religion, ethnicity, race or nationality: (the Serbs and the Bosniaks, the Turks and the Armenians) the Germans and the Jews, the Hutu and the Tutsi.

2) Symbolization: Ascribing names and symbols to the classifications which are inherently neutral processes that when combined with hatred lead to dehumanization being imposed to members of the target group: the yellow star for Jews under Nazi rule, the blue scarf for people in the Eastern Zone in Khmer Rouge Cambodia.

3) Dehumanization: Denying the humanity of the other group, members of it being regarded as equivalent to animals or plagues. The dehumanization stage serves as to validate the subsequent murdering.

4) Organization: Genocide is invariably organized, most often by the state, rarely informally organized, and sometimes by the terrorist groups. Training and arming of the militias and special army units, while devising plans for mass killings.

5) Polarization: Alienating of the groups by extremists, broadcasting of polarizing propaganda by hate groups, passing of laws that forbid intermarriage or social interaction.

6) Preparation: Identification and separation of victims based on their religious or ethnic identity, segregation into ghettos or forcible deportations to concentration camps.

7) Extermination: Mass killing begins. When sponsored by the state, the armed forces often cooperate with militias to complete the killing.

8) Denial: The eighth and final stage, which always follows the process of persecution and genocide, is denial. Firstly it is the digging up of mass graves, covering up of the evidence and intimidating the witnesses. The perpetrators deny that they committed any crime whatsoever, blaming the victims. They block the investigations. When the perpetrators are ousted from power they flee into exile or hide (like Pol Pot or Ratko Mladic and Radovan Karadzic) unless they are captured (like Slobodan Milosevic or Radoslav Krstic) and a tribunal is established to try them.

The Denial of the Armenian genocide

As highlighted above, the last stage that follows the genocide is the denial, which takes on different forms with the one purpose of erasing historically established facts and crafting its own flagrant reality. So, denial in its shamelessness and powerlessness uses each and every means available to deceive and to disintegrate the factual truth. One of the most glaring examples is the denial of the Armenian genocide by the past and present Turkish state.

The modern approach of the Armenian genocide denial is through exploiting doubt and boosting skepticism, refraining it "let's leave the Armenian Genocide to the historians."¹² However, the process of denial began in 1915 even as the Armenians were being murdered. Publications of the Young Turks accused Armenians of subversion and 'coerced' the government to take extreme measures of deportation. The Tribunal

in Constantinople placed all blame on the Young Turks and the Special Organization, and thus absolved all other Turks from complicity. The Government rejected any responsibility, instead bandits and the masses of ignorant Turkish peasants were blamed. The displacement policy was viewed as honorable and the mass killings were interpreted as unfortunate but spontaneous rather than premeditated.¹³

After the Treaty of Lausanne finalized the "Armenian Question," the "New Turkey" used diplomatic channels to deny the genocide. Furthermore, the Turkish counter genocide propaganda aimed at foreign governments, media and legislators including print material filled with contradictions and distortions. Turkish lobbying prevented the inclusion of Armenians in Human Rights reports of the United Nations. Moreover, Turkey maintains a vigorous campaign of denial abusing its strategic geopolitical and military importance.¹⁴

In addition, the rage of denying is conspicuous in Turkey today: "Turkish historians and intellectuals who publicly dissent from their own government's denial of the Armenian Genocide are being arrested and tried on charges of 'insulting Turkey.' This includes Orhan Pamuk, Turkey's most prominent author, [Nobel Prize winner for literature in 2006] as well as lesser known journalists and academics."¹⁵

Conclusively, the Armenian genocide, an incontestable fact, a fact of history is now described in the media as "alleged" or "asserted", thus a fiction. The role of media in Srebrenica genocide denial showed similar tendencies, as it will be discussed.

Notes

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THE SERBIAN DENIAL OF GENOCIDE IN SREBRENICA

The Question of Guilt

Setting across the tides of denial one encounters, almost as a rule, a question of who is guilty and who is not, considering the individual criminal responsibility as the only reference to genocide. German philosopher Karl Jaspers' characterization of guilt is somewhat different from the general public's position whose non-direct involvement in the state-crime of genocide, in their opinion, absolves them of any form or degree of responsibility thus enhancing denial at all levels.

Namely, Jaspers' differentiation through the question of German guilt puts collective guilt into perspective of political, moral and metaphysical guilt. Jaspers found that there are four categories of guilt:

- 1) Criminal guilt - the commitment to overt acts
- 2) Political guilt - the degree of political acceptance
- 3) Moral guilt - a matter of private judgment
- 4) Metaphysical guilt - a universally shared responsibility¹

Political guilt is fundamentally collective as the collective liability of citizens. Admittedly, the acceptance of political liability might be alarming for each individual, nonetheless, politically everyone is a participant in the modern state, by voting or not voting in elections. No one can evade the sense of joint political liability and even individuals who live non-politically, withdrawing from any kind of political activity, are still politically liable since they live by the order of the state. Therefore, through the feeling of guilt that makes us accept liability begins a realization of political freedom whilst feeling not guilty and simultaneously obeying is the inner political unfreedom.²

Moral guilt is determined by the individual's moral self-analysis. Repentance is an act of accepting moral guilt since the morally guilty ones are those capable of repentance. Moreover, the morally guilty are those who knew of crimes, decided not to know, or had let themselves be allured or captivated by personal benefits or simply obeyed out of fear. Moral guilt is found in individual's unconditional and total self-identification with evil-doing state and army while not considering all the evil occurring, which is manifested also in blindness for the adversity of others and the indifference towards the witnessed evil. However, each situation has its own extenuating and exasperating circumstances that can only be determined in each individual case.³

Metaphysical guilt is the lack of absolute solidarity with the human being as such and by being in presence at a crime

the solidarity is violated. It is the guilt of being present and surviving where the other is killed, therefore guilty of being still alive. However, by growing consciousness of metaphysical guilt for staying alive and being unable to prevent the crimes one will transform his approach to the world and himself. The transformation can only occur in the realm of individual solitude.⁴

This model is applicable to almost all cases of state committed crimes - persecution and genocide. If we follow strictly Jasper's separation of elements of guilt and the question of collective guilt⁵ then accordingly to it:

1) All Serbs are politically responsible, for acts of their state (direct involvement in the genocide in Srebrenica) and for letting such a regime (slobism) rise among them, re-electing the same leader (Slobodan Milosevic). It is followed by the transition from the collective political guilt to some sort of collective moral guilt found in political surrender of total submission (the greater Serbia project) related to the kind of leader (indicted and tried before international court for war crimes, crimes against humanity, crime of genocide) to whom Serbians surrendered.

2) The separation between political and moral guilt is not radical. Moral guilt is, indubitably, upon each individual's conscience. Nonetheless, there is a collective morality in the ways of life from which no individual can completely detach himself, consciously or unconsciously. Thus there is a sort of collective moral guilt in a people's way of life and feeling which one shares as an individual and that has political significance as well, represented in the Serbian attitude of not knowing what was happening.

3) Rejecting the manner of tribal responsibility and dealing with metaphysical guilt on the level of univer-

sally shared responsibility through the metaphysical experiences of disaster such as genocide in Srebrenica every Serbian capable of understanding will transform his approach to the world and himself.

The above presented extrapolating of a conceptualization of German guilt into plausible model of Serbian guilt seems appropriate bearing in mind that it is the crime of genocide that is being questioned in Serbia to the level of denial, which is the antipode of the guilt and of consciousness of the guilt. Therefore, the above Jaspers' model interpreted through the Serbian recent past is a real, attentively not utopian, prospect that one can hope for to ensue. If it will ever take place is a unique question of its own answer, if it will occur gradually or instantly is also conceivable.

As seen there are denials of genocide that attempt to erase factual truths proliferating as years pass, such being the Turkish ever-growing denial of the genocide against Armenians. However, it is a matter of the utmost belief in invisible solidarity of men that the Serbian denial of genocide will be reverted to the guilt through acknowledging guilt in its elements, its individuality and collectivity.

Therefore it is inferable that the denial of genocide is installed by not accepting liability, by not feeling guilty in terms of political and moral guilt. Hence, the Serbian denial of genocide in Srebrenica is conspicuous in its avoidance of political and moral guilt as perceived from Serbian's public general attitude: we didn't hear, we didn't see, didn't know. The moral guilt is highlighted in the fact that it is a question of good manners in Serbia not to talk about the genocide in Srebrenica, not to mention it ever, since it actually never happened.⁶

The forms of the denial of genocide

The surrender of one's identity to the group and ideology becoming the group identity "ties people quite remarkably to the collective."⁷ Hannah Arendt's insight corresponds indeed to the project of Serbian denial. Namely, in a society that has lost its relation with the reality, as is the case with the Serbian society in relation to the genocide in Srebrenica, every fact can be changed and out of each lie a truth can be made. It is done by creating the consciousness in which reality is not a totality of strict, clear facts but a conglomerate of slogans and events that are true today yet tomorrow not true anymore.⁸

According to Janja Bec there is a differentiation in the phases of this phenomenon of transforming facts and creating truth out of lies - denial of genocide. The first phase is in the "conspiracy of silence", expression used by Count Viazemsky originating in the silence of Russians during the tyranny of Tsar Nicholas I. Synonymous expression for this phase is the "crime of silence" used to describe silence of Americans during the Vietnam war. In that sense, by remaining silent about the genocide in Srebrenica and not confronting that silence Serbia is past this phase and entered into the phase of "burden of silence/legacy of silence", the expression first used by Dan Bar-On.⁹ The consequences of the legacy of silence are manifested in transition from hate speech to hate silence defined as absence of public discussion in high-level environment.¹⁰

Hate silence is followed by even more monolith and self-serving denial manifestation of the banality of indifference. Such banality of indifference is evermore difficult to be exposed as a representation of denial than it is to expose silence which is denial itself. The banality of indifference is militant in its essence because it is an act of defense coupled with other two

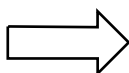
leading projects in the defense of Serbia today: rationalization and normalization founded on previous relativization. Conclusively, at the point when relativization of the number of victims ceases to allow maneuver for the denial since factual findings rebut it then Serbian society resorts to "everyone did that" - rationalization and "what about the American Indians, the Gulag, the Holocaust" - normalization.¹¹

On these denial phases (conspiracy/crime of silence, legacy/burden of silence), forms (relativization, rationalization, normalization) and representations (hate silence, banality of indifference) illustratively presented below, we will try to focus while analyzing print media coverage in the following chapter.

Phases of denial enable the forms of denial represented in the social environment as hate silence and **banality of indifference**

Conspiracy of silence/
crime of silenc

Legacy/burden of
silence



relativization

rationalization

normalization

Hate silence / Banality of indifference

Notes

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THE SERBIAN PRINT MEDIA AND THE DENIAL OF GENOCIDE

Prior to analyzing Serbian print media coverage of the genocide in Srebrenica and its position in contributing to various phases and forms of denial the purpose of print-medium itself as a powerful means of forming public opinion should be observed. Therefore, this analysis takes as axiomatic Marshall McLuhan's assertion that, in operational and practical fact, the medium is the message.¹

The medium is the message

According to McLuhan the "press is a group confessional form that provides communal participation."² Newspaper is confessional in character thus generating the power of 'inside story' by its mere form regardless of the content. The newspaper page offers the inside story of the community in action and interaction "coloring" the events by using them or by not using them at all, thus an information becomes crucial commodity and the reader becomes a participant in the exploit of the mosaic form of the newspaper.³

Furthermore McLuhan concludes that real news is bad news since the very nature of press is group-image of the communal life where the collective form of press is in the power to impose its own assumptions.⁴ That could be a creditable explanation, in our analysis, for the proliferation of newspaper articles around Krstic case and his conviction what was a bad news for Serbia thus real news, while almost no serious print media coverage on genocide in Srebrenica prior to Krstic case infers that Srebrenica was not real news because it was not a bad news for Serbia.

Moreover, as already noted the newspaper tends to mosaic or participational form, where the mosaic form means participation in the process. The mosaic is the mode of collective image and requires intense participation, which is communal and inclusive rather than private and exclusive allowing press not only to report and gather the news but to make news thus shaping and revealing group attitudes.⁵

Therefore, the communal form of the press mosaic effects an intricate many-leveled function of group-awareness and participation⁶ where the press has become to be an art of saying less and less to more and more.⁷ Taking into considera-

tion, therefore, the medium itself seven newspaper articles published in the Serbian daily press ("Politika", "Vecernje Novosti", "Danas" and "Srpski Nacional") during the period of two years 2003 - 2005, *i.e.* before and after Krstic Appeal Judgment, are being analyzed as follows.

The analysis of the newspaper articles

EVIL NEVER BRINGS ABOUT GOOD: The Village of KRAVICA, the Symbol of Serb Suffering in the Republika Srpska

Naser Oric wanted blood to be shed in Kravica, wanted big Serb village to disappear. He wanted the revenge of the Serbs. Izetbegovic said: Let the chetniks enter Srebrenica, let them kill 5,000 Muslims, then the NATO will intervene. Somebody wanted evil in Srebrenica, and so evil was.

KRAVICA, My son Radomir, Raša, perished 1 of June 1992, buried on the graveyard by the Church of Saint Apostles Peter and Paul in Kravica, says us Vinka Milošević (66). That was before Mudzahedins' assault on Christmas 1993 [...] Bloody Christmas January 7, 1993. The largest Serb village in this part of Podrinje. Everything burned. That is 750 households, around 3000 inhabitants [...] Jovan, married, father of two, son and daughter. Continues: -Why did they choose Kravica? Ask the Muslims.

Naser Oric wanted Kravica to fall, wanted blood to be shed in Kravica, wanted big Serb village to disappear...

Not guilty - said Naser Oric at the Tribunal in the Hague. [...] The Tribunal did not indict him for genocide against Serb people. Why? [...] - Everyone was

slaughtered and I don't know why they spared me wounded - says Ratko Nikolic (58) who fled Kravica. [...]

What did Naser Oric want? The Serb revenge. Serbs freed Kravica, that same year of 1993. Let us turn back to Srebrenica. What did Alija Izetbegovic say to the unit of "Dzamijski golubovi" [Mosque Doves] Hakija Meholic, chief of the regional office for return to Srebrenica: - You know what, I was surprised by Mr. Izetbegovic - Meholic says. - He literally said that we should make it possible for Serbs to enter Srebrenica and slaughter 5,000 Muslims and the NATO intervention will take place. Meholic continues:-After the battle, everyone is a general, because no-one here knew how all this would end. In life man chooses one road, not knowing what would happen on the other.

Oric acted by the orders. [...] Kravica was in complete encirclement. And then murder and massacre. And then get drunk by the scent of blood. [...]

Evil brings evil. Somebody wanted evil in Srebrenica, and so evil was.⁸

This article is denial at its best performance. Rationalization: "everyone did that: they killed us in Kravica, they asked for Srebrenica, it was a revenge" with relativization of the number of victims "5,000 Muslims and 3,000 Serbs". Normalization: "Evil brings evil." The banality of indifference: "If this idea of genocide developed to be in the Tribunal cases, then Naser Oric could be charged of genocide against Serbs of Kravica as well, although genocide is not believable anywhere in Bosnia." What is shameless about denial is its ability of distortion of the suffering of actual Serb victims employing it in justifying Srebrenica. The question in flagrant cases of the denial of genocide in Srebrenica is not about denying the role of perpetrators, to deny that

would be to deny dead Serbs, it is merely the question how many other people's lives is worth one Serbian life.

Furthermore, this case of denial finds both the cause and the impetus in the victims through displaying war legends and unverified statements as the justification. It is the victims' leader Izetbegovic who enhanced Serbian's realization of their alleged revenge by letting Serbs seize Srebrenica with some superior political goal in mind - NATO intervention. So, in fact it was a fair deal for Muslims since they tortured and massacred Serbs who then unwillingly revenged thus allowing for the solution of the ethnic conflict. However, deniers still reserve a fair amount of primordial feeling of honor and justice admitting that Srebrenica was evil which was brought about by previous evil of Kravica. Hence, both sides did evil deeds, nonetheless the Serbian side was coerced into it, since no evil brings about good.

This form of denial is unfortunately present in the Serbian public and being exposed in the newspaper makes it even more pernicious since the print-medium is confessional in character, coloring the events by using them or not using at all, thus offering an 'inside story' as this one.

The following article was published as a letter from a reader which offers a great possibility of insight into actual general public opinion.

PROSECUTORS AND JUDGES IN THE HAGUE ACT AS ONE

From the region of Srebrenica in 1990 and 1991, well-off inhabitants, found refuge, mostly, in Serbia, Monte Negro, Turkey, Austria, Germany etc. To the poor who did not have where to go, reference cards of political parties were distributed, SDS (to the Serbs) and SDA (to the Muslims),* and weapons to both. In the begin-

ning of the year 1992 the Serbs were persecuted from Srebrenica, and from surrounding hamlets and villages persecuted and driven to Srebrenica the Muslims. The property of the exiled was usurped by the persecutors. So were formed Muslim enclaves in Srebrenica, with around ten thousand inhabitants and around 30 thousand refugees on one side and with several hundred of Serb mini enclaves (scattered villages and hamlets) on the other side. Through this a *conditio sine qua non* for the start of the war between once neighbors belonging to two religions was created. For this gravest crime, fomentation of conflict, no-one will be tried!

From 1992 to 1995 Muslim units headed by Naser Oric, devastated 156 Serb villages and hamlet, killed more than 1,300 Serb civilians, burned around 7,000 of their houses and several tens of churches. The Muslims were avenging in this way for the persecution and the usurpation of property, what does not justify but explains the criminal behavior. For a few of these crimes (only) Naser Oric was indicted, only for destruction and pillage of at least 50 Serb villages. For over 1,300 killed civilians, 6,000 burned houses and several thousands devastated churches the prosecutor would want to take it easy with this enfant terrible. The beginning of the trial is being awaited (who knows for how long). In the mid July of year 1995, Serb units headed by Ratko Mladic seized Srebrenica and killed several thousand Muslim soldiers and civilians. The Serbs were avenging in this way for the crimes committed over them from 1992 to 1995, what also does not justify, but explains criminal behavior. For this crime some were indicted, some are tried and Ratko Mladic will be tried. It is interesting to note the recent indictment against Bosnian officers that the Serbs through this crime avenge for the crimes which the

Turks committed over them in the year 1804 (and in letter, eighteen hundred and four)!!!

By ignoring crimes between 1992 and 1995 as well as the relation between crimes on one side and crimes in mid July 1995 on the other side the prosecutor attempts to depict Serbs as genocidal people. If he succeeds in that, law and justice in The Hague will become antipodes.⁹

This article is a substantial example of genocide denial through rationalization: "everyone did that." Both sides committed crimes, Muslims were avenging to the Serbs for one-time-occasion of their prosecution and loss of property and they were avenging for three full years. Finally, the Serbs having been tortured enough and with no patience left avenged to the Muslims by seizing Srebrenica and killed "several thousand Muslims". Naturally, the denial being broad-minded endeavor does not intend that the mutuality of crimes is their justification in revenge but that certainly explicates the criminal behavior. The pretext of revenge makes genocide seem affordable, so to speak. In short 1,300 killed Serbs and 6,000 burned houses (sometimes 7,000 - the number decreases as the denial in the article progresses possibly inferring that is not the lost property at stake but justice) explain the killings of 'several thousand Muslims' (no numerical precision or variation as with the Serb houses).

Therefore, the genocide denial generates its power from the mass-murder it aims to erase, to rationalize, to normalize, to trivialize. Hence, it aims at exhaustion of intellectual and emotional capacities of the inert public flattering to popularly inexplicable fomentation of the ethnic conflict, flattering to public's indifference by stressing the reciprocity of crimes, the

inevitability of imaginary revenge, by victimizing the perpetrators, by amending The Hague Tribunal's indictments.

Finally, in this article the denier being fully aware that it is genocide that is being questioned makes a fully aware statement as an obituary to the truth: to ignore continual crimes of one side and to convict the other side which merely pursued justice carrying out genocide is unlawful. Placing this article into collective form of its medium which requires deep participation in the process of making news, its destructive unification of events and pseudo-poetical exaltation ("for this gravest crime, the fomentation of conflict, no-one will be tried!") further shapes group attitudes of denial.

However, the denial of genocide in Srebrenica is not at rest in Serbia although powered by the press and by the institutional support. An individual's timely reaction defies the banality of indifference to the Serbian state-organized crime of genocide as the following reader's reaction to the misstatements illustrates:

EVIDENCE OR INFORMATION

In the Danas of October 10, on the page 2 is the report from the trial of Slobodan Milosevic titled 'Smith: No evidence of the involvement of Serbia in the crimes in Srebrenica'. (Let us remind that the stated Smith is precisely that British General who was UNPROFOR Commander during the massacre in Srebrenica).

The majority will agree with the fairly commonsense conclusion that this structure of the title implies the quotation of Smith's statement: this man has, hence, stated exactly that, with those exact words. I had read the article twice and I did not find anything similar to it anywhere. General Smith stated in the body text of the

above-mentioned title that 'he has no information of someone from Serbia or Yugoslavia participating in the attack at the safe area'. The fact that the general has no information (there was no mention of evidence at all) surely does not mean that the Prosecution has no information or even evidence on the matter, since our press recently published how the Prosecution reached the documents about the involvement of the Serbian police in Srebrenica massacre. Why someone states something what the general did not say? Isn't it for the purpose of pleasing readers' ears?

Yours sincerely,
Jasna Bogojevic, Belgrade¹⁰

This article is on the contrary a sincere example of an individual on the path of recognizing the reality of the state-crime of genocide who tries to appeal, at least to the minimum of the correct usage of factual data. Correspondingly, this reader's reaction vindicates the belief that the denial can be dismantled as soon as the critical mass of public understands the political, and underlying moral co-responsibility that is permeating all strata of the Serbian society. Moreover, to mistake information for evidence and to form a newspaper's article on misstatements is literally the essence of the Serbian denial of genocide.

Namely, by appeasing the public the institutions appease themselves and act as neutral ingredients - banality of indifference. However, the weight of the misstatement is not only found in going along with the general mood but in its character of denial since the title "no evidence of the involvement of Serbia in the crimes in Srebrenica" is plainly meant to be interpreted as the dismissal of any relation of Serbia to genocide in Srebrenica. Having in mind, as N. Wiener emphasized, that the

press has become an art of saying less and less for more and more one realizes the danger of misstatements in this medium which is, as M. McLuhan concluded, group confessional form.

THERE WERE CRIMES, BUT GENOCIDE NO!

THERE were crimes in Srebrenica, and many crimes, but genocide - no", it is the conclusion of yet unfinished study of one of our most eminent WWII crimes researchers, now the president of the Center for Genocide Research, Dr. Milan Bulajic. Crimes have to be examined, no matter who committed them; if your children are responsible, the more so, that was his guideline. Especially because the case of Srebrenica is considered today as the greatest genocide in Europe after the WWII, for which the general of the Republika Srpska army Radislav Krstic was convicted before the tribunal in The Hague.

Bulajic was led by his research, however, to the altogether other track. The UN and the ICTY documentation, numerous books of foreign and domestic authors, conversations and interviews, have pointed, as he says in the interview for 'Novosti', that before him were "new Markale". On what does Bulajic base his assertions? 'The plan of Republika Srpska army Krivaja '95 did not intend at all the seizure of Srebrenica, but only the resetting of the safe area into urban cadre, that is to discontinue its role as the terrorist center of the Muslim forces for the attacks at the Serb army', explains Dr. Milan Bulajic, stressing that his report on the crimes committed in 1993 over Serbs in Srebrenica, Bratunac and Skelani, he being a member of the State Commission for War Crimes, was accepted by the UN which recognize 50 destroyed Serb villages although it is asserted that the number is from 100 to 200.

- Mladic seized Srebrenica on July 11, - continues Bulajic - and asked from the Colonel Karremans that the members of the 28th Muslim division under the command of Naser Oric present themselves. However, Oric was ordered even before the fall of Srebrenica not to hand over the arms but to send women, children and the elderly to the UN and the Serbs, while he was ordered to go to Susanj and Jelavic, and from there to break through.

'That was conscious sacrificing of the Muslim men', continues Bulajic, pointing to the estimations of the professor Radovan Radinovic and the American military expert Richard Butler who say that this decision 'equaled suicide!' To send a column of 15, 000 combatants to break through over the Serb territory was an evident suicidal act for which Oric in the letter to Alija Izetbegovic says: 'I did not adhere to your decision of the surrender of Srebrenica that you agreed with the French and especially not with the latter events in Srebrenica, with so many sacrificed civilians, no matter the effect produced.'

But, why did this happen?

[...] The crimes were committed, but until today the question remains who did commit them, and in whose name. [...]

And, as to the Republika Srpska Army I suppose it is enough to say that UNPROFOR itself and the Muslim representative Nasib Mandžić signed on July 17 that the transport of 20,000 women, children and the elderly was carried out in compliance with the Geneva conventions.

So where is genocide? wonders Dr. Milan Bulajic.¹¹

The above article is an example of the power of denial of genocide, broadly present in Serbia. The presumed is the military revelation of the 'inside story' which the press medium greatly exploits since the 'inside story' is created by the medium's form itself no matter the content as McLuhan concluded. This very sophisticated example of the denial form of rationalization falsely deals with the burden/legacy of silence. Namely, abusing the concept of research and verified data, offering second-hand justification the legacy of silence is dealt with through the study of war crimes because 'crimes have to be examined, no matter who committed them; if your children are responsible, the more so.' Rationalizing the crimes in Srebrenica we are led to believe that it is an objective minimization of Serb involvement in the war crimes.

According to this study the victims are to be blamed since they acted unreasonably in a reasonable milieu of disinterested Serb seizure of Srebrenica. Furthermore, the Muslim men were sacrificed by their leaders and chose assisted suicide rather than genuine proposition of the Serbs who respecting the rules of warring were coerced into crimes, and author's denial being scientifically objective admits there were many crimes.

In addition, genocide in this denial's perspective is a misconception which is opposed by contrary evidence of the lawful transport of women, children and the elderly since the UNPROFOR and the Muslim representative signed that it was all done according to Geneva conventions. Therefore, the rationalization is present here in the maxim of "when in war, certain rules apply and whatever happened in Srebrenica it was legitimate".

Such study being conducted by an eminent war crimes researcher immeasurably enhances already strenuous genocide denial in Serbia. Evidently, the denial uses any pseudo-

moral/legal/political explanation to erase the factual truths, blind the public and to thrive on the result - the banality of indifference.

THE BROADENED NOTION OF GENOCIDE

It was judged on genocide, for the perpetrators in absence, argues Krstic's defense attorney Toma Višnjić, but no new elements for the Milosevic case were presented. It is hard to understand for an ordinary person what actually happened in the Hague Tribunal considering that general Krstic's sentence was reduced for eleven years, but at the same time the Appeals Chamber rendered its judgment that the genocide occurred in Srebrenica. Neither do the international law experts agree on all the consequences nor who will be affected by them after this event through which the general Krstic's Defense partially accomplished its goal (following the appeal the sentence was reduced from 46 to 35 years), but on the same expense the crime in Srebrenica was defined as genocide.

The long standing Radislav Krstic's trial attorney Toma Višnjić and one of the authors of the appeal that contested not only their client's participation in the crime, but also the genocide qualification of the crime that happened, says for 'Politika' that the Appeals Chamber 'in the absence of the principal perpetrators established their intent to commit genocide.'

This judgment according to him can influence possible later trials of the general Ratko Mladic but it does not contain any new element that affect Milosevic's case.

[...] However, Višnjić believes that the confirmation of the genocide in Srebrenica will have consequences for the outcome of the lawsuit that BiH introduced before

the International Court of Justice, also in The Hague. [...]

Unlike Višnjić, Norman Cigar, author of the book 'War Crimes and Individual Responsibility', and professor at the Department for Strategic Studies of the Marine Corps University considers that the General Krstic's judgment for aiding and abetting genocide will reflect also on the Milosevic's trial and not only on the case B&H vs. SCG before the International Court of Justice. [...] The defense lawyers of General Krstic stressed in the appeal that the crime in Srebrenica does not comply with the definition of genocide from the Geneva Convention which is the act 'committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such.' In the broadened definition of genocide, there can be found room for different convictions of others now being tried before the Hague Tribunal for the reason that the prosecution of women and children has fallen under genocide definition, and not only the murder of male captives. [...] ¹²

This is an article after the ICTY Appeals Chamber rendered its judgment to Radislav Krstic him being only the third person ever to have been convicted under the Convention on the Prevention and Punishment of the Crime of Genocide. However, in the above article the sole preoccupation is with the consequences of Krstic's judgment. The high degree of interest in the type of consequences this judgment might have for Serbia is indicative. Namely, the degree of interest is visible in multiple legal counseling displayed in the text what infers that the 'ordinary person' attitude of "we didn't know" or "everyone did that" is deceptive thus verifying the conspiracy and subsequent legacy of silence and banality of indifference.

The preoccupation with the possible effect of this judgment on Milosevic's trial and on the lawsuit B&H vs. Serbia before International Court of Justice outweighs the denial's self-assurance. Furthermore, although the Krstic Defense appeal issue (the Trial Chamber broadened the definition of genocide by concluding that geographical displacement of a community demonstrates the intent to destroy a group) was dismissed by the Appeals Chamber, this argument of a broadened definition is misrepresented in this article, and in many others, as correct. In addition, the title of the article itself is a misstatement "the broadened notion of genocide" thus abusing the dismissed appeal issue, deceiving the public, enhancing the denial of genocide. Hence, "continuous presenting of flagrant untruths about the actions of the Hague Tribunal reinforces wide spread hostility in Serbia towards this body".¹³

The denial of genocide and in this case "broadened" genocide never ceases in looking for new ways of falsifying data, erasing factual truths, misstating, clouding evidence as long as it corresponds to the project of rationalization and normalization which means of deception is undoubtedly the newspaper medium itself.

BLACK HOLE IN THE JUDGMENT

THE DEFENSE ATTORNEY OF THE CONVICTED GENERAL KRSTIC SATISFIED WITH THE OUTCOME OF THE DEFENSE BUT NOT WITH THE SENTENCE

[...]

GENERAL Radislav Krstic is found guilty of aiding and abetting the perpetrators of the genocide that the Serbs committed against the Muslims in Bosnia, but the Hague Tribunal did not establish who are the main actors of the massacre in Srebrenica in July 1995. The

lawyer Nenad Petrušić, the Defense attorney of the convicted ex Commander of the Drina Cops of the Republika Srpska Army, in the exclusive interview for 'Novosti', from The Hague [...]

- General Krstic is convicted only for the consequences of genocide, but many questions around him remained opened.

You claim that the judgment is the success of the Defense. On what basis?

- The indicted is acquitted of the command responsibility and that was not usual for the Hague Tribunal. [...]

- I understand why no one from Serbia and Monte Negro officially showed interest in the trial although the general Krstic judgment is extremely important for the state.

During the trial, not once was mentioned the involvement of Serbia or Yugoslavia around war happenings in Bosnia, in relation to Srebrenica.¹⁴

At this point, confronted with the Appeals Chamber judgment rendered by the internationally legitimized court the genocide denial begins to exert vicariously, that is to find a derivative process through which the same goal is to be attained, i.e. no attempts of rationalization or normalization are present as primary forms of denial. On the contrary, there is total acceptance of the court findings, however, that which has not been established in the judgment is used as a metaphor of the "black whole in the judgment" inferring the inner weakness and imbalance of the whole trial on genocide - thus derivatively denying genocide.

Therefore, Krstic judgment becomes a tool for the purposes of vicarious denial. Namely, that Krstic was acquitted of

the responsibility of the principal perpetrator and convicted for aiding and abetting genocide, however without the genocidal intent is not perceived as justice but a success; if not success of Serbia, than at least of Serbia's lawyers. The article's claim that the Krstic judgment has a black hole for the reason of not establishing "the main actors of the massacre" is fundamentally a claim of denying the magnitude of the crime of genocide in Srebrenica and the involvement of Serbia.

PERSECUTION OF THE TRUTH OF SREBRENICA

BELGRADE: The public debate "The truth about Srebrenica", that was supposed to be held this Thursday at the Law School organized by the student organization "Nomokanon", had to be postponed for some other day because of the unprecedented prosecution that was initiated against the Law School by the presumed independent media like B92 and the daily newspaper Danas. Not picking words, these Soros media have for months been campaigning against the Law School, calling it "the seat of support of the anti Hague lobby and of war criminals", and last few days, when it was announced that the public debate "Truth about Srebrenica" was going to be held, on which a different opinion from the one held by these media was supposed to be heard, the prosecution intensified to the extent that the Law School became a subject of insults by these self-proclaimed independent media. Our guides through catharsis cannot allow that some students, who hold their nation dear, organize public debates on which the other side of the story about happenings in Srebrenica could be heard. How, will they, then, justify all the money that they got for the campaign by which the Serbs should be proclaimed as genocidal, if however for their misfortune there are students in Serbia who do not want their nation to be

proclaimed as genocidal. To make the dismay of the B92 and the Danas greater, the participants of the public debate include people who were visiting that area and kept record of what was really happening, like journalist and publicist Ljiljana Bulatovic, the one of our greatest experts in the field of war crimes Milivoj Ivanisevic, and the retired general Radoslav Radinovic. These people are, no doubt, at least ten times more competent than Natasa Kandic, Borka Pavicevic. The participants of the public debate surely had a lot to say to the students, but there is no room for them in the "democratic" Serbia, built under patronage of media manipulators from TV B92. They are entitled to nothing. [...]

- The prosecution initiated against the Law School is unprecedented and we were coerced, in agreement with the deans, to postpone the public debate to some other date. The public debate will surely be held, but then we plan to invite several experts more who will lack no words. We only do not want that what happened in Bratunac, Kravica and Skelani and other Serb villages becomes forgotten, the villages that were destroyed by the very Muslims from Srebrenica - conclude students from the student organization 'Nomokanon.'¹⁵

Since the information in the press medium is crucial commodity where the reader becomes a participant in the exploit of the mosaic form of the medium¹⁶ this article attempts to prove that the denial is nothing more than 'holding your nation dear' by offering important information of the intentions of the public debate and the reasons behind its postponement.

However, the postponed public debate** organized by the student organization of the Law School on the 'other side of Srebrenica' is essentially a debate of the most proficient tech-

nique of denial. Those rare entities in Serbia that oppose to the denial of genocide are disqualified as this article is aiming to. This is denial's more frightening aspect, if met with opposition, the denial resorts to ever-greater defamation of the opposers while empowering the "truth-finders" who are presented as critically-thinking experts on the happenings in recent past ("...these people are ten times more competent, no doubt, than ...").

Moreover, R. Fox points out that "in a world where information production is much faster than information consumption, an individual's attention is inevitably diverted from message content to message form. If the form of a message appears appropriate, the audience will be less inclined to question its content."¹⁷ Therefore, the message form of the public debate is appropriate - keeping the memory of the Serb suffering alive, displaying experts on the other side of the story thus appealing to the public. However, by high information production in this article the message content is not questioned - "the truth about Srebrenica" being denial itself.

Conclusively, analyzing the newspaper articles in their relation to the denial of genocide it is noted that the print medium itself by its confessional character of the inside story and the communal participation in its mosaic form reinforces the denial's determination to invalidate the explicitness of factual truths. The relativization, rationalization and normalization of the crime of genocide are widely used forms in the project of denial taking advantage of and adding to the banality of indifference obfuscating and trivializing the general public's process of acknowledging political and moral guilt.

Notes

1 McLuhan, Marshall. *Understanding Media - The Extensions of Man*. London: Sphere Books, 1971. 15.

2 McLuhan, Marshall. *Understanding Media - The Extensions of Man*. London: Sphere Books, 1971. 218.

3 McLuhan, Marshall. *Understanding Media-The Extensions of Man*. London: Sphere Books, 1971. 218-221.

4 McLuhan, Marshall. *Understanding Media - The Extensions of Man*. London: Sphere Books, 1971. 221.

5 McLuhan, Marshall. *Understanding Media - The Extensions of Man*. London: Sphere Books, 1971. 226-228.

6 McLuhan, Marshall. *Understanding Media - The Extensions of Man*. London: Sphere Books, 1971. 230.

7 Wiener, Norbert. *The Human Use of Human Beings: Cybernetics and Society*. Chicago: Avon Books, 1967. 179.

8 Popovic, Vlastimir and Perica Vasovic. "Evil Never Brings About Good." *Vecernje Novosti* 26 May 2003: 23

* In the original text of this article in the Serbian language, the Muslims - *muslimani* was written consistently not using the capital letter whereas the Serbs with the capital letter both terms used to designate members of particular nation. The orthography of the Serbian language sets as a norm the capitalization of the names of nations. The term Muslim written with the capital M was considered to be an officially accepted term for national designation in the former Yugoslavia. Therefore, not capitalizing implies author's overt deprecation of the group. However, if the author hesitated to resort to ex-Yugoslavia's terminology, by the time this article was written the Bosnian Muslims had developed the term Bosniaks as a term for national designation. Not using the term Bosniaks, however omitting to capitalize *muslimani* the author vividly displays his reducing of the Bosniaks to religious group thus denying their national identity and genocide committed against them by the Serbs what dismisses the author's intended positive validation of this article by any standard.

9 Milanovic, Milan M. Sudunac. "Prosecutors and judges in the Hague act as one." *Politika* 28 May 2003: A24

10 Bogojevic, Jasna. "Evidence or information." *Danas* 15 October 2003:7

11 Lalic, Veljko. "There were crimes, but genocide, no!" *Vecernje Novosti* 3 December 2003:8

12 Suvakovic, Zorana. "The broadened notion of genocide" *Politika* 21 April 2004: A1

13 Ivanisevic, Bogdan. "Kontinuirano iznosenje flagrantnih neistina." *Hag medu nama*. Ed. Šlobodan Kostic. Beograd: Fond za humanitarno pravo, 2005. 34.

14 Zaric, Miroslav. "Black hole in the judgment" *Vecernje Novosti* 22 April 2004: 7

15 Djukanovic V. "Persecution of the truth of Srebrenica" *Srpski Nacional* 21 April 2005: 12

16 McLuhan, Marshall. *Understanding Media-The Extensions of Man*. London: Sphere Books, 1971. 218

** This public debate was eventually held on 17 May, 2005

17 Fox, Renata and John Fox. "The Power-discourse Relationship in a Croatian Higher Education Setting.." *Education Policy Analysis Archives*. 14 Jan. 2002. 21 Sep. 2006. <<http://epaa.asu.edu/epaa/v10n5.html>>

CONCLUSION

"You think they feel sorry, sorry for us?" (Nefa, peasant woman from village Cejvani, Bosnia and Herzegovina who lost her sons, husband, mother and sister in genocide in spring 1992)

The print media in the denial of genocide can only manufacture its influence in a social environment already conditioned to believe in its neutrality towards the committed crime of genocide in Srebrenica. The intricate network of social relations and institutionally powered denial act in unison with the print media representation of the role Serbian state, Serbian society and Serbian as an individual had in connection to genocide in Srebrenica. However, the misrepresentation of its society's acts and involvement in the genocide is not limited to a self - justifying reflection, on the contrary, print media go further in denying offering dissimulation as an answer to the haunting questions: Did it really happen? Are we somehow responsible, and why? The lever of moral and political Serbian guilt becomes a taboo, the banality of indifference rules as a causative agency of the attitude: "we didn't know, we didn't see." However, the whole world watched, it was genocide live, it was genocide in the totality of the planned and organized killing, deporting, digging up mass graves and in the totality of Serbian involvement.

The Hague Tribunal rendered its legal judgments, and the newspaper medium rendered its sociopolitical dismissal of those judgments by means of disinformation and refinement of its forms, techniques and methods of denial. In the continuum of misstating, misrepresenting, misinterpreting and amending factual truths as the analyzed newspaper articles show 'the other side of the story' is deemed correct. As McLuhan concluded newspaper is confessional in character thus creating the 'inside story' by its mere form. Its mosaic form is communal and inclusive allowing press to make news thus shaping and revealing group attitudes.¹ Through its medium's power of shaping group attitudes the deceptive newspaper articles contributed to the blindfold on the eyes of the Serbian public already drowning in the stultification of moral consciousness manifested in the banality of indifference.

Consequently, Krstic Defense appeal arguments reiterated and transfigured through the forms of relativization, rationalization and normalization by the Serbian print media can be summarized as serial of artifacts. Firstly, it is the questioning of substantiality of the target group, numerical size used as a dominant category having the actual relevance of the number of victims contested *ad infinitum* (men of military age are not substantial part of the group - relativization). If however the number of victims of the target group is unchallengeable, then the target group's relation to and its place in the wider scope of humanity is reduced once again to the numerical value that is to be manipulated into non-existence by massacring the context.

Therefore, the second artifact (the forcible transfer of a group is "broadened definition of genocide" - rationalization) annihilates the powerful circumstantial factuality since such factuality does not include the very act of the physical destruction although it paved the path to the killings. By extracting murder

as its own end the annihilation of the process of genocide progresses to the level of dispersing of what is known to the unknown, to the uncertain, to the nonexistent - to actual denial. In the course of forming of this perilous artifact it is critical to act accordingly, i.e. intrepidly in a manner of divesting the denial of its veil of admissibility. The denial's admissibility (the banality of indifference) is twofold and visible in arguments with the strong moral/legal pathos of correctness as to show that anything either proving or disapproving of genocide is sacred and consecrated and thus truly unbelievable. The third artifact (no intent to destroy - normalization) is devised from the pseudo-fallibility of silent perpetrators in the well-generated process of planned and organized mass executions. The third artifact's aim is 'no intent-no genocide' lever.

These denial artifacts have been produced and reproduced expansively and consistently in the Serbian print media discourse to the extent of establishing falsehood as factual truth. Finally, there cannot be any 'solution' for the Serbian denial of genocide as long as there is the perception in Serbia - as seen in the Serbian print media - that there is no 'problem' to be solved at all.

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¹ McLuhan, Marshall. *Understanding Media-The Extensions of Man*. London: Sphere Books, 1971.

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