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FROM HATE SPEECH TO HATE SILENCE: THE BANALITY OF INDIFFERENCE*

"The eyes of the buried will close together on the day of justice, or they will never close."
(Miguel Asturias, Guatemala, Nobel laureate for literature)

"I don't know, I have no idea how they will live without us, I heard that Triva's daughter, Zagorka, keeps crying for us, she keeps crying... Who killed Nefa's children she says. That's what I heard, I tell you that's how we used to live. We used to take care of each other like brothers, but why didn't they tell me to save my children, that things don't look good. They didn't have to tell me everything, just that things don't look good, then I would have sent my children away to safety. "You've finished a lot of schools?" she asked me. "Yes, a lot." "Why didn't they tell us?" "I don't know, the answer's not in books." "Do you think, do they feel sorry, sorry for us?"
(NEFA, genocide survivor from village Čejvani, municipality of Kotor Varoš, in: Janja Beč, "The Shattering of the Soul". ICTY, Indictment for Genocide, Complicity in Genocide; case No. IT-00-39&40, case No. IT-01-51-I, case No. IT-00-40-I)

I met Nefa at the Refugee center in Maribor in Winter, in December 1995, just before the New Year, as I was finishing my research project on war crimes and genocide against the Bosniak people in

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Translated by Emil Kerenji

Bosnia-Herzegovina in the Spring of 1992 and July, 1995 in Srebrenica. Nefa is a peasant woman, illiterate, married into Čejvani village and born in Hanifići village, Kotor Varoš county. Her son and father-in-law were slaughtered in Vrbanjci, and her mother and sister were burned alive in the Mosque in Hanifići, in the Spring of 1992. I didn't know how to answer to her question then. It was a taboo in Serbia then, nobody spoke about it.

I used the expression "conspiracy of silence," which, as far as I know, dates back to the Count Viazemsky, who used these words to describe the silence of the Russians during the tyranny of Tsar Nicholas I, as well as the expression "crime of silence," which was first used by Americans during the Vietnam War. Today, I use the third expression, "burden/legacy of silence," first used by an Israeli psychologist Dan Bar-On. He used this expression in his research in 1985, in Germany, about the children of high ranking Nazi officers and masterminds of the Holocaust. Today, ten years after the start of my research, more than twelve years after the Spring of 1992 when the genocide against the Bosniak people started, and almost ten years after it reached its grand tragic finale in July, 1995 in Srebrenica, I still use all those expressions when I teach.

I teach at the postgraduate course, authored by myself, "War Crimes, Genocide and Memories: Roots of Evil, I Want to Understand." Since academic year 2002/2003, I have been teaching in Sarajevo, at the Center for Interdisciplinary Postgraduate Studies, the European Regional Master's Degree in Human Rights and Democracy in Southeast Europe, Universities of Sarajevo and Bologna, and in Dubrovnik at the Inter University Center and all around the world as a guest lecturer. In Serbia I taught for the first time after 15 years in April, 2004 in Novi Sad and in May, 2004 in Kragujevac, as part of the project of the Helsinki Committee for Human Rights in Serbia, "School of Democracy." This was my first

chance to talk to students from those two cities and try to find answer to Nefa's question, if we feel sorry for them.

I start all my lectures in the same way. I always say that what I teach about is painful and risky, that I do not want to hurt anyone and that my goal is to talk about what was part of our lives, and what will mark this region for several generations after us, as painful as it is, because this region has always lacked the potential to face its pains and to move beyond its pain and traumas. For centuries at the periphery of empires, Ottoman, Austrian, Nazi, Communist, and now the EU Empire, the backyard psychology was formed, as the psychology of the persecuted and marginalized, and the long internalized aggression of the persecuted which were never faced. I also say that once a "genocide is forgotten, another starts" (Elie Wiesel), that peoples who lack potential to face their crimes are bound to repeat them (the genocide against Armenians in 1915/1923 during the dissolution of the Ottoman Empire is to this day the taboo in Turkey). The silence about the genocide against the Bosniak people and inability of people in Serbia to face it, is blocking the whole region. The people of Serbia are now past all phases of conspiracy and crime of silence, past the phase of burden of silence and are now, in my opinion, in the state I call the banality of indifference. The creation and preservation of consciousness about war crimes and genocide is a prerequisite for the preservation of the very human substance, that is, humanity itself (Milan Popović), a possibility for the ending of the historical downfall of the Serbian people (Latinka Perović), and the road to barbarity (Srđa Popović). This Spring I told students in Novi Sad and Kragujevac that they are not guilty (Karl Jaspers) and that they should not agree to collective guilt. I also said that we have to talk about it, listen to each other, that we must think about what happened and that we have to rebuild trust (listen/talk/reflect/trust method, Dan Bar-On & Janja Beč) and that

I believe that their generation will be able to carry that out, regardless of how painful it may be. Also, I said that the process of facing genocide against Bosniaks will enable the development of positive self-perception that is a prerequisite for the respect of self and others. I stressed out that I know that they have not been able to hear or learn about this particular genocide, and that they should start understanding (Hanna Arendt) the roots of evil (Ervin Staub) lest they happen again, and that they have the right and duty to know what happened. To know that terrible things are terrible, but not to know about them is even more so (Dan Bar-On).

Is what I am doing (not just me, of course, but an awfully small group of people in Serbia), in vain? On a short-term basis, yes it is in vain. In the long run, however, as it is a process that lasts for several generations, it is not in vain. How do I know? The answer is precisely in the marginally small group of students - around fifty in Kragujevac and around twenty in Novi Sad. These numbers are not enough for grand conclusions, I know, but are enough for hope.

The lectures lasted for one day, and during that time I first laid out the theoretical part, explanation of the basic categories in use. I have to say that I have encountered tremendous ignorance in this group of students. In my lectures, I encountered all nationalities in the region. It was not always easy to teach, there was a lot of problems, but never such ignorance or so much repetition of propaganda from the media, primarily TV, without questioning or doubt.

Genocide is usually equated with war crimes, and that is a part of the process of relativization, that has taken root and is generally conceptualized and implemented through the elite in Serbia. Relativization is manifested in different ways but usually boils down to "yes, but everyone did THAT." The second part of the sentence that yes, it is true that war crimes were committed by all sides but

the genocide was committed only against the Bosniak people is left unspoken, at least in the dominant public discourse. The Hague indictments for genocide that cannot be hidden any more, as secondary mass graves in Bosnia were hidden, are either silenced or treated as a part of trade or some kind of financial transactions with the international community. That is why one of the sentences of a female student in Novi Sad is all the more worthy. At the end of the course, she told her colleague who said the famous sentence, "yes, but everyone did that," she answered "everybody committed war crimes, but this was genocide." He then tried to say "but ..." and she said "there is no but after genocide." And she cried. The boy, they are like children to me as they are 16 to 22 years old, was silent. He bowed his head in shame and guilt. This is not the same, but shame is the first step to facing genocide.

After that I read the story about Hida from my book "The Shattering of the Soul." Hida, who on May 31, 1992, in the village of Prhovo, county of Ključ, lost three daughters and a son.

"Why did you come son? To see where you are. Come, eat son, I made food for you. I can't mom, he puts on his clothes and leaves. I never saw him again ... They attacked us from all sides with all kinds of weapons ... Then they threw grenade and the column fell down. Afterwards, three girls came with a torch to find who is alive. Are you alive, they ask me, I am all bloody from my daughters who fell in my lap ..." Silence.

Then I discussed the indictment of Biljana Plavšić, counts 1 to 6, for genocide, participation in genocide, annihilation, murder, willful taking of life. Murders, count 12, the village of Prhovo, "execution, around May 30, 1992, of more than sixty Bosnian Muslims and/or Bosnian Croats, villagers from Prhovo, including women and children, and mass execution, around June 1, 1992, of more

than one hundred males, Bosnian Muslims and/or Bosnian Croats, villagers from Velagići, county of Ključ." Silence.

I talked about justice, formal and interpersonal, using Hida as example, about the International Tribunal for War Crimes in The Hague, the first of its kind in history, which will process all cases that took place from July 1, 1992. Individuals will be put on trial and not nations. The tribunal will try four gravest crimes: genocide, crimes against humanity, war crimes, and aggression. Also, I talked about the institutions of international justice that preceded the International Tribunal for War Crimes in The Hague, from courts in Ankara and Leipzig, after World War I, to courts in Nuremberg and Tokyo after World War II, about the International Court for the prosecution of individuals responsible for grave violations of international humanitarian law committed on the territory of the former Yugoslavia since 1991, about the investigation starting with Hida and Prhovo, and arriving to the genocide charge, about the fact that the word genocide did not even exist until 1933, at least was not used, until Raphael Lemkin, a lawyer, started his crusade for what became the Genocide convention, adopted on December 9, 1948. "Genocide is every act (points a, b, c, d, e) committed with the intention of destroying, completely or in part, a national, ethnic, racial or religious group as such" and that the hardest thing to prove is exactly that, intent. That in the first version adopted by the General assembly on December 11, 1946 political groups were included as well, but that it did not enter the Genocide convention, and that exactly "killings of groups of people for political reasons became a form of genocide of our time" (Ervin Staub), Cambodia (1975-1979), Argentina (1976), Guatemala (1962-1996). I also said that genocide, as a form of extreme destruction, is only the last step of many in the continuity of destruction. Srebrenica as well was only the last step; it seems to me, in that continuity of destruction. It started in the Spring of

1992 in Prhovo which was just the first step on that road, in that continuity of destruction and evil. Srebrenica was only the tragic, monstrous finale of Prhovo. Many Prhovos had to happen, with 60 victims, since the Spring of 1992, many silences had to happen, so that Srebrenica July 12 to 16, 1995 with 7,000 to 10,000 victims could be possible.

As we were watching the movie "A Cry from the Grave" about Srebrenica, BBC production, I have never heard this kind of silence. Several students left the room. Those who remained were silent. Afterwards I see, but I knew it in the dark as well, you can hear it in that silence, some cried, some held a hand of someone next to him/her, as in consolation. One does not need to say everything with words, words cannot say everything. Silence. Then, one female student in Kragujevac gets up and says "I believe you. I believe what you told us and what I saw is true. I didn't know that, and it is difficult for me to know. You said I am not guilty, but I was attacked last Summer at the seaside for being a Serb and I ran away. How can I live now, what should I do, now that I know?"

How will we live on, how to live after the genocide committed against the Bosniaks 1992-1995, from Prhovo to Srebrenica? How will we continue to live with the conspiracy, crime, the legacy of silence? How can new generations carry that burden of silence that was given to them while they were still children, just like my students in Novi Sad and Kragujevac? How to leave the banality of indifference that is currently prevalent and which is, in my opinion, more difficult than silence? We went the way from hate speech to hate silence. Indifference is defense, of course, just like two leading projects in Serbia today, rationalizations "everyone did THAT" and normalization "What about the Indians, the Gulag, the Holocaust?"

The possible way out, in my opinion, from the hate silence and the banality of indifference is the following: we knew, we are sorry, we are ashamed. It will last for several generations, but it might and should as well begin now. It is a question of decency today to say that we knew. That is a minimum. Not deny, that is not decent, that we knew is the first step toward a kind of interpersonal, not formal, justice. That is historical decency. It is especially important for the generation of my students from Novi Sad and Kragujevac. Not to run away, not to say you did not know. Say: I know, I was 10. But I know.

The next level is to say, we are sorry. This level can be reached easily. Everyone should ask themselves just one question, especially those from my generation, "How would I feel? How would I feel if my bloody daughters fell in my lap, like Hida's?" That is the question of empathy, empathy for genocide wherever it occurs, and that is the question for the next millennium, but this is about all of us. Next level (for people who can feel it and say it) is to say, I am ashamed. I am not guilty, but I am ashamed. Guilt and shame - the only true, genuine change is possible only within ourselves.

Guatemala was at war from 1962 to 1996, around 200,000 persons were killed, with 83.33% , mostly men, members of the Maya people. That was genocide against the Maya people. It was an intention to completely or in part destroy people. Twentieth century, century of extremes, and the century of extreme killing, began with the genocide against the Armenians in the Ottoman Empire 1915/1923, than the Holocaust, after that Cambodia, Argentina, Guatemala, Congo, Uganda, Rwanda, and it ended with the genocide on the periphery of that same Ottoman Empire, in Bosnia-Herzegovina 1992/1995. Hannah Arendt said after the Holocaust that we need to move the boundaries in our minds if we want to understand what happened. Those boundaries are, unfortunately, constantly being moved. We can try to understand the roots of evil

when we compare ourselves to others, but this should be done very carefully, of course. Genocide in Bosnia and Hercegovina was very similar to Guatemala, in many ways. In Guatemala, after 34 years of war and extreme killing, their elite found the strength to face with what happened and make the report about the genocide against the Maya people, "Tz'inil Na 'Tab'al"/Guatemala Memory of Silence: "... It is an authentic chapter in Guatemala's history, not a perfidious allegations or figments of the imagination... There is no doubt that the truth is of benefit to everyone, both victims and transgressors... Despite the shock the Nation could suffer upon seeing itself reflected in the mirror of its past, it is nevertheless necessary to know the truth and make it public... Knowing the truth of what happened will make it easier to achieve national reconciliation, so that in future Guatemalans may live in an authentic democracy, without forgetting that the rule of justice as the means for creating a new State has been and remains the general objective of all... Above all, it is necessary to recognize the facts of history and learn from the Nation's suffering... Thousands are dead. Thousands mourn. Reconciliation, for those who remain, is impossible without justice..."

Miguel Angel Asturias, the Nobel laureate for literature, says "The eyes of the buried will close together on the day of justice, or they will never close"... We place this report into the hands of every Guatemalan, the men and women of yesterday and today, so that the future generations may be aware of the enormous calamity and tragedy suffered by their people. May the lessons of this Report help us to consider, hear and understand others and be creative as we live in peace."

On June 7, 1945 after Holocaust, US chief prosecutor at Nuremberg, Robert H. Jackson, said that investigation had to prove incredible crimes by credible evidence. Genocide is not incredible, genocide is credible, it shows how this world functions. Is

there hope? Is there reconciliation? That word, in the Khmer language, in Cambodia, after two million dead, does not exist. In Cambodia one says "kar phas phsa" and that means "cure through the change in heart". I think that the students in Kragujevac and Novi Sad, in different ways, experienced that change of heart that gives me hope to say to Nefa, if I see her again somewhere: "There are people there, Nefa, there are people who feel sorry for you."